

Assembly Question No.303

From: Malik Badshah Saleh, Member Provincial Assembly

Sr.No	Questions	Answers
(A)	Is it correct that in Tehsil Kalkot, Union Council Patrak, District Dir Upper, 165 shops and a hay conditioner were demolished alongwith 80 years old walnut trees were cut down by the then Assistant Commissioner. He committed this act due to non-payment of bribe?	It is submitted that on 29-12-2017 at Patrak during Kuli Katchary, the people of Patrak raised objections and stated that shops and houses have been constructed over Qumi graveyard in violation of the order of Supreme Court of Pakistan and is insult to the graves. Accordingly, Assistant Commissioner Sheringal issued notices regarding removal of encroachment over the graveyard and encroachments were removed. Some shopkeepers approached the Civil Court and after finalization/decision in the case, further action against the encroacher shall be taken. So far the question of walnut trees of about 80 years is concerned no such trees was cut down during Anti-encroachment operation, however some newly planted trees fell down during operation.
(B)	Is it correct that Mr. Tanwir Ahmad withdrew the amount of Rs.16 lacs, 50 thousands from Shahuda Package and deposited the said amount on 06-10-2017 under public pressure?	It is submitted that Mr. Shehzad-ur-Rahman Assistant office of the Assistant Commissioner Sheringal withdrawn compensation amount to the tune of Rs.15,46,245/- on the bogus signature of Assistant Commissioner Sheringal. Assistant Commissioner Sheringal reported the matter and accordingly inquiry was conducted and on recommendation of inquiry report, Shehzad-ur-Rahman Assistant was removed from Service and the amount withdrawn by Shehzad-ur-Rahman Assistant on bogus signature was deposited in official Account of Assistant Commissioner Sheringal. There is no role of Assistant Commissioner Sheringal in the amount withdrawn by Assistant Shehzad-ur-Rahman. Assistant Shehzad-ur-Rahman was wholly solely responsible for the same upon which he was removed from service (copies enclosed).
(C)	If the reply of (A) & (B) is affirmative then Government has any intention to punish the responsible person(s) and make reparations to demolished shops, hey conditioner and walnut trees. Hence details may be provided.	No need to answer this as above answers are negative.

سوال نمبر: 303

منجانب: ملک بادشاہ صالح صاحب، رکن صوبائی اسمبلی

نمبر شمار	سوال	جواب
الف	آیا یہ درست ہے کہ پاتراک تحصیل کلکوٹ میں 165 دکانیں اور ایک چرائی مشین مسمار کئے گئے اور 80 سالہ پرانے اخروٹ کے درخت بھی کاٹے گئے ہیں جو کہ اُس وقت کے اسٹنٹ کمشنر نے رشوت نہ دینے کی صورت میں یہ اقدام اٹھایا؟	جز الف کے متعلق عرض ہے۔ کہ بمورخہ 29/12/2017 کو بمقام پاتراک کھلی کچھری میں علاقہ پاتراک کے لوگوں نے اعتراض کیا تھا۔ کہ قومی مقبرہ پر دکانات اور گھر تعمیر کئے گئے ہیں جو سپریم کورٹ کے آرڈر کی خلاف ورزی ہے اور قبروں کی توہین ہیں۔ جس پر اسٹنٹ کمشنر نے باقاعدہ نوٹسز جاری کرنے کے بعد تجاویزات مسمار کی تھیں۔ اس میں کچھ دکانداروں نے عدالت سے رجوع کیا تھا اور عدالتی کیس ختم ہونے کے بعد تجاویزات کے متعلق کارروائی کی جائی گی۔ جہاں تک 80 سالہ پرانے اخروٹ کے درخت کے کاٹنے کا سوال ہے تو اس قسم کے کوئی درخت اپریشن کے دوران نہیں کاٹے گئے ہیں۔ صرف کچھ نئے لگائے گئے درخت اپریشن کے دوران گر گئے تھے۔
ب	آیا یہ درست ہے کہ مذکورہ اسٹنٹ کمشنر (تنویر) نے شہداء پٹیج کی واجب الادا رقم سے 16 لاکھ 50 ہزار نکالے تھے جو کہ عوامی دباؤ آنے کے بعد 06/10/2017 کو واپس جمع کی گئے؟	جز (ب) کے متعلق عرض ہے۔ کہ شہزاد الرحمن اسٹنٹ AC آفس شرینگل نے اسٹنٹ کمشنر شرینگل کے بوگس دستخط کر کے -/15,46,245 روپے بابت مختلف معاوضات سرکاری اکاؤنٹ سے جعلی دستخط کے ذریعے نکالے تھے۔ اسٹنٹ کمشنر شرینگل نے جسکی باقاعدہ رپورٹ کی تھی اور اس پر انکو آئری مقرر ہوئی اور انکو آئری رپورٹ کے بعد شہزاد الرحمن اسٹنٹ کو نوکری سے برخاست کیا گیا تھا۔ اور رقم جو شہزاد الرحمن اسٹنٹ نے جعلی دستخط کے ذریعے نکالی تھی، واپس جمع کی تھی۔ متعلقہ رقم کے بارے میں اسٹنٹ کمشنر شرینگل کا کوئی غلط رول نہیں۔ سارا معاملہ اسٹنٹ شہزاد الرحمن کا چایا ہوا تھا۔ جس کے نتیجہ میں اُس کو نوکری سے برخاست کیا گیا ہے۔ نقل کاغذات لف ہیں۔
ج	اگر (ا) اور (ب) کے جوابات اثبات میں ہوں تو حکومت ذمہ دار اہلکار کو سزا دینے اور تباہ شدہ دکانیں، چرائی مشین اور اخروٹ کے درختوں کا معاوضہ دینے کا ارادہ رکھتی ہے تفصیل فراہم کی جائے۔	چونکہ (ا) اور (ب) کے جوابات اثبات میں نہیں ہیں اس لیے اس سوال کا جواب نہیں دیا گیا۔



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**OFFICE OF THE,
COMMANDANT DIR LEVIES/
DEPUTY COMMISSIONER**

DIR UPPER

No. _____/DC/Estt./LHC
Dated Upper Dir the 23/01/2018
Email address (dcdirupper@gmail.com)

OFFICE ORDER.

Whereas, the Additional Assistant Commissioner Sheringal reported vide his letter No. 199/AAC/Shr: dated 27/09/2017, that Sub Divisional Levy Officer Sheringal namely Hussan Zada had illegally sold "case property" i.e 09 number illegal scants taken in possession by Levy Post Patrak and also pilfered 01 sack of "Dandasa" confiscated by Levies which was to be handed over to Divisional Forest Officer Sheringal without bringing the same into the notice of the Additional Assistant Commissioner Sheringal. To probe into the matter the Additional Deputy Commissioner Dir Upper was nominated as inquiry officer to conduct proper inquiry against the Levy subedar under the provision of levy Rules-2013. Accordingly the inquiry officer/Additional Deputy Commissioner Dir Upper conducted proper inquiry into the matter and submitted his report/recommendations vide letter No. 22110/ADC/Reader dated 19-10-2017 and recommended that the Sub Divisional Levy Officer Sheringal is innocent and the disciplinary proceedings against him may be withdrawn while Mr. Shahzad-ur-Rahman Assistant is the actual guilty of the offence and he has actually sold out the case property and major penalty may be imposed upon Mr. Shahzad ur Rahman Assistant under the relevant Rules.

Whereas, in the meanwhile the Assistant Commissioner Sheringal reported vide letter No. 400/AC/Shr: dated 06-10-2017, that Mr. Shahzad ur Rahman Assistant/Reader to AC Sheringal has embezzled the Government compensation amounting to Rs. (300000/-, 1106245/- & 140000/- total = 1546245) from the Assistant Commissioner Sheringal Account at Khyber Bank Dir Branch which was to be paid to the legal heirs of the deceased persons under relief compensation head. He reported that Mr. Shehzada-ur-Rahman Assistant flew away with amount which was later on recovered from him and he has given an affidavit confessing the embezzlement and receiving the embezzled amount. Further reported that the accused official has also embezzled the amount recovered as fine under various heads i.e price checking, traffic, narcotics etc for the month of September 2017. The Assistant Commissioner also reported vide No. 448/AC/Shr: dated 03-11-2017 and No. 29/AC/Shr; dated 10/01/2018, that Mr. Shahzad ur Rahman Assistant has remained absent from his duty since October 2017 without any prior permission of the competent authority.

Whereas, owing to the reason above, Mr. Faheed Ullah Khan Additional Assistant Commissioner (R) Dir Upper was appointed as inquiry officer vide this office order No. 21937-39/DC/Estt/15 (Exp.) dated 18-10-2017, to conduct fact

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finding inquiry into the matter and submit report/recommendations within 02 weeks time positively. Statement of allegations was also served upon the accused official vide this office letter No. 21942-43/DC/Estt:(Exp:) dated 18-10-2017. After conducting fact finding inquiry, inquiry officer submitted his report/recommendations vide his letter No. 338/AAC(R) dated 16-11-2017, stating therein that all the allegations leveled against the official concerned have been proved and recommended that major penalty of "Removal from Service" may be imposed against Mr. Shahzad ur Rahman Assistant under the Rules.

Whereas, the defaulting official was given a show cause notice in light of the report/recommendations of the enquiry officers vide this office endst: No. 25146/DC/Estt:/LHC dated 22/11/2017, to show cause as to why his service should not be laid off and to appoint another responsible official but the reply of the accused official to show cause notice dated 27/11/2017 was not convincing, therefore, the accused official was also called for personal hearing on 06/12/2017 and 19/12/2017 followed by a notice through print media (Daily Mashriq) dated 30/12/2017 but he did not turned up for personal hearing nor submitted any written reply and continuously remained absent from his duty.

Whereas, previous record of the accused official also reveals that he is involved in illegal practices/financial irregularities from time to time such as due to his involvement salaries of such levy officials was withdrawn from the head of Federal Levies Dir Upper who were abroad for earning livelihood as well as he embezzled the annual fund of Federal Levies Dir Upper, resultantly the Anti Corruption Department Dir Upper lodged FIR against him but on the basis of plea bargain the accused official paid an amount of Rs. 6000000/- (approximately) to the Anti Corruption Department and the case against him has been closed. Moreover, he has also applied for a scheme in the CDLD Project Dir Upper which was approved and he got the first installment, draw the money and instead of starting the work he flew away with the fund and FIR was registered against him. It is worthwhile to mention here that the official concerned is also not taking interest in his legitimate duties and always remained absent without any prior permission of the competent authority due to which explanation, show cause notice followed by a notice through print media (Daily Mashriq) have been issued against him but on humanitarian grounds he was forgiven several times without taking any stern action.

Whereas, the general public has informed that he is involved in such criminal activities as gambling etc which always propel him to financial impropriety. He being senior official is using the name of District Administration and thus cheating public by getting loans and then disappearing. Keeping him in service is tantamount to helping him cheat the general public.

Whereas, it has been proved through Enquires that Mr. Shehzad-ur-Rehman Assistant is guilty of selling case property, embezzlement of compensation

amount of poor people and then the same being recovered from him, recoveries, misappropriation of government dues recovered through fines, cheating public at large by using his employment in Deputy Commissioner Office Dir Upper, and whereas the undersigned being Commandant of Federal Levies is the Competent Authority for all type of recruitment and removal in Federal Levies, do hereby impose major penalty of "Removal from service" upon Mr. Shehzad-ur-Rehman Assistant (Federal Levy) with immediate effect.

YKCU
**Commandant Dir Levies/
Deputy Commissioner
Dir Upper**

No. 2132-37 /DC/LHC/Estt./Removal/Shahzad Assistant
Copy forwarded to the:-

- 1) Secretary Home and Tribal Affairs Department Khyber Pakhtunkhwa Peshawar.
- 2) Commissioner Malakand Division Saidu Sharif Swat.
- 3) All Assistant Commissioners in Dir Upper.

For information.

- 4) District Accounts Officer Dir Upper.
- 5) LHC Local Officer.

For necessary action

- 6) Mr. Shahzad ur Rahman (Assistant) s/o Rahmat Karim r/o Kass Dir Tehsil Dir District Dir Upper for information.

YKCU
**Commandant Dir Levies/
Deputy Commissioner
Dir Upper**