

06th July, 2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional AG for respondents present.

Respondents have not submitted written reply/comments. Learned AAG seeks time for submission of written reply/comments. Adjourned. To come up for written reply/comments on 08.09.2022 before S.B.






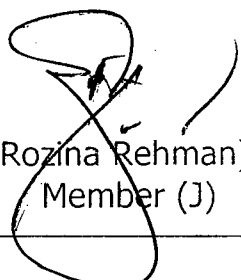
(Kalim Arshad Khan)
Chairman


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7898/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/12/2021	<p>The appeal of Mr. Abdul Sattar resubmitted today by Mr. Zartaj Anwar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	11.02.2022	<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>11/02/22</u>.</p> <p> CHAIRMAN</p>
	27.04.2021	<p>Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 27.04.2022 for the same as before.</p> <p> Reader</p>
		<p>Appellant present through counsel. Preliminary arguments heard. Record perused.</p> <p>Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments. To come up for reply/comments on 06.07.2022 before S.B.</p> <p> (Rozina Rehman) Member (J)</p>

RS: 1900/-
Appellant Deposited
Security & Process Fee

28/4/22

The appeal of Mr. Abdul Sattar son of Nisar Muhammad Forest Ranger Forest department Peshawar received today i.e. on 10.12.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Addresses of respondent no. 4 to 17 are incomplete which may be completed according to Khyber Pakhtunkhwa Service Tribunal Rules, 1974.

No. 2467 /S.T,


Dt. 10/12 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zartaj Anwar Adv. Pesh.

Sib

Addresses of Respondent No 4 to 17 is
Complete According to Law Please put
to the court


Secty
21/12/2021

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: Abdul Samad vs Peshawar

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: <u>Ziaj Malik AG</u>		
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?		✓
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	✓	
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On	✓	
26	Whether copies of comments/reply/rejoinder submitted? On	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Ziaj Malik

Signature: [Signature]

Dated: 19/12/20

BEFORE THE KHYBER PAKHTUNKHWA
SERFVICE TRIBUNAL PESHAWAR

Appeal No. 7898/2021

Abdul Sattar S/O Nisar Muhammad Forest Ranger BPS-16
Forestry, Environment & Wildlife Department, Civil Secretariat
Peshawar. (Appellant)

VERSUS

The Province of Khyber Pakhtunkhwa through Chief Secretary,
Civil Secretariat, Peshawar and others.

(Respondents)

INDEX

S. No	Description of Documents	Annexure	Page No
	Memo of Appeal and Affidavit		1-6
1.	Copy of the recommendation letter dated 21.07.2021	A	7
2.	Copy of the appointment order dated 13.01.2020	B	8-9
3.	Copy of the tentative seniority list	C	10-11
4.	Copy of the Final Seniority list	D	12-14
5.	Copy of the departmental appeal and rejection order dated 17.11.2021	E	15-16
6.	Other Documents		17-26
7.	Vakalatnama		27

Through

Applicant



Zartaj Anwar

Advocate High Court

Office FR, 3-4 Forth

Floor Bilour Plaza

Peshawar Cantt.

Cell: 0331-9399185

Email: Zartaj9@yahoo.com

15. Mir Afzal (Forest Ranger BPS-16) SDFO Hangu, Divisional Forest Officer Kohat.
16. Wasil Khan (Forest Ranger BPS-16) RFO Batkhela, Divisional Forest Officer Malakand.
17. Muqaid Khan (Forest Ranger BPS-16) SDFO Timergra, Divisional Forest Officer Lower Dir.

(Respondents)

Appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, For correction of Final seniority list of Forest Ranger BPS-16 dated 09.09.2021 as per Merit Assigned by Khyber Pakhtunkhwa Public Service Commission, against which the appellant filed departmental appeal on 17.09.2021, which was turndown/rejected by the respondents vide rejection order dated 17.11.2021.

Prayer in Appeal:

On acceptance of this appeal, the seniority list of the Forest Ranger BPS-16, may please be corrected and the appellant may be placed at proper place of the seniority list According to the merit Assigned by the Khyber Pakhtunkhwa Public Service Commission by bringing his name at par with his batch mates, being ignored and discriminated by the respondent department in violation of Law & Rules and against the secured fundamental rights of the appellant, the appellant may also be allowed all back/consequential benefits. OR any remedy deems just and proper may also be allowed in favor of the appellant.

Respectfully Submitted:

- 1) That Khyber Pakhtunkhwa Public Service Commission advertised various posts including the posts of Forest Ranger BPS-16, being fit and eligible in all respect the appellant duly applied.

- 2) That after gone all the rigors of the selection process the appellant was recommended for the post of Forest Ranger BPS-16, vide dated 21.07.2017, and the inter se seniority list was also issued by the Khyber Pakhtunkhwa Public Service Commission, where the appellant stood at serial No 5. ***(Copy of the recommendation letter dated 21.07.2021 is attached as annexure A).***
- 3) That on the recommendation of the Khyber Pakhtunkhwa Public Service Commission, the respondent department nominated the appellant for mandatory Training, and after completion of training successfully the appellant was appointed on the post of Forest Ranger BPS-16 vide office order dated 13.01.2020. ***(Copy of the appointment order dated 13.01.2020 is attached as annexure B).***
- 4) That since his appointment the appellant is performing his duties with great zeal and devotion and to the entire satisfaction of his superiors without any complaint whatsoever regarding his performance.
- 5) That the respondent department for the first time issued/circulated the Tentative seniority list of the Forest Ranger BPS-16, where the name of the appellant was place at serial No 24 instead of serial No 10 being aggrieved the appellant submitted an application and raised objection on the tentative seniority list. ***(Copy of the tentative seniority list is attached as annexure C).***
- 6) That thereafter the respondent department issued/Circulated a Final Seniority list and turn deaf ear to the objection of the appellant and placed the name of the appellant at serial no 24 instead of serial no 10, and ignoring the inter se seniority issued by the Khyber Pakhtunkhwa Public Service Commission. ***(Copy of the Final Seniority list is attached as annexure D).***
- 7) That being aggrieved from the final seniority list issued/circulated by the respondent department the appellant filed a departmental appeal before the competent authority vide dated 17.09.2021, which was rejected by the respondent department vide rejection order dated 17.11.2021. ***(Copy of the departmental appeal and rejection order dated 17.11.2021 is attached as annexure E).***
- 8) That the appellant prays for the acceptance of the instant appeal inter alia on the following grounds:
- 9)

- J. That the conduct of the respondents is apparently tainted with malice, malafide and bias, similarly favoritism, nepotism & political interference prevailed in the process of seniority, thus the seniority list so prepared is illegal unlawful violative upon the rights of the appellant..
- K. That not considering appellant on his due place of seniority from his due date/initial and delay/inaction on the part of respondents is against the law, facts, norms of justice and material on record and also against the principle fair play and equity.
- L. That the appellant has not been treated as per notified gazetted rules by the respondents which deprived the appellant from his due right of seniority according to the rules.
- M. That the state is bound to ensure the elimination of all forms of exploitation and the gradual fulfillment of the fundamental principles. It is also the duties of the state to remove disparity in the income and earning of individuals under Article 37 & 38 of the Constitution.
- N. That inaction on the part of respondents is adversely affecting the Appellants service career; hence the proprietary demands that the Appellants should be place his due place of seniority, i.e. at serial No 10 in the final seniority list.
- O. That the appellant seeks the permission of this honourable Court to rely on additional grounds at the hearing of this petition.

It is, therefore, prayed that On acceptance of this appeal the seniority list of the Forest RangersBPS-16 , may please be corrected and the appellant may be placed at proper place of the seniority list According to the merit Assigned by the Khyber Pakhtunkhwa Public Service Commission by bringing his name at par with his batch mates, being ignored and discriminated by the respondent department in violation of

Law & Rules and against the secured fundamental rights of the appellant, the appellant may also be allowed all back/consequential benefits. OR any remedy deems just and proper may also be allowed in favor of the appellant.

S
HABIB
Appellant

Through

Zartaj Anwar

ZARTAJ ANWAR

Advocate Peshawar

&

IMRAN KHAN

Advocate Peshawar

AFFIDAVIT

I, Abdul Sattar S/O Nisar Muhammad Forest Ranger BPS-16 Forestry, Environment & Wildlife Department, Civil Secretariat Peshawar, do hereby solemnly affirm and declare on oath that the contents of the above appeal are true and correct and that nothing has been kept back or concealed from this Honourable Court.

Abdul Sattar
21-12-21

SEAL: HONOURABLE JUDGE, CIVIL COURT, PESHAWAR
ATTORNEY AT LAW, PESHAWAR

S
HABIB
Deponent

CONFIDENTIAL

991-9213551

Website: www.kppsc.gov.pk

**KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION
2-Fort Road, Peshawar Cantt.**

No. PSC/SR-IV/F-04/2017

Dated: 21-7-2017



To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Forestry, Environment & Wildlife Department.

Environment Department
Govt. of Khyber Pakhtunkhwa

Dated: 21-7-2017

Subject:

**RECRUITMENT TO NINE (09) POSTS OF FOREST RANGER (BPS-16) IN OFFICE OF CHIEF
CONSERVATOR OF FOREST (ENVIRONMENT DEPARTMENT) (ADVT: NO.01/2016, S.NO.06).**

Dear Sir,

I am directed to refer to your letter No. SO (Estt)FE&WD/1-6/2k14-3685 dated 07.10.2015 on the subject noted above and to state that the Commission recommends the following candidates to the Government for appointment against the subject cited posts: -

1ST BLOCK

Vacancy Rotation	Allocation	Merit Order	Name with father's Name	District / Zone
8 th	Zone-1	05	Abdus Sattar S/O Nisar Muhammad	Moh:Agy/1
9 th	Merit	01	Sharif Ullah S/O Ghani Rehman	Swat/3
10 th	Zone-2	02	Zohaib Hassan S/O Qur Hassan Khan	Mardan/2
11 th	Zone-3	12	Muhammad Sajjad S/O Muhammad Pervaiz	Malakand/3
12 th	Zone-4	07	Junaid Alam S/O Farid Ullah Shah	Karak/4
13 th	Merit	03	Muhammad Junaid S/O Hazrat Meer	Charsadda/2
14 th	Zone-5	10	Junaid Nazir S/O Muhammad Nazir	Mansehra/5
15 th	Zone-1	06	Umar Khitab S/O Ajmal Khan	S.W Agy/1
16 th	Zone-2	04	Haseeb Arshad S/O Muhammad Arshad	Nowshera/2

2 Recommendation in favour of the recommendees is provisional subject to their medical fitness and verification of all the documents / testimonials by the Department.

3. Upto date zonal state is as under:

	Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	Total
Share	04	03	03	02	02	02	16
Adjusted	04	03	03	02	02	02	16
Balance	—	—	—	—	—	—	Nil

4 Inter se seniority of the above recommendees is as under:

Inter-se seniority No.	Name with Father's Name	Domicile
1.	Sharif Ullah S/O Ghani Rehman	Swat/3
2.	Zohaib Hassan S/O Qur Hassan Khan	Mardan/2
3.	Muhammad Junaid S/O Hazrat Meer	Charsadda/2
4.	Haseeb Arshad S/O Muhammad Arshad	Nowshera/2
5.	Abdus Sattar S/O Nisar Muhammad	Moh:Agy/1
6.	Umar Khitab S/O Ajmal Khan	S.W Agy/1
7.	Junaid Alam S/O Farid Ullah Shah	Karak/4
10.	Junaid Nazir S/O Muhammad Nazir	Mansehra/5
12.	Muhammad Sajjad S/O Muhammad Pervaiz	Malakand/3

5 Original applications (with enclosures) of the above nine (09) recommendees are enclosed herewith for your record.

6 Kindly acknowledge receipt the same.

Yours faithfully,

Encl: As above.

(GHUAM DASTAGIR AHMADI)

348

94147

3922

P-149/c

866
28-7-2017

Handwritten signatures and dates: 20/8/17, 25/7/17

OFFICE ORDER NO 90 DATED PESHAWAR THE 13 /01/2020 ISSUED BY
ALI GAUHER KHAN CHIEF CONSERVATOR OF FORESTS CENTRAL SOUTHERN FOREST
REGION-I KHYBER PAKHTUNKHWA PESHAWAR

8 'Approved' B 55

On the recommendations of Khyber Pakhtunkhwa Public Service Commission and successfully completing their training leading to B.Sc. Degree in Forestry, the following candidates are hereby appointed as Forest Rangers (BPS-16) (Rs.18910-1520-64510) in the Khyber Pakhtunkhwa Forest Department subject to the terms and conditions as given here under:-

S.No.	Name with Father's Name
1.	Mr. Abdus Sattar S/O Nisar Muhammad Village Shahi Payan Post Office Shahi Bala District Peshawar
2.	Mr. Junaid Nazir S/O Muhammad Nazir Mohallah Lohar Banda District Mansehra.

Terms & Conditions

- They will get pay at the minimum of BPS-16 including usual allowances as admissible under the rules. They will also be entitled to annual increment as per existing policy;
- They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, all other laws applicable to the Civil Servants and the rules made there-under;
- They shall, initially, be on probation for a period of one year extendable for further one year.
- Their services shall be liable to termination at any time without assigning any reasons thereof before the expiry of the period of probation/extended period of probation, if their performance during this period is not found satisfactory, in such an event.
- In case they wish to resign at any time, fourteen days prior notice shall be necessary or in lieu thereof, fourteen days pay shall be forfeited.
- They shall not be entitled to any TA/DA on their first appointment as Forest Rangers (BPS-16).
- They shall undergo field training for a period of six months as per Forest Manual.
- Their inter-se-seniority should be determined in the light of the merit order drawn by the Khyber Pakhtunkhwa Public Service Commission.

If the above terms and conditions are acceptable to them, they should submit arrival report to the Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar, for duty within 14 days of issuance of this order.

Consequent upon above, the competent authority is further pleased to order their attachment/field training for post college training as noted against each hereunder for a period of six months.

S.#.	Name of Forest Ranger	From	Palace of attachment for field training
1.	Mr. Abdus Sattar	On arrival/joining Forest Department	Peshawar Forest Division at Newshera
2.	Mr. Junaid Nazir	On arrival/joining Forest Department	Swat Forest Division

Sd/-

(A.G. Khan)

Chief Conservator of Forests
Central Southern Forest Region-I
Khyber Pakhtunkhwa Peshawar

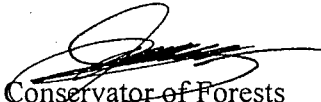
No.

2953-61

/E,

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II, Abbottabad.
2. Chief Conservator of Forests Malakand Forest Region-III, Saidu Sharif Swat.
3. Conservator of Forest Southern Circle Peshawar.
4. Director Budget & Accounts Government of Khyber Pakhtunkhwa Forestry, Environment and Wildlife Department Peshawar.
5. Section Officer (Establishment) Government of Khyber Pakhtunkhwa Forestry, Environment and Wildlife Department Peshawar.
6. Divisional Forest Officer Peshawar Forest Division Nowshera.
7. Divisional Forest Officer Swat Forest Division Swat.
8. Concerned Forest Rangers.
- ✓ 9. Personal file of concerned Forest Rangers.


Chief Conservator of Forests
Central Southern Forest Region-I
Khyber Pakhtunkhwa Peshawar

FOREST DEPARTMENT

Annex C

NOTIFICATION

in pursuance of Section 8 (I) of the Khyber Pakhtunkhwa Civil Servants Act, 1973, read with rule-17 Civil Servants (Appointment, Promotion and Transfer) rules, 1989, the competent authority is pleased to notify/circulate tentative seniority list of Forest Rangers (BPS-16) Khyber Pakhtunkhwa Forest Department as it stood on 30/06/2021 for general information.

10

TENTATIVE SENIORITY LIST OF FOREST RANGERS (BPS- 16) KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT STOOD ON 30/06/2021.

S.#	Name of officer	Academic Qualification	Date of Birth	Domicile	Date of first entry in to service	Regular appointment/ promotion to the present post			Present appointment with date	Remarks	Place of posting
						Date	BPS	Method of recruitment			
1.	Mr. Snabir Ahmad	B. Sc. Forestry	1/8/1967	Swat	26/9/2009 F/Ranger	26/9/2009	16	By Initial recruitment	BPS-16 26/9/09	Service regularized as per ordinance 2009.	RFO Lower Kurram
2.	Mr. Alamgir Khan	B. Sc. Forestry	3/1/1969	Swat	26/9/2009 F/Ranger	26/9/2009	16	-do-	BPS-16 26/9/09	-do-	SDFO Alpuri
3.	Mr. Riaz Hussain	B. A/FS	1/1/1964	Swat	14/3/1985	26.12.2014	16	By promotion	BPS-16 26.12.2014	--	RFO Demarcation
4.	Mr. Zareen Gul	BA/FS	1/4/1964	Buner	18/3/1985	14/11/2016	16	-do-	BPS-16 14/11/2016		SDFO Buner Watershed (appointed to the post of SDFO BPS-17 on acting charge basis)
5.	Mr. Sardar Salih	MA /FS	20/1/1972	Upper Dir	1/10/1990	14/11/2016	16	-do-	BPS-16 14/11/2016	--	RFO Sheringal
6.	Mr. Izzat Sher	B.A/FS	1/4/1967	Swat	1/10/1990	14/11/2016	16	-do-	BPS-16 14/11/2016	--	SDFO Bahrain South (appointed to the post of SDFO BPS-17 on acting charge basis)
7.	Mr. Sharifullah	B. Sc Forestry	2/3/1995	Swat	17/10/2017	17/10/2017	16	By initial recruitment	17/10/2017	--	Incharge SDFO Matta
8.	Mr. Zoha b Hassan	B. Sc Forestry	12.11. 1992	Marcan	17/10/2017	17/10/2017	16	-d -	17/10/2017	--	Incharge SDFO Maknial Forest Sub-Division

29.	Mr. Hamayun	BA	01/01/1963	Swat	1/10/1986	14.04.2020	16	By promotion	14.04.2020	--	RFO Demarcation Swat
30.	Muhammad Wali	FA	04/04/1963	Malakand Agency	1/10/1986	14.04.2020	16	-do-	14.04.2020	--	RFO Katlang
31.	Mr. Hassan Raza	BS (Botany) M. Phil (Botany)	09/4/1990	Orakzai Agency	6/9/2016	10/03/2021	16	-do-	10/03/2021	--	RFO Upper Kurram

No. 972-76 1. Dated Peshawar The 09/09/2021.

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II, Abbottabad.
2. Chief Conservator of Forests Malakand Forest Region-III, Saidu Sharif Swat.
3. Conservator of Forests Forestry Planning & Monitoring Circle Peshawar.
4. Conservator of Forests Newly Merged Areas Forest Circle Peshawar.
5. Conservator of Forests Southern Circle Peshawar.

They are requested to circulate the seniority list amongst the concerned RFOs and report their observations/omission if any within a period of one month, so that the seniority list could be issued as final.


No. 1642-43 /E-13

dated 15/09/2021

Copy forwarded to the:-

1. All Divisional Forest Officers in Southern Circle.
2. Sub-Divisional Forest Officer Patrol Squad of Southern Circle Peshawar.

For information and necessary action. They are requested to circulate the seniority list amongst the concerned RFOs and report their observations / omission if any before on 05.10.2021, so that the seniority list could be issued as final.


Conservator of Forests
Southern Circle Peshawar

SDP: PLB

To

15

ANNEXURE

Chief Conservator of Forests
Central Southern Forest Region I
Khyber Pakhtunkhwa Peshawar.

Through: Proper Channel.

Subject: APPEAL FOR CORRECTION OF MY SENIORITY POSITION IN THE FINAL SENIORITY LIST OF FOREST RANGER DATED 09/09/2021, AS PER MERIT ASSIGNED BY KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION.

Respected Sir,

It is submitted that I was selected by KPPSC and was recommended for appointment as Forest Ranger (BPS-16). Vide notification No.PSC/SR-IV/F-04/2017 Dated 21/07/2017 (Annexure A).

Later on I was nominated for training course at Pakistan Forest Institute leading to B.Sc degree in Forestry vide Notification No..SO (Estt)/ FE& WD/ 1-6/ 2015 dated 21/11/2017 (Annexure B).

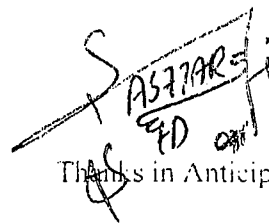
I am here to raise objection by filling a departmental appeal against the Seniority list in which the original seniority as per merit order (inter-se-seniority) issued to me by KPPSC has not been assign to me (Annexure C).

Further stated that it is also mentioned in my Appointment order that inter-se-seniority shall be determined in the light of merit order drawn by KPPSC. But has not been Placed according to my merit Position (Annexure C).

Sir it further added that period spent in training is a part of service. and it is a well settled law that date of joining duty is not a criteria for determination of seniority. seniority shall be reckoned on the basis of merit assign by KPPSC.

It is therefore requested to kindly revise the seniority list and assigned me the actual seniority position in the seniority list.

Dated..17/09/2022



Thanks in Anticipation

Abdus Sattar

989
21/9

Estt.
20/9/22
C/LR

16

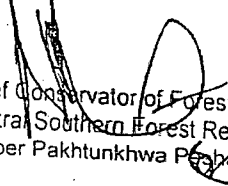
Chief Conservator of Forests Central Southern Forest Region-1 Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Ph: 091-9212177 Fax # 9211478 E-mail: ccforests.pesh@gmail.com
No. 2092 /E		Dated Peshawar the 10 /11/2021

To
The Conservator of Forests
Southern Circle Peshawar

Subject: - APPEAL FOR CORRECTION OF MY SENIORITY POSITION IN THE FINAL SENIORITY LIST OF FOREST RANGER DATED 09/09/2021 AS PER MERIT ASSIGNED BY KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION.


Memo:- Reference your letter No. 1759/E-22, dated 21/09/2021.

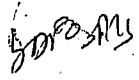
In light of Rules notified for the post of Forest Ranger (BPS-16) and para-3(d) of the notification issued by Govt. of Khyber Pakhtunkhwa Finance Department vide No. SOSR-II/FD/2-4/2021, dated 06/09/2021 (copy enclosed), the appeal preferred by Mr. Abdul Sattar Forest Ranger is hereby rejected


Chief Conservator of Forests
Central Southern Forest Region-I
Khyber Pakhtunkhwa Peshawar

No. 3009 ²⁰¹¹ /E-22 Dated 17 /11/2021

Copy alongwith its enclosure forwarded to the Sub-Divisional Forest Officer Patrol Squad Peshawar for information and necessary action. This is w/r to this office letter endstt: No. 1760/E-22 dated 21.09.2021.


Conservator of Forests
Southern Circle Peshawar



Chief Conservator of Forests
Central Southern Forest Region-1
Khyber Pakhtunkhwa Peshawar



Shami Road Peshawar
Phone # 091-9212177 Fax # 9211478
E-mail: ccfforests.peshawar@gmail.com

No. 1199/E Dated Peshawar the 31/10/2017

Section Officer (Establishment)
Government of Khyber Pakhtunkhwa
Forestry Environment & Wildlife Department
Peshawar

Subject: RECRUITMENT TO NINE (9) POSTS OF FOREST RANGER (BPS-16) IN THE OFFICE OF CHIEF CONSERVATOR OF FORESTS (ENVIRONMENT DEPARTMENT) (ADVT: 01/2016, S.NO:06).

Memo: Reference your letter No. SO (Estt) FE&WD I-6 PSC 2015, Dated the Peshawar, 03 August, 2017

Appointment/ attachment orders of the following candidates being Forestry graduate from PFI have since been issued as Forest Ranger (BPS-16) after fulfillment of the codal formalities:-

Table - 1

S.No	Name
1.	Mr. Sharifullah
2.	Mr. Zohaib Hassan
3.	Mr. Muhammad Junaid
4.	Mr. Haseeb Arshad
5.	Mr. Umar Khitab
6.	Mr. Junaid Alam

From perusal of the documents received with your above cited letter the following candidates will be deputed to Pakistan Forest Institute for BSc Forestry course:-

Table - 2

S.NO	Name
1.	Mr. Abus Sattar S/O Nisar Muhammad village Shahi Payan Post Office Shahi Bala Peshawar ✓
2.	Mr. Muhammad Sajjad S/O Muhammad Parvaiz Mohallah Shaheedan Village and Post Office Thana Tehsil Batkhela District Batkhela ✓
3.	Mr. Junaid Nazir S/O Muhammad Nazir Mohallah Lohar Banda, Baita Road Manshra ✓

It is therefore requested to kindly depute the candidates listed in table No: 02 to Pakistan Forest Institute for the coming Session for BSc Forestry course.

Chief Conservator of Forests
Central Southern Forest Region-1
Khyber Pakhtunkhwa Peshawar

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Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Phone # 091-9212177 Fax # 9211478 E-mail: ccfforests.pesh@gmail.com
No. 465 /E	Dated Peshawar the 23 /08/2017	

To


Deputy Inspector General of Police
Special Branch
Peshawar

Subject: RECOMMENDATION FOR APPOINTMENT.

Memo:-

Mr. Abdus Sattar S/O Nisar Muhamamd resident of Village Shahi Payan Post Office Shahi Bala Peshawar has been recommended for appointment as Forest Ranger (BPS-16) by the Khyber Pakhtunkhwa Public Service Commission in the Khyber Pakhtunkhwa Forest Department.

It is therefore requested to kindly direct the concerned Police Station for necessary verification of the above named candidate so that appointment order could be issued accordingly.


Chief Conservator of Forests
Central Southern Forest Region-I
Khyber Pakhtunkhwa Peshawar



Pakistan Forest Institute Dispensary
KPK Peshawar

Medical Fitness Evaluation Report

Name: Abdus Sattar
Father's Name: Nisar Muhammad
CNIC No: 17301-8527422-1

Age: 25 years
Date: 24/11/2017

Please answer the following questions in "no" or "yes".

1. Were you ever admitted to any hospital for the treatment of any medical or surgical problem? No
2. Do you suffer from Epilepsy (fits)? No
3. Do you suffer from Asthma? No
4. Do you suffer from Diabetes? No
5. Do you suffer from Hypertension? No
6. Do you suffer from any bleeding disorder? No
7. Do you have a family history of high blood pressure or Diabetes? No
8. Do you smoke? No
9. Have you ever suffered from tuberculosis (T.B)? No
10. Have you ever suffered from jaundice? No
11. Have you ever been tested positive for the following?
 - a) HIV? No
 - b) Hepatitis B? No
 - c) Hepatitis C? No
12. Have you ever suffered from chest pain or shortness of breath? No
13. Do you have any history of unconsciousness? Fainting attacks or giddiness? No
14. Do you suffer from any skin disease? No
15. Are you presently taking any drugs or under the treatment of any doctor? No

Physical Examination

B.P: 110/80
Lymph nodes: Not palpable
CVS: NAD
Chest: clear

Eye sight: 6/6
HEENT: NAD
Abdomen: Normal
Musculoskeletal: Normal

Remarks: Medically fit

[Signature]
24/11/17
Dr. Ainal Hussain
M.B.B.S
Senior Medical Officer
Pakistan Forest Institute
Peshawar

23

PAKISTAN FOREST INSTITUTE
ARRIVAL REPORT OF B.Sc FORESTRY
SESSION: (2017 - 19)



1. Name of the student (Block letters) ABDUS SATTAR
2. Father's name (Block letters) NISAR MUHAMMAD
3. Date of Birth as in S.S.C. 08-07-1992
4. CNIC No. 17307-8527422-7
5. Martial Status Married
6. Permanent Home Address Village Shahi Payan Sufaid surgh Road Pesh
7. Telephone Residence, Mobile who should be informed in case of any emergency 0333-9887 954 (5) 0300-9590680
8. Religion Islam
9. Province / State / Region KPK, FATA, Mohmand Agency
10. Stipendiary / Department / Self fiancé Stipendiary
11. Date of joining in FED 23-11-2017
12. Registration No of University of Peshawar 2011-U-13681
13. Highest Education Qualification B.S in Zoology
14. Name of academic institution last attended University of Peshawar
15. Give details of academic qualification

PIB
Shahi balu
Peshawar
Teh & Dis Pesh

Particulars	Years	Roll No.	Subjects	Division	Board/University
S.S.C	2009	129292	Scienc, Biology & Chemistry	A	BISEP
H.S.C	2011	55721	Pre-Medical	A1	BISEP
B.Sc					
Any other	BSc	Zool-03	Zoology	37 CGPA	University of Pesh

I hereby certify that I have completed all my formalities in my parent department according to surety bond etc. (for departmental nominee only)

Signature of the Candidate: ASATTAR

Checked by: _____

Director
Forest Education Division

**THE ¹KHYBER PAKHTUNKHWA CIVIL SERVANTS
(APPOINTMENT, PROMOTION & TRANSFER) RULES, 1989**

PART-I

GENERAL

1. **Short title and commencement:** - (1) These rules may be called the ²[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

(2) They shall come into force at once.

2. **Definitions:-**(1) In these rules, unless the context otherwise requires:-

(a) "Appointing Authority" in relation to a post, means the persons authorized under rule 4 to make appointment to that post;

(b) "Basic Pay Scale" means the Basic Pay Scale for the time being sanctioned by Government, in which a post or a group of posts is placed;

(c) "Commission" means the ³[Khyber Pakhtunkhwa] Public Service Commission;

⁴(d) "Departmental Promotion Committee" means a committee constituted for making selection for promotion or transfer to such posts under a Department, or offices of Government, which do not fall within the purview of the Provincial Selection Board;

⁵(dd) "Departmental Selection Board" means a Board constituted for the purpose of making selection for initial recruitment /appointment to posts under a Department or office of Government in Basic Pay Scale 17 not falling within the purview of the Commission:

Provided that more than one such committees may be constituted for civil servants holding different scales of pay".

(e) "Departmental Selection Committee" means a committee constituted for the purpose of making selection for initial appointment to posts under a department, or office of Government [in Basic Pay Scale 17 and below not falling within the purview of the Commission];

(f) "Post" means a post sanctioned in connection with the affairs of the Province, but not allocated to all Pakistan Unified Grades ; and

¹ For the words "NWFP" or "North-West Frontier Province", wherever occurred, the words "Khyber Pakhtunkhwa" substituted by the Khyber Pakhtunkhwa Laws (Amendment) Act, 2011 (Khyber Pakhtunkhwa Act No. IV of 2011) published in the Khyber Pakhtunkhwa Government Gazette Extraordinary dated 2nd April, 2011

² Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

³ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Substituted by Clause (d) of sub-rule (1) of Rule 2 vide Notification No. SOR-I (S&GAD) 4-1/80 (Vol-II) dated 14-01-92.

⁵ Clause (dd) added by Notification No. SOR-III (S&GAD) 2-7/86, dated 8-12-1994

PART-VI

SENIORITY

17. **Seniority :-** (1) the seniority inter se of civil servants ⁴⁷(appointed to a service, cadre or post) shall be determined:-

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission ⁴⁸[or as the case may be, the Departmental Selection Committee;] provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) in the case of civil servants appointed otherwise, with reference to the date of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

Explanation-I:- If a junior person in a lower post is promoted to a higher post temporarily in the public interest, even though continuing later permanently in the higher post, it would not adversely effect the interest of his seniors in fixation of his seniority in the higher post.

Explanation-II:- If a junior person in a lower post is promoted to a higher post by superseding a senior person and subsequently that senior person is also promoted the person promoted first shall rank senior to the person promoted subsequently; provided that junior person shall not be deemed to have superseded a senior person if the case of the senior person is deferred for the time being for want of certain information or for incomplete record or for any other reason not attributing to his fault or demerit.

Explanation-III:- A junior person shall be deemed to have superseded a senior person only if both the junior and the senior persons were considered for the higher post and the junior person was appointed in preference to the senior person.

(2) Seniority in various cadres of civil servants appointed by initial recruitment vis-à-vis those appointed otherwise shall be determined with reference to the dates of their regular appointment to a post in that cadre; provided that if two dates are the same, the person appointed otherwise shall rank senior to the person appointed by initial recruitment.

⁴⁹(3) In the event of merger/restructuring of the Departments, Attached Departments or Subordinate Offices, the inter se seniority of civil servants affected by the merger/restructuring as aforesaid shall be determined in accordance with the date of their regular appointment to a cadre or post.

⁵⁰(4) The inter-se-seniority of civil servants in a certain cadre to which promotion is made from different lower posts, carrying the same pay scale shall be determined from the date of regular appointment/promotion of the civil servants in the lower post.

Provided that if the date of regular appointment of two or more civil servants in the

⁴⁷ Substituted for the words appointment to a post in the same basic pay scale in a cadre by Notification No. SOR-I(S&GAD)4-1/80, dated 17-05-1989.

⁴⁸ The words inserted by Notification No. SOR-I(S&GAD)4-1/80/II, dated 04-02-1996.

⁴⁹ Sub-rule (3) of Rule 17 added vide Notification No. SOR-I(E&AD)4-1/80/IV, dated 28-5-2002.

⁵⁰ Sub-rule (4) of Rule 17 added vide Notification No. SOR-VI (E&AD) 1-3/2008 dated 19-11- 2009.

lower post is the same, the civil servant older in age, shall be treated senior.

18. **General Rules:** - In all matters not expressly provided for in these rules, civil servants shall be governed by such rules as have been or may hereafter be prescribed by Government and made applicable to them.

19. **Repeal:-** The ⁵¹[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, are hereby repealed.

(Authority; No. SORI(S&GAD)4-1/80, dated 13th May, 1989)

⁵¹ Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

POWER OF ATTORNEY

In the Court of

ICPK Soonee Tribunal Peshawar
Abdul Jabbar

} For
} Plaintiff
} Appellant
} Petitioner
} Complainant

VERSUS

Boonmee of ICPC
Other

} Defendant
} Respondent
} Accused
}

Appeal/Revision/Suit/Application/Petition/Case No. _____ of _____
Fixed for _____

I/W, the undersigned, do hereby nominate and appoint

ZARTAJ ANWAR & IMRAN KHAN ADVOCATES my true and lawful attorney, for me in my same and on my behalf to appear at *125* to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Compromises or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or subpoena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at _____
the _____ day to _____ the year _____
Executant/Executants _____
Accepted subject to the terms regarding fee _____

Imran Khan
IMRAN KHAN
Advocate High Court
Mob. 0345-9090648

Mubarak Zeb
Advocate
AS77AR51
R. 90

Zartaj Anwar
ZARTAJ ANWAR
Advocate High Courts
ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT
FR-3, Fourth Floor, Bilour Plaza, Saddar Road, Peshawar Cantt
Mobile-0331-9399185
BC-10-9851
CNIC: 17301-1610454-5

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

APPEAL No..... 7998 of ^{SB} 2021

Abdul Sattar

Appellant/Petitioner

Versus

Through Chief Secy KPK Peshawar

RESPONDENT(S)

Notice to Appellant/Petitioner

Govt of KPK through Chief Secy
Civil Secretariat Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order ~~before this Tribunal~~ on 06/07/2022 at 9:00 am

(Copy of appeal is attached)

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

(For Reply)

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

[Signature]
Aug 27/22

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

7898

APPEAL No..... of 20 21

Abdul sattu

Apellant/Petitioner

Versus

Through chief secy KPK Peshawar

RESPONDENT(S)

Respondent (2)

Notice to Apellant/Petitioner

Secy to the Govt of KPK
Forestry, Environment & Wildlife depart, civil
Secretariat Peshawar

Take notice that your appeal has been fixed for Preliminary hearing,
replication, affidavit/counter affidavit/record/arguments/order before this Tribunal
on 06/07/2022 at 10:00 AM

(Copy of appeal is attached)

You may, therefore, appear before the Tribunal on the said date and at the said
place either personally or through an advocate for presentation of your case, failing
which your appeal shall be liable to be dismissed in default.

(For Reply)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

A
29/6/22