

OMBUDSMAN GOVERNMENT OF KHYBER PAKHTUNKHWA



صوبائی محتسب
خیبر پختونخوا

ANNUAL REPORT 2021

OMBUDSMAN

GOVERNMENT OF KHYBER PAKHTUNKHWA



**PROVISION OF INEXPENSIVE AND QUICK
ADMINISTRATIVE JUSTICE TO THE PEOPLE OF
KHYBER PAKHTUNKHWA**

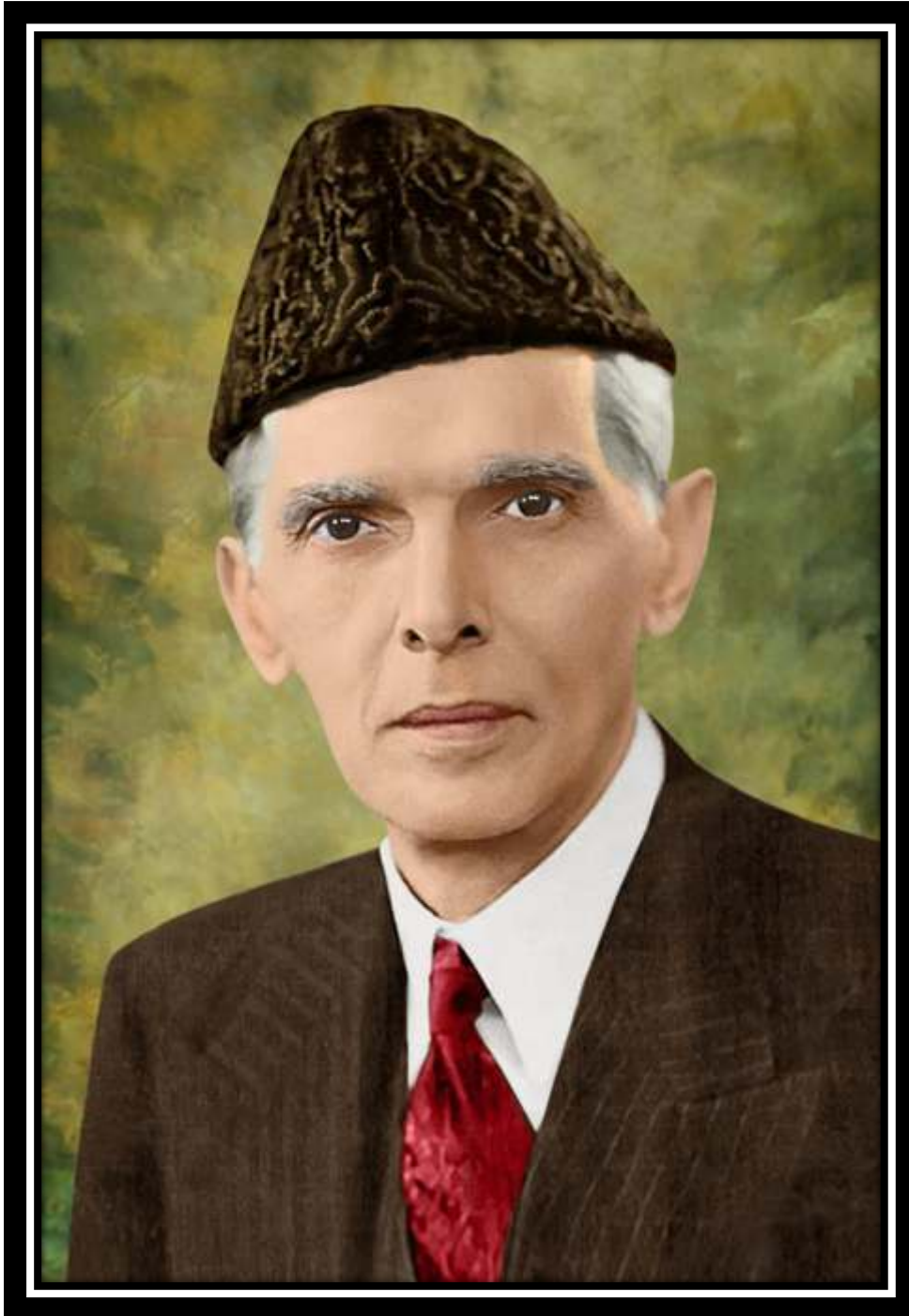
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„ O ye who believe; stand out firmly for justice, as witnesses to Allah even as against yourselves, or your parents, or your kin and whether it be (against) rich or poor: for Allah can best protect both. Follow not lusts (of your hearts), lest ye swerve, and if ye distort (justice), verily, Allah is well acquainted with all that ye do,, (Surah Al Nisa: verse No 135)

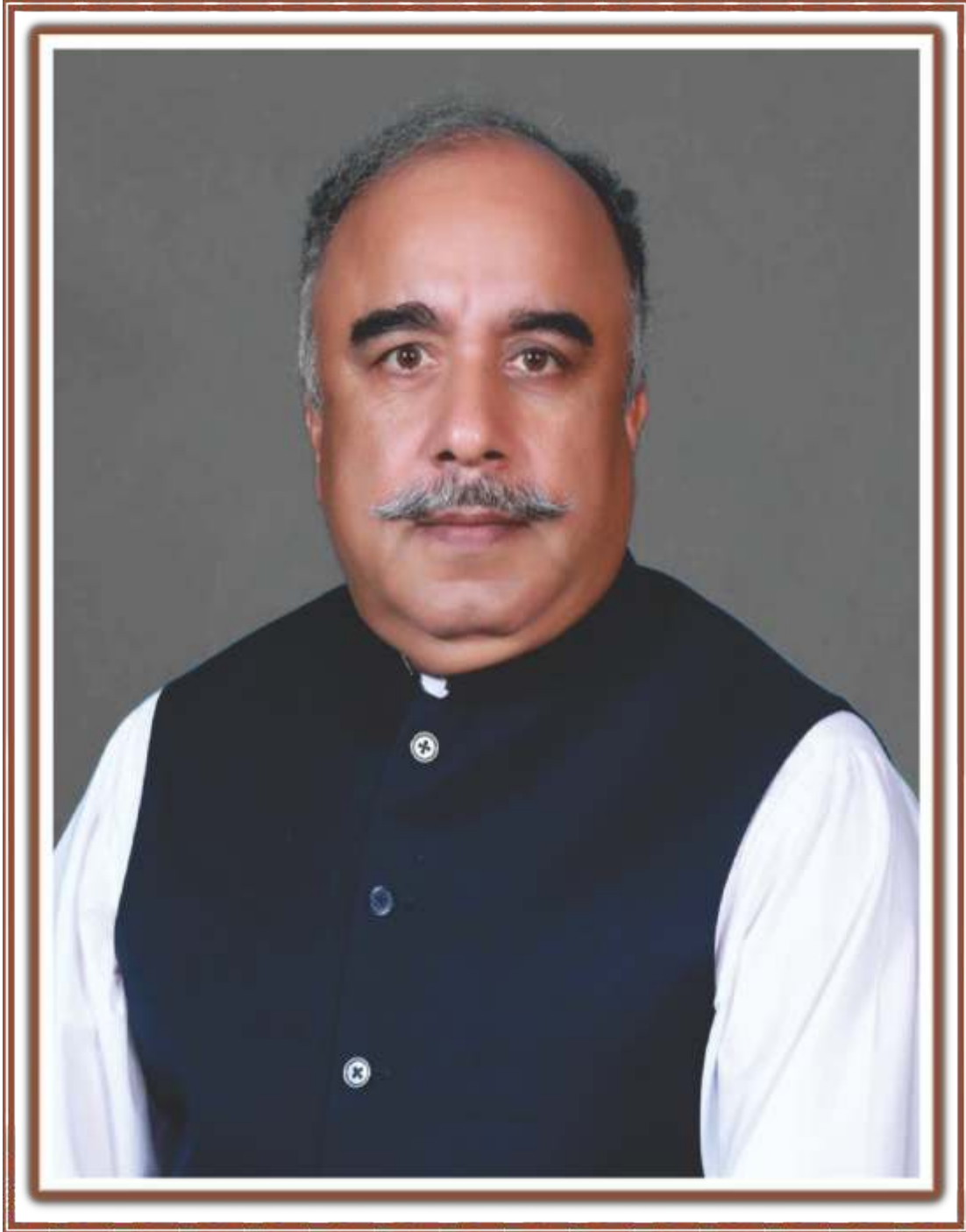




Quaid-e-Azam
Muhammad Ali Jinnah
Founder of the Nation

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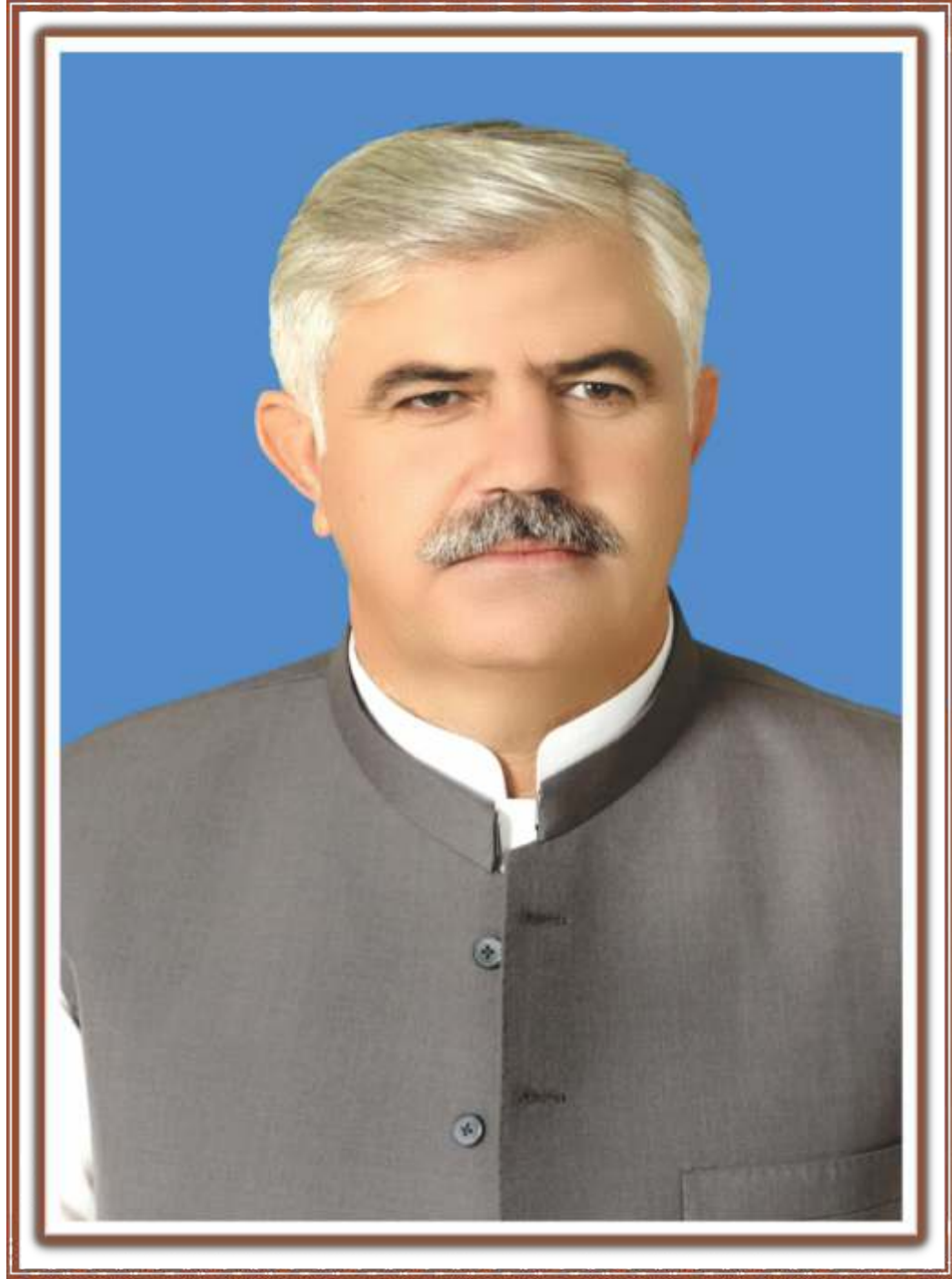




Shah Farman
Honorable Governor,
Khyber Pakhtunkhwa

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Mahmood Khan
Honorable Chief Minister
Khyber Pakhtunkhwa

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Syed Jamalud din Shah
Ombudsman,
Khyber Pakhtunkhwa

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OMBUDSMAN KHYBER PAKHTUNKHWA



D.O. No. PO.01 /2022
Dated: Peshawar the, 13/04/2022

My dear,

It is my privilege to present 11th Annual report,2021 as required under Section 23 of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010. Like the previous year 2020, this year also faced the menace of corona virus resulting in lock down, 50% attendance of staff due to which official business suffered badly. Despite these hinderances coupled with some other restraining factors, the team worked with zeal and did their best to achieve the set targets. Upon assuming the charge of the present post on 02 August, 2021, I was confronted with many issues which required urgent attention. The most important issue was the huge backlog of old and dormant cases pending since 2013 on account of Amendment (2013) in the Act,2010. wherein the power of ombudsman to implement his findings were curtailed. It is pertinent to mention here that keeping in view the sufferings of the complainants, and to restore their confidence in Government machinery, the matter was discussed with the Chief Secretary, Govt of KP, who constituted a committee under the chairmanship of Secretary Law, Parliamentary Affairs & Human Rights Department for the implementation of Ombudsman's recommendations. This effort proved fruitful. Fortnightly meetings are being held with the line departments/agencies and a good number of cases have been implemented.

The second issue is the shortage of staff due to vacant positions and non-establishment of regional offices. In this regard work is under progress. With the establishment of regional offices not only the complainant but the representatives of the Government department will not face inconvenience of visiting the Head Quarter to pursue their cases.

Provincial Ombudsman KP was established under provincial Ombudsman Act ,2010 with the following mandate:

- ▶ To protect the legitimate rights of the people by discouraging acts of maladministration from the Provincial government Agencies, with the vision to ensure adherence to the Rule of Law.
- ▶ To redress & rectify any injustice done to a citizen, suppress corrupt practices and ensure good governance.

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- ▶ To effect changes in government policy, procedure & legislation, educating the public, investigating and reviewing actions of the agencies.
- ▶ To ascertain the root causes of corrupt practices & injustice and to arrange studies or research and make appropriate recommendations to the government for eradication of such malpractices.

In accordance with the given mandate I along with my team embarked on the journey to redress the grievances of the people in a just and prompt way. A brief gist of the complaints is that during this year total 1347 complaints were registered and 382 were carried forward from previous year, thus total 1729 complaints were to be disposed off out of which 1337 complaints were decided and findings in 39 have been implemented. The implementation graph is going downward on account of deletion of implementation power. Besides, public has easy and quick access to this office through website, email, telephone, cell phone and a mechanism has been devised to facilitate the complainants to get firsthand information about the progress in their cases.

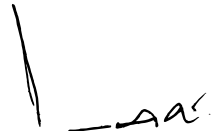
An important and novel aspect of this report is that causes of maladministration of various departments have been analyzed and suggestions to improve working environment of the offices have also been incorporated which will provide proper guidance to the head of the departments for bringing change and improve service delivery in larger public interest.

Although the above referred measures have improved the situation quite a lot, but still a lot is needed to be done. With kind and continued support of the Provincial Govt, we will be able to extend exemplary justice to the people of Khyber Pakhtunkhwa at their doorsteps.

With kind regards

MR. SHAH FARMAN
Governor Khyber Pakhtunkhwa

Yours sincerely


(SYED JAMALUD DIN SHAH)

OMBUDSMAN KHYBER PAKHTUNKHWA



Annual Report-2020 is being presented to the honorable Governor Khyber Pakhtunkhwa Mr. Shah Farman by the provincial Ombudsman Syed Jamal Ud Din Shah here at Governor's House,Peshawar on September 18, 2021.

PROVINCIAL OMBUDSMAN'S PROFILE:

On assuming the charge in the Office as Provincial Ombudsman, Khyber Pakhtunkhwa on 02/08/2021, Syed Jamal ud Din Shah had rendered over 33 years Provincial Service and has held important Administrative as well as field postings like Secretary to Government of Khyber Pakhtunkhwa Establishment Department, Secretary to Government of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department, Secretary to Government of Khyber Pakhtunkhwa Sports, Culture & Tourism Department. He also held important field positions like Divisional Commissioner, Kohat Division Kohat, Commissioner Afghan Refugees, D.G Excise, Taxation & Narcotics Control Department, D.C.O District Administration Bannu and Deputy Secretary Chief Minister Secretariat Khyber Pakhtunkhwa. His services were also utilized by the Government of Khyber Pakhtunkhwa in Political Administration Ex-FATA in five large populated Agencies like Assistant Political Agent (APA) District Khyber, South Waziristan, Kurram and Orakzai. Syed Jamal ud Din Shah visited many foreign countries in different official capacities. He visited Italy, Korea, Iran, Switzerland, Germany, China, Singapore in connection with important official assignments.

OMBUDSMAN'S MESSAGE

Administrative accountability and prevention of abuse of authority is pivotal to good governance. Public servants are accountable for performance of their official duties. It is the constitutional right of every citizen to file complaint in this office against the injustice or misuse of power and authority by a government functionary. It is the duty and responsibility of Ombudsman to resolve the public grievances arising out of maladministration by the Government Agencies. It is our commitment to deliver free of cost, speedy justice in a manner that is impartial, fair and equitable. Through this annual report an attempt is being made to provide information on how to contact this office through different means and how an aggrieved person can be helped. It also reflects on the performance of the Institution.

I along with my team shall try our best to promptly redress the grievances of the people of Khyber Pakhtunkhwa. Your valuable views and comments on our performance will certainly enable us to improve further and serve with more dedication.

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OUR MANDATE

As an independent statutory body established to resolve grievances of the complainants arising out of maladministration done by any Govt Agency. It is our mandate to deliver free of cost and speedy justice to the people of Khyber Pakhtunkhwa.

CAUSES OF MALADMINISTRATION AND REMEDIES

Provincial Ombudsman is mandated under provincial Ombudsman Act, 2010, (section ,27):

- To effect changes in government policy, procedure & legislation, educating the public, investigating and reviewing actions of the agencies.
- To ascertain the root causes of corrupt practices & injustice and to arrange studies or research and make appropriate recommendations to the government for the eradication of such malpractices. Keeping the above mandate in view, the investigation officers of this office were tasked to document their experiences, knowledge, and observation regarding the root causes of complaints against different Government agencies and propose remedies to mitigate those causes leading to maladministration. Total 1729 No of complaints were registered this year out of which 864 No of complaints were found genuine and based on facts.

It has been noted that problems which came to the surface after analyzing the complaints against different agencies, are mostly common in nature and their causes are also nearly common. For the purpose of convenience, common causes and remedies are discussed jointly, while rest is reported separately.

- a) Acts of maladministration, absence of Rule of Law, Injustice, corruption, nepotism ,favoritism, discrimination, misuse of discretionary powers, intentional delay, negligence ,violation of merit and policy, lack of knowledge regarding applicable rules, regulations, and procedures ,personal bias and ,prejudice, intentional delays ,misplacing and non-maintenance of proper record, delay in payment(pension, benevolent fund, medical and other admissible allowances, refund of securities etc.),concealment and non-provision of required data/information, without any justification and finally fear /apprehensions of accountability- are some of the common causes which force a citizen to register complaints.
- b) Lack of internal monitoring system. Violations are unchecked and no action against violators due to beaurocratic and political interference/backing.
- c) Lengthy / complicated procedures for award of degrees / certificates in Universities / Board also forces the students to register complaints. 20.65% cases /complaints were received against education department,6.94% against health, 6.25% against Universities in KP, 5.84% against Local Government Department, 5.21% against Police Department 4.57% against Deputy Commissioners (District Governments) 3.47% against Public Health Engineering Department and remaining from miscellaneous Departments against violation of merit / rules, violation of retired Class-IV employees son quota, deceased employees son quota, invalidated employees

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son quota, disabled person quota, non-provision of family pension, GP Fund, arrears etc. Most of the complaints in this regard were found genuine after investigation. Unless all of the above mentioned causes are removed or at least their effect substantially diminished there will be serious threat to good governance resulting in failure of government machinery to ensure quick justice and efficient service delivery.

Following remedies are suggested to improve service delivery and mitigate the registration of complaints against the agencies.

- ❑ Internal monitoring system must be made efficient and effective. There should be internal reward and punishment mechanism. Head of the department to be accessible, responsible and vigilant. It has been observed that failure to monitor the performance of employees on the part of head of the deptts lead to mismanagement. The heads take no interest in their official matters. They leave the public at the mercy of their subordinate staff who exploit them. Lodging complaints are discouraged nor adequately investigated even if registered. They do not give time and personal hearing to an aggrieved person. Most complainants state that after visiting the agency time and again they get exhausted and disappointed and when no response is received then they knock the door of Ombudsman office. Such a situation lead to unacceptable delays and frustration. It is suggested that the head of deptt must take a round of the office, observe public handling by their staff, keep meeting days with the public and must know how many complaints received and disposed of within a specific time. The Government may issue directions to the Secretaries of the different departments to get report regarding resolution of complaints by the respective department on monthly basis regularly. Negligence in this regard should not be tolerated and such inefficiency and irresponsibility must be reflected in their dossier and such reports be considered at the time of promotion.
- ❑ Record keeping is highly neglected. In some cases it is totally missing with the result that the complainant is deprived of pension, promotion and other benefits in the absence of record. Lame excuses are presented. Record is also not properly maintained. The representatives of the deptt requests no of adjournments to collect /trace the record. It is suggested that along with hard files, e-file system be introduced to mitigate the sufferings of the public. A focal person well conversant with the case be appointed and authorized to produce record before any competent forum. It has been observed that during investigation irrelevant representatives are authorized and after findings by Ombudsman, the deptt take the plea that the stance of the deptt has not been properly presented before the ombudsman. Such practice create complications in the

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implementation of the decisions. The Provincial government may take this issue seriously and pass necessary instructions to set the official affairs in right direction.

- ❑ It has also been observed that departments do not maintain seniority/merit list which create disputes in the appointment/promotion of employees or their successors. Quota policy is not properly followed, rather it is violated under the garb of discretionary powers. Appointments are made under political pressure. against merit. sometimes, specially in education sector even policy is not clear. According to the statement of their representatives, policy is conveyed in meetings verbally. This practice give rise to no of inquiries and litigations. It is suggested that the Provincial government may issue directions to concerned Secretaries to ensure observance of quota policy in deptts under their control. Strict action may be initiated against those officers who are found irresponsible or violators of policy.
- ❑ One of the most important issues pointed out by several complainants is the very lengthy / complicated procedure for award of Degree in most of the Universities / Institutions in Khyber Pakhtunkhwa. One of PhD scholar has raised the issue against Islamia College University, Peshawar. The Scholar pointed out that he has completed his PhD degree one year before but due to lengthy process / formalities, he could not receive PhD degree well in time. These lengthy procedural formalities not only dishearten the students but also waste precious time of the students / scholars.
- ❑ It has also been observed that officers /official are issued clearance certificate and retired at superannuation and after their retirement, inquiries audit proceedings are initiated/continued against them, their pension etc are with held and they are subjected to financial hardships. The provincial government may issue directions to Secretaries of respective deptts to issue directions that all liabilities be cleared before issuing NOC to a retiring person.
- ❑ It has been observed that head of the department are unaware of the rules / regulations, procedures and policies of their deptt .It is suggested that special training courses be arranged for the heads of the deptt to make them aware of the rules/laws governing their functioning.

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REPORT, 2021, SUMMARY

During the year under report, total 1729 public complaints were registered out of which 1337 complaints were disposed off, which is the high number of disposals since last three years, leaving a balance of 392 Complaints for the next year. Following are some highlights from the period under report, i.e. year 2021.

DEPARTMENT-WISE MAINTAINABLE COMPLAINTS:

| Department / Agency | No. of Complaints | Admitted | Admissibility % |
|---|-------------------|----------|-----------------|
| Elementary & Secondary Education Deptt. | 357 | 217 | 60.78 |
| Health Department | 120 | 74 | 61.66 |
| Universities in KP | 108 | 71 | 65.74 |
| L.G and R.D Department | 101 | 61 | 60.39 |
| Police Department | 90 | 24 | 26.66 |
| Deputy Commissioners (District Governments) | 79 | 40 | 50.63 |
| Public Health Engineering Department | 60 | 35 | 58.33 |
| Higher Education Department | 53 | 18 | 33.96 |
| Communication and Works Department | 50 | 27 | 54.00 |
| Revenue and Estate Department | 46 | 08 | 17.39 |
| Environment & Forest Department | 46 | 32 | 69.56 |
| Agriculture, Fisheries and livestock Department | 34 | 20 | 58.82 |
| Irrigation Department | 28 | 18 | 64.28 |
| Teaching Hospitals in KP | 26 | 18 | 69.23 |
| BISE's & BTE in KP | 23 | 11 | 47.82 |
| Accountant General Khyber Pakhtunkhwa | 21 | 15 | 71.42 |
| Medical University/ Colleges/ Institutions | 20 | 11 | 55.00 |
| Peshawar & other Development Authorities | 20 | 15 | 75.00 |
| KP Public Service Commission Peshawar | 19 | 03 | 15.78 |
| Establishment & Administration Department | 17 | 09 | 52.94 |

It has been noticed that high number of public complaints were registered against Elementary & Secondary Education Department, Health Department, Public sector Universities in KP, Local Govt. Department, Police Department and DCs, it clearly indicates that internal complaint handling system of these agencies is far from satisfaction. A number of them lodged complaints relating to their internal affairs which were forwarded to their respective heads for further necessary action at their end. However, there is a need of improvement in their infrastructure,

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DISTRICTS WITH HIGH NUMBER OF COMPLAINTS:

Due to proper awareness campaign, the complaints receiving ratio of the following districts is good. However, by educating the public about the Institution, further improvement is possible.

| District | No. of Complaints | %age |
|--------------|-------------------|-------|
| Peshawar | 316 | 18.28 |
| Abbottabad | 172 | 9.95 |
| Mardan | 102 | 5.90 |
| Bannu | 101 | 5.84 |
| Haripur | 98 | 5.67 |
| Karak | 90 | 5.21 |
| Kohat | 84 | 4.86 |
| Mansehra | 78 | 4.51 |
| Nowshera | 70 | 4.05 |
| Charsadda | 61 | 3.53 |
| Swabi | 59 | 3.41 |
| Lakki Marwat | 58 | 3.35 |
| D.I.Khan | 52 | 3.01 |
| Kurram | 44 | 2.54 |

DISTRICTS WITH LOW NUMBER OF COMPLAINTS:

Due to lack of awareness, non-existence of Regional Offices, are the reasons for low complaints in the following districts. However, awareness campaign about role of Ombudsman, could play a pivotal role in further improvement of good administrative justice.

| District | No. of Complaints | %age |
|-------------------|-------------------|------|
| Dir (Lower/Upper) | 42 | 2.43 |
| Swat | 34 | 1.97 |
| Khyber | 28 | 1.62 |

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| | | |
|--------------------------|----|------|
| Malakand | 27 | 1.56 |
| North / South Waziristan | 25 | 1.45 |
| Battagram | 22 | 1.27 |
| Mohmand / Bajaur | 21 | 1.21 |
| Tank | 17 | 0.98 |
| Hangu | 11 | 0.64 |
| Buner | 11 | 0.64 |
| Chitral | 9 | 0.52 |
| Orakzai | 6 | 0.35 |
| Shangla | 4 | 0.23 |
| Kohistan | 4 | 0.23 |
| Torghar | 1 | 0.06 |

IMPLEMENTATION-WISE PROGRESS OF DEPARTMENTS / AGENCIES (RECOMMENDATION STATUS):

| Department | Total Recomm. | Implemented | Pending | % Progress |
|---|---------------|-------------|---------|------------|
| Elementary & Second. Education | 272 | 62 | 210 | 22.79 |
| Health Department | 89 | 16 | 73 | 17.97 |
| Local Govt. & R.D Department | 83 | 10 | 73 | 12.04 |
| Universities in KP | 81 | 16 | 65 | 19.75 |
| C & W Department | 68 | 09 | 59 | 13.23 |
| Police Department | 48 | 06 | 42 | 12.50 |
| Districts Government (DCs) | 44 | 7 | 37 | 15.90 |
| PHE Department | 30 | 04 | 26 | 13.33 |
| PDA & Other Development Authorities in KP | 30 | 4 | 26 | 13.33 |
| Teaching Hospitals (MTI) in KP | 27 | 04 | 23 | 14.81 |
| Medical Colleges / Institutions | 26 | 09 | 17 | 34.61 |
| Higher Education | 26 | 05 | 21 | 19.23 |
| Accountant General, KP | 25 | 06 | 19 | 24.00 |
| Irrigation Department | 24 | 1 | 23 | 04.16 |
| Environment, Forest & WL | 20 | 02 | 18 | 10.00 |
| Workers Welfare Board | 19 | 02 | 17 | 10.52 |
| Zakat, Ushr & Social Welfare | 19 | 0 | 19 | 00 |
| BISEs & BTE in KP | 15 | 04 | 11 | 26.66 |
| Revenue & Estate Deptt. | 15 | 03 | 12 | 20.00 |
| P.D.M.A | 13 | 02 | 11 | 15.38 |
| Finance Department | 12 | 05 | 07 | 41.66 |
| Industries, Commerce & Tech | 11 | 02 | 09 | 18.18 |

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PROGRESS OF THE IMPLEMENTATION COMMITTEE CONSTITUTED BY THE GOVERNMENT

In order to implement the pending recommendations issued by the Ombudsman since 2013, the Provincial Government constituted a committee under the chairmanship of Secretary to Govt of Khyber Pakhtunkhwa, Law, Parliamentary Affairs & Human Rights Department. The Committee has conducted three successive meetings so far in which implementation reports from the following departments were sought. The progress of the committee regarding un-implemented cases discussed so far during these meetings is given as under:

| Department | Total Recomm. | Implemented | Pending | % Progress |
|-------------------------------|---------------|-------------|-----------|--------------|
| Administration Department | 08 | 07 | 01 | 87.50 |
| Mines & Mineral Dev Deptt | 08 | 05 | 03 | 62.50 |
| Excise & Taxation Department | 06 | 06 | 0 | 100 |
| Agriculture Department | 06 | 06 | 0 | 100 |
| Livestock & Dairy Devel Deptt | 05 | 05 | 0 | 100 |
| Transport Department | 04 | 04 | 0 | 100 |
| Population Welfare Departt | 03 | 02 | 01 | 66.66 |
| Home & TA Department | 03 | 03 | 0 | 100 |
| KP Highway Authority | 03 | 02 | 01 | 66.66 |
| KP Public Service Commission | 02 | 02 | 0 | 100 |
| Labour Department | 01 | 01 | 0 | 100 |
| EOBI | 01 | 01 | 0 | 100 |
| Total | 50 | 44 | 06 | 88.00 |

During the year under report, systemic issues affecting common citizens were studied followed by practicable and pragmatic recommendations made to the government in the areas, which impacted larger number of people i.e. pension benefits, violation in merit, health issues, drinking water issues, etc. PHE Department, C & W, PDA, Police, Environment, Workers Welfare Board, Local Govt Department, Zakat, Ushr & Social Welfare and Irrigation Department has the lowest progress in implementation of recommendations i.e below 15%.

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Awareness Campaign & Mass Media.

Provincial Ombudsman is mandated under Provincial Ombudsman Act, 2010 for provision of speedy and inexpensive relief to aggrieved persons through a unique, simple and fast track complaint redressal mechanism. Mostly the regions under the jurisdiction are located in far-flung inaccessible areas, which created difficulties in communicating the message of this Office to these backward areas of the Province. There was a dire need to start an awareness campaign for the general public about the role and importance of the Provincial Ombudsman and that how can they get benefit from this Institution free of cost.

In collaboration of the International Ombudsman Institute (IOI), this Secretariat started awareness campaign. The awareness campaign would be carried on within the 06 Newly Merged Districts (erstwhile FATA) as well as backward Districts of the Province including Districts of Chitral, Battagram, Kohistan, Tank and Torghar. This awareness program was divided into the following two phases:

PHASE-01: PRINTING AND SHARING OF AWARENESS MATERIALS.

The field visits were not possible on account of restriction / ban by the Provincial Government on social / official gathering due to Covid-19, therefore, Banners, News Letters, Brochures and Panaflex were printed and disseminated / distributed amongst the public and also sent to the Chief Minister, Khyber Pakhtunkhwa, Governor of the Province, all Ministers, Secretaries of the Departments, Divisional Commissioners, Deputy Commissioners and notable dignotrics / personalities in the Province. We received a very positive response of this activity. The Deputy Commissioners circulated these informative materials to their subordinate Officers and lower tiers / formations for displaying the same on public notice boards and conspicuous places like Mosques, Patwaris and Village Council Offices, etc.

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For achieving extended desired results, letters were also issued to Higher Education Department and all Divisional Commissioners for nomination of Focal Persons and target Institutions in areas under their jurisdiction for better communication, coordination and to extend facilitation / cooperation to the Awareness Campaign Teams. In response, All the Deputy Commissioners shared details of the Officers nominated as Focal Persons.



مختب سیکریٹریٹ حکومت خیبر پختونخوا

مہذب معاشروں کے بنیادی خدوخال

- عوام دوست دفتری ماحول
- عوامی خدمت کا جذبہ
- سستا انصاف
- قانون کی پاسداری
- فوری انصاف
- صاف ستھرا ماحول
- ہمدردانہ رویہ

مختب خیبر پختونخوا کے حکومتی اداروں یا اس کے ذیلی دفاتر کی بدانتظامی کے خلاف عوام کو فوری اور سستا انصاف فراہم کرتا ہے آپ صوبائی حکومت کے سرکاری ادارے کے کسی بھی ایسے فیصلے کے خلاف صوبائی مختب سے رجوع کر سکتے ہیں جو بدانتظامی پر مبنی ہو۔

شکایت درج کروانے کیلئے پتہ

مختب سیکریٹریٹ، او۔ پی۔ ایف بلڈنگ فیز-5 حیات آباد پشاور
ٹیلی فون 32-9219530-9219526+92-91-9219526 فیکس
ای میل: provincialombudsman@gmail.com
آن لائن کمپلیٹ کے لئے: www.ombudsmankp.gov.pk

یہ پمفلٹ بین الاقوامی مختب ادارہ (IOI) (International Ombudsman Institute) کے تعاون سے شائع کیا گیا۔



مختب سیکریٹریٹ حکومت خیبر پختونخوا

مختب خیبر پختونخواہ کے دفتر کی نمایاں خصوصیات

- آپ اپنی شکایت بذات خود، ای میل، ٹیلی فون، فیکس، ڈاک یا آن لائن کروا سکتے ہیں۔
- صوبائی مختب کے ادارے کی سہولتوں سے تمام شہری فیصلے یاب ہو سکتے ہیں۔
- صوبائی مختب تک رسائی انتہائی آسان ہے۔
- شکایات کا ازالہ 6 ماہ کے اندر کیا جاتا ہے۔
- صوبائی مختب کی خدمات بلا معاوضہ ہیں۔
- یہ ایک با اعتماد صوبائی حکومت کا ادارہ ہے۔

شکایت درج کروانے کیلئے پتہ

مختب سیکریٹریٹ، او۔ پی۔ ایف بلڈنگ فیز-5 حیات آباد پشاور
ٹیلی فون 32-9219530-9219526+92-91-9219526 فیکس
ای میل: provincialombudsman@gmail.com
آن لائن کمپلیٹ کے لئے: www.ombudsmankp.gov.pk

یہ پمفلٹ بین الاقوامی مختب ادارہ (IOI) (International Ombudsman Institute) کے تعاون سے شائع کیا گیا۔

PHASE-02: FIELD VISITS.

After Successful completion of first phase, the Ombudsman constituted field visiting teams for visiting awareness campaign in Newly Merged Districts. Government Degree College Ekkaghund, District Mohmand was selected for the opening ceremony of Awareness Campaign. In this context, letters were issued to the Principal of the concerned College and Deputy Commissioner Mohmand District for making all necessary arrangements.

The Hon'ble Minister Law, Khyber Pakhtunkhwa was also requested to attend the awareness campaign for indicating the intention of good governance by the Provincial Government and to inaugurate the opening ceremony of the awareness campaign. His presence at the ceremony was appreciated by the general public, considering the campaign to be launched for developing awareness of the Institution by the Government itself. His speech regarding the Ombudsman Office was a sign of ensuring good governance and the mission to redress public grievances at their door step.

OMBUDSMAN – ISSUES / IMPEDIMENTS.

Ombudsman offices is making day and night effort to resolve public grievances but still there are challenges which create hindrance in smooth functioning and achieving the mandate.

1. **Digitization of records:** The information technology has revolutionized the world and organization working with unknown capacity by virtue of automation. Digitization of records and use of information and communication Technology (ICT), not only boosts efficiency of the staff but ensure flawless record keeping for maintenance. Yet switch over to the use of technology is incomplete. In most cases it is at the rudimentary stage. Online working is still for away.

2. **Capacity Building:** There is a dire need for capacity building of staff engaged in the conduct of investigations, report writing, drafting of recommendations and so on. They need to be drilled in effective writing, equipped with solid ICT skills and flawless investigation techniques.

3. **Resource Constraints:** The two needs of digitization and capacity building would normally be seen as a routine activity, but paucity of resources turns them into serious challenges. Third world economics are usually marked by resource constraint and face competitive demands by the public sector institution for financial allocations. The funds allocated mostly fall short of the requirements. The imbalance makes it incumbent upon the office to neutralize it through strict management and optimum utilization of the available resources in order to save the institutional performance from adverse effects.

4. **Compliance and Execution:** But of all, compliance and execution of recommendations on complaints pose a daunting challenge to Ombudsman. Being a quasi-Judicial forum, his recommendations are anything but Judicial decrees, hence the execution problem. Non-compliance and lack of execution of recommendations compromise his authority and cause resentment among the complainants. There is a tendency of Government to curb and curtail the Jurisdiction of an Ombudsman. For example in the case of my office, the Government withdrew the powers initially vested in the Ombudsman to execute recommendations on his own. In the absence of statutory powers to impose penalty for non-compliance the contempt proceedings also appear futile, counterproductive and self-defeating.

5. **Budget and Financial Autonomy:**

It is pertinent to mention here that in order to ensure the financial autonomy and independence of the Ombudsman office, single line budget on the pattern of other Ombudsman institutions may be allocated

OMBUDSMAN KHYBER PAKHTUNKHWA

commensurate to its needs and head-wise or budget wise distribution as well as re-appropriation from one head to another. To run day to day business and to manage orderly the affairs of the office of Ombudsman the Government is usually reluctant to provide demanded funds.

6. **Delayed response from Agencies:** The Agencies are non-responsive in several matters which hamper the process of investigation in the complaint. Hearings fixed in several occasions to know the view points of the Agencies have to be adjourned due to non-attendance of representatives of the Agencies thus causing unnecessary delay in disposal of the complaints.

7. **Accommodation:** Office accommodation is another problem which faces the Provincial Ombudsman Khyber Pakhtunkhwa. The present office is a rented building with a monthly rent of Rs. 6,44,202/- per month and does not have enough rooms to accommodate the members and staff of the office in an adequate manner.

8. **Legal Problems:** One of the major legal problems facing the Ombudsman is restoration of the Provincial Ombudsman Act, 2010 in its original form, for which proposed amendment bill is already sent to Law Department on 07/06/2018.

9. **Awareness:** Lack of awareness campaign in backward areas of the Province, especially in newly merged districts (NMDs) (erstwhile FATA) is mandatory for better improvement in administrative justice in the Province.

10. **Establishment as well as functionalization of Regional Offices:** The Provincial Government has already sanctioned three Regional Offices at Abbottabad, Swat and D.I.Khan. However, they have not established and needs functionalization as public is asking about regional offices. Further, these regional Offices needs to be extended to all Divisions so that grievance redressal facility may be provided at doorstep of common people.

STATISTICAL ANALYSIS OF COMPLAINTS





OMBUDSMAN KHYBER PAKHTUNKHWA

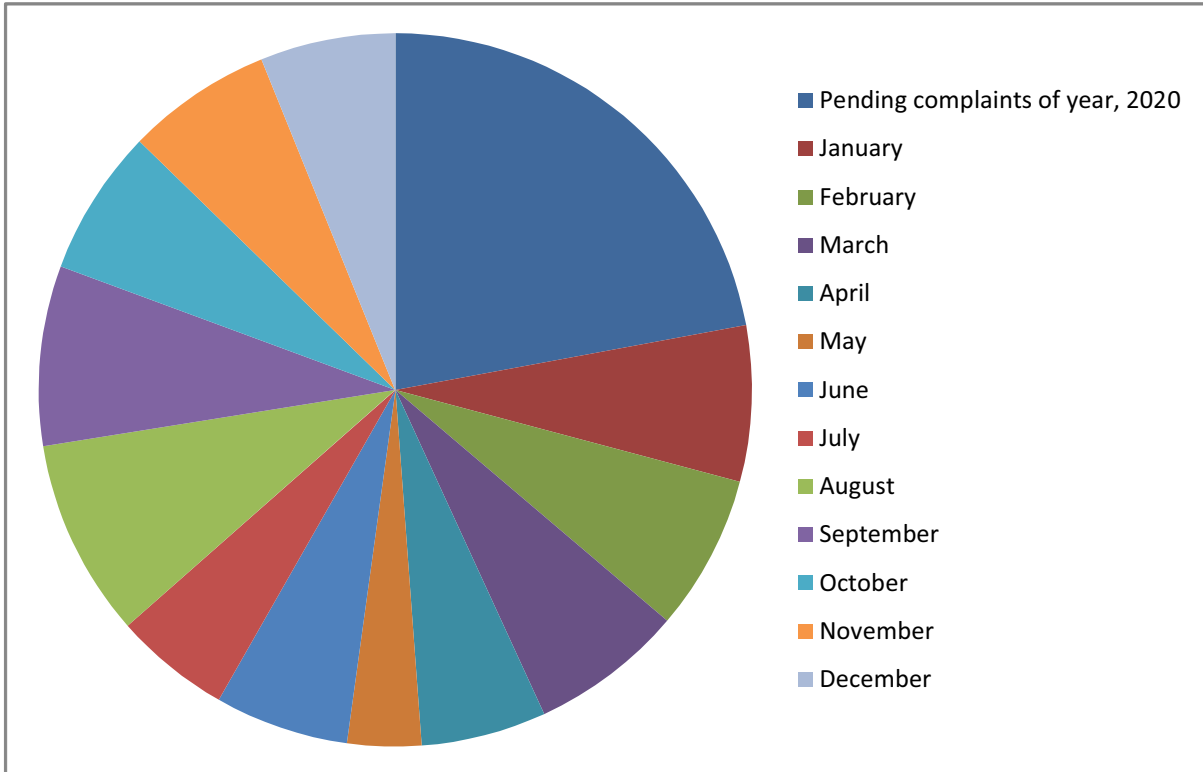
HIGHLIGHTS OF STATISTICAL ANALYSIS OF COMPLAINTS

| | |
|---|-------------|
| PENDING COMPLAINTS OF 2020 | 382 |
| COMPLAINTS RECEIVED DURING, 2021 | 1347 |
| TOTAL COMPLAINTS FOR DISPOSAL DURING 2021 | 1729 |
| MAINTAINABLE COMPLAINTS DURING 2021 | 864 |
| NONMAINTAINABLE COMPLAINTS DURING 2021 | 865 |
| COMPLAINTS DECIDED AFTER INVESTIGATION TILL 31-12-2021 | 472 |
| COMPLAINTS UNDER INVESTIGATION ON 31-12-2021 | 392 |
| COMPLAINTS DECIDED IN FAVOUR OF COMPLAINANTS | 223 |
| COMPLAINTS HAVING NO CASE OF MALADMINISTRATION | 147 |
| OUTSIDE JURISDICTION | 89 |
| COMPLAINTS WITHDRAWN / NOT PRESSED | 13 |
| SENT TO WAFAQI AND OTHER MOHTASIB DURING 2021 | 127 |
| SENT TO CONCERNED DEPARTMENTS FOR APPROPRIATE ACTION | 210 |
| RECOMMENDATIONS ISSUED DURING 2021 | 100 |
| RECOMMENDATIONS IMPLEMENTED DURING 2021 | 39 |

**MONTH WISE BREAKUP OF COMPLAINTS
FOR THE YEAR 2021**

| Month | Month | Month |
|---|-------------|---------------|
| Pending complaints of year, 2020 | 382 | |
| January | 122 | 9.06 |
| February | 122 | 9.06 |
| March | 120 | 8.91 |
| April | 98 | 7.28 |
| May | 58 | 4.31 |
| June | 105 | 7.80 |
| July | 91 | 6.76 |
| August | 155 | 11.51 |
| September | 141 | 10.47 |
| October | 115 | 8.54 |
| November | 114 | 8.46 |
| December | 106 | 7.87 |
| Total | 1729 | 100.00 |

MONTH WISE BREAKUP OF COMPLAINTS
FOR THE YEAR 2021

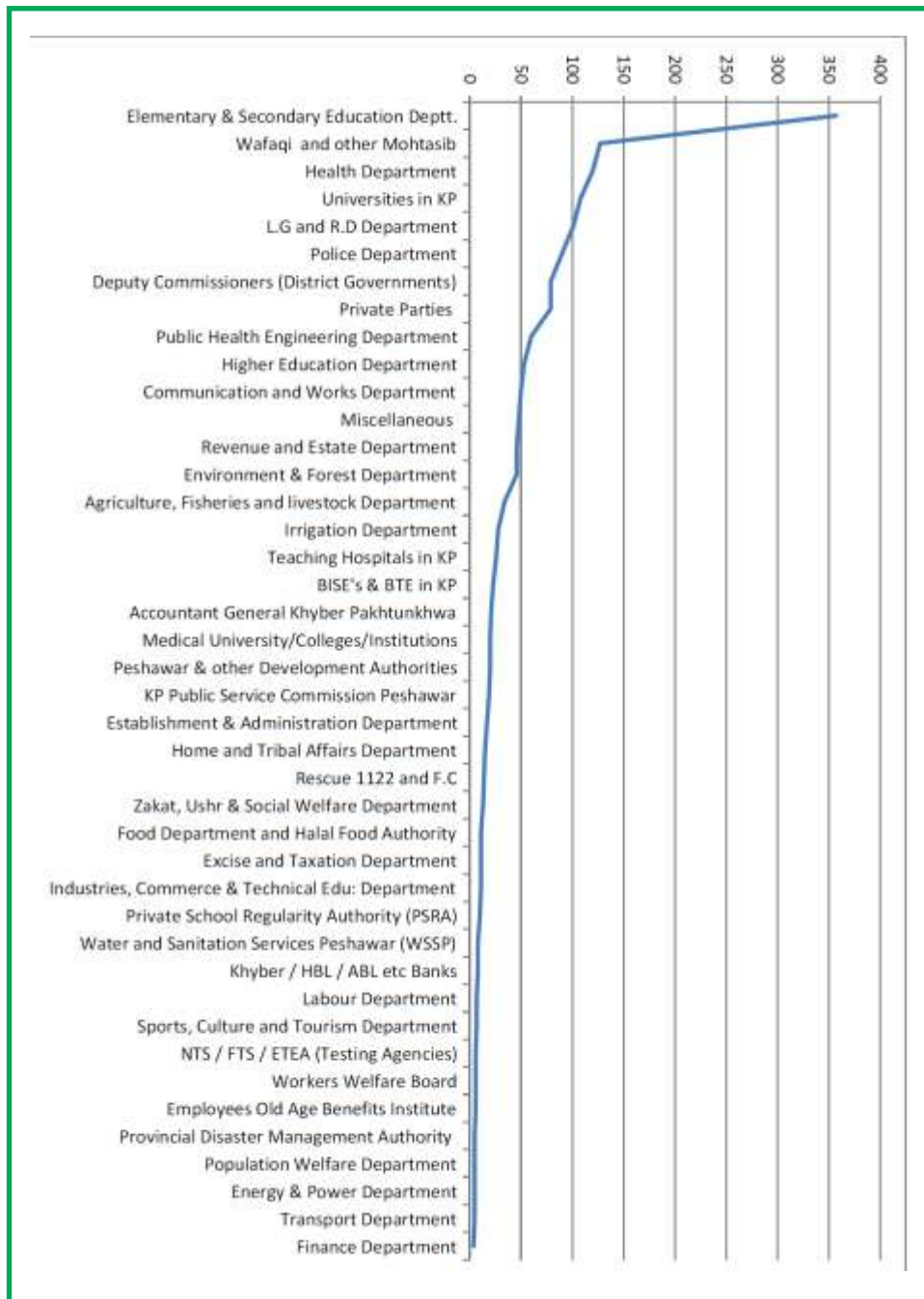


OMBUDSMAN KHYBER PAKHTUNKHWA

AGENCY/DEPARTMENT WISE BREAKUP OF COMPLAINTS RECEIVED DURING 2021

| Agency / Department | Number of Complaints | % age |
|--|----------------------|---------------|
| Elementary & Secondary Education Deptt. | 357 | 20.65 |
| Wafaqi and other Mohtasib | 127 | 7.35 |
| Health Department | 120 | 6.94 |
| Universities in KP | 108 | 6.25 |
| L.G and R.D Department | 101 | 5.84 |
| Police Department | 90 | 5.21 |
| Deputy Commissioners (District Governments) | 79 | 4.57 |
| Private Parties | 79 | 4.57 |
| Public Health Engineering Department | 60 | 3.47 |
| Higher Education Department | 53 | 3.07 |
| Communication and Works Department | 50 | 2.89 |
| Miscellaneous | 48 | 2.78 |
| Revenue and Estate Department | 46 | 2.66 |
| Environment & Forest Department | 46 | 2.66 |
| Agriculture, Fisheries and livestock Department | 34 | 1.97 |
| Irrigation Department | 28 | 1.62 |
| Teaching Hospitals in KP | 26 | 1.50 |
| BISE's & BTE in KP | 23 | 1.33 |
| Accountant General Khyber Pakhtunkhwa | 21 | 1.21 |
| Medical University/Colleges/Institutions | 20 | 1.16 |
| Peshawar & other Development Authorities | 20 | 1.16 |
| KP Public Service Commission Peshawar | 19 | 1.10 |
| Establishment & Administration Department | 17 | 0.98 |
| Home and Tribal Affairs Department | 15 | 0.87 |
| Rescue 1122 and F.C | 14 | 0.81 |
| Zakat, Ushr & Social Welfare Department | 13 | 0.75 |
| Food Department and Halal Food Authority | 11 | 0.64 |
| Excise and Taxation Department | 11 | 0.64 |
| Industries, Commerce & Technical Edu: Department | 11 | 0.64 |
| Private School Regularity Authority (PSRA) | 10 | 0.58 |
| Water and Sanitation Services Peshawar (WSSP) | 8 | 0.46 |
| Khyber / HBL / ABL etc Banks | 8 | 0.46 |
| Labour Department | 7 | 0.40 |
| Sports, Culture and Tourism Department | 7 | 0.40 |
| NTS / FTS / ETEA (Testing Agencies) | 6 | 0.35 |
| Workers Welfare Board | 6 | 0.35 |
| Employees Old Age Benefits Institute | 6 | 0.35 |
| Provincial Disaster Management Authority | 5 | 0.29 |
| Population Welfare Department | 5 | 0.29 |
| Energy & Power Department | 5 | 0.29 |
| Transport Department | 5 | 0.29 |
| Finance Department | 4 | 0.23 |
| Total | 1729 | 100.00 |

AGENCY/DEPARTMENT WISE BREAKUP OF COMPLAINTS RECEIVED DURING 2021

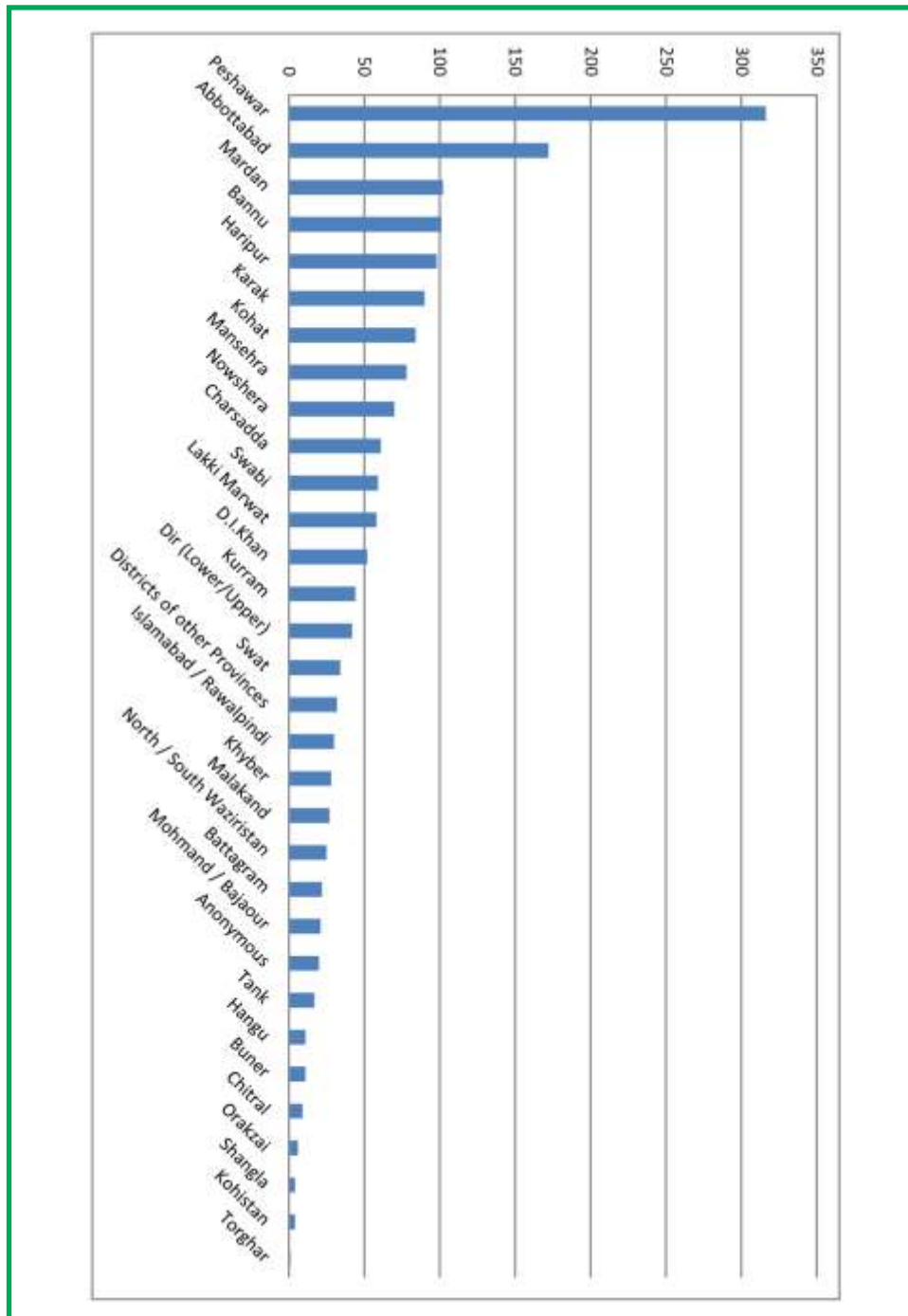


OMBUDSMAN KHYBER PAKHTUNKHWA

DISTRICT WISE BREAKUP OF COMPLAINTS DURING 2021

| S.No. | DISTRICTS | Number of Complaints | % age |
|-------|------------------------------|----------------------|---------------|
| 1 | Peshawar | 316 | 18.28 |
| 2 | Abbottabad | 172 | 9.95 |
| 3 | Mardan | 102 | 5.90 |
| 4 | Bannu | 101 | 5.84 |
| 5 | Haripur | 98 | 5.67 |
| 6 | Karak | 90 | 5.21 |
| 7 | Kohat | 84 | 4.86 |
| 8 | Mansehra | 78 | 4.51 |
| 9 | Nowshera | 70 | 4.05 |
| 10 | Charsadda | 61 | 3.53 |
| 11 | Swabi | 59 | 3.41 |
| 12 | Lakki Marwat | 58 | 3.35 |
| 13 | D.I.Khan | 52 | 3.01 |
| 14 | Kurram | 44 | 2.54 |
| 15 | Dir (Lower/Upper) | 42 | 2.43 |
| 16 | Swat | 34 | 1.97 |
| 17 | Districts of other Provinces | 32 | 1.85 |
| 18 | Islamabad / Rawalpindi | 30 | 1.74 |
| 19 | Khyber | 28 | 1.62 |
| 20 | Malakand | 27 | 1.56 |
| 21 | North / South Waziristan | 25 | 1.45 |
| 22 | Battagram | 22 | 1.27 |
| 23 | Mohmand / Bajaour | 21 | 1.21 |
| 24 | Anonymous | 20 | 1.16 |
| 25 | Tank | 17 | 0.98 |
| 26 | Hangu | 11 | 0.64 |
| 27 | Buner | 11 | 0.64 |
| 28 | Chitral | 9 | 0.52 |
| 29 | Orakzai | 6 | 0.35 |
| 30 | Shangla | 4 | 0.23 |
| 31 | Kohistan | 4 | 0.23 |
| 32 | Torghar | 1 | 0.06 |
| | Total | 1729 | 100.00 |

DISTRICT WISE BREAKUP OF COMPLAINTS DURING 2021



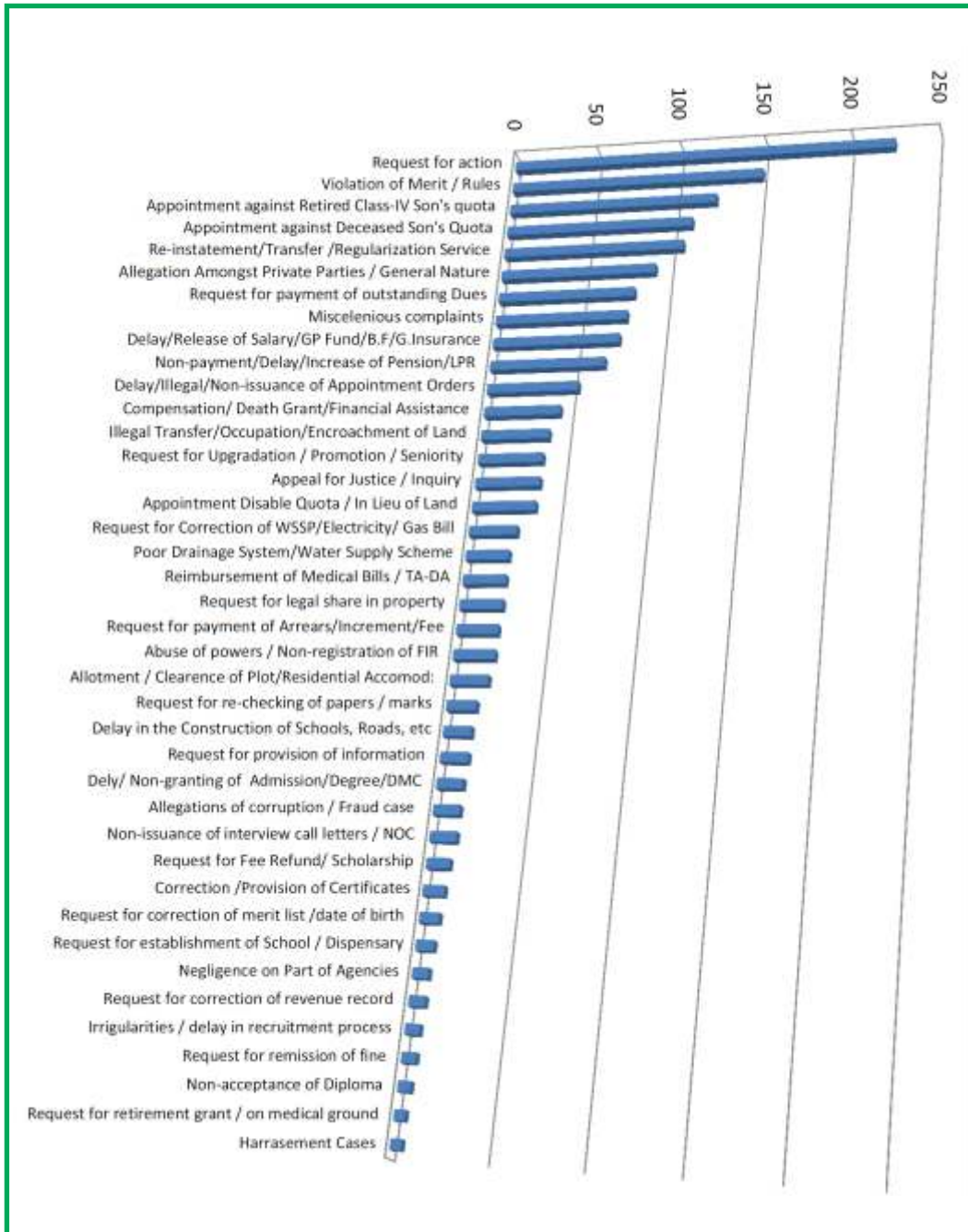
OMBUDSMAN KHYBER PAKHTUNKHWA

SUBJECT WISE BREAKUP OF COMPLAINTS RECEIVED DURING 2021

| S.NO | SUBJECT | COMPLAINTS | % age |
|------|--|-------------|---------------|
| 1 | Request for action | 225 | 13.01 |
| 2 | Violation of Merit / Rules | 150 | 8.68 |
| 3 | Appointment against Retired Class-IV Son's quota | 124 | 7.17 |
| 4 | Appointment against Deceased Son's Quota | 111 | 6.42 |
| 5 | Re-instatement/Transfer /Regularization Service | 107 | 6.19 |
| 6 | Allegation Amongst Private Parties / General Nature | 92 | 5.32 |
| 7 | Request for payment of outstanding Dues | 81 | 4.68 |
| 8 | Miscelenious complaints | 78 | 4.51 |
| 9 | Delay/Release of Salary/GP Fund/B.F/G.Insurance | 75 | 4.34 |
| 10 | Non-payment/Delay/Increase of Pension/LPR | 68 | 3.93 |
| 11 | Delay/Illegal/Non-issuance of Appointment Orders | 54 | 3.12 |
| 12 | Compensation/ Death Grant/Financial Assistance | 45 | 2.60 |
| 13 | Illegal Transfer/Occupation/Encroachment of Land | 40 | 2.31 |
| 14 | Request for Upgradation / Promotion / Seniority | 38 | 2.20 |
| 15 | Appeal for Justice / Inquiry | 38 | 2.20 |
| 16 | Appointment Disable Quota / In Lieu of Land | 37 | 2.14 |
| 17 | Request for Correction of WSSP/Electricity/ Gas Bill | 28 | 1.62 |
| 18 | Poor Drainage System/Water Supply Scheme | 25 | 1.45 |
| 19 | Reimbursement of Medical Bills / TA-DA | 25 | 1.45 |
| 20 | Request for legal share in property | 25 | 1.45 |
| 21 | Request for payment of Arrears/Increment/Fee | 24 | 1.39 |
| 22 | Abuse of powers / Non-registration of FIR | 24 | 1.39 |
| 23 | Allotment / Clearence of Plot/Residential Accomod: | 22 | 1.27 |
| 24 | Request for re-checking of papers / marks | 17 | 0.98 |
| 25 | Delay in the Construction of Schools, Roads, etc | 16 | 0.93 |
| 26 | Request for provision of information | 16 | 0.93 |
| 27 | Dely/ Non-granting of Admission/Degree/DMC | 15 | 0.87 |
| 28 | Allegations of corruption / Fraud case | 15 | 0.87 |
| 29 | Non-issuance of interview call letters / NOC | 15 | 0.87 |
| 30 | Request for Fee Refund/ Scholarship | 13 | 0.75 |
| 31 | Correction /Provision of Certificates | 12 | 0.69 |
| 32 | Request for correction of merit list /date of birth | 11 | 0.64 |
| 33 | Request for establishment of School / Dispensary | 10 | 0.58 |
| 34 | Negligence on Part of Agencies | 9 | 0.52 |
| 35 | Request for correction of revenue record | 9 | 0.52 |
| 36 | Irrigularities / delay in recruitment process | 8 | 0.46 |
| 37 | Request for remission of fine | 8 | 0.46 |
| 38 | Non-acceptance of Diploma | 7 | 0.40 |
| 39 | Request for retirement grant / on medical ground | 6 | 0.35 |
| 40 | Harrasement Cases | 6 | 0.35 |
| | TOTAL | 1729 | 100.00 |

OMBUDSMAN KHYBER PAKHTUNKHWA

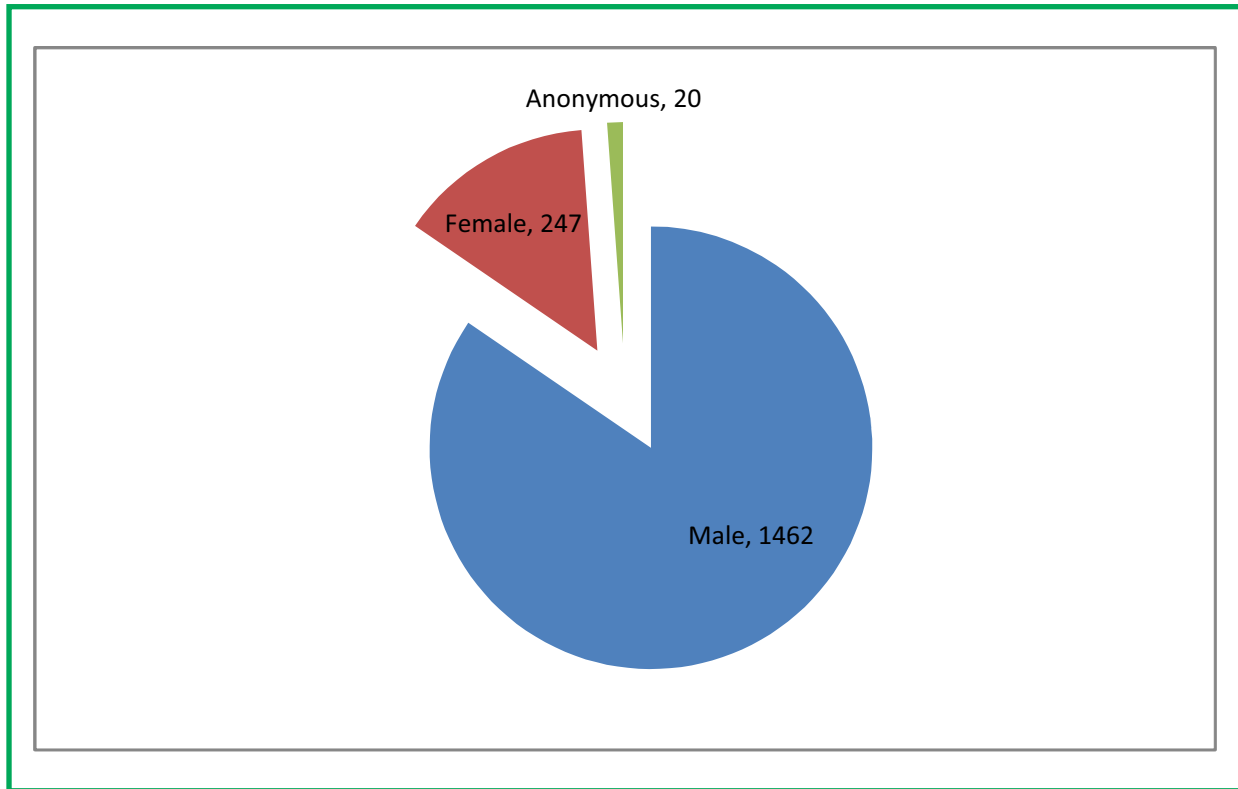
SUBJECT WISE BREAKUP OF COMPLAINTS RECEIVED DURING 2021



STATUS WISE BREAKUP OF COMPLAINTS
RECEIVED DURING 2021

| S.NO | STATUS | COMPLAINTS | | | %age |
|------|--------------|------------|------------|-------------|---------------|
| | | Admitted | Rejected | Total | |
| 1 | Male | 740 | 722 | 1462 | 84.56 |
| 2 | Female | 124 | 123 | 247 | 14.29 |
| 3 | Anonymous | 0 | 20 | 20 | 1.16 |
| | Total | 864 | 865 | 1729 | 100.00 |

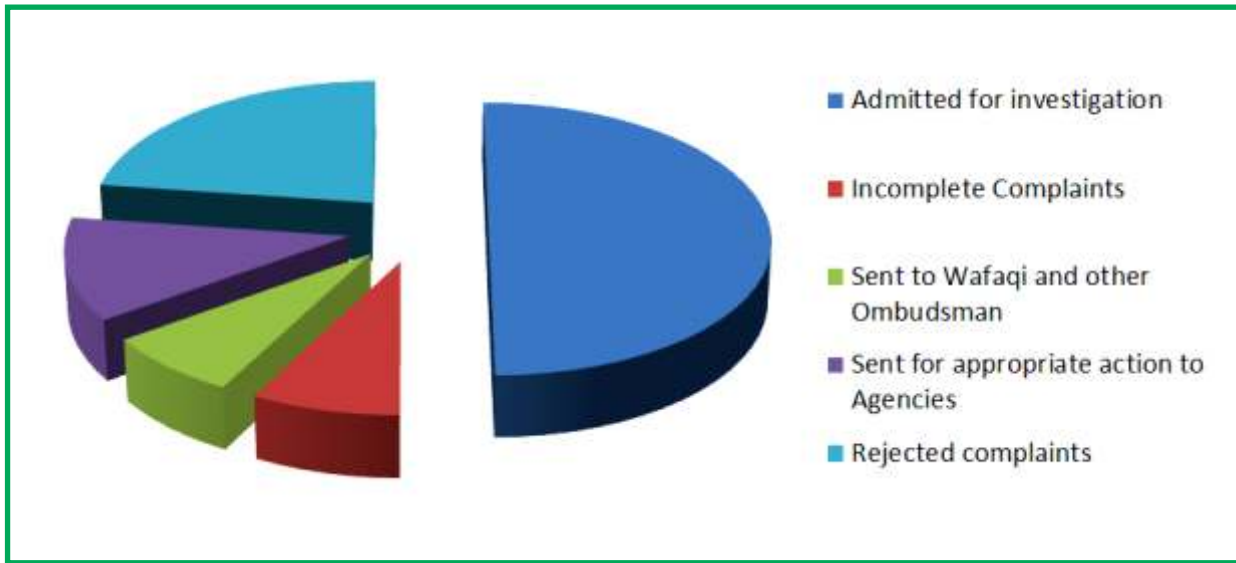
STATUS WISE BREAKUP OF COMPLAINTS
RECEIVED DURING 2021



**BREAKUP OF MAINTAINABLE AND NON-MAINTAINABLE
COMPLAINTS FOR THE YEAR 2021**

| S.NO | CATEGORY | NUMBER OF COMPLAINTS | % Age |
|------|---|----------------------|---------------|
| 1 | Admitted for investigation | 864 | 49.97 |
| 2 | Incomplete Complaints | 134 | 7.75 |
| 3 | Sent to Wafaqi and other Ombudsman | 127 | 7.35 |
| 4 | Sent for appropriate action to Agencies | 210 | 12.15 |
| 5 | Rejected complaints | 394 | 22.79 |
| | Total | 1729 | 100.00 |

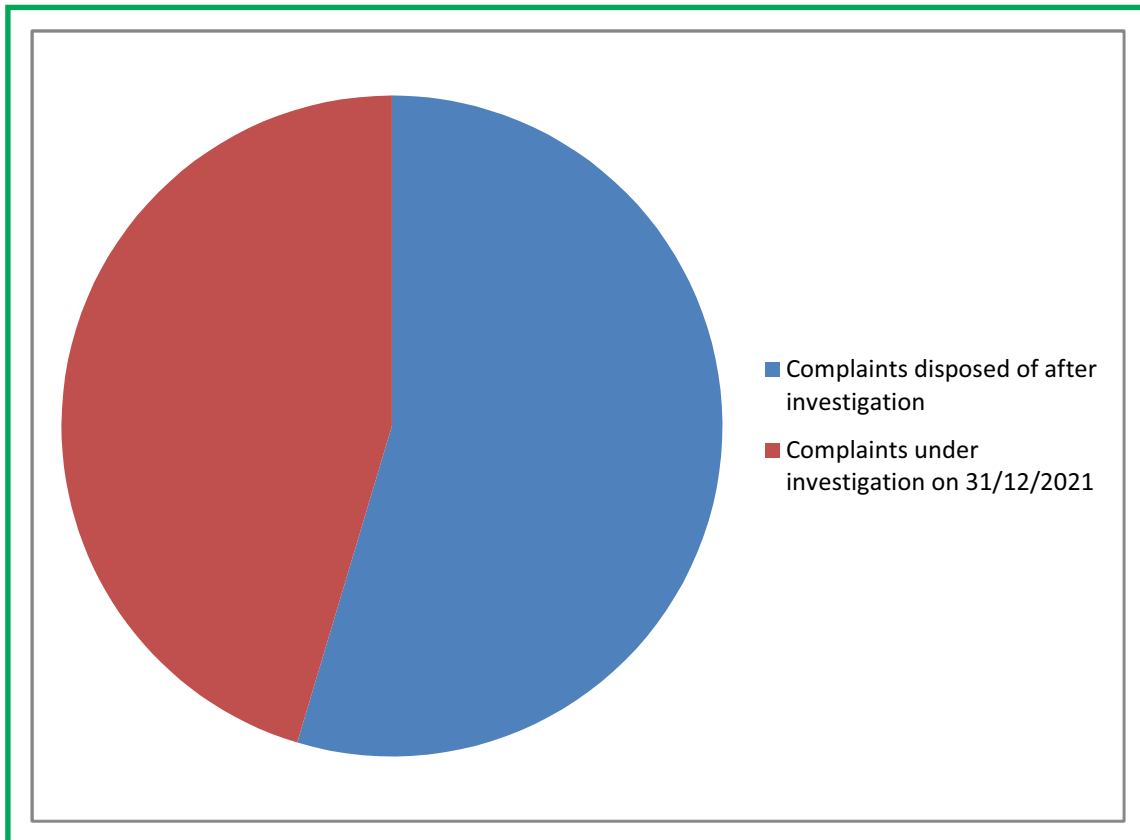
BREAKUP OF MAINTAINABLE AND NON-MAINTAINABLE COMPLAINTS FOR THE YEAR 2021



ADMITTED COMPLAINTS DURING 2021

| S.NO | ADMITTED COMPLAINTS | NO OF COMPLAINTS | % age |
|--------------|--|------------------|---------------|
| 1. | Complaints disposed of after investigation | 472 | 54.63 |
| 2. | Complaints under investigation on 31/12/2021 | 392 | 45.37 |
| Total | | 864 | 100.00 |

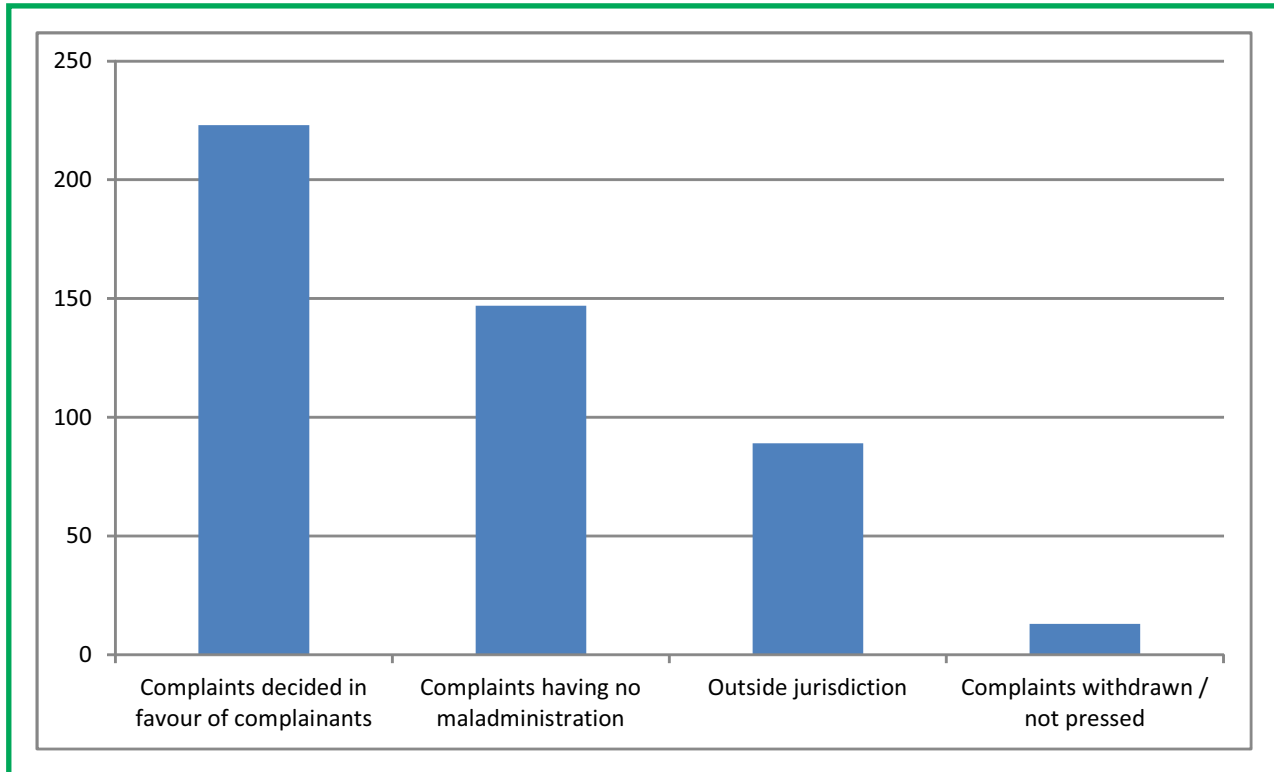
ADMITTED COMPLAINTS DURING 2021



**BREAKUP OF COMPLAINTS DECIDED
AFTER INVESTIGATION**

| S.No | Category of Complaints | Number of Complaints | % Age |
|--------------|--|----------------------|---------------|
| 1 | Complaints decided in favour of complainants | 223 | 47.25 |
| 2 | Complaints having no maladministration | 147 | 31.14 |
| 3 | Outside jurisdiction | 89 | 18.86 |
| 4 | Complaints withdrawn / not pressed | 13 | 2.75 |
| Total | | 472 | 100.00 |

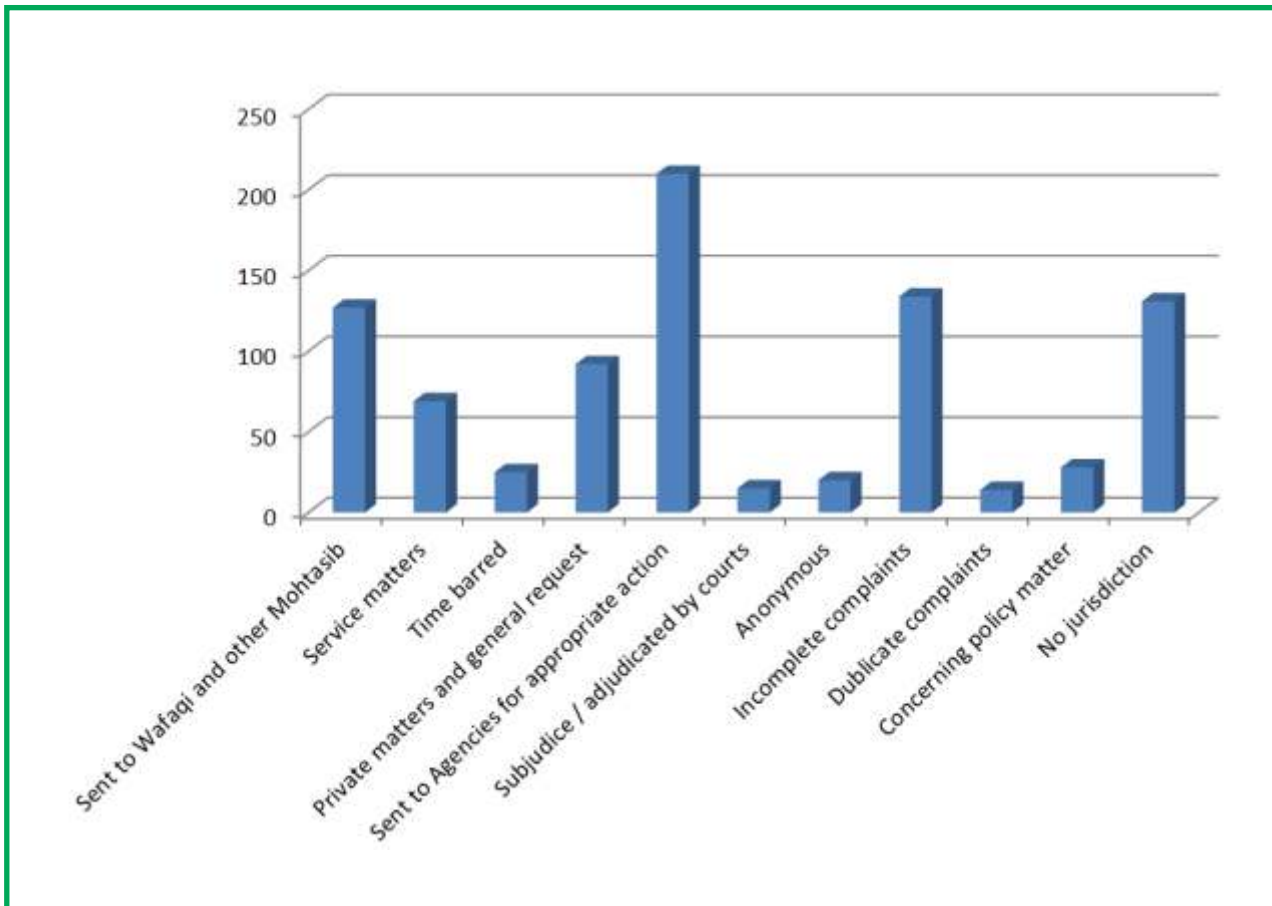
**BREAKUP OF COMPLAINTS DECIDED
AFTER INVESTIGATION**



**BREAK UP OF NON-MAINTAINABLE COMPLAINTS
RECEIVED DURING 2021**

| S.NO | NATURE/CATEGORY/AGENCY | COMPLAINTS | %age |
|------|---|------------|---------------|
| 1 | Sent to Wafaqi and other Mohtasib | 127 | 14.68 |
| 2 | Service matters | 69 | 7.98 |
| 3 | Time barred | 25 | 2.89 |
| 4 | Private matters and general request | 92 | 10.64 |
| 5 | Sent to Agencies for appropriate action | 210 | 24.28 |
| 6 | Subjudice / adjudicated by courts | 15 | 1.73 |
| 7 | Anonymous | 20 | 2.31 |
| 8 | Incomplete complaints | 134 | 15.49 |
| 9 | Duplicate complaints | 14 | 1.62 |
| 10 | Concerning policy matter | 28 | 3.24 |
| 11 | No jurisdiction | 131 | 15.14 |
| | TOTAL | 865 | 100.00 |

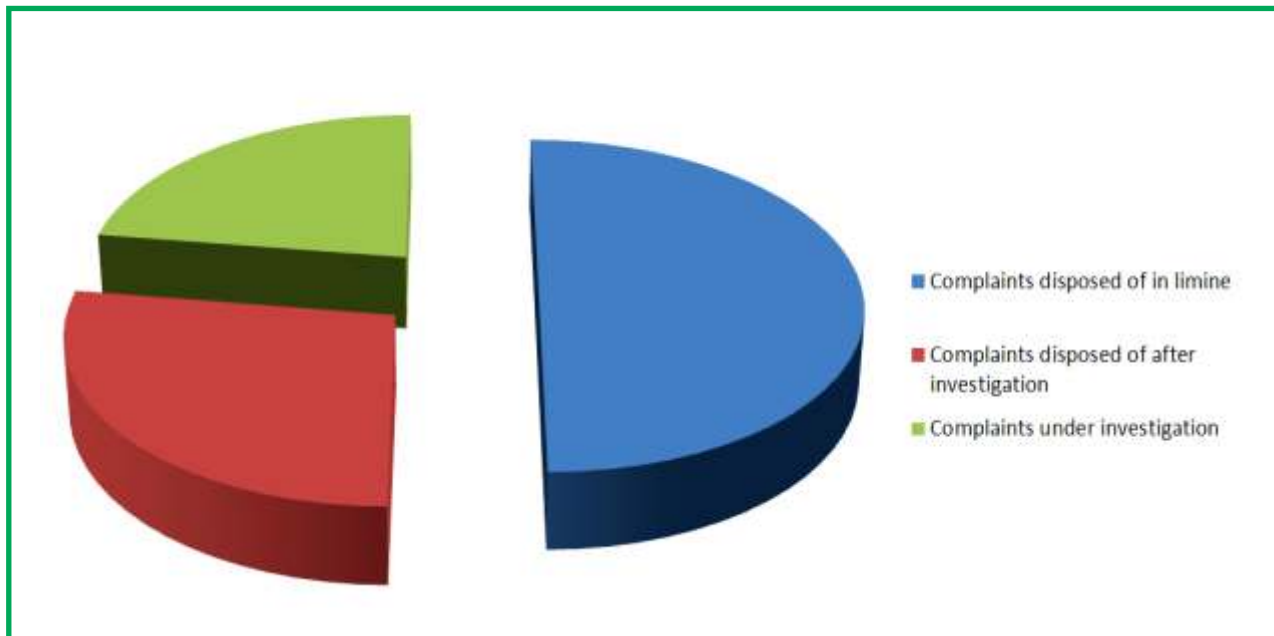
REJECTED/NON-MAINTAINABLE COMPLAINTS
RECEIVED DURING 2021



DISPOSAL OF COMPLAINTS DURING 2021

| S.No | Description of Complaints | No of Complaints |
|--------------|--|------------------|
| 1 | Complaints disposed of in limine | 865 |
| 2 | Complaints disposed of after investigation | 472 |
| 3 | Complaints under investigation | 392 |
| Total | | 1729 |

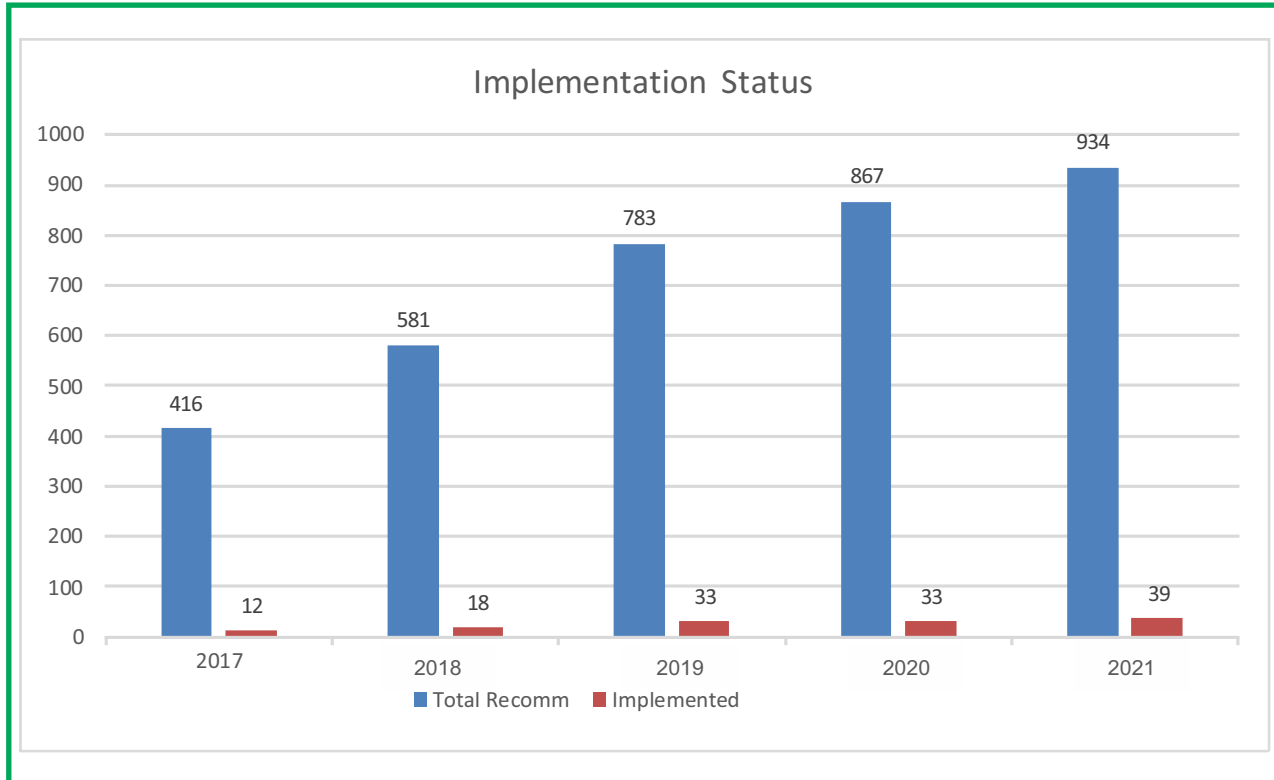
DISPOSAL OF COMPLAINTS DURING 2021



**IMPLEMENTATION STATUS OF COMPLAINTS
TILL DECEMBER 2021**

| Year | Previous Year Balance | Current Recommendations | Total Recommendations (Previous + Current) | Recommendations Implemented | Balance |
|------|--------------------------------------|-------------------------|--|-----------------------------|------------|
| | | | | | 341 |
| 2017 | 341 | 75 | 416 | 12 | 404 |
| 2018 | 404 | 177 | 581 | 18 | 563 |
| 2019 | 563 | 220 | 783 | 33 | 750 |
| 2020 | 750 | 117 | 867 | 33 | 834 |
| 2021 | 834 | 100 | 934 | 39 | 895 |
| | Total Pending Recommendations | | | | 895 |

**IMPLEMENTATION STATUS OF COMPLAINTS
TILL DECEMBER 2021**

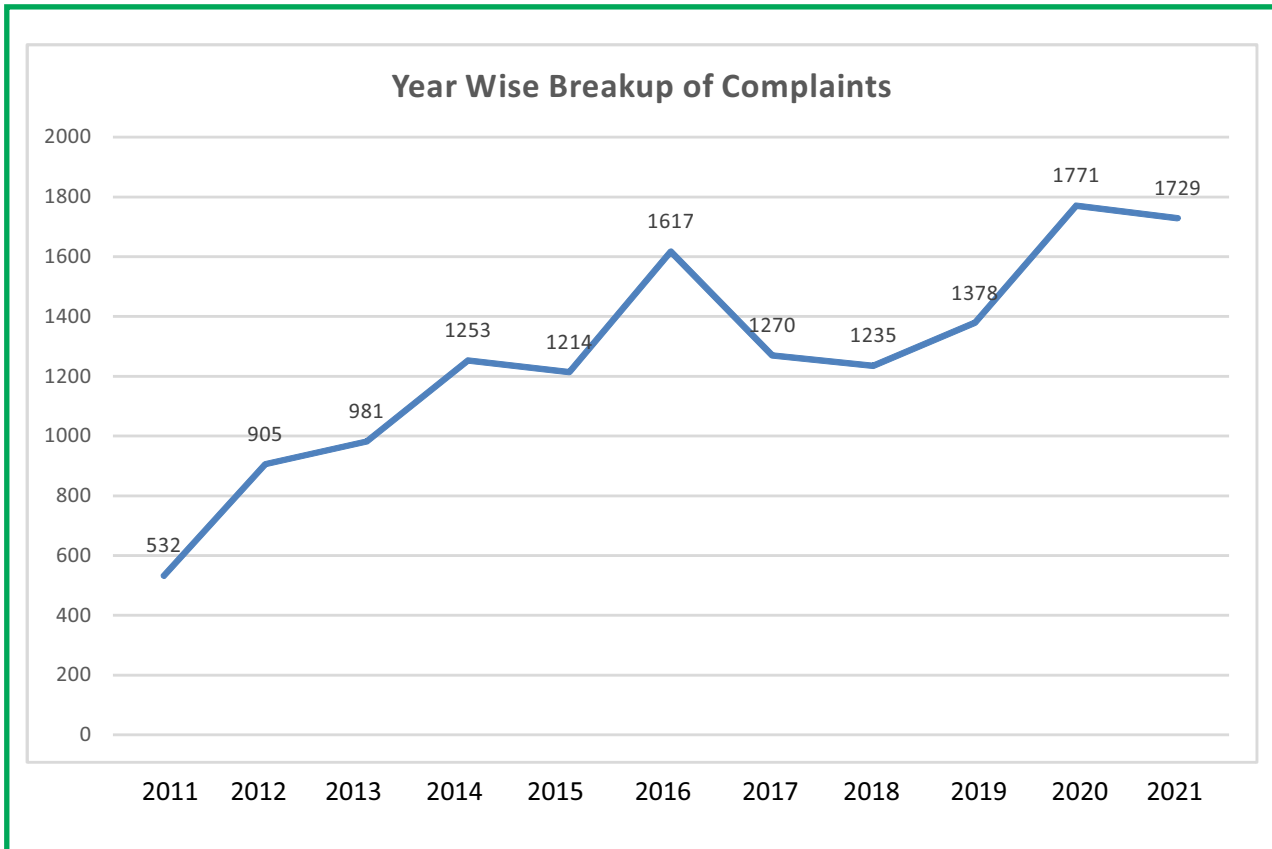


OMBUDSMAN KHYBER PAKHTUNKHWA

YEAR WISE BREAKUP OF COMPLAINTS

| S.NO | YEAR | COMPLAINTS | | | %age | |
|--------------|------|-----------------------|-------------|-------------|-------|--------|
| | | Previous Year Balance | Admitted | Rejected | | Total |
| 1 | 2011 | 0 | 249 | 283 | 532 | 3.83 |
| 2 | 2012 | 71 | 583 | 251 | 905 | 6.52 |
| 3 | 2013 | 217 | 333 | 431 | 981 | 7.07 |
| 4 | 2014 | 103 | 659 | 491 | 1253 | 9.02 |
| 5 | 2015 | 253 | 522 | 439 | 1214 | 8.74 |
| 6 | 2016 | 418 | 615 | 584 | 1617 | 11.65 |
| 7 | 2017 | 304 | 480 | 486 | 1270 | 9.15 |
| 8 | 2018 | 394 | 445 | 396 | 1235 | 8.89 |
| 9 | 2019 | 244 | 637 | 497 | 1378 | 9.92 |
| 10 | 2020 | 292 | 749 | 730 | 1771 | 12.75 |
| 11 | 2021 | 382 | 482 | 865 | 1729 | 12.45 |
| Total | | 2678 | 5754 | 5453 | 13885 | 100.00 |

YEAR WISE BREAKUP OF COMPLAINTS







SOME SELECTED FINDINGS





OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | PO/Complaint/021/01/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Izhar Ahmad Khan s/o Iftekhar Ahmad Khan r/o Defence Colony near Gulshan Iqbal Gujranu Qandi Tehkal Peshawar (Cell No. 0316-9568625) |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Chief Engineer (South), Irrigation Department Peshawar. 2. Executive Engineer, Peshawar Canal Division Irrigation, Warsak Road Kababyan Bazar, Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Kamran Ali, Assistant Director |
| 5 | SUBJECT OF COMPLAINT | Request for appointment against deceased / invalidated employee's son quota. |
| 6 | DATE OF REGISTRATION | 06/01/2021 |
| 7 | DATE OF FINDINGS | 12/08/2021 |

THE COMPLAINT

Mr. Izhar Ahmad s/o Iftekhar Ahmad r/o Peshawar instituted complaint contending that his father was retired on medical grounds from the Office of Peshawar Canal Division Peshawar on 19/11/2013. Further contended that he approached Office of Executive Engineer Peshawar Canal Division Peshawar for appointment under deceased / invalidated employee's son quota, but to no avail. Complainant has requested this Forum for redressal of his grievance.

REPLY OF THE AGENCY

Notices under Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to Chief Engineer (South), Irrigation Department, Peshawar and Executive Engineer, Peshawar Canal Division Irrigation, Peshawar to address the allegations contained in the complaint and submit reply including rebuttal, if any. In response, Executive Engineer, Peshawar Canal Division, Peshawar submitted reply that father of complainant retired on 11/11/2013, while the subject quota has been introduced on 19/04/2016 vide Establishment Department Notification No. SOR-VI/E & AD/1-3/2015. Therefore, the quota is not applicable in this case.

REJOINDER

The Agency's reply was communicated to the complainant for his feedback. In response, complainant submitted Judgment of Peshawar High Peshawar in W.P No. 2973/2010 dated 06/10/2011 as well as Establishment Department (Regulation Wing) Circular No. SOR-VI/E & AD/1-3/2012 dated 22/06/2016 that:

"a government servant who dies during service, his son / daughter / widow is entitled for appointment and this is settled law of the land that a statute or rule giving right to the citizens always invariable operates retrospectively"

Overseas Pakistanis Foundation Building, Phase-5, Hayatabad Peshawar
Office Phone # 091-9219531 32, Office Fax # 091-9219526
Website: www.ombudsmankp.gov.pk
Email: provincialombudsman@gmail.com



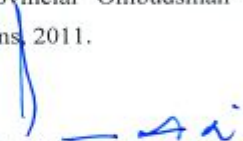
OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

FURTHER COMMENTS

Rejoinder of the complainant as well as Establishment Department (Regulation Wing) Circular dated 22/06/2016 was shared with Executive Engineer, Peshawar Canal Division Peshawar for further comments. In response, he requested for withdrawal of his reply dated 16/04/2021 and has assured that complainant would be considered for appointment under the desired quota on availability of vacancy. Later on, complainant submitted thanks letter along with a copy of his appointment order and paid gratitude to the Provincial Ombudsman, Khyber Pakhtunkhwa.

FINDINGS

Complainant submitted thanks letter along with a copy of his appointment order as Naib Qasid (BPS-03). Accordingly, investigation in the complaint is closed as having borne fruit in terms of Regulation 10(2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
Provincial Ombudsman
Khyber Pakhtunkhwa
13.8.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|--|--|
| 1 | COMPLAINT NO. | No: PO/Complaint/035/01/2021 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Dilawar Khan and others, c/o Shop No. 15 Pakistan Market, P/O and District Miranshah North Waziristan Tribal District, (0334-1651616) |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Deputy Commissioner, North Waziristan Tribal District at Miranshah. 2. Principal, Governor Model School North Waziristan Tribal District at Miranshah. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Kamran Ali, Assistant Director. |
| 5 | SUBJECT OF COMPLAINT | Request for payment of outstanding dues. |
| 6 | DATE OF REGISTRATION | 12/01/2021 |
| 7 | DATE OF FINDINGS | 12/04/2021 |

THE COMPLAINT

Mr. Dilawar Khan and four (04) others r/o North Waziristan Tribal District Miranshah instituted complaint contending that they served Governors Model School (GMS) Miranshah for about 7-9 years. During Operation Zarb-e-Azab i.e. June 2013 to June 2016, the school remained closed. However, after opening of school, they continued their duty and remained on roll of the school till September, 2018. After relieving from school for joining the new assignments, the Board of Governors (BOG), in its meeting dated 28/08/2019 sanctioned salaries only for the on roll staff of the school for the outstanding period i.e. April 2015 to August 2016 (17 months salaries), while, the complainants were deprived of the their salaries for the same period they served. At the same BOG meeting, it was also decided that outstanding salaries for the said period of the ex-staff members of Governor Model School would be released as and when Account Balance of the school exceeds 40 Lac. Complainants also submitted application for release of their outstanding salaries, when they came to know that Account Balance of the school surpassed 40 Lac, but to no avail. They have approached this Forum for redressal of their grievance.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Chairman BOG / Deputy Commission, North Waziristan Tribal District at Miranshah and Principal, Governor Model School North Waziristan Tribal District at Miranshah to address the grievance of the complainants contained in the complaint and submit reply, including rebuttal, if any. In response, Principal GMS Miranshah submitted written reply contending that it is correct that complainants were on roll of the school during the period they requested for salaries, but they failed to attend the school meetings during the period. Further, contended that as per Policy in vogue, they have to submit one month Notice to the Principal before resignation, but the

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

complainants failed to comply. As for outstanding salaries for the period i.e. duration of Operation Zarb-e-Azab (17 months) of current staff members is concerned, it was decided in the BOG meeting dated 28/08/2019 that outstanding salaries for the period should be released to those staff members who are currently on roll and are still working or continuously worked at least 03 years after Operation Zarb-e-Azab, that is why complainants were not paid their outstanding salaries, as they left the school prior to completion of three years service as per policy.

REJOINDER

Reply of the Agency was communicated to the Complainants for their feedback / rejoinder. In response, they controverted the stance of the Agency with the observations that Account Balance of the school was exceeded 40 Lac several times and no meeting was conducted during Operation Zarb-e-Azab in the school. To this effect they also provided a copy of affidavit from ex-Principal, which was placed on file for record.

HEARING

Due to divergent stance of both the parties, the case was fixed for hearing on 16/03/2021. Mr. Alamzeb Khan, Principal GMS Miranshah attended the hearing as representative of the Agency, while complainants appeared in person. During hearing, the representative of the Agency accepted that salaries for the intervening period (17 Months of Operation Zarb-e-Azab) have been granted to the currently working staff of GMS, while the complainants were deprived of the same period due to the reason that they were not currently on roll members of the GMS. The Principal further contended that school is running on students fees only, and the government is not giving any sort of grant to facilitate the school. The school fees are only sufficient for salaries of the staff as well as other regular school activities. Complainants negated the stance of Principal and stated that Govt has provided Aid/Grant to the school on different occasions. To this effect they provided a copy of letter No. SO(AB)E & SED/35-1/2020/Issues of GMS dated 02/03/2021 showing Grant-in-Aid for GMS operating in Newly Merged Area. The Principal further contended that he has no objection, if government provide grant for 17 months left over period salaries of the complainants.

FINDINGS

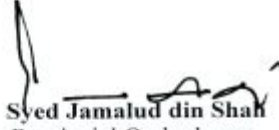
Record shows that BOG, Governor Model School Miranshah has released outstanding salaries for the period (17 months) only to the currently on roll staff members, while debar the ex-staff members for the same period they served, is purely discrimination on part of the Agency. Both, the currently on roll staff members as well as the complainants were on roll during Operation Zarb-e-Azab period, therefore, it is recommended that Chairman BOG / Deputy Commissioner North Waziristan Tribal District at Miranshah should release the salaries for the period (operation Zarb-e-Azab period) i.e. 17 Months salaries in respect of the complainants with the directions to deduct one month salary from each complainant on account of non-

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submission of one month prior notice to the Principal before resignation. These recommendations shall be implemented within 60 days of receipt of these findings under intimation to this Secretariat within the same period.


Syed Jamalud din Shah
Provincial Ombudsman,
Khyber Pakhtunkhwa
15.7.2021

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | PO/Complaint/0041/01/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Ms. Nuzhat Ayub w/o Abdul Jabbar r/o House No. F 59, University of Peshawar. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Vice Chancellor, University of Peshawar. 2. Registrar, University of Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Assistant Director (Investigation) |
| 5 | SUBJECT OF COMPLAINT | Request for grant of study leaves. |
| 6 | DATE OF REGISTRATION | 15/01/2020 |
| 7 | DATE OF FINDINGS | 11/01/2021. |

THE COMPLAINT

Ms. Nuzhat Ayub r/o Peshawar, instituted the present complaint stating that she served as English Lecturer in College of Home Economics, Peshawar and intended to enhance her education being her fundamental right. She applied for one year study leave on 20/08/2019 but the competent authority rejected her application despite fulfillment of all the codal formalities. After some time, she again submitted an application for grant of study leaves which was again refused despite the fact that study leave of other applicants were accepted and granted. She approached this Forum for issuance of direction to the concerned authority for grant of study leave in order to redress her grievance.

REPORT OF THE AGENCY

Notices under Section 10 (4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Vice Chancellor and Registrar, University of Peshawar to submit reply including rebuttal, if any. In response, Assistant Registrar, University of Peshawar submitted Office Order wherein it was disclosed that Study Leaves (without pay) for a period of one year (1st year) has been granted to complainant with effect from the date of availing for M.Phil program at Qurtaba University of Science & Technology Peshawar.

REJOINDER

Reply of the Agency was communicated to the complainant for her feedback/rejoinder. Complainant telephonically informed that her grievance has been redressed and requested for disposal of complaint.


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FINDINGS

Telephonic acknowledgment of the complainant shows that study leave for one year has been granted to her by the competent authority. As such, grievance of the complainant stands redressed. Investigation is closed as having borne fruit in terms of Regulation 10(2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011.


Syed Jamalud Din Shah,
Provincial Ombudsman
12.1.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|--|--|
| 1 | COMPLAINT NO. | PO/Complaint/0042/01/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Muhammad Hanif Mughal s/o Makhan Khan r/o Dhok Muhammad Hussain, Post Office Rawat, Tehsil & District Rawalpindi. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Registrar, Hazara University, Mansehra. 2. Director, VERTEX College of Science & Technology Islamabad. 3. Director, Frontier Institute of Medical Sciences (FIMS) Abbottabad. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Assistant Director (Investigation) |
| 5 | SUBJECT OF COMPLAINT | Request for Issuance of DMC. |
| 6 | DATE OF REGISTRATION | 27/01/2020 |
| 7 | DATE OF FINDINGS | 12/01/2021. |

THE COMPLAINT

Mr. Muhammad Hanif instituted complaint that he took admission in Master of Public Health in Frontier Institute of Medical Science affiliated with University of Hazara. After completion of course, followed by thesis, the University of Hazara denied him DMC. He has requested this Forum to redress his grievance.

REPLY OF THE AGENCY


Notices under Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to Registrar, Hazara University Mansehra, Director, VERTEX College of Science and Technology Islamabad and Director, Frontier Institute of Medical Sciences (FIMS) Abbottabad to meet the allegations and submit reply including rebuttal, if any. In response, Principal of College concerned informed that Hazara University vide letter No. F.NO.Acad 30 (54)-Hu-Reg/2020/60 dated 19/02/2020 had asked for documents along with Rs. 3000/- in respect of late fee to be deposited in Registrar Office, University of Hazara. so that the complainant may be issued DMC.

REJOINDER

Reply of the Agency was communicated to the complainant for his feedback/rejoinder. In response, complainant accepted the stance of the Agency.

FINDINGS

Perusal of record reveals that grievance of complainant would be redressed after provision of his documents alongwith late fee of Rs. 3,000/-. Grievance of complainant is addressed having borne fruit. Investigation is closed in terms of Regulation 10(2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations 2011.


Syed Jamalud din Shah
Provincial Ombudsman.
15.1.2021

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| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | PO/Complaint/0075/01/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mst. Sadiqa Noor Elahi w/o Muhammad Abdullah Khan r/o Astoghna Khurshid Ahmad Khan, UC Jalala, Tehsil Takht Bhai, District Mardan. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary to Govt: of Khyber Pakhtunkhwa, Elementary & Secondary Education (E&SE) Department, Peshawar. 2. Director, Directorate of Elementary & Secondary Education (E&SE), Peshawar 3. District Education Officer (Female) Mardan. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Shabana Gul, (Director-II) |
| 5 | SUBJECT OF COMPLAINT | Non-considering of MPhil Degree. |
| 6 | DATE OF REGISTRATION | 21/01/2021 |
| 7 | DATE OF FINDINGS | 08/12/2021. |

THE COMPLAINT

Mst. Sadiqa Noor Elahi r/o Mardan, lodged the present complaint stating that she applied for the post of PST at GGHS Jalal-Mardan through FTS in 2019. She qualified the test and secured top position in the merit list. Later on, she came to know that DEO (F) Mardan was not considering her MPhil degree. She submitted applications to DEO (F) Mardan and Director E&SE, but to no avail. Afterward, all the staff of Mardan was suspended/transferred to other stations, therefore, she re-submitted her appeal to DEO (F) Mardan but the matter is still pending with no positive outcome. She has approached this Forum that the matter may be probed into according to law and injustice done to her may be redressed by appointing her in GGHS Jalala Mardan as PST.

REPLY OF THE AGENCY

Notices in terms of Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010, were sent to Secretary E&SE, Director E&SE, and DEO (F) Mardan to meet the allegations and submit reply including rebuttal, if any. In response mute silence was observed from the Agency despite issuance of repeated notices and reminders, leaving no choice but to fix the case for personal hearing.

HEARING

To ascertain the factual position, the case was fixed for hearing. Mr. Sajid Khan, Litigation Officer from DEO (F) Mardan office attended as representative of Agency and submitted that due to the vacant post of DEO (F) in District Mardan, the matter was pending long. Later on, Mr. Arshad Anwar ADEO (Primary) attended in person and stated that after

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attaining the verifications and scrutiny of the credentials/documents of complainant by DEO (F) Mardan, their requests for conducting the Departmental Selection Committee (DSC) meeting to finalize the said appointment process, have been ignored by the Secretary E&SE, despite issuance of repeated reminders. On the other hand, complainant submitted that the Department is delaying her appointment for no reason because Assistant Director (Establishment-I) Directorate of E&SE, Mr. Amir Badshah, have conducted an inquiry in the matter and have recommended her name for PST appointment at GGHS Jalala, being meritorious and deserving. She also submitted the copy of the Inquiry report.

FINDINGS

Record reveals that complainant applied for PST appointment at GGHS Jalala-Mardan and attained top position in the final merit list by securing 118.20 marks. The MSBA/MPhil degree submitted by complainant was subjected to verification and scrutiny by DEO (F) Mardan. In this regard an inquiry was also conducted by Assistant Director (Establishment-I) Directorate of E&SE, Mr. Amir Badshah, wherein it was recommended that; "*Mst .Sadiqa Noor Elahi rises to the top position with the score of 118.20 and hence, being meritorious and deserving, is recommended for appointment as PST in UC Jalala without any further delay*". Despite the clear recommendations and being top of the merit order, her appointment order has been delayed by the Agency for no reason. Secretary E&SE was requested time and again but DSC meeting is still not conducted, hence, right of complainant for appointment is violated without any cogent reason. This negligence tantamounts to maladministration on the part of Agency. It is therefore recommended that Secretary E&SE shall issue directions for conducting DSC meeting for PST appointment at GGHS Jalala Mardan. Complainant, being meritorious and deserving, shall be considered for appointment without further delay to meet the ends of justice, subject to the fulfillment of all other codal formalities.

The above recommendations shall be implemented within a period of 30 days of the receipt of these Findings, under intimation to this Forum within the said period.

Defiance/non-compliance shall warrant disciplinary proceedings in terms of Section 11 Sub Section 4 of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 whereby, the government will take necessary action for ensuring good governance.

SYED JAMAL UD DIN SHAH
PROVINCIAL OMBUDSMAN

8.12.2021

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| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | PO/Complaint/0100/01/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Ijaz Ahmad and 4 others, Computer Operator, Deputy Commissioner Office, Karak (0333-9715528). |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | Deputy Commissioner, Karak. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Deputy Director (Investigation). |
| 5 | SUBJECT OF COMPLAINT | Request for payment of TA/DA bill. |
| 6 | DATE OF REGISTRATION | 28/01/2021. |
| 7 | DATE OF FINDINGS | 20/12/2021. |

THE COMPLAINT

Mr. Ijaz Ahmad and others jointly instituted the instant complaint stating that they are serving in the office of Deputy Commissioner, Karak as Computer Operators, performing duty of computerization of land record and service delivery. The Additional Deputy Commissioner Karak addressed a letter dated: 30/10/2019 to Director Land Record, Revenue and Estate Department and recommended the complainants for one month land computerization software training which was approved by the competent authority. They completed the training but no facility of boarding and lodging was given to the trainees. When they submitted TA/DA claims to the concerned quarter, their claim were not entertained. They have requested this forum to direct the Agency to make payment on account of TA/DA.

REPORT OF THE AGENCY

Notice under Section 10(4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 was issued to Deputy Commissioner, Karak to meet the allegations and submit reply including rebuttal, if any. No written response was received from the Agency, necessitated hearing proceeding in the case.

HEARING

Hearing Notice was issued to both the parties for 30/07/2021. Mr. Gohar Ali AAC appeared on behalf of the Agency and complainant appeared in person. Representative of the Agency informed that vide Finance Department (Regulation Wing) Khyber Pakhtunkhwa, Peshawar letter No. FD(SOSR-II)8-5/2012 dated: 04/01/2012, hotel charges as per para-4 of Finance Department letter No. FD(SOSR-II)8-52/2005 dated: 17/12/2005 are admissible to Government Employees. The complainant agreed with statement of Agency.

FINDINGS

Perusal of record reveals that as per Finance Department (Regulation Wing) Government of Khyber Pakhtunkhwa letter No. F.D(SOR-II)8-51/2012 dated: 04/01/20213 hotel charges are admissible during training subject to the following:-

1. No lumpsum amount has been paid to the institute on account of boarding and lodging.

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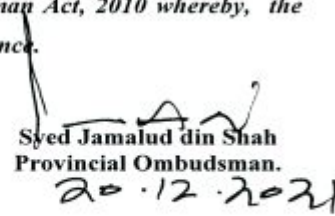


OMBUDSMAN (محاسب) SECRETARIAT,
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2. There is no provision of accommodation facility in the relevant training institute and employees deputed for training have no choice but to stay in hotel.
3. The institute will issue certificate of non-provision of accommodation to employees during the period of course.

It is, therefore, recommended that Deputy Commissioner, Karak shall resolve the issue of TA/DA claim of the complainant as per Government Rules. These finding shall be implemented within 30 days under intimation to this Secretariat.

Defiance / non-compliance shall warrant disciplinary proceedings in terms of Sub- Section 4 of Section 11 of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 whereby, the Government will take necessary action for ensuring good governance.


Syed Jamalud din Shah
Provincial Ombudsman.

20.12.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. No: PO/Complaint/120/02/2019. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Mr. Attiq Ur Rahman r/o Upper Malik Pura, Mohallah Purani Chowki District Abbottabad. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Superintending Engineer, C&W Circle, Abbottabad. 2. Executive Engineer, C&W Division, Abbottabad. |
| 4 | NAME OF THE INVESTIGATION OFFICER Hanif Khan, Assistant Director (Investigation). |
| 5 | SUBJECT OF COMPLAINT Non-observance of quota reserved for appointment of children of civil servants retired on medical board. |
| 6 | DATE OF REGISTRATION 14/05/2019. |
| 7 | DATE OF FINDINGS 19/01/2021. |

THE COMPLAINT

Mr. Attiq Ur Rahman r/o Abbottabad lodged the instant complaint stating that his father was employee of Construction & Works (C&W) Division, Abbottabad and retired on Medical Board in 1988. He submitted several applications to the concerned authority to appoint him against the quota reserved for children of Civil Servants, who retired on Medical ground but to no avail. The complainant has requested this Forum for redressal of his grievance.

REPORT OF THE AGENCY

In response to notice under Section 10 (4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010, Superintending Engineer, C&W Circle, Abbottabad, submitted that the complainant has already been appointed as Mason BPS-07 vide Office Order No. 2475/5-E against quota reserved for children of Civil Servants who retired on Medical ground. He also provided copy of the appointment order and requested that the complaint may be closed.

REJOINDER

Reply of the Agency was communicated to the complainant for his feedback/rejoinder. In response, he submitted rejoinder alongwith letter of thanks that the Agency has redressed his grievance.

FINDINGS

Acknowledgment of the complainant shows that grievance of the complainant has been redressed having borne fruit. As such investigation is closed in terms of Regulation 10 (2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
Provincial Ombudsman.

21.1.2021

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | PO/Complaint/139/02/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Azhar ud deen Babar, Rehman ullah and Muhammad Faizan r/o FR Bannu (Cell No. 0349-5347076) |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Chairman Provincial Admission Committee, Khyber Pakhtunkhwa / Vice Chancellor, Khyber Medical University, Hayatabad Phase-05, Peshawar. 2. Secretary, Government of Khyber Pakhtunkhwa, Health Department. 3. Secretary Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department, Peshawar. 4. Principal / Dean Khyber Medical College, Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Kamran Ali, Assistant Director |
| 5 | SUBJECT OF COMPLAINT | Starting of first year MBBS Classes without finalization of merit list. |
| 6 | DATE OF REGISTRATION | 16/02/2021 |
| 7 | DATE OF FINDINGS | 24/08/2021. |

THE COMPLAINT

Mr. Azhar ud Din Babar and two others r/o FR Bannu instituted complaint stating that as per admission schedule in Public Sector Medical & Dental Colleges in Khyber Pakhtunkhwa, the merit list would be finalized and displayed on 22/01/2021. However, the Khyber Medical University, Peshawar (KMU) failed to do so. Further contended that Khyber Medical College, Peshawar (KMC) has notified commencement of classes w.e.f. 15/02/2021, while merit list is still awaited due to which they would be unable to attend the classes which will cause irreparable loss. The complainants also approached Vice Chancellor as well as Registrar Khyber Medical University, Peshawar for finalization of the merit list of F.R Region Students before 15/02/2021, so that complaints and other deserving candidates are able to take admissions and attend the classes w.e.f. 15/02/2021, but to no avail. Complainants approached this Forum for redressal of their grievance.

REPLY OF THE AGENCY

Notices under section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act 2010 were issued to Secretary, Health Department, Chairman Provincial Admission Committee Khyber Pakhtunkhwa / V.C Khyber Medical University, Khyber Pakhtunkhwa, Peshawar and Principal / Dean Khyber Medical College, Peshawar to address the allegations contained in the complaint and submit reply including rebuttal, if any. However, no response received from the Agency even within the extended period.

HEARING

Due to non-response from the Agency and to conduct just investigation, the case was fixed for hearing on 15/03/2021. Mr. Mukhtiar Ali, Librarian, KMC attended the hearing and submitted written reply that KMC is not responsible for the admission process, while KMU deals

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

with admissions in Public Sector Medical / Dental Colleges. Mr. Zeeshan Ali, Advocate, Peshawar High Court, Peshawar (brother of one of the complainants) attended the hearing on behalf of the complainants and submitted written statement that main issue is that KMU failed to finalize the merit list as per advertisement schedule, while the KMC has started 1st year MBBS classes before finalization of all merit lists. Hence, there is no coordination between KMU and KMC. Further, he asserted that who will be responsible for loss of classes of the complainants? However, no one attended the hearing from Khyber Medical University, Peshawar. Another opportunity of hearing was given to Khyber Medical University and the case was fixed for hearing on 30/03/2021. Again no one attended the hearing. Final opportunity of hearing was given to KMU and the case was re-fixed for hearing on 26/04/2021, again none appeared. In order to know the stance of the KMU and to probe into the matter, a request was sent to the Chancellor of Khyber Medical University, Peshawar to enforce the attendance / submission of reply of Khyber Medical University on 15/07/2021. Resultantly, Mr. Shahab ud Din, Assistant Director (Admission), KMU, Peshawar attended the Office and accepted the failure on part of Khyber Medical University by non-submission of written reply as well as non-attendance of hearing in the instant case. He stated that the Registrar, KMU has already issued instructions to all Public Sector Medical / Dental Colleges in the Province regarding commencement of 1st Year MBBS classes vide Notification No. 622/Dir/Admission/KMU dated 08/02/2021 w.e.f 1st March, 2021. However, KMC failed to follow these instructions. Further, he stated that in future, KMU will take up the matter with Home & Tribal Affairs Department for early resolution of domicile issues of the FR Region (Ex-FATA) students and also KMU will issue a circular to all Medical / Dental Colleges in the Province regarding strict observance of rules / regulations and instructions issued by KMU from time to time. Written statement of the representative of the Agency recorded and placed on file. He also shared copy of the Notification regarding commencement of classes.

FINDINGS

Record shows that KMU has instructed all the Public Sector Medical / Dental Colleges regarding commencement of classes of 1st year MBBS/BDS w.e.f 1st March, 2021 vide Notification No. 622/Dir/Admissions/KMU dated 08/02/2021, but the Khyber Medical College, Peshawar failed to do so and started classes w.e.f 15/02/2021 vide Notification No. 833-43/SAS/KMC dated 28/01/2021. Further, Khyber Medical University, Peshawar failed to finalize the merit list of FR Region Students on 22/01/2021 according to their revised admission schedule. One month classes of the complainants suffered due to the above acts of maladministration on part of Khyber Medical University and Khyber Medical College Peshawar. It is therefore, recommended that:-

- 1) In order to compensate the complainants, relief should be given to them by arranging 1st year MBBS Examination one month later from the normal schedule.

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

- 2) In future, Khyber Medical University, Peshawar should make proper mechanism for finalizing merit lists all at once and should not repeat the same practice.
- 3) Secretary Home & Tribal Affairs Department should take necessary steps regarding verification of domiciles of Ex-FATA/Backward Areas students well in time, so that admissions/classes/examination of students belonging to backward areas may not suffer.
- 4) Khyber Medical University, Peshawar should issue clear instructions to all Public Sector Medical / Dental Colleges that in future, admissions / classes should not be started till the finalization of merit lists and should strictly follow the instructions of KMU.

The above recommendations should be implemented within 45 days of the receipt of these findings under intimation to this forum.


Syed Jamalud din Shah
Provincial Ombudsman,
Khyber Pakhtunkhwa
25.8.2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|---|
| 1 | COMPLAINT NO. PO/Complaint/161/02/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Mst. Qurat-ul-Ain r/o Caseta Near Degree College No. 2, Jhangi Khojan, Mandian District Abbottabad. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Director, Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar 2. District Education Officer (F) Abbottabad. 3. Principal Govt Girls Higher Secondary School, Kakul, Abbottabad. |
| 4 | NAME OF THE INVESTIGATION OFFICER Muhammad Kamran Ali, Assistant Director |
| 5 | SUBJECT OF COMPLAINT Request for release of outstanding dues. |
| 6 | DATE OF REGISTRATION 12/02/2020 |
| 7 | DATE OF FINDINGS 12/01/2021. |

THE COMPLAINT

Mst. Qurat ul Ain, CT(IT) (BS-12) Govt Girls Higher Secondary School Kakul, Abbottabad instituted complaint stating that she was appointed as Computer Lab Incharge on contract basis under the project titled "IT/ Computer Science Teachers and Computer Labs Project in Khyber Pakhtunkhwa" in 2014. The project ended on 30/06/2017. She stated that due to regularization process, she continued her services as CT (IT). On 08/01/2018, the Provincial Govt regularized the project employee's w.e.f their initial appointment with standard terms and conditions as specified in their regularization Notification. After regularization of her services, she submitted application to the Principal for release of her salary arrears for the period she served, but to no avail. She has approached this Forum for redressal of her grievance.

REPLY OF THE AGENCY

Notices under section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to Director, Directorate of E & SE Khyber Pakhtunkhwa Peshawar, District Education Officer (F) Abbottabad and Principal, G.G.H.S.S Kakul, Abbottabad to address the allegations contained in the complaint and submit reply including rebuttal, if any. In response, Principal G.G.H.S.S Kakul Abbottabad informed that she was regularized in BPS-12 w.e.f their initial date of appointment with terms and condition as mentioned in the regularization Notification. However, due to completion of project on 30-06-2017, she was relieved of her services and the salaries for the intervening period could not be paid to her.

REJOINDER

Reply of the Agency was communicated to the complainant for her rejoinder/feedback. In response, she submitted reply stating that she performed her duty regularly w.e.f 01/07/2017 till the regularization of her services. She further added that if she remained absent from duty, then

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA


how she would be regularized as per condition No.1 of the regularization Notification. She also submitted copies of attendance Register, Service Certificate for the period she has rendered services. She requested this Forum for release of her salary arrears.

HEARING

Due to divergent stance of both the parties, the case was fixed for hearing. During hearing the Principal G.G.H.S.S Kakul Abbottabad explained that DEO (F) Abbottabad has issued order to conduct formal Inquiry in the arrears case of Mst. Qurat-ul-Ain CT(IT) (BS-12). As and when the Inquiry report is received, action would be taken accordingly. Subsequently, D.E.O (F) Abbottabad issued office Order No. 10337-421/EB-IV/IT dated 29/12/2020 regarding release of salary arrears in respect of the complainant. The concerned Principal also submitted copy of the signed bill. The Complainant also submitted a written statement expressing satisfaction over report of the Agency.

FINDINGS

Record shows that grievance of the complainant stands addressed. Investigation is closed having borne fruit in terms of Regulation 10(2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations 2011.


Syed Jamalud din Shah
Provincial Ombudsman,
Khyber Pakhtunkhwa
13.1.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT,
GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | PO/Complaint/0172/02/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Azam Khan r/o House No. 64, Block-C, Street No. 16, OPF Colony, Near Duran Pur Budhni Road Peshawar. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary, Elementary & Secondary Education Department, Khyber Pakhtunkhwa. 2. Section Officer (Complaint), Elementary & Secondary Education Department, Khyber Pakhtunkhwa. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Deputy Director (Investigation) |
| 5 | SUBJECT OF COMPLAINT | Request for fixation of revised pension. |
| 6 | DATE OF REGISTRATION | 18/02/2021. |
| 7 | DATE OF FINDINGS | 24/08/2021. |

THE COMPLAINT


Mr. Azam Khan instituted complaint stating that his pension case was submitted to Elementary and Secondary Education Department, Khyber Pakhtunkhwa and He after lapse of 3 months it could not be forwarded to Accountant General Khyber Pakhtunkhwa. He has requested this Forum to direct the Agency to pay him arrears as well as increase his monthly pension.

REPORT OF THE AGENCY

Notice under section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 was issued to Secretary and Section Officer (Complaints), Elementary & Secondary Education Department, Khyber Pakhtunkhwa. Before submission of reply from the Agency, the complainant telephonically confirmed that his grievance has been addressed.

FINDINGS

Perusal of record reveals that the subject matter has already been decided in complaint No. 0173/02/2021. Grievance of the complainant is addressed as having borne fruit. Investigation in the complaint is closed under Regulations 9(1) read with Regulation 10(2) of the Khyber Pakhtunkhwa, Provincial Ombudsman Office (Registration, Investigation and Disposal of the Complaints) Regulations 2011.


Syed Jamalud din Shah
Provincial Ombudsman.

25.8.2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| | | |
|---|--|---|
| 1 | COMPLAINT NO. | PO/Complaint/187/02/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Nadeem Iqbal s/o Delawar Khan r/o Barh Tehsil & District Kohat (Cell No. 0334-5668213) |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary, Government of Khyber Pakhtunkhwa, Transport Department,, Peshawar. 2. Commissioner, Kohat Division Kohat. 3. Director Transport & Mass Transit, Peshawar. 4. Regional Transport Authority (RTA), Kohat. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Kamran Ali, Assistant Director |
| 5 | SUBJECT OF COMPLAINT | Request for appointment under invalidated employee's son quota. |
| 6 | DATE OF REGISTRATION | 18/02/2021 |
| 7 | DATE OF FINDINGS | 20/12/2021 |

THE COMPLAINT

Mr. Nadeem Iqbal r/o District Kohat instituted complaint contending that his father retired from service as Clerk, on medical grounds in 1994, from the Office of the Regional Transport Authority (RTA) Kohat. Further contended that he approached Office of the RTA Kohat for appointment under the invalidated employee's son quota, but to no avail. The complainant has requested this forum for redressal of his grievance.

REPLY OF THE AGENCY

Notices under Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to the Secretary to Govt of Khyber Pakhtunkhwa, Transport Department, Peshawar, Commissioner Kohat Division, Kohat, Director Transport & Mass Transit Peshawar and Regional Transport Authority (RTA) Kohat to address the allegations contained in the complaint and submit reply including rebuttal, if any. In response, Secretary RTA, Kohat, submitted written reply that at the time of retirement of complainant's father, Office of the RTA was merged with the Office of Commissioner Kohat Division Kohat and was working under the control of Commissioner Kohat. Later on in 2010, RTA was re-established and the overall setup of the RTA Office was once again shifted to Transport & Mass Transit Department. The Secretary RTA Office Kohat advised to take up the matter with the Commissioner Office Kohat. As per advice of the RTA Kohat, the matter was taken up with the Commissioner Kohat Division, Kohat. In response, Commissioner Kohat Division, Kohat submitted written reply that the instant case pertains to the period before devolution of RTA, therefore, no record was found in his Office. Likewise, the complainant has also mentioned in his complaint that his father retired from RTA Office Kohat, therefore, the case may be taken up with Secretary Transport Department, Peshawar.

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

FURTHER COMMENTS

Both the Offices i.e RTA Kohat as well as Commissioner Kohat Division Kohat were not ready to accept the right of the complainant. In order to reach a conclusion, further comments were sought from the Office of Commissioner, Kohat Division, Kohat and Secretary Transport Department. In response, Commissioner Kohat Division Kohat shared a copy of detailed letter dated 05/05/2021 addressed to Secretary to Govt of Khyber Pakhtunkhwa, Transport Department, wherein clear proposal was given regarding appointment of the complainant, gist of the proposal is reproduced as under:

"it is therefore, requested that the case of the appellant may be considered against the vacant post of Chowkidar in RTA Office Kohat."

The same request was also forwarded by the Secretary RTA Kohat Vide letter No. 4498-4502/RTA/KHT dated 01/07/2021 to Director Transport and Mass Transit, Khyber Pakhtunkhwa, Peshawar for consideration, however, no response was received from Director, Transport & Mass Transit, Peshawar.

HEARING

Due to mute response from the Transport Department even within the extended period and in order to conduct a fair investigation, the case was fixed for hearing on 10/11/2021. Mr. Shaukat Zaman, Superintendent Regional Transport Authority (RTA) Kohat as well as complainant attended the hearing, while no one attended the hearing from the Office of the Secretary to Govt of Khyber Pakhtunkhwa, Transport Department. The representative of RTA Kohat stated that the Office of RTA Kohat has already communicated recommendations to the Director Transport & Mass Transit Peshawar, being competent authority for recruitment of Class-IV, for appointment of complainant on the existing vacant post of Chowkidar in the RTA Office Kohat. To this effect, the representative provided relevant documents and were placed on file. In order to know the stance of Transport Department, final opportunity of hearing was given and the case was re-fixed for hearing on 01/12/2021. Dr. Tariq Usman Saeed, Deputy Director (Judicial), Mr. Amir Nawab, Assistant Director (Estt) Directorate of Transport & Mass Transit and Mr. Zahir Shah, Section Officer (Litigation) Transport Department attended the hearing. During hearing, the representatives agreed that after collection of record from RTA Office Kohat and preparation of merit list, the complainant would be enlisted according to his merit and would be considered for appointment on his turn. To this effect a joint statement of the representatives was recorded and was placed on file.

FINDINGS

Available record shows that complainant's father was retired from Office of the RTA Kohat in 1994 on medical grounds. The Secretary RTA / Commissioner Kohat has recommended name of the complainant for appointment against the vacant post of Chowkidar in the Office of RTA Kohat. However, due to **negligence / inattention** on part of Director, Transport & Mass

OMBUDSMAN KHYBER PAKHTUNKHWA




OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

Transit, Peshawar, complainant has been deprived of his due right and a fresh candidate was appointed on the vacant post of Chowkidar. In view of the above, it is recommended that:

- 1) Secretary to Govt of Khyber Pakhtunkhwa, Transport Department should inquire the matter as to why recommendations of Secretary RTA/ Commissioner Kohat have not been considered by the Director Transport & Mass Transit, Peshawar? Disciplinary proceedings may be initiated against the Officers / Officials responsible for the negligence and outcome of the inquiry be shared with this forum.
- 2) Complainant be considered for appointment against available / upcoming vacancy of Class-IV under the said quota subject to fulfillment of all codal formalities.

These recommendations should be implemented within 60 days of the receipt of these Findings under intimation to this Secretariat within the same period.

Note: Defiance / non-compliance shall warrant disciplinary proceedings against the Principal Officer of the Office in terms of Section 11 of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010, whereby, the Government will take necessary action for ensuring good governance.


Syed Jamalud din Shah
Provincial Ombudsman
Khyber Pakhtunkhwa
24.12.2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|---------------------------------------|
| 1 | COMPLAINT NO. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST |
| 4 | NAME OF THE INVESTIGATION OFFICER |
| 5 | SUBJECT OF COMPLAINT |
| 6 | DATE OF REGISTRATION |
| 7 | DATE OF FINDINGS |

THE COMPLAINT

Mr. Mehboob Shah r/o Dir Lower, lodged the present complaint stating that he was appointed as "Beheshti" on 06/08/2020 in the BHU Hospital Bashigram, against the quota reserved for appointment of children of retired Class-IV government servants. He alleged that since his appointment he has not been paid salary till date despite his regular and punctual duties. In this regard he has requested the concerned authorities but he was informed that the post of 'Behishti' is abolished by the government. Being the only bread earner of his family he is facing many problems, therefore, he might be appointed/adjusted on any other suitable post of Class-IV. He has approached this Forum that the concerned Agency may be directed to release his outstanding salaries alongwith his appointment/adjustment order against any other Class-IV post.

REPLY OF THE AGENCY

Notices in terms of Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010, were issued to the Secretary Health Department, Director General Health Services and District Health Officer Dir Lower to meet the allegations and submit reply including rebuttal, if any. In response, DHO Dir Lower submitted comments stating that complainant was appointed as "Behishti" vide office order No. 5899 dated 06/08/2020. His salary claim was sent to the District Accounts Officer Dir Lower, which was returned with the remarks that "*Behishti post has been declared as 'Dying Cadre' by the Department of Health and appointment cannot be made in Dying Cadre post*". Complainant was accordingly informed and a proper termination order was issued vide office order dated 01/12/2020.

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

REJOINDER

Reply of the Agency was shared with the complainant for his rejoinder/feedback. In response, he submitted that he was appointed against retired son's quota. As the said quota is functional and in-practice, why he was terminated from service after performing regular duties for 6-7 months without any salary paid to him? He also produced copies of the attendance register wherein he was marked present from Aug 2020 till Jan 2021.

HEARING

In order to expedite and clarify the matter, the case was fixed for hearing on 03/08/2021. Dr. Muhammad Irshad, DHO Dir Lower, attended as representative of the Agency while complainant attended in person. Both the parties were heard at length. Representative of the Agency expressed that appointment of complainant against a dying cadre was a big mistake on part of the Agency. He submitted that upon the availability of any vacant post of Class-IV, complainant will be given preference.

FINDINGS

Record shows that complainant was appointed as "Behishti" on 06/08/2020 in the BHU Hospital Bashigram- Dir Lower, against the quota reserved for appointment of children of retired Class-IV government servants. After performing duties from Aug 2020 to January 2021, his salary claim was refused by District Accounts Office Dir Lower, being appointed against a dying cadre, hence terminated by DHO Dir Lower. It is established that appointment made against a dying cadre was a mistake on the part of the Agency. Complainant waited long for maturity of his own turn to be appointed against the retired class-iv son's quota and his termination after performing duties for 06 months tantamount to maladministration on part of the Agency. It is, therefore, recommended that complainant be re-adjusted against any post of Class-IV with all back benefits from his date of appointment, subject to the fulfillment of all other codal formalities.

The above recommendations shall be implemented within a period of 60 days of the receipt of these Findings, under intimation to this Forum within the said period.

Defiance/non-compliance shall warrant disciplinary proceedings in terms of Section 11 Sub Section 4 of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 whereby, the government will take necessary action for ensuring good governance.

SYED JAMAL UD DIN SHAH
PROVINCIAL OMBUDSMAN

22.12.2022

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. P.O/Complaint No. 213/03/2019 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Mr. Rajab Ali Khan s/o Gul Badur Khan r/o GHS Gul Akram, FR Bannu. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Director, Directorate of Elementary & Secondary Education Department. Peshawar. 2. Additional Director, Establishment Newly Merged Tribal Districts (NMTD) Directorate of E& SE Department, Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER Muhammad Asif Khan, Deputy Director |
| 5 | SUBJECT OF COMPLAINT Violation in promotion Notification No. 4381-440 dated 02/03/2017 (Senior TT male Bannu.) |
| 6 | DATE OF REGISTRATION 06/03/2019 |
| 7 | DATE OF FINDINGS 13/09/2021 |

THE COMPLAINT

Mr. Rajab Ali Khan, a retired Theology Teacher (TT) from District Bannu lodged complaint stating that he was appointed against the post of TT BPS-07 in the year 1976. His Basic Pay Scale was upgraded from time to time in accordance with the government policy including Move-Over Order from BPS-07 to BPS-08 in July 1991 and award of Selection Grade BPS-10 in Dec, 1994. He was finally promoted to the post of Sr. TT (male) BPS-16 before his retirement in Dec, 2014. His promotion case however, was not processed in time and he retired in BPS-15. He added that the then Director Education FATA vide Notification NO. 4381-440 dated 02/03/2017 promoted Theology Teachers in BPS-15 to Senior Theology Teachers in BPS-16 with retrospective effect from 20/02/2013. The complainant contended that his name was excluded from that list. He approached the concerned authorities for inclusion of his name in the seniority list but to no avail. He requested that being the most senior TT in District Bannu, the Agency may include his name in the seniority list of TT's who were given promotion to BPS-16 with retrospective effect from 20/02/2013 so as to address his grievance.

REPLY OF THE AGENCY

In response to the notice issued under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 Director Education Officer, Sub Division Wazir Bannu submitted report vide memo No. 1413-16 dated 13/06/2019 addressed to Director, Elementary & Secondary Education Department and Additional Director Establishment Newly Merged Tribal Districts (NMTD) Peshawar, with a copy to this Secretariat. The report indicated that the concerned Agency admitted to have mistakenly excluded name of the complainant from the list prepared for promotion of TT's from BPS-15 to 16. The concerned Officer in his report requested the authorities for promotion of the complainant with retrospective effect.

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

REJOINDER

Report of the Agency was shared with the complainant for feedback. His son namely Mr. Zeshan Ali contacted the Investigation Officer informing that his father (complainant) died during the performance of Hajh in Saudi Arabia. He stated that his family was in deep shock due to the sudden demise of his father and requested to resolve the issue.

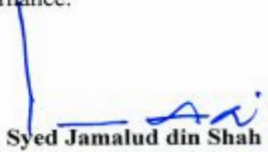
HEARING

The case was accordingly fixed for hearing on 28/12/2020 and 14/01/2021. Mr. Abdul Qayum A-D (RTI/Ombudsman) Directorate of E&SE Department appeared for the hearing proceedings and informed that case of the complainant was in process, which would be finalized in due course of time. The Investigation Officer was accordingly informed by son of the complainant that the Agency has finalized the case of his deceased father pertaining to the promotion from BPS-15 to BPS-16. However, his mother (widow of the complainant) has not received the outstanding amounts so far which should have been added to the monthly pension.

FINDINGS

The available record reflects that the Agency has taken steps for rectifying the error which resulted in non-consideration of the complainant's promotion to BPS-16. However, the bereaved family has a right to receive the arrears which the complainant claimed. Therefore, it is recommended that Director, E&SE Department and Additional Director Establishment, NMTD may ensure that the due amounts of the complainant's are received to his widow. The Agency may calculate the due amounts through the District Accounts Officer Bannu and release the same without further delay to establish good governance and rule of law.

The Agency may submit compliance report to this Secretariat within 45 days of the receipt of these Findings. Defiance/ non-compliance shall warrant disciplinary proceedings in terms of Section 11 sub-section 4 of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 whereby, the government will take necessary action for ensuring good governance.


Syed Jamalud din Shah
Provincial Ombudsman
15.1.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|---|
| 1 | COMPLAINT NO. No: PO/Complaint/0225/02/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Mr. Raib Ud Din s/o Taza Din r/o Village Jalalpur, Post Office Palai, Tehsil Batkhela, Malakand. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Vice Chancellor, Bacha Khan University, Charsadda. 2. Controller of Examinations, Bacha Khan University, Charsadda. |
| 4 | NAME OF THE INVESTIGATION OFFICER Shabana Gul, (Director-II) |
| 5 | SUBJECT OF COMPLAINT Negligence case. |
| 6 | DATE OF REGISTRATION 25/02/2021 |
| 7 | DATE OF FINDINGS 09/12/2021. |

THE COMPLAINT

Mr Raib Ud Din r/o Malakand, lodged the present complaint stating that he appeared in Master of Arts in Islamiyat Annual exam 2019-20 from Bacha Khan University Charsadda (BKUC) and was allotted Registration No. 2018-MPC-644 for both previous and final exam. Result was declared and he secured 505 marks, but when DMC was issued, he was marked "Absent" in the 'History of Islam & Seerat Un Nabi' paper. He claimed that the same paper was attended by him and he also signed the attendance sheet, which the authorities can confirm from their record. Accordingly, he submitted an application before the Vice Chancellor BKUC for rectification of their mistake but to no avail. He has requested this Forum to probe into the matter.

REPLY OF THE AGENCY

Notice under Section 10 (4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010, was sent to the Vice Chancellor and Controller of Examinations, BKUC to meet the allegations contained in the complaint and submit reply, including rebuttal, if any. In response, Controller of Examinations BKUC submitted the Minutes of the Examination Discipline Committee (EDC), wherein it was stated that Complainant appeared before the committee. As per assertion of complainant that the moment he received the transcript from the Examination Section, he came to know that he was marked absent in the paper of "Seerat Un Nabi" despite the fact that he appeared in the Examination, attempted the paper and handed over to the invigilating staff. He further added that he was declared pass in all papers in the Gazette Book. However, it transpired from the memo of the Exam Hall Superintendent that he didn't handover the paper to the invigilating staff because his Roll No. did not exist in the list of present students. The Committee thoroughly investigated the matter and suggested that Mr. Raib Ud Din (complainant) will be allowed to appear in the upcoming M.A Supplementary Examination.

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OMBUDSMAN (محتسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

REJOINDER

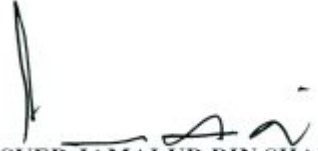
Reply of the Agency was shared with the complainant for his feedback/rejoinder. In response, he denied the stance of the Agency and reiterated his earlier version.

HEARING

Due to divergent stance taken by both the parties, the case was fixed for hearing. Mr. Muhammad Safdar, Assistant Controller Secrecy-I BKUC attended as representative of the Agency, while complainant attended in person. Both the parties were heard at length. Representative of the Agency stated that University is willing to arrange a special paper for the complainant. If he passes the same, he will be declared pass in his previous exam. Complainant expressed satisfaction over the stance of Agency. Later on he submitted a letter of thanks to this Forum and stated that he has passed the same paper, therefore, the University shall issue his pending result wherein he was mistakenly marked absent.

FINDINGS

Record shows that complainant appeared in M.A Islamiyat exam from BKUC and was mistakenly marked absent in one paper. After a special paper was arranged by the University authorities, he qualified the same and therefore is now entitled to be declared pass in the session 2019-20. Further investigation in the matter is closed as having borne fruit in terms of Regulation 10(2) of the Khyber Pakhtunkhwa, Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011.


SYED JAMALUD DIN SHAH
PROVINCIAL OMBUDSMAN

9.12.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. P.O/Complaint No.237-38/03/2021 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT 1. Syed Mazhar Ali Shah s/o Syed Maqbool Shah r/o H.No. 130, Street No. 17, Mohallah Gulbahar Colony Peshawar. 2. Mr. Chan Muhammad s/o Abdul Raheem r/o H.No. 102, Sector No.01, Khalabat Town Ship Haripur. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Secretary to Govt: of Khyber Pakhtunkhwa Administration Department, Peshawar. 2. Secretary, Benevolent Fund Cell, Administration Department. |
| 4 | NAME OF THE INVESTIGATION OFFICER Muhammad Asif Khan, Deputy Director. |
| 5 | SUBJECT OF COMPLAINT Allotment of plot on retirement. |
| 6 | DATE OF REGISTRATION 10/03/2021 |
| 7 | DATE OF FINDINGS 25/11/2021. |

THE COMPLAINT

Mr. Chan Muhammad and Syed Mazhar Ali Shah, retired government servants lodged identical complaints against Benevolent Fund Cell, Administration Department contending that the concerned Agency has failed to allot the plots in terms of the government policy. They retired from service on attaining the age of superannuation in 1994. They were entitled for allotment of plot and submitted several applications to the concerned Agency. Their names were added to the list of retired government servants entitled for allotment of plots. However, no allotments have been made so far without any justification. Being entitled for the allotment of plots, the Agency may be directed to address their grievance as per government policy without further delay.

REPORT OF THE AGENCY

In response to the notice issued under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 Assistant Secretary (E&A) Benevolent Fund Cell, Administration Department submitted report vide memo No. AD/BF/516-89/1336 dated 31/05/2021 indicating that Mr. Chan Muhammad had been contacted by his office and was informed regarding the seniority list maintained for retired government servants/ widows as per directions of the Peshawar High Court, Peshawar. That Mr. Chan Muhammad has been enlisted at S.No.50 of the joint seniority list. The allotment will be made in order of merit, subject to availability of plots. Meanwhile, Mr. Chan Muhammad was contacted by the Investigation Officer and was informed regarding stance of the Agency. He expressed discontent stating that the concerned Agency has failed to allot any plot without justification.

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

HEARING

The case was fixed for hearing on 09/08/2021. Mr. Ghiyasuddin, Superintendent, Benevolent Fund Cell appeared on the date fixed while Mr. Chan Muhammad appeared in person. Representative of the Agency stated that the scheme has been discontinued by the government due to non-availability of plots and the Agency was facing litigations. The complainant however, contended that the government should have notified the decision for information of the retired employees, who are still waiting for allotment of plots and their names enlisted in the waiting list as per earlier report of the Agency. He further stated that how come the Agency can maintain a waiting list for allotment of plots while the scheme is discontinued. The complainant in a subsequent written statement requested that the Agency may purchase a plot for him in District Haripur, where private land is available for sale.

FINDINGS

The available record reflects that the government had formulated a policy for allotment of plots for retired government servants, keeping in view their Basic Pay Scales. The Agency for unknown reasons could not allot the plots to the retired government servants and kept their names in the seniority list. The record further reflects that the matter has also been brought to the notice of the Peshawar High Court, Peshawar where after consideration of the record and policy, directions were given for doing the needful as per policy. However, it is regretted to state that those retired government servants were kept on waiting and the scheme was discontinued by the government. This was indeed a decision by the government, which cannot be withdrawn being a policy matter. This Forum however, recommends that the Agency may clarify as to whether the subject scheme/ policy is still in vogue or otherwise. In case the same has been discontinued, the formal notification issued by the government may be shared with this Secretariat. Compliance report may be furnished to this Secretariat within 45 days. These Findings shall dispose of the identical complaints bearing Complaint No.237-38/03/2021. Failure in compliance will warrant Defiance proceedings under section 12 & 14 of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010.


Syed Jamalud din Shah
PROVINCIAL OMBUDSMAN
25.11.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|--|---|
| 1 | COMPLAINT NO. | PO/Complaint/0258/03/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mst. Amina Bibi w/o Muhammad Yousaf (late) r/o Mohallah Charrandey Takkar Road, District Mardan. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary to Govt: of Khyber Pakhtunkhwa, Irrigation Department, Peshawar. 2. Executive Engineer, Irrigation Department Mardan. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Shabana Gul, Deputy Director (Investigation) |
| 5 | SUBJECT OF COMPLAINT | Appointment against retired class-iv government servant children's quota. |
| 6 | DATE OF REGISTRATION | 03/03/2020 |
| 7 | DATE OF FINDINGS | 12/01/2021. |

THE COMPLAINT

Mst. Amina Bibi w/o Muhammad Yousaf (late), lodged the present complaint stating that her husband Muhammad Yousaf (late) rendered services as 'Mali' in Irrigation Department and died after retirement in 2003. It was stated that no family member of her was appointed against retired class-iv employee son's quota. She has approached this Forum for appointment of her son against the same quota.

REPLY OF THE AGENCY

Notices under Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010, were issued to Secretary Irrigation Department and Executive Engineer Irrigation Department Mardan to meet the allegations and submit reply including rebuttal, if any. In response Executive Engineer Irrigation Department Mardan submitted comments stating that preservation of quota for appointment of children of retiring class-iv government servants on superannuation was promulgated by the Provincial Govt: on 23/05/2000. However, husband of the complainant got retired from service on 18/09/1990, well before the applicable date of the aforesaid policy.

REJOINDER

Reply of the Agency was shared with the complainant for her rejoinder/feedback. In response, she submitted a comprehensive rejoinder annexed with dictums of High Court in support of her claim.

HEARING

In order to expedite and clarify the matter, the case was fixed for hearing. Representative of the Agency appeared and submitted that name of the complainant's son was not included in the waiting list due to the reason that her husband retired well before the applicable date of the aforesaid policy. However, he failed to provide any justification in support of his claim. Later on,

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

he submitted an updated waiting list wherein name of complainant's son was mentioned at Serial No. 01. Representative of the Agency stated that complainant's son would be appointed upon availability of vacant position subject to the availability of all other codal formalities.

FINDINGS

Record shows that name of the complainant has been placed at Serial No. 01 of the waiting list being maintained for appointment of children of retired class-iv government servants. Complainant will be appointed upon the availability of vacant post and fulfillment of other codal formalities. Grievance of the complainant stands redressed. Investigation is closed as having borne fruit in terms of Regulations 10 (2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations 2011.


SYED JAMAL UD DIN SHAH
PROVINCIAL OMBUDSMAN

13.1.2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | P.O/Complaint/307/03/2021 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Muhammad Ismail s/o Noor Rahman r/o Near Professor Colony, Mohallah Nasir Abad 512, Gali No. 04 Peshawar (Cell No. 0312-0092530) |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | Vice Chancellor, University of Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Kamran Ali, Assistant Director |
| 5 | SUBJECT OF COMPLAINT | Non-observance of quota reserved for deceased employee's children. |
| 6 | DATE OF REGISTRATION | 17/03/2021 |
| 7 | DATE OF FINDINGS | 12/08/2021 |

THE COMPLAINT

Muhammad Ismail r/o Peshawar instituted complaint contending that his father died during service on 11/06/2020. Further contended that he approached Office of Registrar, University of Peshawar for appointment under the deceased employee's children quota, but to no avail. Complainant has approached this forum for redressal of his grievance.

REPLY OF THE AGENCY

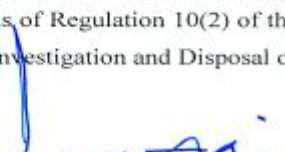
Notice under section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 was issued to Vice Chancellor, University of Peshawar to address the grievance of the complainant contained in the complaint, including rebuttal, if any. In response, Assistant Registrar (Estt), University of Peshawar submitted reply along with copy of appointment order of complainant.

REJOINER

The reply of the agency was communicated to the complainant for his feedback / rejoinder. In response, complainant confirmed his appointment by submitting thanks letter.

FINDINGS

Complainant submitted thanks letter that his grievance stands addressed and paid gratitude to the Provincial Ombudsman for quick resolution of his grievance. Accordingly, investigation in the complaint is closed as having borne fruit in terms of Regulation 10(2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
Provincial Ombudsman,
Khyber Pakhtunkhwa

12.8.2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | P.O./Complaint No. 309/03/2019 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mst. Hafsa Akram d/o Wajahat Shezad , r/o House No. 24-B, Mohallah Kotla Mohsin Khan, Chamanzar Colony, Nothia Jadeed Road, Peshawar. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | Vice Chancellor, Shaheed Benazir Bhutto Women University, Larrama, Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Asif Khan, Deputy Director |
| 5 | SUBJECT OF COMPLAINT | Unreasonable cancellation of admission. |
| 6 | DATE OF REGISTRATION | 03/04/2019 |
| 7 | DATE OF FINDINGS | 05/04/2021 |

THE COMPLAINT

Mst. Hafsa Akram r/o District Peshawar instituted complaint stating that she was admitted for BS Programme in Shaheed Benazir Bhutto Women University, Peshawar in Sep, 2018. After a few months, the University administration cancelled her admission on the ground for having secured less than 45% marks in intermediate. She added that the fee was deposited by her as required and she even appeared for the detention examination. She requested that the concerned authorities may be asked as to why she was expelled without justification.

REPLY OF THE AGENCY

In response to the notice issued under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 Deputy Registrar-Administration Section, Shaheed Benazir Bhutto Women University, Peshawar submitted detailed report vide memo No. 297/Deputy Reg-Administration/ SBBWUP dated 13/10/2019 stating that the University Administrations & Semester System Revised Regulations, 2011 applicable session (2011 onwards) clearly mentions that the candidates passing intermediate must secure at least 45% marks for admission in any BS Programme. The complainant's aggregate was less than 45% and she was not called to appear in the Entry test held on 6th Sep, 2018. The classes of BS Programme commenced from 15th Oct, 2018. However, during verification process of the enrolled students, name of the complainant was pointed out. She was directed to appear for clarification. She admitted to have deposited fee by mistake. As a result, her admission was cancelled and the fee deposited by her was reimbursed.

REJOINDER

Report of the Agency was shared with the complainant for feedback. However, she failed to respond.

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**OMBUDSMAN (محاسب) SECRETARIAT,
GOVERNMENT OF KHYBER PAKHTUNKHWA**

FINDINGS

It is evident from the record that the complainant mistakenly deposited the fee for BS Programme in Shaheed Benazir Bhutto Women University, Peshawar which was reimbursed after verification. Her admission in BS Programme was cancelled in accordance with the admission policy of the University. It has also been observed that the complainant failed to defend her stance during investigation of the instant case. Therefore, no case of maladministration is made out against the Agency. Investigation in the complaint is accordingly closed in the terms of Regulation 10(1) read with 17(b) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
PROVINCIAL OMBUDSMAN
5.4.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. PO/Complaint/0324/03/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Mr. Rehan Khan s/o Naeem Khan r/o Sadda Kochi Road, New Ali Sherzai Market, Shop No. 11, Chinar Mobiles, Parachinar District Kuram. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Secretary, Local Council Board Khyber Pakhtunkhwa, Building # 33, Street No. 13, Sector E-8, Phase 7, Hayatabad, Peshawar. 2. Town Municipal Officer (TMO), Town Municipal Administration, Upper Kurram. |
| 4 | NAME OF THE INVESTIGATION OFFICER Shabana Gul (Director-II). |
| 5 | SUBJECT OF COMPLAINT Miss-use of power in pension payment |
| 6 | DATE OF REGISTRATION 22/03/2021. |
| 7 | DATE OF FINDINGS 11/11/2021. |

THE COMPLAINT

Mr. Rehan Khan r/o Upper Kuram, lodged the instant complaint indicating that his mother Mst. Iqbal Begum was a teacher in Industrial School Parachinar where she served for 29 years and died during service on 02/12/2020. After obtaining her death certificate an application was submitted to Secretary Local Council Board Peshawar for release of her pension and outstanding salary of 38 months. Complainant alleged that since the supporting staff of TMA Upper Kuram refused to process/forward his case therefore, he submitted his application to Assistant Commissioner Kuram, but with no positive outcome. He submitted application to the concerned authorities for redressal of his grievance but in vain. He requested this Forum for issuance of directions to resolve his grievance.

REPLY OF THE AGENCY

In response to notices under Section 10 (4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010, Admin Officer-IV, Local Council Board Peshawar, submitted report of Tehsil Municipal Officer Upper Kuram wherein it was stated that mother of the complainant rendered services for the Chinar Industrial School Parachinar which is generating revenues on itself and whose employees are not entitled for any pensionary benefits. Moreover, due to the poor financial status of TMA Upper Kuram the salary and pension was not paid to the Regular staff of TMA Upper Kuram including mother of the complainant. In this context LCB Peshawar was requested for payment of outstanding liabilities amounting to Rs. 140,000,00/- which LCB Peshawar has to pay in order to address such like cases.

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**OMBUDSMAN (محاسب) SECRETARIAT,
GOVERNMENT OF KHYBER PAKHTUNKHWA**

REJOINDER

Reply of the Agency was shared with the complainant for his feedback/rejoinder. In response, he denied the stance of Agency and reiterated his earlier version.

HEARING

To find the factual position the case was fixed for hearing. Mr. Zahid Shah Admin Officer LCB Peshawar and Mr. Mehtab Khan, Assistant Accountant TMA Upper Kuram attended as representatives of the Agency while complainant attended in person. Both the parties were heard at length. Perusal of the record revealed that mother of the complainant was not a Regular employee and was not entitled for the pensionary benefits. However, she was not paid salary for almost 38 months due to the poor financial status of the TMA Upper Kuram. Representatives of the Agency submitted that as and when the liability amount of Rs. 140,000,00/- is released by the LCB Peshawar, all the outstanding salaries in question would be paid.

FINDINGS

Record shows that mother of the complainant was not a regular employee and was not entitled for any pensionary benefits. However, she was not paid the salary for almost 38 months, due to the poor financial status of the TMA Upper Kuram. LCB Peshawar being responsible for payment of liabilities to TMA Upper Kuram amounting to Rs. 140,000,00/- has made the financial position of TMA Upper Kuram so weak. It is, therefore, recommended that Secretary LCB Peshawar shall resolve the matter of liabilities with the TMA Upper Kuram at the earliest and non-payment of salary of Mst. Iqbal Begum (late) of 38 months shall be given preference and processed for onward payment to the complainant, not later than 60 days, under intimation to this Secretariat.

The above recommendations shall be implemented within a period of 60 days of the receipt of these Findings, under intimation to this Forum.

Defiance/non-compliance shall warrant disciplinary proceedings in terms of Section 11 Sub Section 4 of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 whereby, the government will take necessary action for ensuring good governance.


SYED JAMAL UD DIN SHAH
PROVINCIAL OMBUDSMAN

12.11.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. PO/Complaint/0449/04/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Ms. Naima w/o Gulzar Khan r/o Bazanda, Gol Dekhta Boni, Post Office Boni, Tehsil Mastoj, District Chital. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Secretary to Govt of Khyber Pakhtunkhwa, Home & Tribal Affairs, Peshawar. 2. Deputy Commissioner, Chital (Upper). |
| 4 | NAME OF THE INVESTIGATION OFFICER Shabana Gul (Director-II). |
| 5 | SUBJECT OF COMPLAINT Violation of merit |
| 6 | DATE OF REGISTRATION 28/04/2021. |
| 7 | DATE OF FINDINGS 15/09/2021. |

THE COMPLAINT

Ms. Naima r/o Chital (Upper), lodged the instant complaint stating that she applied for the post of 'Sweeper BPS-03' advertised by Deputy Commissioner Chital (Upper) and was called for interview on 28/01/2021, wherein, she was shown at S.No. 26 of the interview list. She alleged that the concerned authorities appointed non-local candidates by refusing her right of appointment as she was a local candidate and being the only female candidate, the Agency should have preferred her over non-local candidates. She submitted a legal notice to the concerned authority requesting to withdraw the appointment orders of non-local candidates, but to no avail. She has requested this Forum to probe into the matter and issue directions to the Agency to appoint her against the said post.

REPORT OF THE AGENCY

Notice under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 was issued to Secretary Home & Tribal Affairs, and Deputy Commissioner Chital to meet the allegations and submit reply including rebuttal, if any. In response, Deputy Commissioner Chital submitted comments stating that applications were invited from eligible candidates and all candidates including complainant were found eligible for the post of sweeper. Moreover, the posts from BPS- 03 to 15 are District Cadre posts and all the candidates belonging to Chital are considered as local. Out of 31 Class-IV posts, 20 were filled in by transferring of existing staff. Appointments were made after fulfillment of all codal formalities on the recommendation of Departmental Selection Committee.

REJOINDER

Reply of the Agency was shared with the complainant for her rejoinder/feedback. In response, she submitted that Agency has made her appointment on 08/07/2021 and her

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OMBUDSMAN KHYBER PAKHTUNKHWA

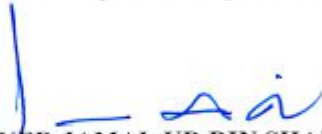


OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

grievance has been addressed, therefore, the complaint may be withdrawn on the aforesaid reason. She also provided copy of her appointment order.

FINDINGS

Consequent upon the written statement of the complainant, coupled with her appointment order, grievance of the complainant stands redressed. Investigation is closed as having borne fruit in terms of Regulation 10 (2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.


SYED JAMAL UD DIN SHAH
PROVINCIAL OMBUDSMAN
16.9.2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|--|---|
| 1 | COMPLAINT NO. | No: PO/Complaint/476/06/2020 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Akmal Hussain, Principal r/o Village Jogan Nawan Shear Near Masjid Khulfa-i-rashedain behind BISE Office Abbottabad (Cell No. 0314-5011905) |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary, Govt. of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, 2. Director, Elementary & Secondary Education Department, Khyber Pakhtunkhwa |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Kamran Ali, Assistant Director. |
| 5 | SUBJECT OF COMPLAINT | Request for appointment / posting as Principal / Vice Principal. |
| 6 | DATE OF REGISTRATION | 02/07/2020 |
| 7 | DATE OF FINDINGS | 22/03/2021 |

THE COMPLAINT

Mr. Akmal Hussain r/o Abbottabad instituted complaint contending that on the basis of requisition made by the Elementary & Secondary Education Department in 2017, the Khyber Pakhtunkhwa Public Service Commission has recommended him as Principal / Vice Principal (BPS-18) vide recommendation letter No. PSC/SR-III/010012 dated 19/09/2019. After fulfilment of all codal formalities, the E & SE Department has wrongly appointed him against the post of S.S (Physics) instead of Principal / Vice-Principal. Further contended that his subject of study is English, while the Department adjusted him as S.S (Physics). He has requested this Forum for redressal of his grievance.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Secretary, Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department and Director, Directorate of E & SE Peshawar to address the grievance of the complainant contained in the complaint and submit reply, including rebuttal, if any. In response, Director, E & SE submitted written reply contending that the subject matter pertains to Secretary E & SE Peshawar, as Secretary is competent for adjustment of Principal / Vice-Principal (BPS-18). However, no reply was received from Secretary E & SE Department even within the extended period.

HEARING

Due to non-response from Agency, the case was fixed for hearing on 24/12/2020. Section Officer (Schools), Elementary & Secondary Education Department appeared as representative of the Agency, while complainant appeared in person. During hearing, the representative of the Agency submitted written statement that complainant adjustment as Principal has been submitted to competent authority for approval, as and when it's approved, would be notified accordingly.


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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

FINDINGS

Record shows that no reply / adjustment order of the complainant was communicated by the Agency even within the extended period. However, during pendency of the case, complainant submitted application along with two (02) adjustment Notifications of same endorsement no. and date. In first one, the complainant's cadre was mentioned as "Principal/Vice-Principal BPS-18", while in the second one, complainant's cadre was indicated as "Teaching Cadre BPS-18). As the Commission has recommended the complainant as "Principal/Vice-Principal BPS18" and not for teaching cadre, therefore, it is recommended that Secretary, Elementary & Secondary Education Department should revisit the adjustment Notification No. SO(SM)E & SED/7-1/2020/Posting/Transfer/General dated 27/01/2021 in terms of recommendations made by the KP Public Service Commission within 45 days of the receipt of these findings under intimation to this Forum within the said period.


Syed Jamalud din Shah
Provincial Ombudsman,
Khyber Pakhtunkhwa
22.3.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | PO/Complaint /0496/06/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Ms. Riffat Gohar r/o Village and Post Office Rasheeda, Tehsil Oge, District Mansehra. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Director, Directorate of Elementary & Secondary Education, Khyber Pakhtunkhwa, 2. District Education Officer (Female), Mansehra. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Deputy Director (Investigation) |
| 5 | SUBJECT OF COMPLAINT | Negligence of maladministration in record. |
| 6 | DATE OF REGISTRATION | 06/08/2020. |
| 7 | DATE OF FINDINGS | 12/08/2021. |

THE COMPLAINT

Ms. Riffat Gohar instituted complaint stating that due to clerical mistake, her professional qualification could not be entered in her service record and due to which her promotion was deferred. The complainant has requested this forum to direct the Agency to consider her promotion case and issue notification from March, 2020.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to Director, Directorate of Elementary & Secondary Education, Khyber Pakhtunkhwa and District Education Officer, DEO (Female), Mansehra to meet the allegations and submit reply including rebuttal, if any. In response, DEO (F) Mansehra submitted that required qualification for promotion for SCT (BPS-16) to SST (G) BPS-16 is B.A second division with M.A education or BEd. She added that in service book, the complainant qualification mentioned was only M.A with signature of concerned Headmistress being competent Authority. After correction of entry in the service book, her promotion case for consideration was sent to Directorate of Elementary & Secondary Education for guidance and would be considered after receiving of instructions.

FINDINGS

AD Directorate of E&SE informed vide letter No. 7684/File: Ombud:/Mansehra/Vol-1/2020 dated 30/12/2020 that complainant name has been recommended for promotion from SCT to the post of SST (G) (BPS-16) and will be notified after necessary procedure. Grievance of the complainant is addressed having born fruit. Investigation is closed under Regulation 10(2) of the Khyber Pakhtunkhwa, Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011. Although grievance of the complainant has been addressed but the Agency shall ensure that the complainant seniority is considered as per rules under intimation to this office.

Syed Jamalud din Shah
Provincial Ombudsman.

12-8-2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|---|
| 1 | COMPLAINT NO. P.O/Complaint No. 512/07/2020 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Mr. Jameel Ahsan s/o Muhammad Ahsan Khan, r/o Tahir Kheli, Village and P.O District Haripur. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Secretary, Forest Environment and Wildlife Department, Civil Secretariat, Peshawar. 2. Chief Conservator of Forest , Nothern Forest Region-II, Abbottabad. |
| 4 | NAME OF THE INVESTIGATION OFFICER Muhammad Asif Khan, Deputy Director |
| 5 | SUBJECT OF COMPLAINT Request for compensation |
| 6 | DATE OF REGISTRATION 08/07/2020 |
| 7 | DATE OF FINDINGS 25/11/2021 |

THE COMPLAINT

Mr. Jamil Ahsan Khan r/o District Haripur instituted complaint regarding non-payment of royalty by the Forest Department. He contended that his mother owned a Chir Forest in Moza Kaamira, District Mansehra covering an area of 280 kanal. The government used to pay her the royalty on account of Resin tapping and other commercial harvesting. The payments were initially released by the District Courts, Mansehra through voucher challan until the year 1992. The government further authorized Forest Cooperative Societies for payment of royalty to the land owners. However, these Cooperative Societies stopped releasing the royalty payment in 1994 causing huge financial loss to his family. After the death of his mother in 2010, the property was distributed amongst the legal heirs. The complainant being one of the legal heir has requested that the government may either purchase the property (Forest) from his family or pay some compensation amount so as to address his grievance.

REPLY OF THE AGENCY

In response to the notice issued under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 Section Officer (Environment) Forestry, Environment and Wildlife Department vide memo No. SO(Environment)/ FEW/2-1/Complaint/ 2020/4000 dated 08/10/2020 submitted a detailed report of the Chief Conservator of Forests, Northern Forest Region-II Abbottabad, Khyber Pakhtunkhwa. The report indicated that the royalty on account of Resin tapping were paid through Forest Cooperative Societies which remained in vogue till 1992-93. Working of these Cooperative Societies was suspended by the government due to the resultant damage caused to the infrastructure during the floods in 1992. Accordingly the government imposed a ban on commercial harvesting in 1993. Resin tapping from the chir forests was also banned, by the government during the same year. Since all commercial harvesting and Resin

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

tapping remained banned, therefore, royalty payment on account of Resin tapping or commercial harvesting was stopped.

REJOINDER

Report of the Agency was shared with the complainant for information and feedback. However, he failed to respond.

FINDINGS

The available record furnished by the Agency reflects that the Forest Cooperative Societies were suspended by the Cabinet Committee in its meeting on flood disaster chaired by the Prime Minister in Oct, 1992. Accordingly, their bank accounts were deactivated, so that no amount could be withdrawn. The record further reflects that the Divisional Forest Officer, Siran Forest Division, Mansehra vide memo No. 6249/GB dated 10/01/1993 addressed to the Conservator of Forest/ Project Director, Siran Kaghan Forestry Project, Abbottabad had indicated reasons for stoppage of further Resin tapping from the excessively tapped forests which included the following:

- Forests being over-exploited for resin extraction
- Forests are under high biotic pressure (bacteria, fungi, viruses or insects)
- Further resin tapping by marking more and more deep blazed tress may invite excessive windfalls causing damage to the crop.
- Excessive resin tapping are exposing the tree trunks causing damage during regular occurrence of fire in the forest.

Keeping in view the reports submitted by the concerned field officers, the government suspended the Forest Cooperative Societies whereby, royalty payments on account of Resin tapping and other commercial harvesting were stopped. The intention behind the decision was to prevent environmental as well as financial damage which could occur due to excessive Resin tapping in chir pine forests. Moreover, loss due to severe damage to the trees, was much more than the income received from Resin tapping. This was an ample reason for imposing ban on Resin tapping, suspending Forest Cooperative Societies, and stopping royalty payments in this regard. Hence, observing no apparent case of maladministration against the Agency, investigation in the complaint is closed in terms of Regulation 17(b) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.

Syed Jamalud din Shah
PROVINCIAL OMBUDSMAN

25.11.2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | PO/Complaint/0521/06/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Bilal Khan s/o Akhtar Nawaz Khan r/o Shah Muhammad UC Ali Khan, Tehsil and District Haripur (Contact # 03345662326). |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Director, Directorate of Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar. 2. District education Officer (Male), Haripur. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Deputy Director (Investigation). |
| 5 | SUBJECT OF COMPLAINT | Violation of merit. |
| 6 | DATE OF REGISTRATION | 17/06/2021. |
| 7 | DATE OF FINDINGS | 27/12/2021. |

THE COMPLAINT

Mr. Bilal Khan instituted the instant complaint stating that he applied for the post of PST (BPS-12) in the Union Council Ali Khan advertised by District Education Office Haripur through NTS. He passed the test, secured 123.1 marks and was placed 4th in the merit list but was not called for interview. The candidate at S.No. 1 and 2 did not join and it was right of the candidate at S.No. 3 and 4 in the merit list to be appointed but the DEO (M) Haripur appointed candidate at S.No. 5 who was low in merit. He submitted request to the authority but to no avail. He has requested this Forum to probe into the matter.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to Director, Directorate of Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar and District Education Officer DEO (Male), Haripur. DEO (M) Haripur informed that the complainant was absent in interview. The interview date was announced through local daily Nida-e-Khaliq Haripur. He further contended that the complaint is time barred, hence cannot be entertained.

REJOINDER.

Reply of the Agency was shared with the complainant for his rejoinder/feedback who expressed dissatisfaction over reply of the Agency and contended that Departmental Selection Committee is responsible as per policy to inform the candidate personally.

HEARING

Due to divergent stance, the complaint was fixed for hearing on 05/10/2021 and 26/10/2021 subsequently. Abdul Qayyum, Assistant Director and ADEO (Litigation) Saleh Mushtaq representatives of the Agency appeared but they failed to give cogent reason for appointing candidate at S.No. 5 while ignoring the complainant at S.No. 4 of the merit. Assistant Director, Directorate of Elementary and Secondary Education assured this Forum that Inquiry would be conducted. The complainant appeared in person and submitted the written statement of candidate at S.No. 3 wherein it was stated that he appeared in interview but later on, he remained

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

unaware of the selection process. The complainant contended that it was clearly mentioned in the advertisement that if candidates failed to appear in interview he will be contacted within 7 days by Departmental Selection Committee. He further contended that post was advertised through National Dailies and later on local daily was used as medium to call for interview.

FINDINGS

Perusal of record shows that the complainant had filed review with the DEO(M) Haripur and the concerned authority did not move to decide on the appeal. The Agency appointed a low merit candidate ignoring the eligible candidates while the candidate at S.No. 5 was ineligible so he should have been dropped. It is therefore, recommended that Director, Directorate of Elementary and Secondary Education may conduct inquiry and fix responsibility against functionaries for non-adherence to rules and may consider the eligible candidates at S.No. 3 and 4. These findings should be implemented within 30 days after receipt of these findings under intimation to this Secretariat within the said period.

Defiance / non-compliance shall warrant disciplinary proceedings in terms of Sub- Section 4 of Section 11 of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 whereby, the Government will take necessary action for ensuring good governance.


Syed Jamalud din Shah
Provincial Ombudsman.

29.12.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| | | CLOSURE FINDINGS |
|---|--|---|
| 1 | COMPLAINT NO. | PO/Complaint/0542/07/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Haji Ikramullah c/o Owner of Marghuzar Flour Mills, Takhtaband, Swat. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary of Govt: of Khyber Pakhtunkhwa Food Department Peshawar. 2. Director Food Khyber Pakhtunkhwa, Peshawar. 3. District Food Controller, Swat (at Gulkada). 4. Assistant Director Food Department, Swat (at Gulkada). |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Deputy Director (Investigation) |
| 5 | SUBJECT OF COMPLAINT | Request for provision of wheat. |
| 6 | DATE OF REGISTRATION | 29/07/2020. |
| 7 | DATE OF FINDINGS | 24/08/2021. |

THE COMPLAINT

Mr. Haji Ikram Ullah Khan instituted complaint stating that Mr. Tariq (Assistant Food Controller) approached the complainant, Owner of Marghozar Flour Mill to arrange two (02) Trucks of wheat for PRC Swat to meet shortages, as procurement has been approved by the competent authority. The wheat was provided to PRC Swat on 22/05/2019 and he promised to pay due amount within two days. Meanwhile the Assistant Controller was transferred and payment is pending for clearance. He has requested this Forum to direct the Agency to clear his dues.

REPORT OF THE AGENCY

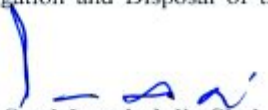
Notices under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Secretary of Government of Khyber Pakhtunkhwa Food Department Peshawar, Director Food Khyber Pakhtunkhwa, Peshawar District Food Controller, Swat and Assistant Director Food Department, Swat to meet the allegations and submit reply including rebuttal, if any. In response, Director Food Khyber Pakhtunkhwa informed that as per report of new Assistant Food Controller PRC Swat, no excess quantity of wheat was found for payment on account of procurement at PRC Swat. Moreover their office has neither ordered for procurement from Flour Mills nor was complainant directed to do so. The matter seems to be private.

REJOINDER

Reply of the Agency was shared with complainant for feedback/rejoinder who informed that his grievance has been addressed and requested for disposal of his complaint.

FINDINGS

Perusal of record reveals that grievance of the complainant is addressed having borne fruit. Investigation in the complaint is closed under Regulations 10(2) of the Khyber Pakhtunkhwa, Provincial Ombudsman Office (Registration, Investigation and Disposal of the Complaints) Regulations 2011.


Syed Jamalud din Shah
Provincial Ombudsman.
24.8.2021

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | PO/Complaint/0553/06/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Hasrat Munir, House No. 8, Street No. 1, Sector E-5, Phase-7, Hayatabad Peshawar (Contact # 0332-9357546). |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary, Environmental Protection Agency, SDU Building, 3 rd Floor Khyber Road, PTCL Colony Peshawar Khyber Pakhtunkhwa. 2. Deputy Commissioner, District Peshawar. 3. Director, Institute of Management Sciences, Phae-7, Hayatabad Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Deputy Director (Investigation). |
| 5 | SUBJECT OF COMPLAINT | Environmental pollution. . |
| 6 | DATE OF REGISTRATION | 17/06/2021. |
| 7 | DATE OF FINDINGS | 20/12/2021. |

THE COMPLAINT

Mr. Hasrat Munir instituted the instant complaint stating that he is residing at House No. 8, Street No. 1, Sector E-5, Phase-7 Hayatabad, Opposite to Institute of Management Sciences. He added that Institute of Management Sciences has installed an exhaust fan in the Canteen, and constantly produces loud noise which is unbearable. He made several requests to Director, Institute of Management Science but to no avail. He has requested this forum to address his grievance.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to the Secretary, Environmental Protection Agency, Khyber Pakhtunkhwa and Deputy Commissioner and Director, Institute of Management Sciences (IMS), Peshawar to meet the allegations and submit reply including rebuttal, if any. In response, Director IMS informed that heavy duty exhaust fans have been replaced with normal exhaust fans with low noise intensity, below the permissible limit of 55 db. He added that the institute has two (02) gates as per master plan duly approved by Peshawar Development Authority (PDA). The institute has dedicated car parking for its staff and students and uses the gate opened towards double road for entry and exit.

REJOINDER.

Reply of the agency was shared with the complainant for his rejoinder/feedback who expressed satisfaction over reply of the Agency to the extent that exhaust fans have been replaced and noise is minimized. He rebutted the reply of the IMS that students park their vehicles in dedicated parking and use gate opened towards double road and added that students still park their cars in streets.

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OMBUDSMAN (محاسب) SECRETARIAT,
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FINDINGS

The grievance of the complainant is addressed partially, the noise from exhaust fans is minimized but students park their vehicles in streets. No doubt the institute has parking within the premises but students are charged monthly rent for using car parking, hence students park their vehicles in streets. It is therefore, recommended that Management of the Institute should ensure that no vehicle is parked in the streets adjacent to it and keep the gate opened towards double road for entry and exit. The PDA Administration is also directed to pay surprise visits and ensure strict adherence to rule / law in the best public interest.

Defiance / non-compliance shall warrant disciplinary proceedings in terms of Sub- Section 4 of Section 11 of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 whereby, the Government will take necessary action for ensuring good governance.

Syed Jamalud din Shah
Provincial Ombudsman.
20.12.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|--|---|
| 1 | COMPLAINT NO. | PO/Complaint/0561/06/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT: | Ms. Anbareen d/o Fazal Maula r/o Mohallah Madina, Pir Baba Road, Barikot District Swat. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST: | 1. Vice Chancellor, University of Swat. 2. Controller of Examinations, University of Swat. |
| 4 | NAME OF THE INVESTIGATION OFFICER: | Shabana Gul, (Director-II) |
| 5 | SUBJECT OF COMPLAINT: | Request for award of grace marks |
| 6 | DATE OF REGISTRATION: | 23/06/2021 |
| 7 | DATE OF FINDINGS: | 13/12/2021. |

THE COMPLAINT

Ms. Anbareen r/o Swat, lodged the present complaint stating that she has completed her BS degree in Zoology from 'Centre of Animal Sciences & Fisheries' at University of Swat, in the year 2016, by securing 2.4 CGPA, which is very close to 2nd Division (2.5 CGPA). She filed an appeal to Departmental Semester Committee (DSC) through Head of Department for grant of 05 grace marks, as per Clause 17(k) of the Amended Semester Regulation 2012. The DSC recommended award of 05 grace marks for onward approval of University Semester Committee (USC). Moreover, the Incharge Centre of Animal Sciences & Fisheries forwarded her case with the remarks that grace marks should be given to enable her to continue her future studies. Unfortunately, the USC in its 44th meeting held on 08/01/2021 regretted the award of grace marks. Complainant approached this Forum requesting that the University of Swat may be directed to grant grace marks in order to enable her to enhance educational carrier.

REPLY OF THE AGENCY

Notices under Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act 2010, were issued to Vice Chancellor and Controller of Examinations, University of Swat to meet the allegations and submit reply including rebuttal, if any. In response, Deputy Registrar University of Swat submitted comments stating that complainant has been a student of Centre for Animal Sciences and Fisheries in the discipline of BS Zoology and passed out in October 2016, securing 2.4 out of 04 CGPA. She submitted an appeal for award of 05 grace marks as per University of Swat Amended Semester Regulations for improvement of grade. Although, she has been examined to be eligible for award of grace marks, however, she submitted her application late and was thus regretted.

REJOINDER

Reply of the Agency was shared with the complainant for her rejoinder/feedback. In response, she denied the stance of Agency and reiterated her earlier version.

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OMBUDSMAN (محاسب) SECRETARIAT,
GOVERNMENT OF KHYBER PAKHTUNKHWA


HEARING

Due to divergent stance taken by both the parties, the case was fixed for hearing. Mr. Khurshid Alam, Deputy Registrar alongwith Mr. Sagheer Ahmad Deputy Controller of Examinations, University of Swat attended as representatives of the Agency while complainant appeared in person. Representatives of the Agency contended that if grace marks are awarded to complainant she would fulfill the minimum criteria to seek admission in MS/MPhil. Complainant stated that since the minimum requirement for admission in MPhil/PhD is 2.5 CGPA, therefore, award of grace marks benefits her carrier enhancement.

FINDINGS

Record reveals that complainant qualified BS degree in Zoology from Centre of Animal Sciences & Fisheries at University of Swat, by securing 2.4 CGPA. Record also reveals that minimum criteria for admissions in MS/MPhil is 2.5 CGPA and complainant requires only 05 grace marks in the paper of "Genetics (Semester-VII)" to enhance her CGPA. The University offers provision of grace marks as per Clause 17(k) of the Amended Semester Regulations 2012 of University of Swat. The DSC recommended award of 05 grace marks to complainant but USC regretted the same, for being requested late. Although, it is not a case of maladministration on part of the Agency, yet if complainant, being a female student, is awarded the grace marks as per provision of Clause 17 (k) of the Regulations ibid, she may be able to continue her future studies. Keeping in view the above circumstances and enhancement of complainant's educational career, it is, therefore, recommended that Vice Chancellor (VC) University of Swat shall review the case for award of 05 grace marks in respect of complainant so that she may continue her higher studies, subject to the fulfillment of all other codal formalities.

The above recommendations shall be implemented within a period of 30 days of the receipt of these Findings, under intimation to this Forum within the said period.


SYED JAMAL UD DIN SHAH
PROVINCIAL OMBUDSMAN
14.12.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | PO/Complaint/0616/07/2021. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Karim Khan s/o Mir Gul Jan, Pakistan Tamleer Syed Pur Road Ner Pendura chungi Rawalpindi (Contact # 0323-5180288). |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Vice Chancellor, University of Peshawar. 2. Registrar, University of Peshawar. 3. Chairman, University of Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Deputy Director (Investigation). |
| 5 | SUBJECT OF COMPLAINT | Evaluation of M.Phil Thesis. |
| 6 | DATE OF REGISTRATION | 02/07/2021. |
| 7 | DATE OF FINDINGS | 20/12/2021. |

THE COMPLAINT

Mr. Karim Khan instituted complaint stating that he was enrolled for M.Phil (Arabic) in Department of Arabic, University of Peshawar in session 1993-94. He successfully defended his thesis in the year 2000 and cleared all the liabilities and obtained clearance certificate which was pre-requisite for notifying the result. He added that after lapse of some time he visited the University for issuance of degree he was informed that his thesis were missing from the record. After struggling hard, he again obtained his record from the concerned department and deposited Rs. 25,200/- in respect of liabilities for obtaining clearance certificate, which was also lost. He submitted complete record to the concerned quarter but the Agency is reluctant to issue him degree on one pretext or other. He requested this forum to advise the Agency to issue him degree.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 was issued to Vice Chancellor, University of Peshawar, Registrar, University of Peshawar and Chairman, University of Peshawar to meet the allegations and submit reply including rebuttal, if any. In response, Mr. Mussarat Jamal, Chairman Department of Arabic, University of Peshawar informed that the Department after clearing outstanding dues by the complainant, addressed letter No. 2690/Ar. dated: 24/04/2019 to Director, Advance Studies for approval of his course work. The Agency added that Advance Study Research Board (ASRB) did not approve his course work with the remarks that it is closed file.

REJOINDER.

Reply of the agency was shared with the complainant for his rejoinder/feedback who expressed dissatisfaction over reply of the Agency.

HEARING

Due to divergent stance, the complaint was fixed for hearing on 04/10/2021. Professor Dr. Mussarat Jamal, Chairman Department of Arabic and Mr. Fawad Khan, Superintendent ASRB appeared. Chairman informed that the complainant has successfully completed his

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

education and cleared his dues which make him eligible for grant of M.Phil degree in Arabic. Mr. Fawad Khan, representative of ASRB endorsed the statement of Chairman Arabic Department and added that the M.Phil degree would be issued to the complainant but the approval of course work would be given by considering his credit hour in previous session as the same has been issued to students in that session. He added that presently credit hour has increased and new syllabus is taught and complainant would be issued degree on the basis of courses studied. The complainant agreed to the statement of Agency's representative.

FINDINGS

Both the parties agreed on the proposition that degree would be issued on the basis of course studied earlier in the session 1992-93. Grievance of the complainant is addressed having borne fruit in terms of regulations 10(2) of the Khyber Pakhtunkhwa, Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
Provincial Ombudsman.

20.12.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | PO/Complaint/0635/08/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Muhammad Noman s/o Muhammad Saleem r/o Village Parova, Near GHS Parora, Tehsil Parova, District D.I Khan. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Director General Fisheries, Khyber Pakhtunkhwa Peshawar. 2. District Officer Fisheries, D.I Khan. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Kamran Ali, Assistant Director |
| 5 | SUBJECT OF COMPLAINT | Request for appointment against deceased /invalidated employees son quota. |
| 6 | DATE OF REGISTRATION | 12/08/2020 |
| 7 | DATE OF FINDINGS | 11/02/2021 |

THE COMPLAINT

Muhammad Noman r/o District D.I Khan instituted complaint contending that his father retired on medical ground as Fisheries Watcher on 08/10/2018 from the office of District Officer Fisheries, D.I Khan. Further contended that he approached Office of D.G Fisheries through Assistant Director Fisheries D.I Khan for appointment as Fisheries Watcher under deceased/invalidated employee's son quota but to no avail. Complainant has requested this Forum for redressal of his grievance.

REPLY OF THE AGENCY

Notices under Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to Director General, Fisheries Khyber Pakhtunkhwa, Peshawar and District Officer Fisheries, Dera Ismail Khan to address the allegations contained in the complaint and submit reply including rebuttal, if any. In response, District Officer Fisheries D.I Khan submitted reply that complainant was called for interview and would be considered for appointment as Fisheries Watcher against available vacancy in D.I Khan.

REJOINDER

Reply of the Agency was shared with the complainant for his feedback/rejoinder. In response, complainant reiterated his earlier stance.

HEARING

Due to divergent stance of both the parties, the case was fixed for hearing on 07/12/2020. Mr. Gulzar Mohammad, Assistant Director (Litigation), Office of the Director General, Fisheries Peshawar attended the hearing as representative of the Agency, while complainant appeared in person. The Agency's representative submitted letter regarding meeting of D.S.C fixed for 10/12/2020 and has given assurance that appointment of the complainant would be finalized in the said D.S.C meeting.

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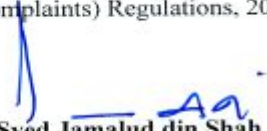
OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محتسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

FINDINGS

During pendency of the case, complainant submitted thanks letter along with his appointment order as Fisheries Watcher (BPS-07). He paid gratitude to the Provincial Ombudsman for quick resolution of his grievance. Accordingly, investigation in the complaint is closed as having borne fruit in terms of Regulation 10(2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
Provincial Ombudsman
Khyber Pakhtunkhwa
18.2.2021

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|---------------------------------------|
| 1 | COMPLAINT NO. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST |
| 4 | NAME OF THE INVESTIGATION OFFICER |
| 5 | SUBJECT OF COMPLAINT |
| 6 | DATE OF REGISTRATION |
| 7 | DATE OF FINDINGS |

THE COMPLAINT

Mr. Ihsanullah r/o Battagram instituted complaint contending that he applied for the post of SST (General) advertised by Elementary & Secondary Education Department in 2018 through NTS under 02% disabled person quota. He got 2nd position in SST (General) merit of disabled persons. Further contended that out of 213 sanctioned posts of SSTs in District Battagram, 04 positions are reserved for 02% disabled persons quota. However, the Department has appointed only 03 candidates on disabled person's quota by neglecting the 04th one. He has requested this Forum for redressal of his grievance.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Secretary, Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, Director, Directorate of E & SE Peshawar and District Education Officer (Male), Battagram to address the grievance of the complainant contained in the complaint and submit reply, including rebuttal, if any was issued. In response, Director, E & SE submitted written reply contending that DEO (M) Battagram has advertised 27 SST (General & Science) posts in 2018 out of which 03 posts (containing leftover posts) were given to disabled persons under 02% reserved quota and were accordingly appointed on merit. The complainant was placed at serial number 02 of the merit list and could not be considered for appointment under the said quota due to lower in merit. Further stated that in 2019, only one post of SST (General) was advertised and was filled on merit quota.

REJOINDER

Reply of the Agency was shared with the complainant. In response, he controverted the stance of the Agency and contended that 02% quota reserved for disabled persons was to be calculated on the basis of total sanctioned strength of the cadre i.e. 213 SST posts, which

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

comes to the share of 04 posts, while the DEO(M) Battagram has appointed only 03 candidates on 02 % disabled person quota. He requested for appointment on 02% disabled person quota being on merit and was thus deserving candidate.

HEARING

Due to divergent stance of both the parties, the case was fixed for hearing on 24/12/2020. Muhammad Afzal, Assistant Office of DEO(M) Battagram attended the hearing as representative of the Agency, while complainant appeared in person. The representative of the Agency submitted written statement that DEO(M) Battagram would send fresh working paper in respect of the complainant within 10 days to the Director, E & SE Peshawar for consideration under 02% disabled persons quota. However, after lapse of one Month period, nothing has been done by the DEO(M) Battagram and as a result, the case was re-fixed for hearing on 27/01/2021. The DEO(M) Battagram submitted written statement that as per total strength of SSTs in District Battagram, 04 posts come under the category of 02% disabled persons quota. Further, submitted that working paper in respect of the complainant has already been forwarded to Director, E & SE Peshawar for further processing. To this effect, Office of DEO(M) Battagram provided a copy of covering letter addressed to Director E & SE Peshawar with working papers for observing 02% disabled persons quota in SSTs District Battagram.

FURTHER COMMENTS

In order to conduct just investigation, the matter was taken up with Director E & SE Peshawar. In response, Assistant Director (Estt.), Directorate of E & SE Peshawar submitted written reply contending that DEO(M) Battagram has submitted working paper in respect of the complainant for his appointment under 02% disabled persons quota, while total advertised posts of SSTs were 127 out of which 03 candidates have already been appointed under the said quota. Therefore, the 04th one i.e. the complainant, cannot be honored, as the quota is on advertised posts not on total strength. In response, the complainant negated the stance of the Agency, by providing judgment of Supreme Court of Pakistan in Civil Petition No. 140-L of 2015 dated 14/07/2020 that **“the 02% disability quota is to be calculated on the basis of the total sanctioned posts of the establishment.”**. Further, complainant provided a copy of Prime Minister’s Office Islamabad No. 5166/M/SPM/2018 dated 21/12/2018 along with Office Memorandum No. 34/3/86-R-V dated 01/03/2019, Government of Pakistan, Cabinet Secretariat, Establishment Division Islamabad that:

- (i) *Disabled Persons (Employment & Rehabilitation) Ordinance, 1981 provides reservation of quota on the total number of persons employed by an establishment (on the overall strength of the organization concerned and not against each basic scale).*

In continuation of Prime Minister’s of Pakistan Office letter No. 5166/M/SPM/2018 dated 21/12/2018 referred above, the Elementary & Secondary Education Department, Govt. of

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

Khyber Pakhtunkhwa has issued Notification No. SOG/E & SED/1-45/2019 dated 23/05/2019 that:

"it has been observed that the quota is calculated against the posts being advertised / fixed at a particular point in time. This leads to negligible appointment against disabled quota. Whereas the quota needs to be worked out against total strength of the cadre instead of advertised posts."

To this effect, Zakat, Ushr, Social Welfare, Special Education & Women Empowerment Department, Govt of Khyber Pakhtunkhwa has issued a letter No. SO-VI/SWD/1-34/Disabilities Quota/ 2560-2700 dated 18/11/2019, to all Administrative Secretaries, Divisional Commissioners and all Autonomous Bodies that:

"the Prime Minister Office has observed that the quota for Persons with Disabilities (PWDs) is calculated against the posts being advertised / fixed at a particular point in time. which leads to negligible appointment against disabled quota. Whereas the quota needs to be worked out against total strength of the department."


The same was once again circulated by the Elementary & Secondary Education Department, Govt. of Khyber Pakhtunkhwa amongst all its subordinate Offices vide letter No. SOG/E & SE/1-45/2019 dated 18/12/2019. All the above referred documents were placed on file

FINDINGS

The material placed on file would show that 02% of all sanctioned posts shall be reserved for disabled persons and not against the advertised / available vacancies. Therefore, the reserved seats need to be calculated on the basis of total number of posts in the cadre.

However, the guidelines circulated by the Federal as well as Provincial Government referred above, were not followed in its true letter & Spirit regarding determination of 02% quota for disabled persons. It is established that the complainant is at serial number 02 of the merit list for appointment as SST (G) against disabled person quota, was wrongly ignored by the Director E & SE Peshawar which tantamount to maladministration. Accordingly, it is recommended that the complainant be appointed as SST (G) on the first available vacancy.

Further, the Secretary, Elementary & Secondary Education Department should take disciplinary action against Director, E & SE Peshawar by non-observing the instructions issued by the Federal as well as Provincial Government from time to time regarding calculation of 02% disabled persons quota, clearly indicates **failure** on part of Director, E & SE Peshawar to produce desired effect and output of the action taken shall be communicated to this Forum within 60 days of the receipt of these findings.


Syed Jamalud din Shah
Provincial Ombudsman,
Khyber Pakhtunkhwa
6-8-2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. P.O/Complaint No. 658/08/2020 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Mr. Jalal Said s/o Jan Said, r/o Ghazi Baig, Mozi Kor, Tehsil Aleemzai, District Mohmand. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST Director, Independent Monitoring Unit, Health Department, Khyber Pakhtunkhwa, Pajjagi Road, Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER Muhammad Asif Khan, Deputy Director |
| 5 | SUBJECT OF COMPLAINT Violation of merit. |
| 6 | DATE OF REGISTRATION 19/08/2020 |
| 7 | DATE OF FINDINGS 15/12/2021 |

THE COMPLAINT

Mr. Jalal Said r/o District Mohmand instituted complaint stating that he applied against the vacant post of Monitoring & Data Collection Assistant (BPS-16) advertised by Independent Monitoring Unit, Health Department in the year 2019. A written test was conducted by NTS. He secured 90 marks in the NTS written test. The Agency uploaded the list of all shortlisted candidates wherein the NTS score was not added to the grand total. He contended that many candidates having low NTS marks were shortlisted on the basis of their academic qualification and experience. He further contended that "experience" was not required as per the advertisement. However, still marks for experience were awarded to the candidates. The complainant requested that the Agency may shortlist the candidates on the basis of percentage/ marks secured in NTS.

REPLY OF THE AGENCY

In response to the notice issued under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 Director IMU Health Department submitted report vide memo No. 786-1108/MISC/IMU/AD 2018-19 dated 04/09/2020 stating that the advertisement clearly mentioned the NTS test would be conducted only for screening/ shortlisting purpose, giving it no more weightage in further recruitment process. Experience of the candidates was not required as per advertisement. However, during the scrutiny of documents, it was observed that most of the candidates had relevant experience. The Shortlisting Committee comprising members of IMU Health, Establishment, P&D and Finance Department agreed to award marks for relevant experience in monitoring & data collection. Marks for higher qualification were also awarded in terms of the criteria laid down in Esta Code.

REJOINDER

Report of the Agency was shared with the complainant. However, he failed to respond.

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

FINDINGS

The record reflects that the advertisement was clear regarding weightage and consideration of the NTS test. The NTS test was only for the purpose of screening/ shortlisting. The Agency uploaded the list of shortlisted candidates wherein the NTS score was reflected but not added to the grand total. The Agency prepared the merit list in terms of the Esta Code selection criteria as under:

- Total 60 marks for academic qualification
- 07 marks for one step higher qualification
- 10 marks for two step higher qualification
- Total 15 marks for experience (1.5 per year)
- 08 marks for interview

Grand Total =100 marks

Hence, the uploaded list of shortlisted candidates was prepared giving no weightage to the marks secured in NTS test. The Agency followed the selection criteria laid down in Esta Code. Therefore, no case of maladministration is made out against the Agency. Investigation in the complaint is accordingly closed in terms of Regulation 17 (b) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.

Syed Jamalud din Shah
PROVINCIAL OMBUDSMAN

20.12.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | P.O/Complaint No. 725/09/2020 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Muhammad Shafiq s/o Abdul Rashid Khan, r/o Yasin Khali Chamkani Peshawar. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Director, Directorate of Elementary & Secondary Education Department, Peshawar. 2. District Education Officer (Male), Nowshera. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Asif Khan, Deputy Director |
| 5 | SUBJECT OF COMPLAINT | Request for retirement on medical ground |
| 6 | DATE OF REGISTRATION | 10/09/2020 |
| 7 | DATE OF FINDINGS | 05/08/2021 |

THE COMPLAINT

Muhammad Shafiq r/o District Peshawar filed complaint against the District Education Officer (Male) Nowshera contending that the concerned Agency regretted his request for retirement on medical ground. He added that he rendered 27 years of service as Class-IV employee. However, due to severe injuries in a road accident, he is unable to perform duty and requested to retire from service on medical ground. He requested that the Agency may refer him to the Standing Medical Board as per rules.

REPLY OF THE AGENCY

Notice under the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to District Education Officer (Male) Nowshera for reply including rebuttal, if any. In response, a report was furnished vide memo No. 10378 dated 25/01/2021 indicating that the complainant served the department for almost 29 years and is 55 year old. The Agency further indicated that the complainant intends to avail the 100% quota which is reserved for the wards of deceased/ invalidated Civil Servants. However, in terms of the instructions issued by Secretary, E&SE Department vide memo No. AO/E&SE/6-27/LPR/Misc dated 11/12/2018 an employee with more than 25 years of service may be advised to apply for pre-mature retirement rather than retirement on medical grounds.

REJOINDER

Report of the Agency was shared with the complainants. However, he expressed discontent with report of the Agency and requested for retirement on medical grounds as per government policy.

HEARING

The case was fixed for hearing on 19/02/2021. Mr. Abdul Quyum, Assistant Director (RTI/ Ombudsman) Directorate of E&SE Department appeared alongwith the complainant's son. The DEO (Male) Nowshera however, failed to appear for the hearing proceedings. Mr.

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

Abdul Quyum admitted that the Government of Khyber Pakhtunkhwa vide Notification No. SO(R-IV)E&AD/1-3/2015 dated April 19th, 2016 has reserved a 100% quota for deceased/invalidated Civil Servants whereby, the concerned department will appoint one child of such Civil Servant against the reserved quota. He further indicated that in case a Civil Servant is suffering from any major disease, the competent authority may in such cases, refer the employee to the Standing Medical Board which will examine the medical condition of the employee clarifying whether he/she can perform further duty or otherwise. It was further observed that the instant policy though formulated for Civil Servants having valid ground for invalidation is being used by many government servants for availing the 100% appointment quota. Such practices are affecting those who have genuine medical conditions and are entitled for retirement on medical grounds.

FINDINGS

Perusal of the record reflects that the complainant has requested for retirement on medical grounds. In such case, a proper procedure is to be followed and the employee making request is referred to the Standing Medical Board comprising of medical experts. The Standing Medical Board will determine his health condition. Therefore, the District Education Officer (Male) Nowshera may refer the complainant to the Standing Medical Board. The request of the complainant will be entertained in light of the report of the Standing Medical Board accordingly.

The Agency is therefore, directed to process the case of the complainant as per government policy, and submit report within 45 days of the receipt of these Findings.

Syed Jamalud din Shah
PROVINCIAL OMBUDSMAN
6.8.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | PO/Complaint/0740/09/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Aziz Gul s/o Mumtaz Gul r/o Kohsar Apartments, flat No. 3, Sector F-5/2, Islamabad. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Vice Chancellor, University of Peshawar. 2. Vice Chancellor, Agriculture University, Peshawar. 3. Vice Chancellor, University of Engineering and Technology Peshawar. 4. Vice Chancellor, Islamia College University, Peshawar. 5. Registrar, University of Peshawar. 6. Principal, Khyber Medical College. 7. Principal, Khyber College of Dentistry, 8. Director, IRNUM. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Shabana Gul, (Director-II) |
| 5 | SUBJECT OF COMPLAINT | Payment of outstanding salary |
| 6 | DATE OF REGISTRATION | 15/09/2020 |
| 7 | DATE OF FINDINGS | 25/10/2021. |

THE COMPLAINT

Mr. Aziz Gul r/o Peshawar lodged the instant complaint stating that he was appointed as "Chief Security Officer" in the University Campus of Peshawar on 29/04/2016 for a period of one year extendable upto five years. He stated that on the recommendations of Campus Coordination Committee (CCC) and subsequent approval of the Vice Chancellor University of Peshawar, his contract was extended for five years. He alleged that despite the services rendered by him with devotion till 06/07/2020 he has not been paid salary for ten months i.e from September 2019 till July 2020, including reimbursements of Petty Cash Advances amounting to Rs. 39382/-. He submitted several applications to the concerned authorities for release of his outstanding emoluments, but to no avail. He requested this Forum that the Agency may be directed to release his salary and his grievances may be redressed.

REPLY OF THE AGENCY

Notices in terms of Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010, were issued to Vice Chancellor University of Peshawar, Vice Chancellor Agriculture University Peshawar, Vice Chancellor University of Engineering and Technology Peshawar, Vice Chancellor Islamia College University Peshawar, Principal Khyber Medical College, Principal Khyber College of Dentistry, and Director IRNUM Peshawar, to meet the allegations and submit reply including rebuttal, if any. In response, Registrar Islamia College Peshawar submitted comments showing that a cross cheque issued in favour of the complainant amounting to twelve Lac Twenty Seven thousands Six Hundred and Twelve (Rs. 12, 27 612/-) as payment of outstanding Salary from September 2019 to March 2020.

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

REJOINER

Reply of the Agency was shared with the complainant for his rejoinder/feedback. In his rejoinder he acknowledged that salary of seven months has been received by him, whereas the salary for three months alongwith the Petty Cash Advances is yet to be paid by the Agency.

HEARING

To ascertain the factual position the case was fixed for hearing. Mr. Hamid Ullah (Director Finance) Islamia College University Peshawar and Mr. Adbur Rahim (Supdt) University of Peshawar attended as representatives of the Agencies while complainant attended in person. Both the parties were heard at length and it was concluded that Campus Coordination Committee, headed by Vice Chancellor University of Peshawar, has to pay the outstanding three months salary and Petty Cash Advance to the complainant. The representatives accepted that payment has to be made to the complainant but delayed due to poor financial position of the University.

FINDINGS

Record reveals that complainant was appointed as Chief Security Officer for University Campus of Peshawar and his ten months salary was not paid by the Campus Coordination Committee, headed by the Vice Chancellor University of Peshawar with members Agencies as Islamia College University Peshawar, Agriculture University Peshawar, University of Engineering & Technology Peshawar, Khyber Medical college and IRNUM Peshawar. Record also shows that services were rendered by the complainant as per the requirement. Non-payment of his salary therefore, tantamount to negligence and maladministration on part of the Agency. It is, therefore, recommended that Vice Chancellor University of Peshawar being the Chairman of Campus Coordination Committee shall release the outstanding salary of three months alongwith payment of Petty Cash Advances in favour of the complainant at the earliest, without any further delay. These recommendations shall be implemented within a period of 30 days of the receipt of these Findings, under intimation to this Forum within the said period.

Defiance/non-compliance shall warrant disciplinary proceedings in terms of Section 11 Sub Section 4 of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 whereby, the government will take necessary action for ensuring good governance.

SYED JAMAL UD DIN SHAH
PROVINCIAL OMBUDSMAN

26.10.2021

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | PO/Complaint/0752/09/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Zia Ur Rahman s/o Muhammad Iqbal Khan r/o House No. 81, Street-3, Block-D, Al-Haram Town, Opposite Hayatabad Toll Plaza, Peshawar. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Vice Chancellor, University of Peshawar. 2. Registrar, University of Peshawar. 3. Controller of Examination, University of Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Deputy Director (Investigation) |
| 5 | SUBJECT OF COMPLAINT | Request for issuance of M.A Degree. |
| 6 | DATE OF REGISTRATION | 17/09/2020. |
| 7 | DATE OF FINDINGS | 06/04/2021. |

THE COMPLAINT

Zia ur Rahman instituted complaint stating that his wife got admission in Pakistan Study Centre, University of Peshawar in session 2008-10. She passed her final examination in the year 2010 and appeared in Viva, arranged by University in 2014. Despite lapse of 6 years, her result was not issued by the University. He has requested this forum to direct the Agency to declare the result of her wife and issue her degree without further delay.

REPLY OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Vice Chancellor, Registrar and Controller of Examination, University of Peshawar to meet the allegations and submit reply including rebuttal, if any. In response, Deputy Controller of Examination, University of Peshawar informed that complainant's wife took admission in M.A Pakistan Studies at Pakistan Study Centre, University of Peshawar. He added that her result was submitted for declaration to the Office of Controller by Director Pakistan Study Centre vide No. PSC-S-3/2017/728 dated 02/06/2017 and was not declared being time barred under section 6 of the regulations in vogue.

REJOINDER

Reply of the Agency was shared with the complainant for feedback / rejoinder who expressed dissatisfaction over reply of the Agency and added that Section 5(c) of the regulations for semester system (2010 and onwards) was unlawfully applied to the case of his wife because it shall come into force with effect from academic session 2010-2011. Hence, it cannot be applied retrospectively for session 2008-2010. Furthermore, migration certificate was required to be demanded at the start of session. His wife had timely submitted migration. Therefore, was issued registration No. 2008-4-541 in 2008.

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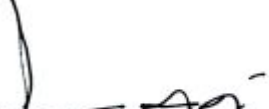
OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

HEARING

Due to divergent stance, the complaint was fixed hearing on 02/12/2020 and 14/01/2021 respectively. Dr. Sarbiland, Assistant Registrar appeared alongwith record and heard while the complainant was contacted telephonically.

FINDINGS

It is proved beyond doubt that the complainant completed the requisite course study within stipulated period. There was only hitch that she had not submitted the migration clearance certificates and took time for submission of thesis. It is proved that she had submitted thesis and formalities had been completed. Time limit and technicalities should not defeat the purpose of justice and deprived the student who pursued her study for 4 years. It is, therefore, recommended that complainant's wife case be placed before Syndicate of the University or any other competent authority for consideration (of delayed) submission of certificates and thereafter release of result within 30 days after receipt of these findings under intimation to this Secretariat within the said period.


Syed Jamalud din Shah
Provincial Ombudsman.
15.7.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. P.O/Complaint No. 804/09/2020 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Muhammad Idrees s/o Abdur Rahman r/o Street No.01, Qari Shop P.O Shahi Chashma Pajjagi Road Bacha Khan Markaz, Haji Town Peshawar. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Secretary to Govt: of Khyber Pakhtunkhwa, Local Government, Elections & Rural Development Department. 2. Secretary, Local Council Board, Sector E-8, Phase-7, Hayatabad, Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER Muhammad Asif Khan, Deputy Director |
| 5 | SUBJECT OF COMPLAINT Violation of merit. |
| 6 | DATE OF REGISTRATION 24/09/2020 |
| 7 | DATE OF FINDINGS 24/08/2021 |

THE COMPLAINT

Mr. Idrees r/o District Peshawar instituted complaint stating that several posts in different cadres (Admin, Accounts, & Engineering) BPS-11 were advertised by Local Council Board, Khyber Pakhtunkhwa in the year 2019. The candidates were required to appear for the written test conducted through ETEA. The result of ETEA was announced in Sep, 2019 and interviews of the qualifying candidates were conducted from 10th Feb to 13th March, 2020. However, they were informed that the merit would be prepared in accordance with the formula laid down in ESTA code whereby ETEA score would not be considered therein. He requested that the Agency may be directed to prepare the merit list giving weightage to the score secured in ETEA test.

REPLY OF THE AGENCY

In response to the notice issued under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 Admn: Officer-I, LCB, Khyber Pakhtunkhwa submitted report vide memo No. AOI/LCB/Estt: /12-7/ETEA/2020 dated 14/10/2020 stating that 05 candidates per post have been shortlisted in terms of the result furnished by ETEA and interviews are under process. Final merit list of the qualifying candidates would be uploaded after completion of the interview process.

REJOINDER

Report of the Agency was shared with the complainant for feedback. The complainant however, expressed discontent stating that his request may be considered as securing high marks in ETEA test without considering it in final merit would be fruitless, affecting his final merit position.

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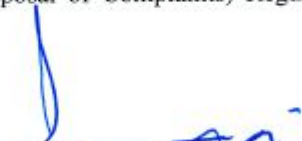
OMBUDSMAN (محاسب) SECRETARIAT,
GOVERNMENT OF KHYBER PAKHTUNKHWA

HEARING

The case was fixed for hearing on 18/02/2020. Muhammad Humayun, Admn Officer, LCB appeared on the date fixed. The relevant record was examined which reflected that the same case is Subjudice before the Peshawar High Court, Peshawar in Writ Petition No.2261-P/2016 filed by other candidates. The complainant informed and admitted that several other candidates have filed a Writ Petition Peshawar High Court, Peshawar with reference to a previous judgment passed by Justice Waqar Ahmad Seth. However, he is not petitioner in that Writ Petition.

FINDINGS

Perusal of the available record reflects that a similar case has been decided by the Peshawar High Court, Peshawar in WP No. 356-P/2016 wherein the concerned department (respondent) was directed to consider the marks secured in NTS while calculating the total marks for final merit. Presently, several other candidates have again approached the Court by filing yet another Writ Petition with same plea and prayer. Hence, the case having been adjudicated upon by a Court of competent jurisdiction and again Subjudice through another Writ Petition cannot be investigated by this Forum. Therefore, investigation in the complaint is closed in terms of Regulation 17(j) read with (m) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
PROVINCIAL OMBUDSMAN
25.8.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. PO/Complaint/0848/10/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Mr. Ansar Abbasi, Representative of All Staff, Town Municipal Administration (TMA) Town-III, Peshawar. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST <ol style="list-style-type: none"> 1. Secretary, Local Council Board Khyber Pakhtunkhwa, Building # 33, Street No. 13, Sector E-8, Phase 7, Hayatabad, Peshawar. 2. Director, Local Fund Audit, Khyber Pakhtunkhwa, Benevolent Fund Building, Peshawar. 3. Town Municipal Officer (TMO), Town Municipal Administration, Town-III Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER Shabana Gul (Director-II). |
| 5 | SUBJECT OF COMPLAINT Request for upgradation as per notification. |
| 6 | DATE OF REGISTRATION 05/10/2020. |
| 7 | DATE OF FINDINGS 15/09/2021. |

THE COMPLAINT

Mr. Ansar Abbasi on behalf of All Staff of TMA Town-III Peshawar, lodged the joint complaint stating that all the staff of TMA Town-I, and WSSP have been upgraded in line with the Uniform Policy whereas TMA Town-III has been totally ignored to implement the policy. The Local Fund Audit, Peshawar has stalled the process of upgradation of TMA Town-III, which is against the policy. Local Council Board has constituted a committee for the implementation of upgradation process, which also failed to issue its recommendations and the matter is still pending at their end. Complainants have approached this Forum for redressal of their grievances.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Secretary, Local Council Board, Director Local Fund Audit and TMO Town-III to meet the allegations and submit reply including rebuttal, if any. In response, TMA Town-III submitted comments stating that it has been found that the Local Council Board upgraded the initial basic pay scales of various posts vide notification dated 11/06/2018, 30/08/2018 followed by letter dated 25/09/2018. Accordingly TMA Town-III upgraded the mentioned posts but Director Local Fund Audit issued directions to the audit staff of TMA's not to fix salaries of the upgraded employees in higher scales till the clarification from Local Council Board. Furthermore, as suggested by para-4(ii) of the minutes of the meeting, a committee has been constituted by the Local Council Board authority to review and prescribe minimum qualification, mode of appointments and promotion for all those posts mentioned in the notification No. AOI/LCB/Estt:/2-8/2018, dated 11/06/2018. The committee will submit its report within a period of one month,

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. PO/Complaint/0848/10/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Mr. Ansar Abbasi, Representative of All Staff, Town Municipal Administration (TMA) Town-III, Peshawar. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST <ol style="list-style-type: none"> 1. Secretary, Local Council Board Khyber Pakhtunkhwa, Building # 33, Street No. 13, Sector E-8, Phase 7, Hayatabad, Peshawar. 2. Director, Local Fund Audit, Khyber Pakhtunkhwa, Benevolent Fund Building, Peshawar. 3. Town Municipal Officer (TMO), Town Municipal Administration, Town-III Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER Shabana Gul (Director-II). |
| 5 | SUBJECT OF COMPLAINT Request for upgradation as per notification. |
| 6 | DATE OF REGISTRATION 05/10/2020. |
| 7 | DATE OF FINDINGS 15/09/2021. |

THE COMPLAINT

Mr. Ansar Abbasi on behalf of All Staff of TMA Town-III Peshawar, lodged the joint complaint stating that all the staff of TMA Town-I, and WSSP have been upgraded in line with the Uniform Policy whereas TMA Town-III has been totally ignored to implement the policy. The Local Fund Audit, Peshawar has stalled the process of upgradation of TMA Town-III, which is against the policy. Local Council Board has constituted a committee for the implementation of upgradation process, which also failed to issue its recommendations and the matter is still pending at their end. Complainants have approached this Forum for redressal of their grievances.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Secretary, Local Council Board, Director Local Fund Audit and TMO Town-III to meet the allegations and submit reply including rebuttal, if any. In response, TMA Town-III submitted comments stating that it has been found that the Local Council Board upgraded the initial basic pay scales of various posts vide notification dated 11/06/2018, 30/08/2018 followed by letter dated 25/09/2018. Accordingly TMA Town-III upgraded the mentioned posts but Director Local Fund Audit issued directions to the audit staff of TMA's not to fix salaries of the upgraded employees in higher scales till the clarification from Local Council Board. Furthermore, as suggested by para-4(ii) of the minutes of the meeting, a committee has been constituted by the Local Council Board authority to review and prescribe minimum qualification, mode of appointments and promotion for all those posts mentioned in the notification No. AOI/LCB/Estt:/2-8/2018, dated 11/06/2018. The committee will submit its report within a period of one month,

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

however, the matter has not yet been decided by the competent authority of Local Council Board.

REJOINDER

Reply of the Agency was shared with the complainant for his rejoinder/feedback. In response, he submitted his rejoinder, denied the stance of Agency and reiterated his earlier version.

HEARING

To ascertain the factual position the case was fixed for Hearing. Mr. Said Umar Assistant Director, and Mr. Inayat Ur Rahim (Audit Officer) from Local Fund Audit attended as representatives of the Agency while representative of the Local Council Board was found absent despite issuance of repeated notices. Mr. Ansar Abbassi attended in person as representative of all staff of TMA Town-III Peshawar. Both the parties were heard at length.

FINDINGS

Record reveals that all the staff of Non-PUGF employees of TMA Town-I, and WSSP was upgraded against the Uniform Policy, whereas TMA Town-III was ignored by the concerned authorities. To redress the grievances of TMA Town-III employees, a committee was constituted by the Local Council Board authority to review and prescribe the minimum qualification, mode of appointments and promotion for all those posts mentioned in the notification No. AOI/LCB/Estt:/2-8/2018 dated 11/06/2018, and to submit its report and recommendations within a period of one month. The committee failed to address the grievance of TMA Town-III employees within specified period and the outcome is still awaited. This state of affairs shows discrimination on part of Local Council Board as Non-PUGF employees of all the staff of TMA Town-I, and WSSP were upgraded while staff of TMA Town-III being totally ignored in the process. This shows maladministration on the part of Agency. It is therefore recommended that "all the Non-PUGF staff of TMA Town-III might be upgraded forthwith by the Local Council Board, from the date of notification No. AOI/LCB/Estt:/2-8/2018, dated 11/06/2018, similar to upgradation of Non-PUGF employees of TMA Town-I, and WSSP at the earliest, without any further delay, under intimation to this Secretariat".

The above recommendations shall be implemented within a period of 30 days of the receipt of these Findings, under intimation to this Forum within the said period.

Defiance/non-compliance shall warrant disciplinary proceedings in terms of Section 11 Sub Section 4 of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 whereby, the government will take necessary action for ensuring good governance.

SYED JAMAL UD DIN SHAH
PROVINCIAL OMBUDSMAN

20.9.2021

OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | PO/Complaint/0879/12/2020 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Adil Hussain s/o Sultan Muhammad r/o Village Kawari, Tehsil and District Mansehra. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary, Local Government & Rural Development Department Khyber Pakhtunkhwa, Peshawar. 2. Director General, Directorate of Local Government & Rural Development Khyber Pakhtunkhwa. 3. Tehsil Municipal Officer (TMA) Mansehra. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Hanif Khan, Deputy Director (Investigation) |
| 5 | SUBJECT OF COMPLAINT | Regularization of services. |
| 6 | DATE OF REGISTRATION | 26/10/2020 |
| 7 | DATE OF FINDINGS | 24/08/2021 |

THE COMPLAINT

Mr. Adil Hussain instituted complaint stating that he was serving as Sanitary Worker in Tehsil Municipal Administration (TMA) Mansehra against fixed pay for the last 13 years. Those appointed with the complainant have been regularized while he is struggling from pillar to post for regularization of his service. He has requested this Forum to direct Agency to consider him against disable quota and regularize his service.

REPORT OF THE AGENCY

Notices under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 were issued to Secretary, Local Government & Rural Development Department Khyber Pakhtunkhwa, Peshawar, Director General, Directorate of Local Government & Rural Development, Khyber Pakhtunkhwa and Tehsil Municipal Officer (TMO) Mansehra to meet the allegations and submit reply including rebuttal, if any. In response, TMA Mansehra informed that their office has announced 28 vacant posts. After completion of scrutiny, Departmental Selection Committee (DSC) meeting would be held and the complainant will be appointed against 2% disability quota.

REJOINDER

Reply of the Agency was shared with complainant for feedback/rejoinder who failed to submit reply in the stipulated period.

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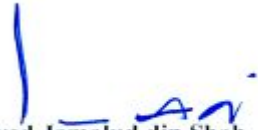
OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

FINDINGS

Perusal of record on file reveals that TMA Mansehra informed that DSC meeting will be convened shortly and complainant will be appointed on regular basis. It is, therefore, recommended that the Agency may complete the selection process as early as possible and redress the grievance of the complainant as per assurance given vide letter No. 20317-20/G-7 dated 14/01/2020. These recommendation shall be implemented within 60 days under intimation to this Secretariat.


Syed Jamalud din Shah
Provincial Ombudsman.
24.8.2021

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|--|
| 1 | COMPLAINT NO. P.O/Complaint No. 923/10/2019 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Muhammad Arshad Mughal s/o Inayat Ali (Late) r/o Chakk No. 13 BC, P.O Khass, Tehsil & District Bhawalpur. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Secretary to Govt: of Khyber Pakhtunkhwa, Sports, Youth Affairs, Culture, Tourism, Archaeology & Museums Department, Peshawar. 2. Director, Directorate of Archaeology and Museums, Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER Muhammad Asif Khan, Deputy Director |
| 5 | SUBJECT OF COMPLAINT Request for release of outstanding amount. |
| 6 | DATE OF REGISTRATION 23/10/2019 |
| 7 | DATE OF FINDINGS 31/08/2021 |

THE COMPLAINT

Muhammad Arshad Mughal, a retired employee of Archaeology & Museums Department instituted the instant complaint stating that he rendered 35 years of service with devotion and performed duty on different posts during his service. He submitted several outstanding bills to the concerned department for release/ clearance while he was retiring from service in the year 2016. However, the outstanding bills were not released without any justification. He approached many Forums seeking justice but to no positive outcome. He requested that being a retired government servant, the concerned authorities may consider the matter on priority basis so as to address his grievance. The details of the outstanding bills are as under:

- 03 T.A bills amounting to Rs. 34,637/-
- Repair of vehicles amounting to Rs. 22,075/-
- Medical Bills amounting to Rs. 24,161/-
- P.O.L charges amounting to Rs. 122,119/-
- Total amount due : 20,2992/-

REPLY OF THE AGENCY

In response to the notice issued under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 Director, Directorate of Archaeology and Museums, Peshawar submitted report vide memo No. 479/Lit-47/Archymus dated 11/11/2019 stating that the complainant was ex-Deputy Director of the department who was transferred/ devolved from Federal Archaeology Department after the 18th amendment. He was holding charge of a vehicle belonging to his parent department and was still drawing conveyance allowance during his service in the Directorate of Archeology and Museums, Khyber Pakhtunkhwa. He utilized P.O.L without authorization resulting in audit para for the department. Moreover, he refused to join his duty at Chakdara, Swat after issuance of his transfer order by the competent authority. His appeal in this regard was also rejected. Despite rejection of his appeal, he refused to join duty at

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

Chakdara but was interested in receiving "Hot & Cold" allowance usually given to the employees performing duties in hilly areas. The concerned Director further indicated that all the outstanding bills are unreasonable and ambiguous as the concerned staff at Chakdara could not verify the bills of an employee who was not performing duty at Chakdara. Finally, if the complainant desires to clear the bills so furnished by him, then the department would also forward his case for recovery of conveyance allowance @ Rs. 5,000/- per month w.e.f. April, 2011 to Mar, 2016.

REJOINER

Report of the Agency was shared with the complainant for feedback. He submitted a written statement admitting that he remained at Peshawar during the period of his transfer to Chakdara. He stated that the then Director, Directorate of Archaeology and Museums had asked him verbally to perform duty at Peshawar office due to lack of experienced officers. He used official vehicles but not without prior permission of the senior Officers/ Director. He requested that the department is delaying release of the outstanding amount without any justification.

HEARING

The case was accordingly fixed for hearing on 20/01/2021 and 16/02/2021. Representative of the department agreed to reconsider the subject claims in accordance with the available record subject to verification by the concerned section.

FINDINGS

The record reflects that the complainant rendered service in Federal Government and was transferred to the Archaeology and Museums Department of Khyber Pakhtunkhwa in 2011. He remained there till his retirement in 2016. He submitted several bills to the department which were not processed and remained outstanding. These bills were not verified being submitted without fulfillment of codal formalities. The complainant was transferred to Chakdara, Swat but he performed duty at Peshawar on the verbal directions of the then Director, Directorate of Archeology and Museums Department. This act of the complainant is not legally justified as he failed to perform duty at the station where he was transferred. Moreover, claiming outstanding amount without proper record is not allowed by the government. Therefore, being an administrative decision by the concerned Agency, this Forum is unable to declare claim of the complainant to be valid. Hence, no apparent case of maladministration is made out against the Agency. Investigation in the complaint is closed in terms of Regulation 17(b) read with (c) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011

Syed Jamalud din Shah
PROVINCIAL OMBUDSMAN
1.9.2021

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | PO/Complaint/985/11/2020. |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mst. Salma Bibi w/o Rafi Masih r/o Civil Hospital P/O Ghalanai District Mohmand (Cell No. 0313-9707514) |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Director General Health Services, Khyber Pakhtunkhwa, Peshawar. 2. District Health Officer (DHO), District Mohmand. 3. M.S DHQ Hospital Ghalanai, District Mohmand. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Kamran Ali, Assistant Director |
| 5 | SUBJECT OF COMPLAINT | Request for appointment against deceased /invalidated employees son quota. |
| 6 | DATE OF REGISTRATION | 09/11/2020 |
| 7 | DATE OF FINDINGS | 18/02/2021 |

THE COMPLAINT

Mst. Salma Bibi w/o Rafi Masih r/o District Mohmand instituted complaint contending that she retired from service on medical grounds from Civil Hospital, Ghalanai, District Mohmand. Further contended that she submitted several applications for appointment of her daughter on invalidated employee's ward quota, but to no avail. Complainant has requested this Forum for redressal of her grievance.

REPLY OF THE AGENCY

Notices under Section 10 (4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to Director General, Health Services Khyber Pakhtunkhwa, Peshawar, District Health Officer (DHO), District Mohmand and M.S DHQ Hospital Ghalanai District Mohmand to address the allegations contained in the complaint and submit reply including rebuttal, if any. However, no response was received from the Agency even within the extended period.

HEARING

Due to non-response from the Agency, the case was fixed for hearing on 10/02/2021. Dr. Abbas Khan, Medical Officer, DHQ Hospital Ghalanai attended the hearing as representative of the Agency, while complainant failed to attend the hearing. During hearing the representative of the agency submitted written statement that daughter of the complainant has been appointed as Nurse and her grievance has been addressed. However, during pendency of the case, complainant also submitted thanks letter to the Provincial Ombudsman that her grievance stands addressed and paid gratitude to the Provincial Ombudsman for speedy resolution of her grievance.

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OMBUDSMAN (محاسب) SECRETARIAT,
GOVERNMENT OF KHYBER PAKHTUNKHWA

FINDINGS

Record shows that grievance of the complainant stands addressed. Accordingly, investigation in the complaint is closed as having borne fruit in terms of Regulation 10(2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
Provincial Ombudsman
Khyber Pakhtunkhwa

22.2.2021

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|---|
| 1 | COMPLAINT NO. | No: PO/Complain/1009/11/2020 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Hazrat Bilal s/o Mehmood Shah, r/o Qadam Khela Dargai District Malakand |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | Chairman, Board of Intermediate and Secondary Education Malakand. |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Asif Khan, Deputy Director |
| 5 | SUBJECT OF COMPLAINT | Request for registration. |
| 6 | DATE OF REGISTRATION | 23/11/2020 |
| 7 | DATE OF FINDINGS | 15/03/2021. |

THE COMPLAINT

Mr. Hazrat Bilal, Principal, Malakand Institute of Medical Sciences Dargai, District Malakand instituted the instant complaint stating that the institute is offering several courses for students seeking future in Science. One of these courses includes Medical Lab Technology (MLT). He added that the institute is affiliated with BISE Malakand under Reg No. 438-P/BISE Malakand for the past 04 years. Three batches of MLT had completed their courses successfully and the last batch is in progress. However, the fresh students enrolled for MLT are facing problems due to refusal of registration by BISE Malakand, which is without any justification. The complainant further added that his institute submitted the registration of the fresh students via online admission portal of BISE Malakand. The Board however, has refused to allow the registration and resultantly removed the list of students registration from their portal. He requested that the concerned authorities of BISE Malakand may be directed to allow the registration of MLT course to avoid suffering of students.

REPORT OF THE AGENCY

In response to the Notice issued under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 Secretary, BISE Malakand submitted a detailed report vide memo No. 8331/Acad/BISE-Mkd dated 11/12/2020 indicating that the Medical Technologies groups were introduced in all BISE's in pursuance of the decision taken by Inter Board Committee of Chairman (IBCC) in its meeting during July, 2010. The same was adopted by the Khyber Pakhtunkhwa Boards Committee of Chairman (KPBC) in August, 2014. However, after promulgation of the Khyber Pakhtunkhwa Faculty of Para Medical and Allied Health Sciences Act, 2016 passed by the Provincial Assembly of Khyber Pakhtunkhwa and decision of the KPBC in its 193rd meeting held on 27/12/2019, the faculty in terms of Section 4 (f) read with (m) of the Act, 2016 was accordingly empowered to grant affiliation and hold examination of such institution's rather than by BISE's.

Furthermore, no scheme of studies or courses in Medical Technologies at HSSC level were to be offered by any institute. The students having already obtained such degrees are required to qualify/pass compulsory subjects of English, Urdu, Islamiat and Pak-Studies of HSSC level so as to get equivalence of their degrees from the faculty.

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

These decisions were further adopted by BISE Malakand in May, 2020. The decision was notified by the Board vide No. 8276/Academic/BISE-Mkd dated 07/07/2020 wherein, all the institutes offering MLT at HSSC level were informed to approach the Khyber Pakhtunkhwa Faculty of Para Medical & Allied Sciences, Peshawar for registration.

REJOINDER

The complainant expressed discontent over report of the Agency stating that BISE Malakand may allow the registration of the fresh students as that would be the last MLT batch for his institute. He further stated that his institute will not offer MLT course in future.

HEARING

The case was fixed for hearing on 01/02/2021. Mr. Fida Jan, Assistant Secretary, BISE Malakand appeared on behalf of the Agency while Mr. Naveed Ahmad, Admin represented the complainant. The available record was examined in accordance with the report furnished by the Agency during investigation of the subject case. Mr. Fida Jan stated that BISE Malakand had not refused to allow the registration with malafide intention, as that resulted in stoppage of revenue for the Board itself. The matter was purely related to a policy formulated by the government through enactment of the Khyber Pakhtunkhwa Faculty of Para Medical & Allied Health Sciences Act, 2016.

FINDINGS

Perusal of the record reflects that the Provincial Assembly passed the Khyber Pakhtunkhwa Medical & Allied Health Sciences Act, 2016 which was adopted by all the quarters concerned. The IBCC being the competent Forum followed the relevant provisions of the Act which were endorsed by the KPBC in its meeting held on 27/12/2019. Institute of the complainant is now required to adhere to the rules framed in the policy therein. The complainant may like to stop offering MLT course in future. However, he is required to approach the Faculty of Para Medical & Allied Health Sciences, Peshawar for registration of the students of MLT who are already enrolled with the institute. The administration of BISE Malakand is not at fault as far as the record is concerned. Therefore, we have not found any apparent case of maladministration against the Agency. Investigation in the complaint is closed in terms of Regulation 17 (b) read with (c) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations 2011.


Syed Jamalud din Shah
PROVINCIAL OMBUDSMAN

16.3.2021

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | |
|------------------|---|
| 1 | COMPLAINT NO. P.O/Complaint No. 1040/12/2019/ |
| 2 | NAME & ADDRESS OF THE COMPLAINANT Shahid Hussain s/o Lalzada (late), r/o Palosi Atozai, P.O Palosi Atozai, Near Islami Madrassa, Peshawar. |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST 1. Secretary to Govt: of Khyber Pakhtunkhwa Forestry, Environment and Wildlife Department, Peshawar. 2. Director General, Pakistan Forest Institute Peshawar. |
| 4 | NAME OF THE INVESTIGATION OFFICER Muhammad Asif Khan, Deputy Director |
| 5 | SUBJECT OF COMPLAINT Retired Class- IV employee children quota |
| 6 | DATE OF REGISTRATION 11/12/2019 |
| 7 | DATE OF FINDINGS 14/12/2021 |

THE COMPLAINT

Mr. Shahid Hussain r/o District Peshawar instituted complaint stating that his father Mr. Lalzada (late) retired from Pakistan Forest Institute, Peshawar (PFI) in the year 2008. He added that his father was a Class-IV employee and he being his son, entitled for appointment against the quota reserved for the children of retired Class-IV employees. He submitted several applications to the concerned authorities but to no avail. He requested that the Agency may be directed to consider his request in terms of the Government policy.

REPLY OF THE AGENCY

In response to the notice issued under Section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010 Administrative Officer (G) Forestry, Environment & Wildlife Department submitted report vide memo No. 302/F-IV(294-POS) Estt dated 18/02/2020 stating that PFI was devolved to Government of Khyber Pakhtunkhwa under the 18th Constitutional Amendment w.e.f. 01/07/2011 and all employees of PFI, who were on active service at that time were transferred to the Government of Khyber Pakhtunkhwa in terms of Section 10 of the Civil Servants Act, 1973. Those employees were further absorbed in the Provincial Government in pursuance of the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2015. Father of the complainant retired from PFI in June, 2008, the period when the institute was under the administrative control of Ministry of Environment, Islamabad. There was no provision for appointment against son's quota in the Federal Government. However, in compliance with the judgment of the Peshawar High Court, Peshawar in Writ Petition No. 4921/2018, a seniority list of retired Class-IV employees was prepared reflecting name of the complainant's father in accordance with his date of retirement.

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OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

The seniority list of retired Class-IV employees form PFI reflected name of the complainant's father at S.No.187.


REJOINDER

Report of the Agency was shared with the complainant for information and feedback. However, he failed to respond.

FINDINGS/ RECOMMENDATIONS

The available record reflects that name of the complainant's father has been placed at S.No. 187 in the seniority list of retired Class-IV employees by PFI. Indeed, this is a very long list of retired Class-IV employees who's children are to be considered for appointment by the Agency as seniority list starts from an employee who retired in the year 1971. Hundreds of candidates may have to be appointed before reaching to the serial number where name of the complainant's father has been placed. This indicates non-observance of the subject quota. However, the reason was the absence of such policy by the Federal Government while PFI was under the administrative control of Ministry of Environment, Islamabad.

This policy was adopted by the Agency after directions of the Peshawar High Court, Peshawar. As a result, the seniority list was prepared in accordance with the date of retirement of the Class-IV employees. Presently, the complainant has to wait for his turn. He will be considered for appointment subject to the availability of vacant post and fulfillment of codal formalities. Therefore, no apparent case of maladministration is made out against the Agency. Investigation in the complaint is accordingly closed in terms of Regulation 17 (b) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
PROVINCIAL OMBUDSMAN
14.12.2021

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OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT, GOVERNMENT OF KHYBER PAKHTUNKHWA

| CLOSURE FINDINGS | | |
|------------------|---------------------------------------|--|
| 1 | COMPLAINT NO. | No: PO/Complaint/1065/12/2020 |
| 2 | NAME & ADDRESS OF THE COMPLAINANT | Mr. Irfan Khan s/o Salah ud deen r/o Shal gazy baba P/O Jhandi Kalpani Takht bhai Mardan (Cell No. 0316-4037937) |
| 3 | NAME OF THE AGENCY COMPLAINED AGAINST | 1. Secretary, Communication & Works Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar. 2. Executive Engineer, Communication & Works Highway Division Mardan |
| 4 | NAME OF THE INVESTIGATION OFFICER | Muhammad Kamran Ali, Assistant Director |
| 5 | SUBJECT OF COMPLAINT | Request for appointment under class-iv employees son's quota |
| 6 | DATE OF REGISTRATION | 08/12/2020 |
| 7 | DATE OF FINDINGS | 05/08/2021 |

THE COMPLAINT

Mr. Irfan Khan r/o Mardan instituted complaint contending that his father retired from service as Cooli on 24/06/2013 from Office of the Executive Engineer C & W Highway Division Mardan. Further contended that he has approached Office of the Executive Engineer C & W Highway Division Mardan for appointment under retired Class-IV employee's son quota, but to no avail. He has approached this Forum for redressal of his grievance.

REPLY OF THE AGENCY

Notices under section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act 2010 were issued to Secretary, Govt of Khyber Pakhtunkhwa, C & W Department and Executive Engineer C & W Highway Division Mardan to address the allegations contained in the complaint, including rebuttal, if any. However, no response received from Agency even within the extended period.

HEARING

Due to non-response from Agency, the case was fixed for hearing on 10/03/2021. Complainant appeared in person, while none appeared from the Agency. In order to conduct just investigation, the case was re-fixed for hearing on 01/04/2021. Mr. Imtiaz Ali, SDO, C & W Highway Division Mardan attended the hearing as representative of the Agency, while complainant appeared in person. During hearing, the representative of the Agency explained that complainant is at serial number 11 of the waiting list and would be considered for appointment on his turn. To this effect, the Agency's representative provided attested copy of the waiting list along with sanctioned strength of Class-IV posts of the Office.

Overseas Pakistanis Foundation Building, Phase-5, Hayatabad Peshawar
Office Phone # 091-9219531 32, Office Fax # 091-9219526
Website: www.ombudsmankp.gov.pk
Email: provincialombudsman@gmail.com


OMBUDSMAN KHYBER PAKHTUNKHWA



OMBUDSMAN (محاسب) SECRETARIAT,
GOVERNMENT OF KHYBER PAKHTUNKHWA

FINDINGS

Record shows that complainant is at Serial No.11 of the waiting list of retired Class-IV employee's son quota and would be considered for appointment on his turn. No case of maladministration is proved. Accordingly, investigation in the complaint is closed in terms of Regulation 17(b) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation and Disposal of Complaints) Regulations, 2011.


Syed Jamalud din Shah
Provincial Ombudsman,
Khyber Pakhtunkhwa
6.8.2021

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PUBLIC ACKNOWLEDGMENTS





محترم جناب کامران علی اسٹنٹ ڈائریکٹر صوبائی کونسل برائے
 اعلیٰ تعلیم و تربیت
 ادا رتگی شکرہ
 ایچ او اے سٹی نمبر 021/1/021

1156
 24/06/21
 Provincial Ombudsman
 Grievance Section

جناب عالی! گزارشیں پیش کی گئی ہیں کہ
 نے آپ کی عدالت صغیر سے ایک درخواست برخلاف
 اعلیٰ تعلیم و تربیت ڈویژن بشمار 100/2021
 آپ کو گروں کی مختلف نوعیتوں کے
 حکم بند کوہ نے صوبائی کونسل برائے
 تعلیم و تربیت اور سائنس اور سائنس
 ادا رتگی میں۔ جناب عالی سائنس تاحیات میں
 ادارے کی سرپرستی کے لئے دیا گیا
 اور سائنس ادا رتگی میں کالج کے
 یا اخلاق اور صحابہ کرام سٹاف کا مشور
 سائنس ادا رتگی کے سائنس ادا رتگی میں
 کی۔ آپ کو گروں کی مختلف نوعیتوں کے
 اظہارِ فکر سائنس ادا رتگی

OMBUDSMAN KHYBER PAKHTUNKHWA



OFFICE OF THE EXECUTIVE ENGINEER,
PESHAWAR CANALS DIVISION, PESHAWAR.
PHONE # 091-9210102.

781 /9-E,

Dated Peshawar the 11 /06/2021

Izhar Ahmad Khan
Defense Colony Army Public School near
Gulshan Iqbal Gujjaranu Qandi Tehkal Peshawar
CNIC:17301-8981186-3

OFFICE ORDER/APPOINTMENT AGAINST THE VACANT POST OF NAIB QASID (BPS-03) ON MEDICAL GROUND QUOTA.

Consequent upon the recommendation of the Departmental Selection Committee in its meeting held on 11/06/2021 hereby offered the post of Naib Qasid in BPS-03 plus usual allowances subject to the following conditions: -

- . Your services will be governed by the Govt: of Khyber Pakhtunkhwa Notification No.SO (E)IRR:9-3/12/Restricting/Voll: III, dated 04-10-2013.
- . You will be granted minimum of BPS-03 (9610-390-21310) with usual allowances as admissible under the Govt: of Khyber Pakhtunkhwa Civil Servant Rules amendment Act 2013.
- . Your appointment in this Department is purely temporary / officiating and your service will be terminated without any notice and reason being assigned at any time irrespective of the fact that you are holding a post other than the one to which you are originally recruited or on the payment of 14 days salary in lieu of the notice.
- . You will have to join duty at your own expenses.
- . You will be governed by such rules and order relating to leave T.A Medical Attendance Pay/Pension/G.P Fund and discipline etc as exist and may be issued by Govt: for the category of Govt: Servants to which you belong.
- . You will be provided same facilities under Benevolent fund as admissible to the Govt: Servants at rates to be prescribed by the Government.
- . You will remain on probation for a period of one year which may be extendable for another one year.
- . The offer will be considered as cancelled.
- . If no reply is received from you within stipulated period.
- . If you failed to report for duty up to the above date at the latest.
- i. If you failed to produce domicile certificate of the district i.e Peshawar, as mentioned in your application at the time of your arrival for duty.
- 9. Any other terms and conditions issued by the Govt: from time to time in this regard will also be binding upon you.

If the above order is accepted to you under the stated conditions you should report for duty to undersigned within the receipt of this office order and produce original certificates in connection with qualification, domicile, C.N.I.C and Fitness Certificate from Civil Surgeon of Police Services Hospital, Peshawar.

Note: your arrival report for duty shall to be accepted with effect from 12/07/2021

EXECUTIVE ENGINEER

Copy of the above is forwarded for information & necessary action to the: -

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Section Officer (Establishment) Secretary, Irrigation Department Khyber Pakhtunkhwa, Peshawar.
3. Concerned Sub Divisional Officer.
4. Divisional Accounts Officer/Head Clerk (Local).

EXECUTIVE ENGINEER

اظہار تشکر

محکمہ خدمات چناب، صوبائی محاسب اعلیٰ خیبر پختونخوا

اسلام علیکم!

عرض ہے کہ میں مسمیٰ قرۃ العین ولد ظہیر احمد، تحصیل و ضلع ایبٹ آباد
نے ادارہ صوبائی محاسب میں اپنی Pay Release کے لیے اپنی درخواست
دی تھی۔ ادارہ ہذا نے شفاعت نمبر 161/02/2020 کے تحت میری
شفاعت کا اندراج کیا۔

ادارہ ہذا کے ممبران خصوصاً جناب اسسٹنٹ ڈائریکٹر/ماہران علی
نے میری شفاعت کو انتہائی اہمیت کا حامل قرار دے کر میرے لیے کوشش
کی اور آپ اللہ کے فضل و کرم سے میرا مسئلہ حل ہو چکا ہے۔

میں بذات خود اور میرے اہل خانہ ادارہ ہذا کے جملہ سٹاف
خصوصاً جناب اسسٹنٹ ڈائریکٹر/ماہران علی کے انتہائی تشکر گزار
ہیں کہ بغیر کسی وکیل اور بغیر کسی فیس کے میرا مسئلہ حل روایا۔ میں
اس ادارے کی مزید ترقی کے لیے دعا گو ہوں۔

دعا گو :-

قرۃ العین ولد ظہیر احمد

Qureshi

07/01/2021

شکایت نمبر 186/02/2021



جناب جنتی صوبائی محتسب ایٹا اور

جناب عالی!

گزارش ہے کہ سائل نے ڈی. سی آفس بیگرام کے خلاف دفتر ایڈا میں ڈیزیزس کوٹہ کے تحت بھرتی کیلئے درخواست دی تھی۔ سائل کا والد 2005 کے زلزلہ میں شہید ہو چکا تھا۔

سائل اپنے خاندان کا واحد کفیل ہونیکے ساتھ ساتھ انتہائی غریب ہے۔ ڈی. سی آفس بیگرام سائل کو بھرتی کرنے میں ٹال ٹول کر رہا تھا۔

سائل نے دفتر ایڈا میں حصول انصاف کیلئے درخواست دی جس پر صوبائی محتسب نے فوراً ایکشن لیا (خصوصاً ڈی پی ڈائریکٹر کامران صاحب نے انتہائی محنت اور دلچسپی سے بہت ہی کم وقت میں مجھے حق دلوا یا) جس کے نتیجے میں ڈی سی آفس بیگرام نے مورخہ 17/6/21 کو میرا آرڈر بطور نائب قاصد کے کر دیا۔ جس کیلئے میں صوبائی محتسب اور خصوصاً ڈی پی ڈائریکٹر کامران صاحب کا بہت ہی شکور و ممنون ہوں جنہوں نے میری غریب پروری کی۔

الحاضر

سید عبداللہ شاہ % سید ولی شاہ

گاؤں نل پاستو تحصیل الائی ضلع بیگرام

صوبائی نمبر 0346-5630812

Abdul

The Provincial Ombudsman,
Hayatabad, Peshawar

Dated: 29/11/2021

Subject: Withdrawal of Complaint No. 193/02/2021




Dear Sir,

Reference to the subject cited above, my case has been resolved and I have obtained my Ph.D. transcript and Degree.

I am very thankful to the Investigating officers and the whole department for supporting me and resolving my issue on serious note.

I appreciate the working and activities of this department which is thrilling to ensure transparency and timely disposal of complaints.

Thank you so much and Best wishes to the whole department

Kind Regards,

29/11/21
Asmat Ullah s/o Syedfatullah
17301-0512743-7
0321-9014220.



محومت جناب سیکرٹری محسد اعلیٰ صوبہ خیبر پختونخوا

عنوان: درخواست برادر کھیلین نمبر 197 بتاریخ 18-2-2021

جناب عالی

مؤدیانہ گزارش ہے کہ سائل نے 18-2-2021 کو ایک کھیلین درج کیا تھا جس
کا سائل آپ صاحب کا لہیت شکر گزار ہے جو کہ سائل کا مذکورہ کھیلین
کا مسئلہ حل ہوا ہے لہذا سائل اپنی مرضی سے مذکورہ کھیلین واپس
لینا چاہتا ہے۔ لہذا آپ صاحب مہربانی کر کے سائل کا کھیلین
واپس کرنے کے احکامات صادر فرمائیں۔ آپ صاحب کی بڑی
مہربانی ہوگی۔

عین نوٹس ہوگی

مورخہ: 7/4/2021

العارفین

آپ کا ایلدار ساجد ستار ولد امیر محب خان ضلع تحصیل کر
گاہن، ڈائری نہ کنڈو ضلع صوبہ خیبر پختونخوا

Mob # 0331-4340443

OMBUDSMAN KHYBER PAKHTUNKHWA



DISTRICT EDUCATION OFFICER (MALE) KARAK.

APPOINTMENT ORDER

Under the provision of rule 10 (4) of the Government of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) rules 1989 and further Amended by the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) Notification No. So (R-VI) E&AD/1-3 2015 Dated 19.04.2016, the following candidates are hereby Appointed against the vacant post of PST noted against each in BPS-12 @ Rs. (13320-960-42120) Rs13320/-plus usual allowances as admissible under the rules on regular basis in the interest of public service on the basis of 100% Deceased Sons /Medical Board Quota on the terms and condition as given below with effect from the date of their taking over charge: -

| S.NO | NAME | Name of Father/Mother | Nature of Rtd: | Union Council | Appointment As | Place of posting |
|------|-------------------|-----------------------|----------------|---------------|----------------|------------------------|
| 1 | Haris Sohail | Muhammad Javed Khan | Medical Board | Chokara | PST-BPS-12 | GPS Chatta Banda |
| 2 | Muhammad Rizwan | Momin Khan | Medical Board | Chokara | PST-BPS-12 | GPS Gul Rauf Koroona |
| 3 | Shafiqat Ullah | Zia U Din | Medical Board | Esak Chountra | PST-BPS-12 | GPS Sarobi |
| 4 | Sajid Sattar | Amir Ajab Khan | Medical Board | Esak Chountra | PST-BPS-12 | GPS Shawanki Data Mine |
| 5 | Muhammad Zafaryab | Ume Habiba | Medical Board | Paloosa Sar | PST-BPS-12 | GPS Zangl Sharif |
| | Farman Ullah | Ifrikhar Ahmad | Medical Board | South Karak | PST-BPS-12 | GPS Andi Sharqi |

TERMS & CONDIATION

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by this office. If anyone found producing bogus Certificate will be reported to the law enforces agencies for further action and appointment will stand withdrawn.
4. Their services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
5. Their Pay will not be drawn until and unless verification of the certificates/ Degrees of the appointees are verified from the concerned Boards/Universities by this office and their pay will be released properly with the signature of the undersigned.
6. The Appointees should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, their appointment will expire automatically and no subsequent appeal etc shall be entertained.
7. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
8. He will be governed by such rules and regulations as may be issued from time to time by the Govt.
9. Their services shall be terminated at any time; in case their performance is found unsatisfactory.
10. Their pay will be drawn with effect from their taking over charge.

بخدمت جناب اسٹنٹ ڈائریکٹر محمد کامران علی صاحب صوبائی محتسب خیبر پختونخوا

دفتر صوبائی محتسب خیبر پختونخواہ

او۔ پی۔ ایف بلڈنگ، فیز ۵، حیات آباد پشاور



اظہار تشکر

جناب عالی!

من سائل نے آپ صاحبان کی خدمت میں شکایت نمبر 205/02/2021 درج کی تھی جس پر آپ صاحبان کی خصوصی اقدامات اور انتھک کاوشوں سے من سائل کو اپوائنٹمنٹ آرڈر نمبر 2200 مورخہ 01-07-2021 پرنسپل آفس گورنمنٹ پوسٹ گریجویٹ کالج فار وومن مردان سے جاری ہوا ہے (نقل آرڈر کا پی لف ہے) من سائل و دیگر خاندان آپ صاحبان، ادارہ ہذا کا انتہائی مشکور و ممنون ہے اور تاحیات آپ صاحبان کے لئے دعا گو ہیں۔

جمعہ عمران ولد عرش اللہ

ساکن شریف آباد P/O تحت بھائی ضلع مردان

موبائل نمبر: 0301-8194837

OMBUDSMAN KHYBER PAKHTUNKHWA



OFFICE OF THE PRINCIPAL
GOVERNMENT POST GRADUATE COLLEGE FOR WOMEN
MARDAN
KHYBER PAKHTUNKHWA-PAKISTAN
PHONE & FAX # 0937-9230218 Email: gpgewm@gmail.com
Website: www.gpgewm@gmail.com Phone 0937-9230218

No. 2200/1

Dated Mardan the 17, 2021

To

OFFICE ORDER

Consequent upon the recommendation of selection committee the undersigned has been pleased to appoint Mr. Juma Imran S/o Arshullah, CNIC 16102-9995168-1 residence of Sharif Abad Takht Bhai (Mardan) on Medical Ground son quota on the post of BPS-03 @9610-325-21160 plus other usual allowances admissible under the rules at Govt. Post Graduate College For Women Mardan against the vacant post of Chowkidar with effect from the date of taking over charge on the following term and conditions:-

TERMS AND CONDITION:-

1. His service will have all rights /privilege contained in Khyber Pakhtunkhwa, Peshawar civil servant act 1973 and rules made there in under
2. He should produce health and age certificate from Civil Surgeon Mardan before taking over charge.
3. He should be governed by such rules policy issued by Provincial Govt. from time to time.
4. He is required to join his post within 15 days. In case of failure to join the post within 15 days of the issuance of this order his appointment shall expire automatically and no subsequent appeals shall be entertained.
5. He will be on probation for one year extendible to another one year in term of rules-15 of Khyber Pakhtunkhwa civil servants (appointments) rules 1989.
6. His service will be liable to termination one month's notice from either side. In case of resignation without notice there one month's pay if any shall be forfeited to the Government.
7. Charge report should be submitted to concerned.

(Prof. Mumtaz Bibi)
Principal

Govt. Post Graduate College
For Women Mardan

Endst. No. 2200-8

Dated 17/2021

Copy forwarded to the:-

1. PS to Secretary Higher Education Archives & Libraries Department Khyber Pakhtunkhwa, Peshawar
2. PA to Director of Higher Education Khyber Pakhtunkhwa, Peshawar
3. Deputy Director of Higher Education Khyber Pakhtunkhwa, Peshawar
4. Assistant Director Provincial Ombudsman Secretariat Khyber Pakhtunkhwa, Peshawar
5. Manager Employment Exchange District Mardan
6. Principal /JMC Coordinator GPGC, Mardan
7. District Accounts Officer Mardan
8. Official Concerned
9. Accountant local office /Personal file

Principal

Govt. Post Graduate College
For Women Mardan

The Provincial Ombudsmen

Government of Khyber Pakhtunkhwa

Subject: Delay in my Actualization/Adjustment as Female Principal against the vacant Post of Principal in GGHS irrigation Colony Peshawar

Respected Sir,

It is submitted for your kind information I suffered since May,2019 to be appointed as Principal BS(18).The following are the brief details

I submitted several requests to the Director, Secretary, Chief Secretary , Education Minister and Chief Minister .Then I submitted an application for your kind consideration and in first hearing my problem has been resolved, order has been issued and I joined my duty. It is worth mentioning that Kamran Khan processed the case very honestly and his attitude was very polite. Officers like him are the assets of our country. I was completely disappointed by the attitude of the department. I am very thankful to you for your speedy and unbiased decision.

Thanking you in anticipation

Dr.Salma Sami

Principal

GGHS school Irrigation Colony Peshawar

Cell : 0300-5941337

خدمت جناب قاضی علی اسٹنٹ ڈائریکٹر صوبائی محاسب پشاور

ادائیگی تشریح حوالہ 1

تاریخ 453/2021



جناب عالی

مؤرخہ 13/7/21ء کے ایس ایل کے تحت درخواست
 سرفراز لائوسنگ کمپنی کے آفسی سرکار سے لگائی
 گئی۔ آپ صاحبان کی طرف سے کی گئی تھی جس سے
 حکمہ رقم کے ایس ایل کی تفریحا عمل میں لائی ہے۔
 مسائل صوبائی محاسب تشریح کے تحت صفا
 ہے کہ مسئلہ کے حوالہ خلیفانہ کورسوں اور تعاون
 کی وجہ سے مسائل کو اسکا حق مل گیا۔ خاص
 طور پر قاضی علی اسٹنٹ ڈائریکٹر کی مسائل
 دلی مسئلہ کے مسائل، جب بھی ان سے رابطہ کیا
 تو بڑی اخلاقانہ طور پر مسائل کو حل کیا۔

اکتاف علی
 مورخہ 07/12/21

صیغہ اب اللہ کے لئے

OMBUDSMAN KHYBER PAKHTUNKHWA



**OFFICE OF THE DISTRICT DIRECTOR LIVESTOCK KARAK
LIVESTOCK & DAIRY DEVELOPMENT (EXTENSION)
KHYBER PAKHTUNKHWA**

Tel: 0927-291072 Fax: 0927-291072 Email: ddiKarak@gmail.com

No. 1754

Dated


the

31 / 05 / 2021

Order:


Consequent upon the recommendation of Departmental Selection Committee in its meeting held on 18.03.2021 **Mr. Mehtab Ullah S/O Sami Ullah R/O Shubali Banda, Tehsil & District Karak** is hereby appointed as **Cattle Attendant (BPS-03) (Medical Board Quota) @ Rs 9610-390-21310** plus usual allowances against the vacant post in the Office of District Director Livestock, Karak, with immediate effect in the best interest of public service. His appointment shall be governed by the following terms and conditions:

1. His appointment shall be on regular basis in term of section 19 of Khyber Pakhtunkhwa service act 1973 as amended from time to time and pension/ graduate will be admissible at such rate as may be prescribed by the government from time to time.
2. His appointment shall be subject to provision of medical fitness certificate issued by the concerned medical superintendent.
3. He shall be governed by such rule regulation order and ordinance etc relating to appointment, promotion, transfer, leave, TA, Medical attendance efficiency and discipline and conduct have been/ may be prescribed by the government for the category of Government of his status from time to time and as interpreted by the government.
4. His service shall be liable to termination on the following conditions
 - i. At any time without notice and without assigning any reasons his service will be dispensed if his service were not found satisfactory during the period of his appointment on probation i.e. 2 years
 - ii. On one-month prior notice by the Government one side and by him on the other side in case the notice on either side is less than one month, a sum equivalent to the pay for the period by which the notice falls short of one month will be paid by the Government to him or in lieu thereof one month pay shall be forfeited.
 - iii. By Government without previous notice if it is satisfied on material evidence that he is unfit and / or likely to remain unfit for a considerable period by reasons of ill health or physical disability to discharge his duties. The decision of the Government as to what constitute considerable period will be final.
5. He shall not be entitled to any Travelling/ Daily Allowance on this first appointment/ posting.
6. He shall be entitled to provident fund in such a manner and at such rates as may be prescribed by Government.
7. His appointment shall stand cancelled from the date of issue and he shall have to refund all the financial benefits availed, if his educations /other documents proved to be fake/bogus at any stage. If the above terms and conditions are acceptable to him, he should report for joining his duty within 30- days positively for further Posting/Adjustment. In case of non-submission of acceptance, the offer will automatically stand canceled.


DISTRICT DIRECTOR LIVESTOCK
KARAK

Copy of even number and date is forwarded to:

1. PA to Director General (Ext), Livestock & Dairy Development Department, Khyber Pakhtunkhwa, Peshawar.
2. District Account Officer, Karak.
3. **Mr. Mehtab Ullah S/O Sami Ullah R/O Shubali Banda, Tehsil & District Karak**
4. Personal File of Official.


DISTRICT DIRECTOR LIVESTOCK
KARAK

محترم جناب صوبائی محتسب اعلیٰ خیبر پختونخواہ پشاور

جناب عالی!



مؤدبانہ گزارش ہے کہ میں سیف اللہ خان ولد لوسن خان
گاموں مندری، تحصیل لڑچی، ضلع کوھٹاکار پانٹھی ہوں۔
میرا سن کوئٹہ پبلک ہیلتھ ڈیپارٹمنٹ میں کس زبیر اللہ تھا۔
پھر میں نے اپنا کس آپ کے حضور پیش کر دیا۔ اب پبلک
ہیلتھ ڈیپارٹمنٹ نے آپ کی وساطت سے میرا مسئلہ حل کر دیا
اور مجھے تقرری کا لیٹر جاری کر دیا۔

جناب عالی میں اس معاملے میں آپ کے ڈیپارٹمنٹ
کا اور خاص کم آپ کا لینڈ سٹیک گزار ہوں جو آپ نے میرے
ساتھ اور میرے بچوں کے ساتھ عمر بھر کی نیکی کی رسم سارے
خاندان والے آپ کو اور آپ کے بھال بچوں کو دعا گو رہیں گے۔
مورخہ = 04-11-2021

آپ کا شکر گزار
سیف اللہ خان ولد لوسن خان
گاموں مندری، تحصیل لڑچی، ضلع کوھٹاکار

محترم جناب انوسٹیگیشن آفیسر صوبائی محتسب KPK پشاور



عنوان: اظہار تشکر

شکایت نمبر: 635

جناب عالی

بندہ محمد نعمان ولد محمد سلیم صوبائی محتسب KPK پشاور کا بالعموم اور اسسٹنٹ ڈائریکٹر انویسٹی گیشن آفیسر جناب محمد کامران صاحب کا بالخصوص مشکور اور ممنون ہے کہ جن کی قانونی چارہ جوئی کی وجہ سے محکمہ فشریز نے بندہ کو فشریز واچر (BPS-07) میں بھرتی کیا ہے۔ آرڈر کا پی اے ہے۔

لہذا بندہ صوبائی محتسب کا تہ دل سے مشکور اور شکر گزار ہے اور صوبائی محتسب KPK پشاور کی ترقی اور کامیابی کیلئے دعا گو ہے۔

شکریہ

وا سلام

مورخہ: 03/02/2021


دستخط

العارض

محمد نعمان ولد محمد سلیم سکنہ پروا تحصیل پروا ضلع ڈی آئی خان





www.fisheries.kp.gov.pk
DIRECTORATE GENERAL OF FISHERIES
 2-SHAMLRoad PESHAWAR
 091-9212096 kpfisheries@yahoo.com
www.facebook.com/dgfisherieskp <https://twitter.com/dgfisherieskp>



OFFICE ORDER.

Consequent upon the recommendations of the Departmental Selection Committee (DSC) in its meeting held on 10/12/2020 and 14/01/2021 and in pursuance of Sub-Rule (4) of Rules (10) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 (Deceased Employee son/Retired on Medical grounds son quota) and subsequent notification of Government of Khyber Pakhtunkhwa, Establishment Department (Regulation Wing) issued vide No. SO(R-VI)E&A(D/1-3/2015 dated 19/04/2016. Mr. Muhammad Noman s/o Muhammad Saleem, Village, Tehsil & PO Parwa, District D.I.Khan is hereby appointed as Fisheries Watcher (BPS-07 @ Rs 10,990-610-29,290) with usual allowances as admissible under the rules, in the office of District Officer Fisheries, Haripur with immediate effect in the best interest of public service.

The Terms and Conditions would be as under:-

- 1- The terms and conditions of his appointment to the post will be applicable as per the instructions issued by the Govt: of Khyber Pakhtunkhwa, from time to time.
- 2- The appointment is purely on temporary basis initially for a period of one year of probation further extendable upto two years and his services can be terminated without assigning any reason thereof, before the expiry of the period of probation/extended period of probation, if his work during this period is not found satisfactory. In such an event, he will be give a month's notice of termination from service or one month's pay in lieu thereof.
- 3- In case he wishes to resign at any time one month notice will be necessary in lieu therefore a month pay shall be forfeited or deposited to Government treasury.
- 4- He shall be entitled to all facilities relating to pay, T.A and Medical attendance etc as may be issued by the Government for the status of the Government Servants to which he belongs.
- 5- He shall be liable to and Governed by the Government of Khyber Pakhtunkhwa, Government Servants (Conduct) Rules, 1987 Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011 and all other orders/instructions of the Government in this behalf.
- 6- His appointment is subject to the satisfactory report on verification of his character antecedents.
- 7- He will have to produce a Medical Certificate of fitness from the Civil Surgeon Medical Superintendent, the concerned district.
- 8- His services shall be transferable, throughout Khyber Pakhtunkhwa & Merged Districts.
- 9- He shall, for all intents and purposes, be Civil Servant on temporary basis & will be entitled for pension and other facilities as applicable to a Civil Government employee.
- 10- He will be regular contributor of G.P Fund as per Govt: instructions.
- 11- If the appointee is agreed upon to the above TOR, he may report for his duty to the concerned authority within 30-days. In case of failure, his appointment shall stand cancel automatically.

Note: In-case the qualification which you posses found fake/bogus at any stage, your services will stand terminated.

Sd/-
 (DR. KHISRAO KALIM)
 DIRECTOR GENERAL FISHERIES
 KHYBER PUKHTUNKHWA,
 PESHAWAR.

No. 3459-61 /DGF/E

Dated Peshawar the 25 /01/2021.

Copy forwarded for information and necessary action to:-

- 1- The District Accounts Officer, Haripur.
- 2- The District Officer Fisheries, Haripur
- 3- Mr. Muhammad Noman s/o Muhammad Saleem, Village, Tehsil & PO Parwa, District D.I.Khan.

DIRECTOR GENERAL FISHERIES
 KHYBER PUKHTUNKHWA,
 PESHAWAR.

IN HONOUR OF KAMRAN ALI KHAN ASSISTANT DIRECTOR
PROVINCIAL OMBUDSMAN, SECRETARIATE, P.K.P. PESHAWAR

جناب عالی -



۱۔ آپ نے میرے عین جس ایماندار کی اجازت فحشائی اور
حسن نگہ کردی کا جو منظرہ کیا۔ اسکا آئینہ مثالے دیا جائیگا۔
۲۔ تم نام زیست آپ کا شکر گزار رہیں گے۔ اور دعاؤں سے یاد کریں گے۔
۳۔ اللہ پاک آپ پر اور آپ کی آنے والی نسلوں پر اپنی رحمتوں اور
برکات کا بارشیں نازل فرماوے۔ اور آپ کا سایہ ہم پر
اور سارے قوم پر نام زیست قائم رکھے۔ آمین۔
۴۔ خداوند کریم سے دعا ہے۔ کہ وہ آپ علیہ عظیم السات، ایماندار
دیانت دار اور فرض شناس اور اعلیٰ کردار والے آفسران
کو دن دہنی اور رات چلنی ترقی دے۔ کیونکہ آپ حضرات
قوم کے سرمایہ ہیں۔ جو مددوں بعد ملتے جلتے رہتے ہیں۔ آمین

کامپلینٹ نمبر
705/09/2020

Complainant
NADIR KHAN
VILL/PO: MULLAZAI
MOKHALA. SULEMANZAI
TEA/BIST TANK

Nadir Khan
31/12/2020

حکومت صواب آئینٹ ڈائریکٹر صوبائی محاسب خیبر پختونخوا



عنوان :-

انحصار تسکیر برائے کنکریٹ نمبر
824/2020

گزشتہ دنوں کی حالتی ہے کہ سائٹ بحالی میں تاخیر ہو رہی ہے آپ کے ذریعہ سائب محکمہ فستریز کے حلاقوں کو سائٹ کے تحت گھبرائی ہوئی کیلے درخواست دی گئی، جو صوبائی محاسب کے تبادلہ پر سٹاف اور حاصن کر کا مران علی شاہ کے کوششوں سے میرا مسئلہ حل ہو گیا اور مجھے محکمہ فستریز میں بطور مالی گھبرائی کر دیا گیا ہے میں انشائی مسئلہ ہوں کہ میرا مسئلہ گھبرائی کسی رقم انتیائی خوش اسلوبی کے ساتھ حل ہو گیا ہے۔ ایک بار بغیر میں کھیناؤلی صوبائی محاسب اور عبد سٹاف اور کامران علی شاہ کا بدل سے شکریہ ادا کرن صوابت ہوں اور درجہ دعاؤں (مدت بہت مسئلہ ہے)

آغا رضا
آئیڈیٹ لبرر مختیار علی ولد نظردین
سکہ نمبر ۱۱۱۱۱۱۱۱
تفصیل و فلاح سردان
0314-9610008

خدمتِ ختمہ صوبائی منتخب K.P.K. ایسٹ

شکرہ ادارہ


ختمہ عالیہ
 سیدہ سیم محمد ولد بغداد خانہ ————— سیدہ اریسہ خانہ ملکہ
 اریسہ خانہ اول ڈاکٹر ڈیوے سے ضابطہ نیوں، بحوالہ شکایت
 866 جو درج ذیل تھی۔ اسے ماہنامہ محمد کولم
 گئی ہے۔

لہذا جو رقم محمد کولم گئی ہے، اس پر سیدہ اریسہ خانہ
 بے حد ضروری ہیں اور تاقیہ سے آریسہ خانہ شکرہ
 ادا کرونگی۔ اور ختمہ عالیہ محمد ناصر علی صاحب
 اسٹریٹ ڈاکٹر بلیم صاحب اللہ لنگال ایسے لوگ اس دنیا
 سے اور آخرت سے بھی مایوس ہو رہے
 بڑی سہیلی ہیں
 عرفہ 2021/09/09

اللہ
 محمد ولد بغداد خانہ ————— سیدہ اریسہ خانہ ملکہ
 0332-6452152

خدمت جناب ڈائریکٹر صاحب پروفیشنل صوبائی محتسب سیکریٹریٹ خیبر پختونخوا
جناب عالی!



مؤدبانہ گزارش ہے کہ میں نے پنشن نہ ملنے کے لیے آپ صاحب کی عدالت میں کیس جمع کر لیا تھا۔ جو کہ آپ صاحب نے بہت محنت کے ساتھ کیس کو ڈیل کر کے کیس کا مسئلہ حل ہو گیا ہے۔
میں آپ صاحب کی اس خدمت کا بہت شکر گزار ہوں اب میں اس کیس کو ختم کرنا چاہتا ہوں۔
برائے مہربانی اس کیس کو ختم کر کے مشکور فرمادیں۔

عین نوازش ہوگی۔

تاریخ: 01-09-2021

آپ صاحب کا تعبدار شیر محمد ڈینیسٹ

C/O ذاکر دکاندار کاشال روڈ

پہلے کالونی گلی نمبر 2 مکان نمبر 32 پشاور شہر

خدمت عذاب الشنت ڈائرکٹر ہوابائی محنتب حکمران کھنڈو کھنڈو 01

عنوان
ادارہ ایڈمنسٹریشن خیرالم کھنڈو نمبر 985/2020



گہ آرش ہے۔ کہ سائل نے ایک کیس برضیافت آپ کی عدالت حضور میں
جمع کی تھی، حکم جہت کے ایگواروں نے سائلہ کی بلیٹی کو نمس کی پڑھ
پر تعقیبات کیا ہے۔ آپ لوگوں کی مخلصانہ کوششوں کے وجہ سے
سائلہ کو جائز حق کو روایا گیا ہے۔ سائلہ تاحیات آپ
نوٹوں کی اور اس ادارے کی کامیابی کے لئے دعاؤں رہیں۔ اور
سائلہ کی درخواست کر کے ہے۔ کہ سائلہ کے کیس پر مزید
چاروائی روک دی جائے۔ کیونکہ سائلہ کا مسئلہ حل ہو چکا ہے

سلہ
العارض
صاۃ سلمانی بی بی
مکتبہ خلیع صومند

2/2

OMBUDSMAN KHYBER PAKHTUNKHWA

February 25, 2021

Provincial Ombudsman
Peshawar, Khyber Pakhtunkhwa,
Pakistan.



SUBJECT: LETTER OF ACKNOWLEDGMENT/THANKS FOR PROMPT RESPONSE AND ACTION ON COMPLAINT


Dear Ombudsman Office,

With reference to my complaint against Gomal University DI Khan regarding non-issuance of degree to my son Mr. Milad Khattak, I want to extend my gratitude and sincere thanks for thoroughly reviewing the merits of my complaints and taking prompt action as per my request/complaint. Throughout my interaction with your department in pursuance of my complaint, I have been given due time, respect and treated as a honorable citizen for which I would like to appreciate and honor all the involved officials and departments. The staff members of complaint cell were highly professional and supportive in providing guidance and direction from the very beginning stage of my complaint. I would also like to personally thank Mr. Kamran Ali, Investigator for my complaint who also showed high level of support in dealing with my grievance in this case.

As a senior citizen of this province, it brings me immense pleasure and happiness to have seen one such professional and well managed government department with cooperative and supportive officials.

I would also like to bring this to your knowledge that my complaint has been solved and my son has received his degree and migration certificate form Gomal University DI Khan.

Yours Sincerely,


Dr. Ghulam Qadar Khan
Resident of Hayatabad, Peshawar.
Contact # +92-3339307345





محترم جناب صوبائی محتسب صاحب خیبر پختونخوا پشاور۔

عنوان: درخواست برائے برقی جوئیٹر کلرک یا جوئیٹر جنیکل انجینئر برائے (فوت شدہ ملازم) کوہر (4) Under Rule 10

جناب عالی۔

مودبانہ گزارش ہے کہ سائل نے آپ کے دفتر میں درجہ بالا عنوان پر ایک درخواست جمع کرائی تھی۔ جس پر کارروائی کرتے ہوئے نگرانی صحت اور ڈاکٹر کیلبر جنرل محکمہ صحت خیبر پختونخوا پشاور کے نمائندوں کوئی بارڈر جنرل طلب کر کے وضاحت مانگی گئی۔ اور بلاآخر آپ کے اور آپ کے ماتحت عملے کی کاوشوں کی وجہ سے مجھ جیسے عریب کا انصاف والا کرکلر صحت والوں نے مجھے بلور جوئیٹر سر جنیکل انجینئر برائے (فوت شدہ ملازم) کوہر (4) Under Rule 10 کے تحت بھرتی کرنے کا حکم صادر فرمایا۔ آرڈر کی کاپی منسلک ہے۔ جس کے لئے میں آپ صاحبان کا اور آپ کے دفتر کے سٹاف کو شکریہ ادا کرتا ہوں۔ جناب صاحبان کا اور آپ کے دفتر کے سٹاف کو شکریہ ادا کرتا ہوں۔ کہ بچنے بہترین اخلاق اور طبعاً نہ ہمدردی کی وجہ سے مجھے جو مسئلہ ملا اور دیا گیا ہے اس کو حل کرانے میں آپ سب کا اس کا ریشہ کا اجر عظیم دے اور آئندہ کے لئے بھی یاد دہا کرانے کے تمام کام بخار مجھ جیسے فقرا اور بے کس لوگوں کا سہارا اور مددگار بنا رہتے ہوں۔ آمین۔

22-03-2021 مورخہ

آپ کا مقصود

آپ کا مقصود

سید داؤد شاہ ولد سید لائق شاہ (مردوم) سٹیئر کلرک مولوی امیر شاہ بیورو ریل ہسپتال پشاور۔ محلہ کندہ سے پایا انڈسٹری ارباب پتھیل و شیل پشاور۔

OMBUDSMAN KHYBER PAKHTUNKHWA



OFFICE OF THE DISTRICT HEALTH OFFICER,
PESHAWAR.

Phone No.091 9225387
Fax No. 091 9225467

OFFICE ORDER

The undersigned being the competent authority is pleased to appoint, *Mr. Syed Daud Shah S/O Syed Laiq Shah (Ex – Senior Clerk Deceased) resident of Kanday Payaan Landi Arbab Peshawar, under Deceased Son's Quota (100 %) in District Health Office Peshawar as Clinical Technician (Surgical) BPS -12 in Basic Pay Scale (13320-960-42120) plus all other allowances as admissible to him as per Government rules.*

His appointment in Health Department Govt. of Khyber Pakhtunkhwa will be subject to the following terms and conditions:-

1. He will be on probation initially for a period of one year.
2. His services will be subject to medical fitness.
3. He will not be entitled to any TA/DA for medical examination and joining the first appointment.
4. He will be governed by such rules and orders as may be issued by the Government for the category of Government servant to which he belongs.
5. His services can be dismissed without any notice during the probation period, if his work and conduct found unsatisfactory.
6. If he/she wishes to resign from service he will have to submit resignation in writing 30-days in advance or deposit one month salary in the government treasury. However he will continue to serve the Government till the acceptance of his resignation by the competent authority.
7. He/She will serve in all health facilities under the control of District Health Office Peshawar.

If the above mentioned terms and conditions are acceptable to him/her. He/she should report to District Health Office, Peshawar within 14 days after the receipt of this appointment order.

Sd/-----
District Health Officer,
Peshawar.

No 4398-4403 DHO/
Copy forwarded to the:-

Dated Peshawar the 17/03/2021

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa Peshawar with reference to his letter No. 1764/Personnel dated 16-03-2021.
3. Deputy Commissioner Peshawar.
4. Coordinator DHIS Section DHO office Peshawar.
5. Account Section of this Office.
6. Official Concerned..

District Health Officer,
Peshawar.



جناب جناب اہوائی محتسب حیات آباد پشاور
درخواست برائے جج 1045 Complaint

جناب عالی،
انتہائی لجاجت سے عرض کیاں ہوں کہ مندرجہ میں برحق
دلہ محمد سکر Complaint 1045 دائر کر دیا تھا
آپ جناب کے کاوشوں کے بدولت میری تقرری گورنمنٹ
پرائمری سکول نوشہرہ پر کردی گئی ہے۔
مندرجہ میں اس Case کو آگے بڑھانے کی ضرورت نہیں رہی
میں اپنی Complaint 1045 واپس لینا چاہتا ہوں
لہذا میری Complaint 1045 کو خارج کر کے
شکر فرمادیں

دین نواز بھٹی

Date: 20/11/2021

عرض

آپ کا صاحب برحقین ولد محمد سکر
شناختی نمبر 2130342496633
فون نمبر 03059192049

OMBUDSMAN KHYBER PAKHTUNKHWA



OFFICE OF THE DISTRICT EDUCATION OFFICER

DISTRICT KURRAM

Email- deokurram110@gmail.com



APPOINTMENT ORDER

Consequent upon the recommendation of the Departmental Selection Committee, appointment of the following candidate is hereby ordered against the post of T.T Male School based in BPS-15 (Rs.16120-1520-64510) @ Rs. 16120/- fixed plus usual allowances as admissible under the rules on adhoc/Contract basis as per the existing policy of the Provincial Government, in Teaching Cadre against the vacant post noted against each on the terms and conditions given below with effect from the date of his taking over charge:-

| S# | Name & Father Name | Score | Name Of School Where Posted | Remarks |
|----|----------------------------------|-------|-----------------------------|---------|
| 1. | SABIR HUSSAIN S/O MUHAMMAD ASKAR | 89.97 | GPS NO.2 BOSHERA | A.V.P |

TERMS & CONDITIONS

1. His appointment is subject to outcome of CPLA Challenged in the August Supreme Court of Pakistan. —
2. NO TA/DA etc is allowed.
3. Charge reports should be submitted to all concerned in duplicate.
4. Appointment is purely on Adhoc/ Contract/ School Based initially for one year.
5. He should not be handed over charge if he exceeds 35 years or below 18 years of age.
6. His appointment is subject to the condition that the Educational & Professional certificates/documents must be verified from the concerned authorities. If anyone found producing bogus/fake Certificate(s)/ Document(s) will be reported to the law enforcing agencies for further action.
7. His services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government treasury.
8. Pay will not be drawn until and unless a certificate to the effect by DDO (concerned) is issued that his certificates are verified.
9. He/She/they should join his/her post within 15 days of the issuance of this notification. In case of failure to join his/her post within 15 days of the issuance of this notification, his/her/ their appointment will expire automatically and no subsequent appeal etc shall be entertained.
10. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.

Page 1

خدمت صاحب جوانی قلمبہا - لٹنہا KPK



کابل

گزارش کے کہ آپکا بے حد شکریوں کہ آپکے حکم پر محمد نعیم نے میری کوشش کے ذریعہ سائیکل اور میری پنشن کے تمام گامدات بنا دیا ہے اور ڈسٹرکٹ اور گنٹ آفیسر ہا۔ ڈین ایس ایل خان نے میرا مقام پنشن کے واجبات بتایا جات 2012 سے 2021 اپریل تک سہ 956771 RS میں نے بند سے وصول کر لے ہیں لہذا آپکو اطلاع کر رہا ہوں آپکا میں بے حد شکریوں میرا سائیکل ہے اور آپکا میں کو عمر جوڑ دیا ہے

مذکورہ سائیکل پر جو رقم مابقی ہے وہ فوراً مابقی جسٹس پر ذرا علی ڈین ایس ایل خان ریٹائر ہو کر ان کو ملے گا اور میرا کئی کئی مابقی جسٹس پر ذرا علی ڈین ایس ایل خان
03468482525 12101-0979125-7

محترم صاحب جناب
 محترم کمران علی صاحب ایڈمنسٹریٹو ڈائریکٹر ایروائی محنت
 خیر ٹھنڈو ٹھوڑا پشاور
 1
 اظہار شکوہ نمبر/1106



جناب عالی! وڈیابنہ گذارش کیجانی ہے کہ میرا آپ صاحب کیسٹاف
 پاک ننان فارسٹ انشورنس پشاور کے خلاف ملکر میں کوٹہ کے بارے
 میں شکایت تھی جو آپ صاحب کے وساطت سے جیرا وٹولہ مل
 ہو گیا اور مجھے متنقل بنیادوں پر بلکر (B5-03) پوسٹ پر
 ہوتی کر دیا۔
 میں اور میرا خاندان 21 آپ صاحب کے ادارے اور خالص طور
 پر کمران علی ایڈمنسٹریٹو ڈائریکٹر صاحب کے بیتا مشورہ رہیں کہ نہیں
 نہایت طرز طریق سے میرا ایس کے کر دیا۔
 میں اور میرا خاندان 21 ہمیشہ آپ صاحبان کیلئے دیکر
 رہیں 2۔ شکریہ

روز 16/06/2021

القابالوہار

قسلیم خان ولدہ صلی خان سکرنہ ریڈی افسر پشاور
 فون نمبر 5233451-0313

OMBUDSMAN KHYBER PAKHTUNKHWA



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT
PAKISTAN FOREST INSTITUTE, PESHAWAR

Ph: +92 91 9221224, 9221442, Fax: +92 91 9221233



742

/F.V(10-DSC)-Estt

Dated 10/06/2021

To

Mr. Tasleem Khan S/o Musali Khan,
Muhallah Kandr, Post Office Reggi,
Reggi Atuzai, Tehsil & District, Peshawar

SUBJECT: APPOINTMENT AGAINST THE POST OF BUTLER (BPS-03) AT PAKISTAN FOREST INSTITUTE (PFI), PESHAWAR UNDER 25% CHILDREN QUOTA RESERVED FOR THE RETIRED CLASS-IV EMPLOYEES OF PAKISTAN FOREST INSTITUTE (PFI), PESHAWAR

It is to inform you that your name has been recommended by the Departmental Selection Committee for the post of **Butler (BPS-03)** in the Pakistan Forest Institute, Peshawar, against 25% Children Quota reserved for the Retired Class-IV Employees of Pakistan Forest Institute (PFI), Peshawar, as per following terms and conditions:-

- The post of Butler is in (BS-03) and carries pay scale of Rs. (9,610-390-21,310) plus usual allowances admissible under the existing Rules.
- The selectee shall initially be on probation for a period of one year, extendable for further one year as prescribed in Rule-15 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.
- The services of the selectee shall be liable to termination at any time without assigning any reasons thereof before the expiry of probation / extended period of probation. If his performance during this period is not found satisfactory, in such event, selectee shall be given one month prior notice of termination from service or one month pay in lieu thereof.
- In case the selectee wishes to resign at any time, a month prior notice shall be necessary or in lieu thereof one month pay will be forfeited.
- The employment shall be subject to production of necessary character certificate from two grade-17 or above officers and satisfactory verification of his character and antecedents and production of certificate of medical fitness from Medical Superintendent, Police & Services Hospital, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- His / Her seniority will be determined from the date of joining.
- Selectee shall be liable to serve anywhere in Pakistan.
- Selectee shall have to sign the enclosed undertaking, on joining the service.
- No TA / DA will be paid to the selectee for joining the appointment.
- The terms and conditions of service of selectee shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 and other laws / rules applicable to the government servants.

OMBUDSMAN KHYBER PAKHTUNKHWA



OFFICE ORDER NO. 127 /DATED JABA THE 13 /04/2021 ISSUED BY
FARHAD ALI, DIVISIONAL FOREST OFFICER, KAGHAN FOREST DIVISION JABA,
☎ & Fax # 0997-410020

In exercise of the powers vested in me vide Government of Khyber Pakhtunkhwa, Service & General Administration Department Notification No. SOR-I(S&GAD) 4-1/80, dated 31/01/1989 under Part-III (Initial Appointment) Item 10(4) reproduced below & Govt of Khyber Pakhtunkhwa Establishment and Administrative Department (Regulation Wing) No. SO-6(E&AD) 3-1/2003, dated 22/10/2005 Mian Zaheer Ahmad S/O Mian Shabir Hussain (Deceased Forest Guard who died during service on 01/08/2020 due to heart attack) is hereby appointed as Chowkidar in BPS-3(9610-390-21310) plus usual allowances under the rules/contract policy, 2002 as amended vide SOR-IV(E&AD) 1-13/2005 dated 10/08/2005 received through Government of Khyber Pakhtunkhwa, Environment Department No. SO (G) Env/103/2003/Vol: II/5630-34, dated 15/08/2005 & No. SOR-III/FD/12-1/2005 dated 27/02/2013 on probation period for one year.

"where a Civil Servant dies during service, then notwithstanding the procedure provided for in sub-rule (2), the appointing authority may appoint one of the children of such civil servant, or if the child has not attained the age prescribed for appointment in Government Service, the widow of such civil servant, to a post in any of the Basic pay Scales 1 to 15."

"Provided that the child or the widow, as the case may be, possesses the minimum qualification prescribed for appointment to the post."

"Provided further that if there are two widows of the deceased Civil Servant, preference shall be given to the elder widow".

"Provided also that the appointment order under this sub-rule is subject to the availability of a vacancy and if more than one vacancies in different pay scales is available at a time, and the child or the widow, as the case may be, possess the qualifications making him or her eligible for appointment in more than one post, he/she shall ordinarily be appointed to the post carrying higher pay scale."

Terms and conditions:-

- 1- His appointment is purely temporary on contract basis and can be terminated on 15 days notice without any reason being assigned at any time irrespective of the fact that he is holding a post other than the one to which he was originally recruited or on the payment of 15 days salary in lieu thereof.
- 2- In case he wishes to resign at any time, one month notice shall be necessary or in lieu thereof, one month pay be forfeited.
- 3- He shall be governed by such rules, orders and instructions relating to pay, leave, TA and Medical attendance etc as may be issued by the Government for the status of the Government Servants to which they belong
- 4- He shall be entitled to draw the allowances as admissible under the rules with initial basic pay of Rs 9610/-per month in BPS-3
- 5- He shall be entitled for pension gratuity and G.P.Fund as per amendment No. SOR-III/FD/12-1/2005 dated 27/02/2013
- 6- He shall have to produce a medical certificate of fitness from an authorized Medical Officer

(Farhad Ali)
Divisional Forest Officer
Kaghan Forest Division Jaba

Memorandum

- Copy forwarded to the:-
- 1) - Chief Conservator of Forests, Northern Forest Region-II GoKhyber Pakhtunkhwa Abbottabad for favour of information please.
 - 2) - Conservator of Forests, Lower Hazara Forest Circle, Abbottabad for favour of information please.
 - 3) - Divisional Accountant for information and necessary action.
 - 4) - Mian Zaheer Ahmad S/O Mian Shabir Hussain (Deceased Forest Guard) resident of Mohallah Patlang Tehsil Balakot & District Mansehra

Divisional Forest Officer
Kaghan Forest Division Jaba

D:\0801\ops. of TA Sajjad\Appointment order Mian Zaheer2.doc

محکمہ عدالت کی طرف سے
محکمہ عدالت کی طرف سے
محکمہ عدالت کی طرف سے



PO/Complaint/1133/12/20 نمبر 1133/12/20 کی کارروائی بابت شکایت

جناب عالی!

گزارش حسب ذیل ہے۔

- 1- یہ کہ من سال نے O/O Leave Encashment Grant ڈسٹرکٹ ایجوکیشن آفیسر سب ڈویژن درازندہ ڈیرہ اسماعیل خان کے خلاف مذکورہ بالا شکایت آنجناب کو درج کرائی تھی۔
- 2- یہ کہ 21-06-2021 کو سب ڈویژن آفیسر درازندہ ڈیرہ اسماعیل خان نے آنجناب کے احکامات کی روشنی میں میرے اکاؤنٹ کو مبلغ 2 لاکھ 41 ہزار روپے Leave Encashment کی مد میں جاری کر دیئے ہیں۔

لہذا من سائل کی وادری ہو چکی ہے۔ مزید محکمہ تعلیم کے خلاف کارروائی نہ کی جائے۔

نوازش ہوگی۔

العارض

Ex - PST برکت اللہ خان

شناختی کارڈ نمبر 1120127713293

موبائل نمبر 03129510641

محترم جناب پروانہ قصبہ غیر ملکی اگرواں کسٹیاں
 عنقریب: ازمبار کسٹیاں
 حوالہ کیلیٹ 139/20
 جناب داد!



خود با بن گذارشی کیا آ ہے کہ سائل آئیجی عدالت میں
 IMA آرکاء خلاف آئی ڈی ڈی اے ڈی اے ڈی اے ڈی اے
 آئیجی عدالت میں عدالت میں عدالت میں عدالت میں
 آئیجی IMA آرکاء میں کسی قسم کا اشتراک نہیں ہے
 میں آئیجی عدالت میں عدالت میں عدالت میں
 میں آئیجی عدالت میں عدالت میں عدالت میں

الکافی

الکافی
 0336-4751618



PRESS CLIPPING







مختسب خیبر پختونخوا سید جمال الدین جائزہ اجلاس کی صدارت کر رہے ہیں



صوبائی مختسب خیبر پختونخوا سید جمال الدین شاہ مختسب سیکرٹریٹ کی جائزہ اجلاس کی صدارت کر رہے ہیں

سال 2021، صوبائی محتسب کو 1729
شکایات موصول، 1337 کونٹا دیا گیا

پشاور (سٹاف رپورٹر) صوبائی محتسب خیبر
پختونخوا کا جائزہ اجلاس سید جمال الدین کی زیر
صدارت منعقد ہوا، اجلاس (باقی صفحہ 7 نمبر 25)

25
محتسب

میں سال 2021 کے دوران وصول ہونے والی
شکایات کے ازالے، خدمات کی فراہمی، اہداف
کے حصول اور دیگر امور کے حوالے سے ہونے والی
پیش رفت کا جائزہ لیا گیا، ڈائریکٹر جنرل کنٹریمنٹ
نے محتسب کو تفصیلی بریفنگ دیتے ہوئے بتایا کہ
ادارے کو موصول ہونے والی 1729 شکایات میں
سے 1337 شکایات کونٹا دیا گیا جبکہ قلیل تعداد میں
رہ جانے والی 392 شکایات پر تحقیقات جاری ہیں اور
جلد ہی ان کو بھی نمٹا دیا جائیگا۔

1337 complaint disposed

PESHAWAR (APP): Ombudsman Khyber Pakhtunkhwa Syed Jamaludeen Shah Monday reviewed the performance of the ombudsman during the year 2021 and expressed satisfaction on the overall performance.

DG Kaneez Sughra while briefing the KP Ombudsman said that during the year 2021 the ombudsman received a total 1729 complaints out of which 1337 were disposed of despite shortage of investigation staff. She said that only 392 were under investigation.

پریگات

5 اشاعت خاص




صوبائی مہتمب

عوام کو مفت اور سستا انصاف کی فراہمی میں 90 فیصد کامیابی حاصل کر لی، صوبائی مہتمب سید جمال الدین شاہ

صوبائی مہتمب کی مہم جاتی ادارے، جنرل 2011 میں قائم ہوا صوبائی مہتمب کا راجہ اور بہت کم کر ڈروپے اور سستا سے زیادہ اعلیٰ قیمتوں کے لئے (ریٹائرڈ) اور اعلیٰ سالہ ملازمین کے 25 فیصد مزید کامز سے دوران (1999) اور اعلیٰ ملازمین کے بچوں کے روپوں پر عمل آوری اور اعلیٰ سالہ کے 47 فیصد سے زیادہ کے لئے



صوبائی مہتمب کی مہم جاتی ادارے، جنرل 2011 میں قائم ہوا صوبائی مہتمب کا راجہ اور بہت کم کر ڈروپے اور سستا سے زیادہ اعلیٰ قیمتوں کے لئے (ریٹائرڈ) اور اعلیٰ سالہ ملازمین کے 25 فیصد مزید کامز سے دوران (1999) اور اعلیٰ ملازمین کے بچوں کے روپوں پر عمل آوری اور اعلیٰ سالہ کے 47 فیصد سے زیادہ کے لئے




تعارف

صوبائی مہتمب کی مہم جاتی ادارے، جنرل 2011 میں قائم ہوا صوبائی مہتمب کا راجہ اور بہت کم کر ڈروپے اور سستا سے زیادہ اعلیٰ قیمتوں کے لئے (ریٹائرڈ) اور اعلیٰ سالہ ملازمین کے 25 فیصد مزید کامز سے دوران (1999) اور اعلیٰ ملازمین کے بچوں کے روپوں پر عمل آوری اور اعلیٰ سالہ کے 47 فیصد سے زیادہ کے لئے

صوبائی مہتمب اس مقدمہ کیلئے اور پرنسپل کے ساتھ ساتھ

فہم شدہ اطلاع (مہتمب کے) شمالی و جنوبی اطلاع سمیت

مہتمب، ہاجرہ، ہجر ال کوہستان میں بھی آگاہی مہم چلائی گئی





صوبائی مہتمب کی مہم جاتی ادارے، جنرل 2011 میں قائم ہوا صوبائی مہتمب کا راجہ اور بہت کم کر ڈروپے اور سستا سے زیادہ اعلیٰ قیمتوں کے لئے (ریٹائرڈ) اور اعلیٰ سالہ ملازمین کے 25 فیصد مزید کامز سے دوران (1999) اور اعلیٰ ملازمین کے بچوں کے روپوں پر عمل آوری اور اعلیٰ سالہ کے 47 فیصد سے زیادہ کے لئے

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مختص کی سفارشات پر عمل درآمد نہ ہوسکا حکومت نے وقت مانگ لیا

آئندہ اجلاس میں زیر التواء سفارشات پر مشتمل مکمل اور تفصیلی پریزنٹیشن پیش کرنے کی ہدایت

پشاور (خبرنگار خصوصی) صوبائی محاسب کی جانب سے سرکاری محکموں نے صوبائی محاسب کی زیر التواء محاسب کی جانب سے مختلف سرکاری محکموں کو سفارشات پر عمل درآمد نہ ہوسکا، جبکہ بعض لئے مزید وقت مانگ لیا ہے یہ بات صوبائی ہونے کے حوالے (باقی صفحہ 10 بقیہ نمبر 5)

بقیہ نمبر 5 محاسب

سے بنائی گئی کمیٹی کے اجلاس میں سامنے آئی ہے سیکرٹری قانون کی سربراہی میں قائم کمیٹی کے اجلاس کے جاری ہونے والے منٹس کے مطابق اجلاس میں مختلف سرکاری محکموں کے نمائندوں نے موقف اختیار کیا کہ انہیں صوبائی محاسب کی سفارشات کو کھوج لگانے اور اس حوالے سے اپنی رائے دینے کیلئے مزید وقت دیا جائے، سیکرٹری قانون نے اجلاس میں محکمہ داخلہ اور ایچ ایچ آف پلاننگ انسٹی ٹیوٹ کے نمائندہ کی عدم شرکت پر برہمی کا اظہار کرتے ہوئے کیا آئندہ اجلاس میں تمام متعلقہ محکموں کے نمائندوں کو اپنی شرکت یعنی بنانے کی ہدایت کی۔

خیبر پختونخوا محاسب کا سائل کو فوٹ شدہ ملازمین کے کوٹے میں بھرتی کرینا حکم
 سید عبدالرشید شاہ نے فوٹ شدہ کوٹے کے تحت بھرتی ہونے کیلئے شکایت جمع کروائی تھی
 پشاور (جنگ ریز) محاسب خیبر پختونخوا کو سید
 عبدالرشید شاہ ولد سید بادشاہ نے فوٹ شدہ ملازمین
 کے کوٹے کے تحت بھرتی ہونے کے حوالے سے
 اپنی شکایت جمع کروائی تھی جس پر محاسب نے حقدار
 کو اس کا حق دلانے کے لئے کارروائی کرتے ہوئے
 سید عبدالرشید شاہ ولد سید بادشاہ کو فوٹ شدہ ملازمین کے
 کوٹے پر تعیناتی کے احکامات جاری کیے۔ سو بائی
 بائی صفحہ 4 نمبر 16

بھرتی کرینا حکم 16

محاسب کے دفتر سے جاری کردہ بیان کے مطابق
 محاسب کی سفارشات کی روشنی میں حقدار محکمہ اور اس
 فارم سے ڈیپارٹمنٹ آف ایجوکیشن پشاور
 سرکل نے شکایت کنندہ کو فارم سے گارڈ ای لی ایس
 B- بھرتی کر لیا ہے۔ شکایت کنندہ نے نوٹری اسٹاف
 کی فراہمی اور ایڈجسٹمنٹ سے پر محاسب اور حکومت
 خیبر پختونخوا دونوں کا شکریہ ادا کیا ہے۔

Ombudsman recommends provision of job to woman

PESHAWAR (APP): Ombudsman Khyber Pakhtunkhwa has recommended for provision of job to a woman in education sector.

According to details, Azra, lodged a complaint to Ombudsman Khyber Pakhtunkhwa, that her husband retired on medical grounds from education department and her daughter applied for appointment against the quota reserved for diseased and invalidated employees adding that the application for appointment of her daughter was not accepted.

During the course of proceedings, the DEO following the directions of the Ombudsman appointed daughter of the complainant as PST Teacher (BPS-12) against the quota reserved by the provincial government.

The complainant paid gratitude to the provincial government for establishing Ombudsman office for poor aggrieved people, for providing free of cost justice and speedy disposal of her case.

مختب خیبر پختونخوا نے خاتون کو ٹیچر بھرتی کروادیا

صوابی کی عدرا نے سن کوٹے کے تحت درخواست دی تھی

پشاور (بیورو رپورٹ) حکومت خیبر پختونخوا نے | اورہ قائم کیا ہے جو حق داروں کو ان کا حق دلانے،
عوامی شکایات کے فوری ازالے کے لیے مختب کا | عوام کی شکایات کا ازالہ (باقی صفحہ 6 جیہ نمبر 57)

57 | **مختب** | **اوصاف**

کرنے اور سامین کی دادرسی میں بھرپور سرگرم مل
ہے اور اس حوالے سے ابھی تک قابل قدر اقدامت
اٹھاتے ہوئے اتعداد شکایت کنندہ گان کی دادرسی
ہوئی ہے۔ اس سلسلے میں حالیہ عوامی شکایات میں
صوابی سے تعلق رکھنے والی عدرا نے بھی مختب خیبر
پختونخواہ کو شکایت درج کروائی کہ اس کے شوہر ملکہ
تعلیم سے طبی بنیاد پر ریٹائرڈ ہوئے ہیں، اس کے
باوجود کہ 100 فیصد کوٹہ ایسے ملازمین کے بچوں کے
لیے مختص ہے مگر اس کی بنیاد کی تقرری کی درخواست
قبول نہیں کی گئی۔ مختب ادارہ نے اپنی تحقیقات کے
بعد سامانہ کی درخواست پر احکامات جاری کئے اس
طرح شکایت کنندہ کی بنیاد کو پی ایس ٹی نمبر 12
BPS- تعینات کروایا گیا جس پر شکایت کنندہ نے
ملت اور فوری انصاف فراہم کرنے پر مختب اور
حکومت خیبر پختونخواہ کا شکریہ ادا کیا

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