

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 44/2018

Date of Institution ... 10.01.2018

Date of Decision ... 06.05.2019

Shabir Hussain of Sikandar Khan, resident of Sadda Kuram Agency former Conservator of Forests Department. ... (Appellant)

VERSUS

The Secretary, Industries and Commerce Department, Khyber Pakhtunkhwa, Peshawar and three others. ... (Respondents)

Present.

Mst. Zela Huma,
Advocate.

... For appellant

Mr. Muhammad Jan,
Deputy District Attorney

... For respondents.

MR. HAMID FAROOQ DURRANI,
MR. AHMAD HASSAN,

... CHAIRMAN
... MEMBER

JUDGMENT

HAMID FAROOQ DURRANI, CHAIRMAN:-

1. The appellant is aggrieved of order/notification dated 29.08.2017 passed by respondent No. 2, whereby, he was retired from service with effect from the date of notification. Through the said order/notification, the Director Budget & Accounts Cell, Forestry, Environment & Wildlife Department was also directed to recover all the outstanding/Government dues, liabilities including an amount of Rs. 299327/- from the appellant. The appeal in hand is with the prayer for striking down the impugned order dated 29.08.2017 with consequential relief in terms of seniority, promotion from due date and retirement of appellant on superannuation with grant of financial back benefits.

2. The facts as laid in the memorandum are that the appellant was inducted as Range Forest Officer (BPS-16) in the Forest Department on 07.10.1981. During the course of his service he was granted promotion from time to time and was lastly placed as Conservator of Forests (BPS-19). It is the case of appellant that after having availed extraordinary leave without pay from 29.11.2007 to 07.01.2013, he submitted departmental representation/appeal which was allowed and on 27.04.2015 seniority of appellant was restored to its original position. After restoration of seniority the appellant was at S.No. 2 of the seniority list, however, in PSB conducted on 10.05.2016 officer junior to appellant was promoted while the appellant was not extended the proper treatment and was not recommended for promotion. The act of respondents in not promoting the appellant frustrated the later who applied for his early retirement, firstly on 21.08.2016 and then on 21.12.2017. The requests for early retirement were although withdrawn on 21.3.2017. The appellant applied for earned leave for 120 days which was sanctioned and availed. He submitted the arrival report upon expiry of leave on 21.08.2017 while on 29.08.2017 the retirement notification of appellant was issued. A departmental appeal was preferred by the appellant which remained un-responded.

3. We have heard learned counsel for the appellant, learned District Attorney on behalf of the respondents and have also gone through the available record.

Learned counsel for the appellant, while relying on judgments reported as 2003-PLC(C.S)109 and 1991-PLC(C.S)1072, contended that the appellant had withdrawn his request for early retirement much before the issuance of notification. Since his requests were not acted upon nor were materialized,

therefore, the impugned notification was not warranted under the law. He further argued that initially the appellant had requested for early retirement w.e.f. 31.12.2016 and on expiry of the said period his application had become infructuous, therefore too, there was no occasion for respondents to have passed the impugned notification. It was also his contention that due to early retirement, which was no more the requirement of the appellant, he was denied the chances of due promotion.

Learned Deputy District Attorney argued that the application for withdrawal of request for promotion, as claimed to have been submitted by the appellant, was never preferred nor received by the respondents. The request of appellant dated 21.08.2016 and 21.12.2017 were, therefore, processed in accordance with law and the impugned order was accordingly passed. He also referred to the notification dated 26.01.1993 issued by Secretary Forestry, Fisheries & Wildlife Department, Government of N.W.F.P and contended that after promotion to the post of Chief Conservator of Forests the selection on merit was to be made amongst four senior most Conservators of Forests, with at least five years service as such. The appellant was promoted in BPS-19 as Conservator of Forests on 07.09.2015, therefore, was not eligible for promotion even if had served till the time of his superannuation i.e 15.01.2018.

4. It is a matter of record that on 19.08.2016 the appellant submitted an application to the respondent No. 2, through proper channel, praying therein for retirement w.e.f. 01.09.2016 and encashment of the leave salary. It was contended through the application that the appellant had completed 25 years service and in view of his domestic compulsions he was unable to continue the service. A copy of the application was endorsed, in advance, to respondent No. 2.

Similarly on 21.12.2016, another application of the kind was addressed to the Section Officer (Establishment) for expeditious processing of retirement case of the appellant. The application was received vide Diary No. 1463 on 23.12.2016. On the other hand, the alleged request for withdrawal of application for early retirement was addressed to the Section Officer (Establishment) Forestry, Environment and Wildlife Department, Peshawar on 21.03.2017, however, the copy as attached with the memorandum of appeal, did not bear any acknowledgment of its receipt by the concerned officer. In the said regard, the respondents in their parawise comments submitted in the proceedings of instant appeal, categorically denied the receipt of any such application for withdrawal of request for early retirement by the appellant.

5. In the circumstances, it shall not be unsafe to hold that the withdrawal of request for early retirement was an afterthought of the appellant and in the absence of such request the respondents appear to have rightly proceeded and passed the order dated 19.10.2017.

6. We are also in agreement with the argument of learned DDA regarding the non-eligibility of appellant for promotion to the post of Chief Conservator of Forests (BPS-20). Not only in view of notification dated 26.01.1993 laying down the method of recruitment, qualification and other requirements for promotion to the professional posts including that of Chief Conservator of Forests, but also the fact that the early retirement of appellant was outcome of his repeated requests for the purpose and the relief claimed by way of promotion was consequential to the dislodging of impugned notification regarding early retirement, the appellant was not justified in making such claim.

7. For what has been discussed above, we are of the considered view that the appeal in hand is without any merits, therefore, the same is dismissed hereby.

Parties are left to bear their respective costs. File be consigned to the record room.



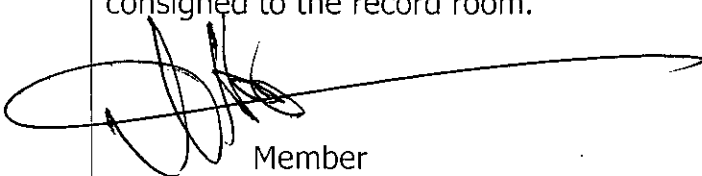

(AHMAD HASSAN)
MEMBER



(HAMID FAROOQ DURRANI)
CHAIRMAN

ANNOUNCED
06.05.2019

S.A No. 44/18

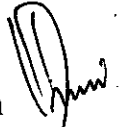
S.No.	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	06.5.2019	<p><u>Present.</u></p> <p>Mst. Zela Huma, Advocate ... For appellant</p> <p>Mr. Muhammad Jan, Deputy District Attorney. ... For respondents</p> <p>Vide our detailed judgment, the appeal in hand is dismissed.</p> <p>Parties are left to bear their respective costs. File be consigned to the record room.</p> <p> Member</p> <p> Chairman</p> <p><u>ANNOUNCED</u> 06.05.2019</p>

17.1.2019

Counsel for the appellant and Shabir Ahmad Estate Officer for respondent No. 4 alongwith Addl. AG for the respondents present.

Learned counsel for the appellant requests for deletion of person^{al} names of respondents No. 4 and 5 and also states that the reply/comments^{of} respondent No. 5 may not be significant for further proceedings in the matter.

Office is directed to delete Muhammad/^{Ridique}Khattak and Sher Nawaz Khan from the respondents No. 4 and 5 respectively who shall remain as parties through official nomenclature. Respondents No. 1 to 4 have already submitted written reply, therefore, the instant matter is posted to 28.03.2019 for arguments before the D.B. The appellant may submit rejoinder within a fortnight, if so desires.

Chairman 

28.03.2019

Due to strike of the Bar learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG for the respondents present. Adjourned. To come up for rejoinder and arguments on 06.05.2019 before D.B.


(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

28.08.2018

Counsel for the appellant and Mr. Kabirullah Khattak AAG for the respondents presents. None present on behalf of the respondents. Therefore notices be issued to the respondents department to attend the court positively. Written reply not submitted on behalf of the respondents. Requested for further adjournment. Granted by way of another last chance. To come up for written reply/comments on 24.10.2018 before S.B

MA
(Muhammad Amin Kundi)
Member

23-10-18

*Due to retirement of Honorable
Chairman the Tribunal is non
functional therefore the case is
adjourned to come up for the same
on 10-12-2018*


10.12.2018

Counsel for the appellant present. Mr. Mr. Muhammad Usman, SDFO alongwith Kabirullah Khattak, Additional AG for respondents No. 1 to 4 present and submitted written reply. None present on behalf of private respondent No. 5 therefore, notice be issued to him for attendance and filing of written reply/comments by way of last chance. To come up for written reply/comments on behalf of private respondent No. 5 on 17.01.2019 before S.B.

MA
Muhammad Amin Khan Kundi
Member


12.03.2018

Clerk of the counsel for appellant present. Mr. Riaz Paindakhel, Assistant AG for the respondent present. Written reply not submitted. Learned Assistant AG requested for adjournment. Adjourned. To come up written reply and comments on 27.03.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

27.03.2018

None present on behalf of appellant and his counsel. Mr. Kabir Ullah Khattak, Addl: AG present. Representative of the respondent department is also absent. Therefore, fresh notice be issued to the appellant and his counsel as well as official respondent for attendance. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply and comments on 03.05.2018 before S.B.


Member


03.05.2018

The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on 28.06.2018 before S.B.


Reader

28.06.2018

Counsel or the appellant present. Mr. Muhammad Jan, DDA for the respondents presents. None present on behalf of respondents. Therefore, fresh notices be issued to the respondents department to attend the court positively. Written reply not submitted on behalf of respondents. Requested for further adjournment. Granted by way of last chance. To come up for reply/comments 28.08.2018 before S.B.


Member

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 44/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	10/1/2018	<p>The appeal of Mr. Shabir Hussain presented today by Zele-Humma Advocate, may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"><i>Sondets</i> REGISTRAR</p>
2-	11/01/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>22/01/18.</u></p> <p style="text-align: right;"><i>M. Zaid</i> CHAIRMAN</p>
	22.01.2018	<p>Learned counsel for the appellant present. Preliminary arguments heard.</p> <p>Learned counsel for the appellant argued that the appellant submitted application dated 21.3.2017 for the withdrawal of his application dated 21.12.2016 vis a vis his premature retirement, however the respondent department retired the appellant from government service w.e.f 29.08.2017 vide order dated 29.08.2017.</p> <p>Points raised need consideration admitted for regular hearing subject to all just/legal objections. The appellant is directed to deposit security and process fees within 10 days, thereafter notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 12.03.2018 before S.B</p> <p style="text-align: right;"><i>M. Hamid Mughal</i> (Muhammad Hamid Mughal) MEMBER</p>

Appellant Security Deposited Process Fee

[Signature]

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Appeal no. 44/2018
Shabir Hussain son of **Sikandar Khan**, Resident of Sadda Kuram Agency
former Conservator of Forests Department. **(Appellant)**

VERSUS


Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar and 04
others. **(Respondents)**

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974

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Appellant Shabir Hussain
Through


ZELE HUMA 10-1-18
Advocate, Peshawar

1-21
0
P
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**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Appeal no 44/2018

Shabir Hussain son of Sikandar Khan Resident of Sadda Kuram Agency former
Conservator of Forests Department.

(Appellant)

VERSUS

Khyber Pakhtukhwa
Service Tribunal

1. Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
2. Secretary FE&WD Department, Khyber Pakhtunkhwa, Peshawar.
3. Chief Conservator of Forests, Central southern Region, Peshawar.
4. Mohammad Siddique Khattak, Chief Conservator Forests, Peshawar.
5. Sher Nawaz Khan, Managing Director Forests Development Corporation,
Peshawar.

Diary No. 27
Dated 10-1-2018

(Respondents)

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 (Act No XVIII Of 1973), AGAINST THE
ORDER/NOTIFICATION OF RESPONDENT NO:2, BEARING
NO:SO (Estt) FE&WD/1-50/29/2017 DATED 29.08.2017,
WHEREBY THE APPELLANT WAS RETIRED FROM SERVICE
WITH EFFECT FROM 29.08.2017 AS WELL THE DIRECTOR
BUDGET AND ACCOUNTS CELL, FORESTRY, ENVIRONMENT
AND WILDLIFE DEPARTMENT, WAS DIRECTED TO RECOVER
THE AMOUNT OF RS 2,99,327/- FROM APPELLANT.

Filed to Registrar
10/1/18

PRAYER: ON ACCEPTTANCE OF APPEAL, IMPUGNED NOTIFICATION
MAY BE DECLARED AS ILLEGAL AND VOID AB INITIO, OF
NO LEGAL EFFECTS UPON THE RIGHTS OF APPELLANT
AND THE APPELANT MAY BE REINSTATED TO SERVICE
TILL ATTAINING AGE OF SUPERANNUATION, WITH ALL
BACK BENEFITS INCLUDING SENIORITY AND PROMOTION
FROM DUE DATE ALONGWITH ALL FINANCIAL
BENEFITS.

Respectfully submitted.

1. That undisputedly appellant was inducted in Forest Department on
07.10.1981 as Range Officer (BPS 16) and was promoted/ re-inducted as
Divisional Forest Officer on 14.10.1986. Appellant was, then promoted to
BPS-18 with effect from 31.08.2006 as Deputy Conservator Forests and
he served as Conservator Forest Department (BPS-19) on his last
position.
2. That appellant's date of birth according to service record is 16th January
1958 and his date of retirement on superannuation, is 15.01.2018. Copy
of CNIC is Annexure "A".

3. That throughout his career, appellant has performed his duties to the best of his abilities and capabilities with unblemished service record and with distinctions throughout.
4. That appellant availed extra ordinary leave without pay from 29.11.2007 to 07.01. 2013, due to which the seniority of appellant was affected. Appellant filed service representation/appeal, which was accepted and on 27.04.2015, seniority of appellant was restored, to its original position. Copy of order is Annexure "B".
5. That after restoration of his seniority the appellant was at serial No: 2 of the seniority list however, PSB was conducted on 10. 05.2016 and the wrong seniority list and working paper was placed before PSB with malafide and just to damage the career of appellant. The officer junior to appellant was promoted in violation of the relevant rules .Copy of notification of promotion is Annexure "C".
6. That the appellant preferred Departmental Appeal against the said promotion orders with cogent reasons however, response of which is still awaited. Copies of departmental appeal is Annexure "D".
7. That when the appellant was posted as Deputy Chief Conservator Forests (BPS-19) due to his efficiency and devotion towards duty, he was assigned additional charge of very important position i.e. Project Director BTAP from 11.09.2015 despite that he was discriminated and officer junior to him was promoted. Copy of relevant order is Annexure "E".
8. The appellant continued to serve the department as Project Director of BTAP. Meanwhile the appellant, vide application No 1322/BTAP dated 17.02.2017, again requested for processing his promotion case but without any reason it was not processed .Copy of application is Annexure "F".
9. That due to this high handedness of the Respondents, firstly on 21.08 2016 and then on 21.12.2017, the appellant applied for retirement with effect from 31.12.2016 but request of application was not acceded in time hence it was withdrawn on 21.03.2017. Copy of application dated 21.12.2016 and written request for withdrawal dated 21.03.2017 are Annexures "G" and "H" respectively.
10. That on 11.04.2017, appellant applied for earned leave for 120 days which was sanctioned, vide Notification No SO (E)/FE&WD/1-50/Shabir Hussain dated 14.04.2017. The appellant availed the leave and submitted arrival after expiry of leave on 21.08.2017. Copy of leave granting order and arrival report Annexures "I" and "J" respectively.

11. That during leave of appellant, on 02.07.2017 seniority list of the officers of BPS-19 was circulated. Copy of revised seniority list is Annexure "K".
12. That instead of redressing the grievances of the appellant, and in utter violation of law/rules, the Respondent No:2 notified the retirement of appellant with effect from 29.08.2017 vide impugned Notification. Copy annexed as Annexure "L"
13. That feeling aggrieved, appellant preferred departmental appeal, which despite lapse of statutory time remained unanswered hence the present appeal. Copy of the departmental Appeal is Annexure "M".
14. That the impugned notification is liable to be set aside on following grounds.

GROUND

- I. That the facts and grounds mentioned in Departmental Appeal may please be considered, as part of this appeal in addition to the grounds mentioned herein after.
- II. That the impugned order is perverse and against the settled principles of law and justice, against the facts, result of malafide and to deprive the appellant of his due right of promotion and as such is not tenable in the eye of law and is liable to be set aside.
- III. That the Competent Authority/Respondent No 2 transgressed his authority, while passing the impugned order because the applications were submitted by appellant for retirement on 19.08.16 and 21.12.2016 with the request for retirement from 31.12.2016, which were not responded in time and were withdrawn on 21.03.2017, so much so the appellant was allowed 120 days earned leave vide notification dated 14.07.2017(Annexure "I"), and after availing the said leave the appellant joined his duties on 21.08.2017, the applications, as such had become infructuous.
- IV. That legally the Competent Authority/Respondent No:2 was required to inform the appellant, in writing of the grounds, on the basis of which, directions were proposed to be given for his retirement under section 13 (a) of Khyber Pakhtunkhwa Civil Servant Act 1973 (Act No XVIII of 1973), as well to give him reasonable opportunity of showing cause against the said directions however neither appellant was informed of the grounds for proposed action, nor was he given time to

show cause against the proposed action and as such the relevant law was violated which also resulted into infringement of fundamental rights of the appellant, guaranteed by the Constitution, under Articles 4, 10 A and 25 as well and is against the fundamental principles of natural justice.

- V.** That on 29.08.2016 appellant was appointed as member of the inquiry committee in disciplinary proceedings against the officer namely Mr. Shakeel DFO which fact also clarifies that applications based for retirement of appellant were no more in existence as well speaks volumes about the malafide of the Respondent No:2 to deprive the appellant from his due rights. In fact, the Respondent No:2 tried to influence the appellant for obtaining inquiry report of his choice, which was resisted and report was given on merits and according to record on which respondent No:2 became annoyed and passed the impugned notification in utter violation of law, which amounts to misuse of authority and is culpable under the law. On this score alone, the entire action taken against the appellant is liable to be set at naught. Copy of relevant Notification is Annexure "N".
- VI.** That legally, administrative functionaries are required to exercise the authority vested in them according to law and judiciously, however in case of the appellant, the Competent Authority/Respondent No:2 has blatantly misused the authority vested in it.
- VII.** That, despite the fact that appellant served the department for long 37/38 long years with unblemished service record, rather with distinction, he was meted out with such a discriminatory treatment that firstly he was deprived of his due promotion, an officer junior to him was promoted and secondly, when he opted for legal remedy to get his grievances redressed he was thrown out of service in un-ceremonial and illegal manners.
- VIII.** That the given standards for exercise of discretion by competent authority in appellant's case have glaringly been violated, just to please someone having grudge against the appellant. Any action taken without medium of reasonable procedure always generate, a ravenous feelings, that unfair treatment was meted out and the appellant is no exception to resist such feelings, after having been meted out with unfair treatment on account of his disliking by someone at the helm of affairs

despite having outstanding service record coupled with the awards in recognition of his extraordinary performance as Project Director BTAP. Relevant record is annexure "O."

- IX.** That the decision taken in case of appellant being without any legal footings principle or rule is unpredictable and more likely is the result of grudge, personal vendetta with appellant's in circles of controlling authority, and to promote the unfair policy of pick and choose which is against the spirit of law.
- X.** That arbitrary, whimsical and capricious action was taken, in the appellant's case however, he is still hopeful that his present appeal will sensitize this august forum for testing legality of impugned action on its own facts to ensure that, the action taken against the appellant was guided by law, governed by rule, and not by humor.
- XI.** That appellant will further submit at the time of arguments.

It is, therefore, prayed that the appeal may kindly be accepted and impugned order may please be set at naught and consequential relief i.e. seniority, promotion from due date and retirement on superannuation along with financial back benefits may be given to appellant. Any other relief which this honorable forum deem proper may also be granted.

Dated: 10.01.2018

Appellant
Shabir Hussain
Through

ZELE HUMA
Advocate, Peshawar
10-01-18

6

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Shabir Hussain son of Sikandar Khan Resident of Sadda Kuram Agency former
Conservator of Forest Department.

(Appellant)

VERSUS

Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar and 04 others.

(Respondents)

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974

AFFIDAVIT

I, Shabir Hussain son of Sikandar Khan bearing CNIC No 17301-7176528-1, do hereby solemnly affirm and declare on oath that the contents of accompanying appeal are true and correct nothing has been concealed.

Dated: 10.01.2018

Shabir Hussain
DEPONENT

Identified by:

H
ZELE HUMA
Advocate, Peshawar



**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

(X)

Shabir Hussain son of Sikandar Khan Resident of Sadda Kuram Agency former Conservator of Forests Department.

(Appellant)

VERSUS

Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar and 04 others.

(Respondents)

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974

ADDRESSES OF PARTIES

(Appellant)

1. Shabir Hussain son of Sikandar Khan Resident of Sadda Kurram Agency former Conservator of Forests Department.

(Respondents)

1. Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar
2. Secretary FE&WD Department, Khyber Pakhtunkhwa, Peshawar.
3. Chief Conservator of Forests, Central southern Region, Peshawar.
4. Mohammad Siddique Khattak, Chief Conservator Forests, Peshawar.
5. Sher Nawaz Khan, Managing Director Forests Development Corporation, Peshawar.

Dated: 10.01.2018

Appellant

Shabir Hussain

Through

ZELE HUMA

Advocate, Peshawar

10-01-18



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Pesh: 27th April, 2016

9
2
Anex - B

NOTIFICATION

No.SO(Estt)FE&WD/1-39/2k16: In terms of Para-IV(a) of Promotion Policy, 2009, the Competent Authority is pleased to order restoration of inter-se-seniority of Mr. Shabbir Hussain, Conservator of Forests (BPS-19), on regular basis, with effect from 07/05/2013 i.e. the date his next juniors were promoted as Conservator of Forests (BPS-19) on regular basis vide the Government of Khyber FE&W Department Notification No.SO(Estt)Env/1-2/2k10/2724-36 dated 07/05/2013 and Notification No.SO(Estt)Env/1-2/2k10/832-844 dated 07/02/2014 respectively.

2. The intervening period i.e. from 07/05/2013 to 31/12/2015 would count towards increments under FR-26© but without arrears.

SECRETARY TO GOVT; OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE
DEPARTMENT.

Endst: No.SO(Estt) FE&WD/1-39/2k16 ⁵²⁷ Dated Pesh: 27th April 2016.

Copy is forwarded to :-

1. PS to Secretary Environment Department.
2. Chief Conservator of Forests, Central & Southern Forest Region-1, Peshawar.
3. Director Budget and Accounts Cell, Environment Department.
4. Mr. Shabbir Hussain, Deputy Chief Conservator of Forests/Project Director BTTAP w/r to his Appeal No.2010/BTTAP dated 6/10/2015.
5. Personal file of the officer.
6. Master file.
7. Officer order file.

Attested
Zelett
10-01-18

S. U
(SYED KAZIM HUSSAIN SHAH)
SECTION OFFICER (ESTT)

A

ANS - B



GOVERNMENT OF KHYBER PAKHTUNKHWA
 ENVIRONMENT DEPARTMENT
 Dated Peshawar, 11th, April, 2012

10

Annex

C

NOTIFICATION

Estt/Env/1-2/2k10: The Competent Authority is pleased to promote the following Conservators of Forests/Divisional Forest Officer (BPS-19-Personal), Forest Department Conservator of Forests/Director Integrated Specialized Units (BPS-19), Forest Department, immediate effect :-

- 1) Mr. Muhammad Sultan, Conservator of Forests, Watershed Circle, Abbottabad
- 2) Mr. Sanaulah Khan, Director, Early Recovery for Agriculture and Livelihood Programme for the Affected Areas of Malakand Division, Relief, Rehabilitation & Settlement, Department
- 3) Mr. Muhammad Siddique Khan, Conservator of Forests, Upper Hazara Circle, Mansehra
- 4) Mr. Afsarullah Wazir, Conservator of Forests, Southern Circle, Peshawar

The officers on promotion will remain on probation for the prescribed period in of Section-6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 15(1) of Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

Consequent upon their promotion, M/S Muhammad Sultan, Muhammad Siddique and Afsarullah Wazir will remain posted on their present posts; while Mr. Sanaulah Khan, removed from the post of Director, Early Recovery for Agriculture and Livelihood Programme for the Affected Areas of Malakand Division, under Provincial Disaster Management (Relief, Rehabilitation and Settlement Department, and posted as Director, I&HRD (BS-Forest Department, until further orders.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
 ENVIRONMENT DEPARTMENT

No. SO(Estt)Env/1-2/2k10

Dated Peshawar, 11th, April, 2012

Copy is forwarded to:-

- PSO to Chief Secretary, Khyber Pakhtunkhwa
- PS to Additional Chief Secretary, Planning and Development Department, Khyber Pakhtunkhwa
- PS to Secretary, Establishment Department, Khyber Pakhtunkhwa
- PS to Secretary, Relief, Rehabilitation & Settlement Department, Khyber Pakhtunkhwa
- PS to Minister for Environment Khyber Pakhtunkhwa
- PS to Secretary, Environment Department
- Chief Conservator of Forests-I, Khyber Pakhtunkhwa
- Chief Conservator of Forests-II, Khyber Pakhtunkhwa
- Director Budget and Accounts Cell, Environment Department
- Director General, PDMA/PARRSA, Khyber Pakhtunkhwa
- All Conservator of Forests/Director ISUs in Khyber Pakhtunkhwa Forest Department Officers concerned
- Manager, Government Printing Press, Peshawar
- Personal files of the officers
- Master file
- Office order file

Attested
 Zele Huma
 10-01-18

1382
 11/04/12
 ESD
 H

SECTION OFFICER (EST)



Annex

2



GOVERNMENT OF KHYBER PAKHTUNKHWA
ENVIRONMENT DEPARTMENT

Dated Peshawar, 7TH February, 2014

11

NOTIFICATION

No. SO (Estt)Envvt/1-2/2k10: The Competent Authority is pleased to promote Mr. Sher Nawaz, Deputy Conservator of Forests/Divisional Forest Officers (BPS-18) as Conservator of Forests/Director Integrated Specialized Units (BS-19) Forest Department, on regular basis, with immediate effect:-

The officer on promotion will remain on probation for the prescribed period of one year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

Consequent upon promotion, he will remain posted on his present post, until further orders.

SECRETARY TO GOVT OF
KHYBER PAKHTUNKHWA
ENVIRONMENT DEPARTMENT

Dated Peshawar, 7th February, 2013

No. SO(Estt)Envvt/1-2/2k10 832-844

Copy is forwarded to:-

1. PSO to Chief Secretary, Khyber Pakhtunkhwa
2. PS to Additional Chief Secretary, FATA
3. PS to Secretary, Environment Department
4. Chief Conservator of Forests, Central & Southern Forests-I, Peshawar
5. Chief Conservator of Forests, Northern Forests Region-II, Civil Line Office, Abbottabad
6. Chief Conservator of Forests, Malakand Forests Region-III, Saidu Sharif Swat
7. Director Budget and Accounts Cell, Environment Department
8. All Conservator of Forests/Director ISUs in Khyber Pakhtunkhwa Forest Department
9. Officer concerned
10. Manager, Government Printing Press, Peshawar
11. Personal files of the officers
12. Master file
13. Office order file.

Mir Zali Khan
SECTION OFFICER (ESTT)

No. 1708
12/2/2014
1116
12/2

ESH
17/2

Attested
Zeeshan
10-01-18



GOVERNMENT OF KHYBER PAKHTUNKHWA
ENVIRONMENT DEPARTMENT
Dated Peshawar, 7th, May, 2013

27
12

NOTIFICATION

No. SO(Estt)Env/1-2/2k10: The Competent Authority is pleased to promote the following Deputy Conservators of Forests/Divisional Forest Officers (BPS-19-Acting charge/Personal), Forest Department and Conservator of Forests/Director Integrated Specialized Units (BPS-19), Forest Department, on regular basis, with immediate effect:-

- 1) Mr. Ali Gohar, Conservator of Forests, FATA Circle, Peshawar
- 2) Malik Javed, Conservator of Forests, FP&M Circle, Peshawar

The officers on promotion will remain on probation for the prescribed period in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1969.

Consequent upon their promotion, both the officers will remain posted on their present posts until further orders.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
ENVIRONMENT DEPARTMENT

No. SO(Estt)Env/1-2/2k10/2724-36 Dated Peshawar, 7th May, 2013

Copy is forwarded to:-

- 1) PSO to Chief Secretary, Khyber Pakhtunkhwa
- 2) PS to Additional Chief Secretary, FATA
- 3) PS to Secretary, Environment Department
- 4) Chief Conservator of Forests, Central & Southern Forests-I, Peshawar
- 5) Chief Conservator of Forests, Northern Forests Region-II, Civil Line Office, Abbottabad
- 6) Chief Conservator of Forests, Malakand Forests Region-III, Saidu Sharif Swat
- 7) Director Budget and Accounts Cell, Environment Department
- 8) All Conservator of Forests/Director ISUs in Khyber Pakhtunkhwa Forest Department
- 9) Officers concerned
- 10) Manager, Government Printing Press, Peshawar
- 11) Personal files of the officers
- 12) Master file
- 13) Office order file

(Signature)
(FIDA-UL-KARIM)
SECTION OFFICER (ESTT)

ESH

rec-26/94
13/5/2013

1193
- 13/5

Attested
Zeel Hameed
10-01-18

To,

The Chief Secretary,
Govt. of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.

Annex: "D"

Through: The Secretary
Forestry, Environment & Wildlife
Department, Peshawar

No. /BTAP dated: May 16, 2016

Subject: Appeal For Quashing Proceedings of PSB Regarding Promotion from
BS-19 to BS-20 of Forest Department held on May 10, 2016 and
administering Justice based on Seniority and Merit

13

Sir,

It would like to draw your kind attention to the proceedings of meeting of Provincial Selection Board, held on May 10, 2016, at Peshawar wherein, as per informed sources Mr. Muhammad Siddique Khan and Mr. Sher Nawaz Khan have been recommended for appointment on acting charge basis as CCF in BS-20 in Forest Department ignoring the applicant, despite being fit, senior to the later and having 34.5 years long service record, probably due to not highlighting my inter-se seniority position that had been restored with the approval of the competent authority and not bringing it in the notice of the PSB for reasons not known to me. Therefore, in order to set the record straight I beg to submit the following facts in your kind notice for dispensation of justice and allowing me long awaited right at the twilight end of my professional career, that:

1. I was promoted to BS-19 on regular basis w.e.f September 7, 2015. I accordingly, submitted request for restoration of inter-se seniority on October 6, 2015. Unfortunately it took longer than routine period; however, my seniority was restored on April 7, 2016 in consultation with Establishment Department (Copy attached).
2. The case of promotion from BS-19 to BS-20 was meanwhile, sent on the basis of seniority list circulated on 02-10-2015, which was not shared with me and reflected my name at serial no-7 instead of serial no -2 (Copy attached) i.e my actual seniority position. Accordingly, it is believed that the working paper would have also neither included my name at serial no 2 nor reflected true position of case.
3. As a matter of fact after issuance of notification of my seniority, the case as per normal procedure should have been withdrawn from PSB and fresh final seniority list after circulation as per laid down procedure should have been developed before re-submission of the case to the PSB.
4. Having done so, the seniority list on the basis of which the existing case was discussed in PSB was neither correct nor final, as required under the prevailing rules and the working paper also concealed the actual situation and facts, which resulted in injudicious decision.
5. I have excellent and unblemished service record as is witnessed from my PERs and I have been left with barely 19 months to my super annuation.

Therefore, in light of foregoing facts on record it is amply clear that I have been discriminated, facts have been not highlighted and legal requirements have not been taken fulfilled in true spirit during processing the said case, although, the matter of my inter-se seniority dispute was also in notice of Establishment Department as well. Therefore, it is requested that the proceedings of PSB with regard to promotion case of this case my kindly be quashed and the case may be processed afresh after fulfilling laid down procedure to dispense justice to me in the interest of good governance and fair play, else I will be left with no option but to seek justice from the court.

Yours obediently,

Shahid Hussain
CF/ PD Billion Trees Project

Copy in advance forwarded to the Chief Secretary for his kind information please.

16/5/2016
Attest G. H.
Zule-Hussain
10-01-18
Adv

"D" Answer:

(3)

14

Annex: "E"



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Pesh: 11th September, 2015

NOTIFICATION

No.SO(Estt)Env/1-50(21)/2k15: On retirement of Dr. Faiz-Ul-Bari, Conservator of Forests, working as Project Director "Billion Trees Tsunami Afforestation Project, the competent authority has been pleased to authorize (Mr. Shabbir Hussain, Deputy Chief Conservator of Forests, to look after the post of Project Director "Billion Trees Tsunami Afforestation Project, in addition to his own duties, till further orders.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE
DEPARTMENT.

Endst: No.SO(Estt)Env/1-50(21)/2k15

Dated Pesh: 11th September, 2015

Copy is forwarded to:-

- 1) PS to Secretary, Forestry, Environment & Wildlife Department.
- 2) Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
- 3) Chief Conservator of Forests, Northern Forests Region-II, Abbottabad.
- 4) Chief Conservator of Forests, Malakand Forests Region-III, Swat.
- 5) All Conservator of Forests in Khyber Pakhtunkhwa.
- 6) Director Budget & Accounts Cell, Forestry, Environment & Wildlife Department.
- 7) Officer concerned.
- 8) Master file.
- 9) Officer order file.

J.H.
(SYED KAZIM HUSSAIN SHAH)
SECTION OFFICER (ESTT)

M/R

Attested
Zele Hussain
10/01/18

ANSWER "E"

11

To,

(15) Annex: "F"
The Secretary to Govt. of Khyber Pakhtunkhwa
Forestry, Environment and Wildlife Department,
Peshawar.

Subject: REMINDER ON APPEAL FOR PROMOTION FROM BS-19 TO BS-20

Sir,

With due respect I draw your kind attention to my appeal submitted vide No: 4294-95/BTAP dated 16-05-2016 against the decision of the PSB regarding promotion of Forest Officers from BS-19 to BS-20 held on 10-5-2016, ignoring me and promoting my next junior on acting charge basis despite me being senior with the excellent service record, probably due to the reason that the facts of my case could not be properly highlighted through record presented and presentation made during the meeting (Copy of appeal attached).

2. However, despite lapse of considerable time I am still waiting for administration of justice and consequent promotion to BS-20, although Government is making all efforts to administer justice to honest, professional and dedicated employees.
3. I therefore, feel myself duty bound to bring the issue in your kind notice, once again with the following facts, for dispensation of speedy justice because I shall reach superannuation On 15-1-2018: -
 - i. I have excellent record of service spanning over 36 years, after having qualified BSc Forestry (1979-81 Course) and MSc Forestry (1984-86 course) with distinction and having been awarded Gold medals respectively.
 - ii. I was inducted in BS 16 on 7-10-1981 and subsequently in BS-17 on 11-10-1986, was promoted to BS-18 w.e.f 1-2-2003 and finally to BS-19 on 7-9-2015. Subsequently, my seniority has been restored taking effect from 7.5.2013, vide notification No. SO (Estt) FE&WD/1-39/2K16 dated 27-4-2016 (Copy attached). The revised seniority list of BS-19 circulated on 31-5-2017 reflects this situation (copy attached).
 - iii. Due to my honesty, outstanding capacity and excellent service record I was assigned charge of PD Billion Trees Project w.e.f 11-9-2015 as well. I have submitted my PER for the period of 1-1-2015 to 25-5-2015 initiated by Mr. Hasham Ali Khan for countersignature.
 - iv. My PERs forms for the period of 26-5-2015 to 31-5-2015 duly filled in were submitted on 28-3-2016 to CCF-1 and for the period of 1-1-2016 to 31-12-2016 on 24-3-2017 to the administrative department for the reporting and countersignature (Copies attached).
 - v. My probation period has been terminated vide the FEW Department, Govt. of Khyber Pakhtunkhwa notification No. SO (Estt)/FE&WD/2k16 dated 11-11-2016 w.e.f 7-9-2016 (copy attached).
4. In the light of the above narrated facts, facts reflected in appeal, my unblemished service record, excellent performance and completion of all set forth criteria for promotion, I may please be given promotion to BS-20 and thus long awaited justice be done and a deserving civil servant be rewarded for devoted and dedicated public service at the last leg of his professional career.
5. I shall remain highly obliged for your sympathetic consideration and favorable action please.

Dated: 20.7.2017


Shabir Hussain
Shabir Hussain 20/07/2017
(Conservator of Forests BS-19)
Forest Department, KP

Accepted
Zeel Hussain
10-01-18

Annex: E



18

<p>SHABIR HUSSAIN Project Director</p>		<p>BILLION TREE AFFORESTATION PROJECT IN KHYBER PAKHTUNKHWA Delosi Road Aman Abad Opposite Pakistan Forest Institute Peshawar URL: billiontreeproject.kp.gov.pk FB: @billiontreetsunami Email: btap2015@gmail.com Phone # 091-9221178 Fax # 091-9221179</p>
<p>No. <u>1322</u> /BTAP Dated, <u>17</u> /02 /2017</p>		

To
The Section Officer (E)
FE&WD Peshawar

Subject:- PERFORMANCE EVALUATION REPORT 2015

Memo:

Please refer your letter number SO(Estt)/Env/1-26/2012/Vol:11/7862-63 dated 26-12-2016 on the subject noted above, wherein the CCF-I was requested to write up my ACR for the period of 26-05-2015 to 31-12-2015.

In this context I have to intimate that originally the forms duly filled in were submitted to CCF-I on 28-03-2016, who after 217 days returned the same vide his letter No.1144/E dated 02-11-2016 without any action. The same were submitted to your office on 09-11-2016 and till date the ACR are laying pending for action.

It is to inform that my promotion case is lingering on since long and despite my representation justice has still to be dispensed to me. Since the lapse of another 53 days action is yet pending

Therefore, the matter is brought to your notice for advising CCF-I to initiate ACRs pending with him for last 270 days. It is also requested that my promotion case to BS-20 may also please be processed in light of my presentation already made.

Project Director
[Signature]

No. 1323 /BTAP
Copy forwarded to the PS to Secretary Forestry Environment & Wildlife Department Govt. of Khyber Pakhtunkhwa Peshawar with the request that my case may be given favourable consideration and long impending justice may be dispensed to me.

Project Director
[Signature]

Attested
Zeel Huma Adv
10-01-18

321

Annex: "G"

17

To,

The Section Officer,
Establishment Section

Subject: Expeditions processing of retirement
Case

Kindly refer my application duly
supported by CEF for allowing me the retirement
and approving the encashment of salary.

It is requested that, my case may please
be processed expeditiously and I may be
relieved by December 31, 2016 and obliged.

21-12-2016.

Hussain
Shabir Hussain
CF Bmt

1463
23.12.2016

pu. on his P.P.
S/L

21/12 Attest
zele Hussain Adv
10-01-18

(14)

"E"

Answer:

Annex: "H"

18

The Section Officer
Establishment Branch
FE&WD, Beshawar

Subject: Expeditions processing of retirement case

Kindly refer my application dated 21-12-2016
which now being perfunctory is hereby withdrawn
please.

Regards
Shabir Hussain

Shabir Hussain
PD BTAP

21-3-2017

Attested
Zule Hussain Adv
10-01-18



"H" : Answer

3/7

SENDING REPORT

21 Mar. 2017 02:21PM

YOUR LOGO : BILLION TREE
YOUR FAX NO. :

19

NO.	OTHER FACSIMILE	START TIME	USAGE TIME	MODE	PAGES	RESULT
01	9210536	21 Mar. 02:20PM	00'24	SND	01	OK

TO TURN OFF REPORT, PRESS 'Menu' #04.
THEN SELECT OFF BY USING '+' OR '-'.

Atlas Gel
Zeke Huang
10-01-18

To

The Secretary to Govt:
Forestry, Environment & Wildlife Department
Khyber Pakhtunkhwa, Peshawar

Annex: "I"

20

Subject: Application for Grant of Four Months Earned Leave

Sir,

It is submitted with due respect in your kind honor that I have a pressing domestic engagement due to which I cannot attend office regularly, so require leave.

It is requested that I may very kindly be granted earned leave for 4 months w.e.f April 20, 2017 and obliged.

I shall remain obliged for this act of kindness, Sir.

Yours Sincerely r

Shahid Hussain
Dy.CCF/PD/BTTAP

Dated: April 11, 2017

Attested
Zeel Hussain
10-01-18

"I...:2911A"

29

Annex: "J"



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Peshawar the, 14th April, 2017

21

NOTIFICATION

No: SO (E)/FE&WD/1-50/Shabbir Hussain: - The competent authority is pleased to grant 120 (One Hundred & Twenty) days earned leave, on full pay (subject to availability of leave) in favour of Mr. Shabbir Hussain, Deputy Chief Conservator of Forests (BS-19), Forest Department also holding the additional charge of the post of Project Director, Billion Trees Afforestation Project (BTAP) w.e.f 20th April, 2017 to 18th August, 2017 (both days inclusive).

2. Consequent upon the above, the additional charge of the post of Project Director, BTAP is hereby assigned to Mr. Tehmasip, Divisional Forest Officer (BS-18)/Monitoring & Evaluation Officer-II, Abbottabad in BTAP in addition to his own duties/responsibilities.

3. Certified that the officer, on the expiry of leave is likely to return to the same post and station.

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

No: SO (E)/FE&WD/1-50/Shabbir Hussain: -

Dated Peshawar the, 14th April, 2017

Copy is forwarded to:-

- 1) Chief Conservator of Forests, Central Southern Forest Region-I, Peshawar.
- 2) Chief Conservator of Forests, Northern Forest Region-II, Civil Line Forest Offices, Abbottabad.
- 3) Chief Conservator of Forests, Malakand Forest Region-III, Saidu Sharif, Swat.
- 4) Conservator of Forests, Forestry, Planning & Monitoring Circle, Peshawar.
- 5) Conservators of Forests, Southern Circle, Upper Hazara and Lower Hazara Forest Circles, Peshawar, Abbottabad & Mansehra.
- 6) Project Director, Billion Trees Afforestation Project w/r to his application dated 11th April, 2017.
- 7) Director, Budget & Accounts Cell of FE&W Department, Khyber Pakhtunkhwa.
- 8) Personal file of the officers concerned.
- 9) Master file.
- 10) Office order file.

Attested

Zeile Hussain
10-01-18

Section Officer (Estt).

12

"L" Amey

To,

27

The Secretary to Govt of KP
Environment Department, Peshawar.

Subject :- Arrival report,

Sir,

I beg to submit arrival today
after completion of leave granted to me vide
SO (Estt) Env / 1-150 (29) / 2K10 dated 24-1-13

Attested

Zeel Hussain

7/1/2013

Shabir Hussain
10/01/18

23

Annex: "K"

GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

NOTIFICATION

NO.SO(ESTT)ENVT:II-27/2K9: In pursuance of Section 8(1) 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 Final seniority list of Conservator of Forests (BPS-19), Khyber Pakhtunkhwa Forest Department (as it stood on 31.03.2017 for general information.

FINAL SENIORITY LIST OF CONSERVATOR OF FORESTS (BPS-19), KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT STOOD ON 31.03.2017.

-Total Sanctioned posts = 09-

S. No	Name of Officer with qualification	Date of birth	Domicile	Date of first entry in to service	Regular appointment/ promotion to the present post			Present appointment with date:	Remarks
					Date	BPS	Method of recruitment		
1.	Mr. Mohammad Siddique Khan Khattak B. Sc Forestry M. Sc Forestry	14/1/1959	Kohat	08/10/1985	11/4/2012	19	-do-	BPS-19 11/4/2012	Appointed to the post of Chief Conservator of Forests (BPS-20) on acting charge basis vide Government of Khyber Pakhtunkhwa Establishment Department Notification No. SO(E-1)E&AD/9-112/2016 dated 15.07.2016.
2.	Mr. Shabir Hussain B. Sc Forestry M. Sc Forestry M. Sc Rural Development RDF (UK)	16.01.1958	Kurram Agency	11.10.1986	7.5.2013	19	-do-	BPS-19 7.5.2013	Seniority restored vide Administrative Department Notification No. SO (Estt) FE&WD/1-39/2K16/527 dated 27.04.2016.
3.	Mr. Sher Nawaz M. Sc Chemistry M. Sc Forestry	23/4/1959	Mardan	1/10/1987	7.5.2013	19	-do-	BPS-19 7.5.2013	Appointed to the post of Chief Conservator of Forests (BPS-20) on acting charge basis vide Government of Khyber Pakhtunkhwa Establishment Department Notification No. SO(E-1)E&AD/9-112/2016 dated 15.07.2016.

Mr. Shabir Hussain C/F

Attested
Zeel Hume
10/04/18

✓

32

Answers: "K"

1.	Mr. Ali Gohar M. Sc. Forestry	11/8/1961	Mohmand Agency	29/10/1988	7/5/2013	19	By promotion	BPS-19 7/5/2013	
2.	Malik Javed Khan M.Sc. Agriculture M. Sc. Forestry	20/4/1958	Charsadda	20/10/1989	7/5/2013	19	-do-	BPS-19 7/5/2013	

Chief Secretary,
Khyber Pakhtunkhwa

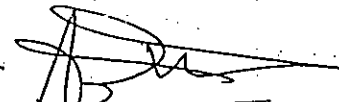
Endst: No: SO (Estt)/Envt/1-40/2013/5407-13

Dated Peshawar the, 31st May, 2017

Copy is forwarded to:-

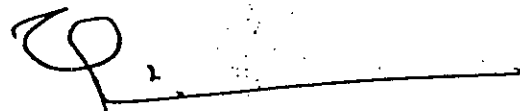
1. Chief Conservator of Forests, Central Southern Forest Region-I, Peshawar.
2. Chief Conservator of Forests, Northern Forest Region-II, Civil Line Forest Offices, Abbottabad.
3. Chief Conservator of Forests Malakand Forest Region-III Saldu Sharif Swat.
4. Director Budget & Accounts, Forestry, Environment & Wildlife Department, Khyber Pakhtunkhwa.
5. All Conservator of Forests/Director Integrated Specialized Units In Khyber Pakhtunkhwa C/O CCF Forest Region-I, Peshawar.
6. PS to Secretary, FE&W Department, Khyber Pakhtunkhwa.
7. Programmer, Budget & Accounts Cell of FE&W Department, Khyber Pakhtunkhwa.
8. Office Order file.
9. Master file.

No. 3417-20 /E Dated Peshawar the 14 /06/2017


(Manz Abdul Jalil)
Section Officer (Estt)

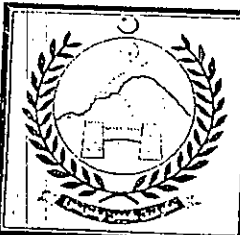
Copy forwarded for information and necessary action to the:-

1. Mr. Shabir Hussain Conservator of Forests.
2. Mr. Sher Nawaz Managing Director FDC Hayatabad.
3. Mr. Ali Gauher Khan CF/Director Forestry Research PFI Peshawar.
4. Malik Javed CF/Director R & D Peshawar.


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

Attested
Zeethuma
10/01/18

52



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Peshawar the, 29th August, 2017

Annex:

NOTIFICATION

No.SO(Estt)FE&WD/1-50/(29)/2017: In terms of provision of Rule-20 of the Khyber Pakhtunkhwa, Civil Servants Revised Leave Rules, 1981 and the instructions issued there-under from time to time, the competent authority is pleased to accord sanction for encashment of Leave Preparatory to Retirement, equivalent to 365-days in favour of Mr. Shabbir Hussain, Conservator of Forests BS-19, Forest Department, Khyber Pakhtunkhwa.

2. In terms of Section-13 of the Khyber Pakhtunkhwa, Civil Servants Act 1973, Mr. Shabbir Hussain, Conservator of Forests BS-19, Forest Department stand retired from government service, w.e.f. 29/08/2017 on his own repeated requests dated 19/08/2016 and 21/12/2016.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE
DEPARTMENT.

No.SO(Estt)FE&WD/1-50/(29)/2k17: / 872-82
Dated Pesh, 29th August, 2017

Copy is forwarded to:-

- 1) Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar w/r to his letter No.490/E dated 22/8/2016.
- 2) Chief Conservator of Forests, Northern Forest Region-II, Abbottabad.
- 3) Chief Conservator of Forests, Malakand Forest Region-III, Swat.
- 4) Deputy Chief Conservator of Forests, Head Office, Peshawar.
- 5) Director Budget & Accounts Cell, Forestry, Environment & Wildlife Department. He is directed to recover all the outstanding/Government dues, liabilities including an amount of Rs. 2,99,327/- pending against the above officer from pension commutation/gratuity as per law. Copy of note portion at para-248-289/N is enclosed for your office record.
- 6) Programmer, B&A Cell of FE&W Department.
- 7) PS to Secretary, Forestry, Environment & Wildlife Department.
- 8) Officer concerned w/r to his request dated 19/8/2016 and 21/12/2016.
- 9) Personal file of the officer.
- 10) Master file.
- 11) Office order file.

(HAFIZ ABDEL JALIL)
SECTION OFFICER (ESTT)

Attested
zelethuma
10/01/18

23

e/o CCF-I

“ ”
Answer:

25

Annex: "M."

26

To,
The Chief Secretary,
Government of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.

Through: The Secretary, FE&WL Department Khyber Pakhtunkhwa

Subject: Appeal against repugnant order of Secretary FE&WD issued vide SO (Estt) FE&WD/1-50/29/2017/872-82 dated 29-8-2017 and request for its setting aside and restoration in service as well as allowing promotion to BS-20

Sir,

With due respect I beg to draw your kind attention to the caption referred repugnant notification which has put me under retirement w.e.f 29-8-2017 through extreme highhandedness on the basis of infructuous application though my superannuation falls on January 15, 2018 and I fulfilled criteria for promotion. In this context I want to bring following facts in your kind honour:

- That I am second senior most, competent, dedicated and honest officer having exemplary good service record, credentials and experience. That I took Gold Medals in BSc Forestry (1981), MSc Forestry (1986) and stood first in University in MSc Rural Development.
- That I was inducted in BS 16 as Range Officer in Forest Department w.e.f 7-10-1981, re-inducted in BS-17 as DFO w.e.f 14-10-1986. Was promoted to BS-18 w.e.f 31-8-2006 as DCF.
- That I was promoted to BS-19 w.e.f 7-9-2015 and hence after 34 years became Conservator from DFO despite envious academic record, excellent service carrier and outstanding performance.
- That due to outstanding professionalism was engaged by IUCN and Inter-cooperation of Switzerland as employee and worked as consultant with number of internationally acclaimed organizations and donors and have number of publications at my credit.
- That due to long leave my seniority was affected, which was restored on 27-4-2015. However, on wrong seniority list and working paper and concealing facts from PSB, the PSB held on 10-5-2016 promoted one officer junior to me. Consequently, I preferred an appeal to your office on 16-5-2016 but still response is awaited (Copy enclosed).
- Although, I was posted as Deputy CCF and was assigned additional charge of BTAP w.e.f 11-9-2015, which made world acclaimed progress in my tenure, but I was not promoted or even posted to higher post despite the fact that Mr. Muhammad Siddique CCF who is the only officer senior to me is holding charge of two posts of CCF since March 2015 and another post was held by two officers junior to me.
- That having been persistently deprived of my legitimate right of promotion and even of other legally admitted benefits, I became extremely frustrated and the extreme hopelessness pulled me to start searching employment in private sector. Having positive response, I applied for retirements vide application dated 19-8-2016, but my request was not acceded putting me in financial loss.
- That on 21-12-2017 in pursuance of my application I requested to retire me w.e.f 31-12-2016 so that I could take benefit of full leave encashment and work outside, but it was not accepted.
- Since the application had turned infructuous w.e.f 1-1-2017 so I continued serving as PD BTAP. In this time I made request vide letter no 1322/BTAP dated 17-2-2017 for processing

Attested
Zeel Humaira
10/01/18

..M¹²:sewaA

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my case for promotion to BS-20 (Copy enclosed), which was not done due to reasons not known to me.

- That thereafter, I applied for earned leave on 11-4-2017 and accordingly was granted earned leave for 120 days from April 20, 2017 vide notification No SO (E)/FE&WD/1-50/Shabir Hussain dated 14-7-2017 (Copy enclosed). I availed leave and submitted arrival after leave on 21-8-2017.
- That during my leave the seniority list of BS-19 was revised and it was circulated on 14-6-2017. In pursuance of this I made an application to Secretary on 2-7-2017 (Copy enclosed) to process my promotion case. I have not been informed of result of this application as yet.
- In view of facts narrated above it is amply clear that the application of retirement had become infructuous on 31-12-2016 and I fulfilled all laid down criteria for promotion. Hence there seemed no reason to further deprive me of my right, although my ACRs for the period of May to December 2015 and 2016 are yet lying with reporting officers for reasons not known to me.
- However, all of a sudden on 29-8-2017 I was retired in pursuance of my infructuous application.

The circumstances narrated above suggest that I was denied justice and retired with ulterior motives on the basis of application tendered one year before and thereafter setting time line of 31-12-2016. Therefore, it is requested that my retirement order being flawed and based on personal grudges may kindly be set aside and I may very kindly be restored in service and be given justice in light of my appeal made on 20-7-2017.

I shall remain obliged for this act of administering long awaited justice for a honest and well reputed civil servant.

Dated 20-9-2017

Shabir Hussain
Conservator of Forests BS-19
Cell No 033-9480712
20/9/2017

Copy in advance forwarded to worthy Chief Secretary Khyber Pakhtunkhwa for his kind information and doing justice.

Attested
zele Huma
10/01/18



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Pesh: the 29th August, 2016

Annex: "N" 28

NOTIFICATION

No.SO(Estt)FE&WD/1-50(58)/2k15: The Competent Authority has been pleased to constitute an Enquiry Committee, comprising the following officers to conduct inquiry on disciplinary proceedings against Mr.Shakeel Ahmad, Divisional Forest Officer (BS-18)/with-holding additional charge of Director/Conservator, FP&M Circle, Forest Department, into the charges/allegations leveled against him in the enclosed Charge Sheet/Statement of Allegations, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 :-

- i. Mr. Adeel Shah (PMS BS-19) Additional Secretary, Zakat & Ushr Department (Convener of the Enquiry Committee)
 - ii. Mr. Shabir Hussain (BS-19), Conservator of Forest/Project Billion Trees Afforestation Project (Member of the Enquiry Committee)
2. The Enquiry Committee shall submit its findings within 30 days positively.

0334-881978

Sd/-
CHIEF MINISTER
KHYBER PAKHTUNKHWA

Endst: No.SO(Estt)FE&WD/1-50(58)/2k15:

Dated Pesh: the 29th August, 2016

Copy alongwith copies of the Charge Sheet/Statement of Allegations, are forwarded for further necessary action to :-

- 1. Mr. Adeel Shah (PMS BS-19) Additional Secretary, Zakat & Ushr Department (Convener of the Enquiry Committee)
- 2. Mr. Shabir Hussain (BS-19), Conservator of Forest/Project Billion Trees Afforestation Project (Member of the Enquiry Committee).
- 3. Mr. Shakeel Ahmad, Divisional Forest Officer, Forest Department C/O Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar; with the direction to appear before the Enquiry Committee on the date, time and place to be fixed by the Enquiry Committee for the purpose of inquiry proceedings.

[Signature]
SECTION OFFICER (ESTT)

Endst: No.and date even.

Copy is forwarded for information and necessary action to:-

- 1. PS to Secretary, Forestry, Environment & Wildlife Department.
- 2. Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar, with the direction to nominate and depute a departmental representative well conversant with the facts of the case alongwith relevant record for assisting the Enquiry Committee during its proceedings under intimation to all concerned.
- 3. Personal file of the officer.
- 4. Master file.
- 5. Office order file.

*Received on 6/9 Attested
zele Hum a
6/9 10/01/18*

SECTION OFFICER (ESTT)

85

17" : 2000A

Khurshid Ali Khan
Divisional Forest Officer-I



Forestry Planning & Monitoring Circle
Palosi Road Aman Abad Peshawar
Opposite Pakistan Forest Institute
Phone # 091-9216248-9
Fax # 091-9216637

No. 2528/E Dated 20/12/2016.

29

To

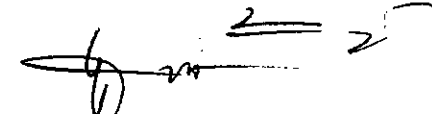
✓ Mr. Adeel Shah,
Convener of the Enquiry Committee/Additional Secretary,
Zakat, Usher, Social Welfare Special Education,
& Women Empowerment Department,
Govt. of Khyber Pakhtunkhwa, Peshawar

Subject: INQUIRY PROCEEDINGS AGAINST MR. SHAKEEL AHMAD, DIVISIONAL FOREST OFFICER (BPS-18), CENTRAL & SOUTHERN FOREST REGION-I, FOREST DEPARTMENT.

Reference: In continuation of this office endorsement No.7173-76/E dated 05-12-2016.
Memo:

Enclose please find herewith the requisite clarifications / technical opinions of the HAD received vide Chief Conservator of Forests, Central Southern Region-I, Khyber Pakhtunkhwa, Peshawar letter No. 606/GB dated 15-12-2016 (in original) with regard to serial No. 03, 04, 05, 06, 07, 09, 14, 15 & 24 of the questionnaire for perusal and further necessary action, please.

Encl: As above.


(Khurshid Ali Khan)
Divisional Forest Officer-I /
Departmental Representative,
FP&M Circle, Peshawar

No. _____ /E:

Copy forwarded to the:

1. Chief Conservator of Forests, Central Southern Forest Region-I, Peshawar for information, please.
2. Mr. Shabir Hussain, Member of the Enquiry Committee / Project Director, Billion Trees Afforestation Project, Forest Department, Peshawar for information, please.
3. Section Officer, Establishment, Forestry, Environment and Wildlife Department Peshawar along-with a copy of the enclosures for information and necessary action, please.

Divisional Forest Officer-I
Forestry Planning & Monitoring
Circle Peshawar

Attested
Zeel Hussain
11
10/01/18



GOVERNMENT OF KHYBER PAKHTUNKHWA
 FORESTRY, ENVIRONMENT AND WILDLIFE DEPARTMENT,
 SDU Building, Khyber Road, Peshawar Cantt, Peshawar.
 (General Branch) Ph # 091-9212592, Fax # 091-9210536

No. SO(OYFE&WD/S-11/PF/2017/
 Dated, the Peshawar, 3rd April, 2017

30

Annex

To
 The Principal Secretary to
 Chief Minister,
 Khyber Pakhtunkhwa,
 Peshawar.

Subject: - THE ANNOUNCEMENTS MADE BY HON'BLE CHIEF MINISTER, KHYBER PAKHTUNKHWA DURING THE SHARING OF SECOND THIRD PARTY MONITORING REPORT OF BILLION TREE AFFORESTATION PROJECT (BTAP) - ISSUANCE OF CHIEF MINISTER'S DIRECTIVES

Dear Sir,
 I am directed to refer to the subject cited above, and to state that World Wide Fund (WWF) Pakistan has monitored the activities of BTAP as a third party and has shared its second third party monitoring report in a program, which was organized by FE&W Department on Saturday, 1st April, 2017 at 12:00 P.M in the Marriot Hotel, Islamabad.

2. The occasion was graced by the Hon'ble Chief Minister, Khyber Pakhtunkhwa as Chief Guest, besides Malik Amin Aslam, Chairman Green Growth, worthy Chief Secretary, Mr. Ishtiaq Urmer, Special Assistant to Chief Minister for Environment, Khyber Pakhtunkhwa and other distinguished Guests.

3. While presenting the findings, the WWF-Pakistan assessed that the BTAP has completed its 80% planned targets of adding one billion seedlings, in Forest Ecosystem, in Khyber Pakhtunkhwa and declared that the area charged is accurate, number of seedlings shown to have raised been verified and the plantation and sowing areas have over 83% survival, while regeneration areas have over 2400 seedlings per hectare regenerated despite prolonged drought. The WWF-Pakistan claims 95% confidence interval for the reported results. It is pertinent to mention that initially this project was conceived to raise one billion seedlings during five years through investment of Rs. 22 Billion. However, by the immense efforts of the staff of FE&WD, the planned cost & time has been reduced and now in 3 years with cost of Rs. 15 Billion project will get concluded.

Office of the PSCM
 Peshawar-766
 Date: 5/4/17

①
 Addl. Secy OYS KPK
 Peshawar
 961
 5/4/17

Reason put up for approval of CM

Asst. Secy
 Peshawar
 5/4/17

E:\017\01 of 01\11\11\11.docx

Pl. principal secretary

06/04/17

Attested
 Zele Huma

10/01/18

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Answer

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4. The WWF-Pakistan In its presentation has admitted that BTAP is the first ever project whose cost & time has got reduced through prudent implementation as compared to initially foreseen and planned cost, despite outstanding results. Thus the third party monitors have recommended that the PMU and staff of FE&WD may be suitably rewarded in view of untiring and magnanimous efforts made by them. The monitors further recommended that the project need to be implemented for next two years at minimum to protect and maintain the assets already developed.

5. The Hon'ble Chief Minister, KP during his speech on the occasion has been pleased to make the following announcements:-

- i. Billion Trees Afforestation Project will continue for another two years and will be reflected in the next years ADP of the Province.
- ii. The magnanimous efforts of staff of FE&WD with regard to good planning and implementation of Billion Trees Project are acknowledged and Cash award is announced, for which the Secretary FE&W Department was directed to move a summary.

6. In view of the above, it is requested that necessary formal Chief Minister's directive may kindly be issued/circulated in this respect; thereby ensuring initiation of further necessary actions as per the announcement of the Hon'ble Chief Minister, Khyber Pakhtunkhwa.

Yours faithfully,

(Muhammad Ayub)
Section Officer (General)

Endst: No: & Date even

Copy is forwarded for information to:-

- 1. PSO to Chief Secretary, Khyber Pakhtunkhwa.
- 2. PS to Special Assistant to Chief Minister for FE&WD, Khyber Pakhtunkhwa.
- 3. PS to Secretary Forestry, Environment & Wildlife Department.

Section Officer (General)

Attested
Zeke Humra

10/01/18



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT
(PLANNING CELL)

32

No. DDP. (FE&WD)/1096

Dated Peshawar the: 12/04/2017

To

1. The Chief Conservator of Forests,
Central Sothern Forest Region-I, Peshawar.
2. The Chief Conservator of Forest,
Northern Forest Region-II, Hazara (Abbottabad).
3. The Chief Conservator of Forest,
Northern Forest Region-III, Malakand (Swat).

Subject: DRAFT RECORD NOTE OF MEETING OF OFFICERS OF FE&WD
CHAIRD BY SECRETARY FORESTRY, ENVIRONMENT AND
WILDLIFE DEPARTMENT KHYBER PAKHTUNKHWA HELD AT KP
HOUSE ISLAMABAD ON 01.04.2017.

I am directed to refer to the subject noted above and to enclose herewith minutes of the subject meeting. It is requested that instructions/decisions arrived at during the meeting shall be completed in letter and spirit with target time. It is further requested to pass on the instructions to the field formation for strict and compliance.

I am further directed to intimate you that it was desired that the progress should be regularly reviewed at your level to ensure compliance of instructions and the progress report may be shared with the Administrative Department on bi-monthly basis, please.

Encl: As above.

[Signature]
Deputy Director Planning
12/4/17

CC:

1. Project Director, Billion Trees Afforestation Project, Peshawar, alongwith the subject minutes for perusal and further necessary action with respect to the decision pertaining to the PMU, please.
2. All Divisional Forest Officers of Forest Department for similar necessary action and to submit their reports through concerned Chief Conservator of Forest, please.
3. PS to Secretary Forestry, Environment and Wildlife Department, Govt. of Khyber Pakhtunkhwa.

Deputy Director Planning

*Allested
zele Herma
10/01/18
SPO / NEG
what does are for us?
we still / SPO for
inf. & are all cfs
for compliance*

[Signature]
13/4/17

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**DRAFT RECORD NOTE OF MEETING OF OFFICERS OF FE&WD
CHAIRIED BY SECRETARY FORESTRY, ENVIRONMENT & WILDLIFE
DEPARTMENT KHYBER PAKHTUNKHWA HELD AT KP HOUSE
ISLAMABAD ON 01.04.2017**

Taking benefit of presence of large Number of officers of FE&W Department, after sharing second Monitoring Report by WWF Pakistan, the worthy Secretary Forestry, Environment & Wildlife Department chaired a meeting of officers of Forest, Wildlife, EPA and PFI in KP House Islamabad on April 01, 2017. The list of the participants is added as Annex-I.

The chair welcomed the participants and applauded the performance of Forest Department with regard to implementation of BTAP as endorsed by the WWF Pakistan while sharing second monitoring report of BTAP. Such performance definitely owes to dedication, hardwork and commitment which has not only restored the image of the Forest Department but also set an example for future generations and other departments as well. After having said above he said that now the real challenge is of maintaining the assets that have already been developed so far. For maintaining the assets built and achieving the remaining targets of BTAP with same commitment and zeal, the chair issued the following instructions:

1. In light of announcement made by the Chief Minister KP regarding cash awards to encourage staff for their outstanding performance in BTAP execution, protection and retrieval of land from adverse possession, the Chief Conservators of Forest should develop parameters for objectively evaluating such performance while considering their assignments and engagements in forest protection and development related issues.
2. All the plantations, particularly where eucalyptus is grown (other than saline and waterlogged areas) should invariably be supplemented with sowing of seed of appropriate indigenous species. No laxity on this account shall be tolerated.
3. For ensuring maintenance and protection of plantations and enclosures, timely payments to Chowkidars/ Nigahbans should be ensured. The DFOs should always retain a portion of released funds enough to disburse salaries of Chowkidars/ Nigahbans for at least four (4) subsequent months uninterruptedly.
4. The Chief Conservators of Forest after consultation with Conservators and DFOs should decide time and procedure for taking over the enclosures established by Wildlife Department.
5. The staff should coordinate with WWF team for evaluating afforestation through direct sowing for incorporating the results in monitoring report.
6. The PFI and R&D Directorate should hold research on different aspects of BTAP for future guidance. The students may be given thesis on BTAP.
7. The Chowkidars / Nigahbans should be trained in fire fighting and equipped with necessary instruments.
8. Efforts should be made for registering BTAP with international organizations.

Attested
zelethuma
10/01/18

**CHIEF MINISTER'S SECRETARIAT
KHYBER PAKHTUNKHWA**

filed - (A)

NO. SOV/CMS/KPK/Env/2014 / 5385
Dated Peshawar the 18/04/2017

Forestry, Environment & Wildlife Department
Govt. of Khyber Pakhtunkhwa

D No. 2078
Dated 19/04/17

32

To

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

Subject:

THE ANNOUNCEMENTS MADE BY HONORABLE CHIEF MINISTER
KHYBER PAKHTUNKHWA DURING THE SHARING OF SECOND
THIRD PARTY MONITORING REPORT OF BILLION TREE
AFFORESTATION PROJECT (BTAP) - ISSUANCE OF CHIEF
MINISTER'S DIRECTIVES.

Dear Sir,

I am directed to refer to your office letter No.SQ(G)/FE&WD/5-11/PF/2017/624-27 dated 03-04-2017 on the subject noted above and to state that the Honorable Chief Minister Khyber Pakhtunkhwa has been pleased to make the following announcements in his speech on the subject occasion:-

i. Billion Trees Afforestation Project will continue for another two years and will be reflected in the next year ADP of the Province.

ii. The magnanimous efforts of staff of FE&WD with regard to good planning and implementation of Billion Trees Project are acknowledged and Cash award is announced for which the Secretary FE&W Department was directed to move a summary.

I am, therefore, directed to say that necessary action on the above directive of Honorable Chief Minister Khyber Pakhtunkhwa may kindly be taken at earliest under intimation to this Secretariat as desired by the competent authority please.

Encl: As above.

Yours faithfully,

(Ghani Ur Rehman)
SECTION OFFICER V

A.S.
Pl. Put up draft
Summary immediately
18/04/17

pl put up immediately
21/4

Attested
Zeke Humis

Endst No and Date Even.

Copy forwarded for information to:-

PS to Principal Secretary to Chief Minister, Khyber-Pakhtunkhwa.

DDP

10/01/18

Strategic Support Unit (SSU),
KPK Chief Minister's Secretariat, Peshawar
Dated: Peshawar 18th January 2016
No: SSU/BTTAP1/PCM/Minutes/2016-17

To

1. The Hon. Advisor to CM on Environment, Government of KP.
2. Secretary Environment, Government of KP.
3. The PSO to Chief Secretary, Government of KP.
4. The Project Director BTTAP, Government of KP.

125
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Subject: Minutes of the First Stock Take on BTTAP KP 11th January 2016.

Dear Sir,

Please find enclosed minutes of the subject meeting for your information, further necessary action and record.

Aleem Khan

Aleem Khan
Senior Analyst

Copy for information to:

1. P.S. to Chief Secretary KP
2. P.S. to Additional Chief Secretary KP
3. P.S. to Principal Secretary to Chief Minister KP

Aleem Khan
Aleem Khan
Senior Analyst

Project 128
Date 18/1/16
By PS/11
Approved by PS/11
Khyber Pakhtunkhwa Peshawar

LC put up &
open by
26/1/16

Attested
zele Humna
11
10/01/18

MINUTES OF STRATEGIC SUPPORT UNIT (SSU) STOCK TAKE
PRESENTATION ON BILLION TREE TSAUNAMI AFFORESTATION
PROJECT (BTTAP) 11TH JANUARY 2016

36

The Strategic Support Unit (SSU) was established on the directives of the Chief Minister, Khyber Pakhtunkhwa to provide updated credible information on progress to the Chief Minister on delivery of the Government's overarching priorities in five specific areas including Chief Minister Special Initiatives. The SSU will achieve this aim by providing support to the sector Departments and some selected special initiatives of Chief Minister in the form of advice and technical input whenever needed to ensure that existing aspirations are duly transformed into structured plans and accountable results. On January 11th, 2016 Strategic Support Unit (SSU) gave a presentation to Chairman Pakistan Tehreek-e-Insaf, Imran Khan, Chief Minister KP, Minister Environment KP, Chief Secretary KP, Additional Chief Secretary KP, Secretary Environment KP and Project Director BTTAP

Head SSU - Sahibzada Saeed Ahmad gave a comprehensive overview of progress of this initiative. The presentation gave an independent assessment of the status of prioritized reforms including tree plantation, closure of forest land development of nurseries. Head SSU apprised the forum that overall the project is on track and there were just a few hick ups which were discussed and the concerned secretary replied. Secretary Environment apprised the forum that this year 6 countries have been declared Forest Tigers based on Carbon Points Reduction and KP is the only province which got this title the rest 5 are countries. He further added that in light of guidance given by CM and CS the Department has drafted the PC1 for phase II in a manner that if it is presented to any donour, getting funding from them would be easy under climate change. Secretary Environment clarified the reason for not achieving target of bare rooted nurseries and said that bare rooted is expensive and has very limited time of plantation while tube plantation can be done over the year. Secretary Environment informed the house that in establishment of closures, wildlife Department will also participate and the next target for closures is 3000 while the target set for plantation by end of March 2016 is 250 Million plants. CS apprised the forum that in order to control fresh illegal cutting of forests, a satellite imaging system is developed which will be used to check and monitor illegal cutting where coordinates of the affected area will be shared with Department who will send specific teams to the area. The already illegally cut timber has

Attested
Zeel Huma
10/01/18

been taxed now and 600 million rupees revenue has been collected so far and CM has given 2 mobile squads for rapid response force initially.

The following were the major decision taken during the stocktake.

Decisions:

- 1) Third Party Validation report will be made public by 16-01-2016.
- 2) Project and Department staff may be given bonus based on their performance.
- 3) The revenue collected from taxing the illegally cut timber should be reinvested on improving policing within the Department to control illegal forest cutting.

The meeting ended with a vote of thanks from and to the chair.

Attested
Zeke Huma
H
10/01/18

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پشاور ایبٹ آباد اور اسلام آباد سے بیک وقت شائع ہونیوالا کثیر الاشاعت قومی روزنامہ

ریشن کل کی شانیت، آج کا نصب العین

روزنامہ



پشاور
پاکستان

ایڈیٹر
عبدالواحد یوسفی

صفحات 12

جلد 28 | جمعہ 29 دسمبر 2017 | 10 ذی الحجہ 1439 | 2017-13 | 13 | 349

50

سلیکشن بورڈ کا اجلاس، 855 افسروں کی ترقی کی سفارش

حکومت کی اطلاع کے 4 افسروں کو ریٹائرڈ 18 دینے کی سفارش تیار کر لی گئی

پشاور (جنگ جہاد خصوصی) چیف سیکرٹری خیر بخت خواجہ کی جس میں مختلف حکموں کے تحت 855 افسران کو ترقی کی سفارش تیار کی گئی۔ اگلے گریڈ میں ترقی دینے کی سفارش کی گئی۔ ترقی پانے والوں میں عسکر (بانی صفحہ 10) بقیہ نمبر (51)

حکومت کی اور اس صدارت 5-تین دن ہے۔

بقیہ نمبر 51 ترقی فیصلہ

9 افسران کو گریڈ 17 میں عسکر انفا جتن کے 4 افسران کو گریڈ 18 میں پرائشل آپکشن نم کے ایک افسر کو گریڈ 19 میں عسکر نیک انفا آپکشن نم کے ایک افسر کو گریڈ 19 میں عسکر بی اینڈ ڈیو کے تین افسران کو گریڈ 19 میں عسکر بی اینڈ ڈی کے ایک افسر کو گریڈ 20 میں عسکر ماحولیات کے 8 افسران کو گریڈ 18، 19 اور 20 میں عسکر فاس کے ایک افسر کو گریڈ 19 میں عسکر پاپیشن کے 17 افسران کو گریڈ 18 اور 20 میں عسکر انٹنسٹی اور سیکٹوری آپکشن کے 51 پیچنگ کیڈر کے افسران کو گریڈ 18، 19 اور 20 میں عسکر ہائیر آپکیشن کے 372 پیچنگ کیڈر افسران کو گریڈ 18، 19 اور 20 میں عسکر

آپاشی کے ایک افسر کو گریڈ 20 میں ترقی دینے کی سفارش کی گئی ہے۔

2017-13
10/01/18

No

اللہ ہی کیلئے ہیں مشرق و مغرب القرآن

DAILY MASHRIQ PESHAWAR

روزنامہ
سید تاج میر شاہ
عبدالوکیل بانی

مشرق

سلسلہ اشاعت کے 51 سال

پشاور اور اسلام آباد سے بجیک وقت شائع ہونے والا کثیر الاشاعت قومی اخبار

ABC CERTIFIED

جلد 51 جمعہ المبارک 10 ربیع الثانی 1439ھ 29 دسمبر 2017ء 14 پوہ قیمت 13 روپے شمارہ 130

۳۱

بقیہ نمبر 44 صوبائی سلیکشن بورڈ

کریڈٹ 17 میں، عکس اطلاعات کے 14 افراد کو کریڈٹ
 18 میں، ہائیڈرو پاور کے ایک انسٹالیشن کے 19 میں،
 عکس پبلک ہیلتھ ایجنسی کے ایک انسٹالیشن کے 19 میں،
 عکس ایئر لائن کے جن افراد کو کریڈٹ 19 میں، عکس ایئر
 ایئر ڈی کے ایک انسٹالیشن کے 20 میں، عکس اجراءات کے
 18 افراد کو کریڈٹ 19، 18 اور 20 میں، عکس ڈانس کے ایک
 انسٹالیشن کے 19 میں، عکس پاپیشن کے 17 افراد کو
 کریڈٹ 18 اور 20 میں، عکس مہنگات کے 10 افراد کو
 کریڈٹ 18 اور 19 میں، عکس صنعت کے ایک انسٹالیشن
 کے 19 میں، عکس زراعت کے 14 افراد کو کریڈٹ
 19، 18 اور 20 میں، عکس پمپنگ اسٹیشن کے ایک
 انسٹالیشن کے 19، 18 اور 20 میں، عکس پمپنگ
 کے 5 ٹینک کے انسٹالیشن کے 19، 18 اور 20 میں، عکس
 پمپنگ کے 19، 18 اور 20 میں، عکس پمپنگ کے 372 ٹینک
 کے انسٹالیشن کے 19، 18 اور 20 میں، عکس پمپنگ
 کے 1343 انسٹالیشن کے 19، 18 اور 20 میں، عکس پمپنگ
 کے ایک انسٹالیشن کے 18 میں، عکس لبر کے 12 افراد کو
 کریڈٹ 18 میں، اور عکس پمپنگ کے ایک انسٹالیشن کے 20 میں
 ترقی دینے کی سفارش کی گئی ہے۔ یہاں باہر تاحل ذکر ہے
 کہ وہاں سال صوبائی سلیکشن بورڈ نے کل 13694 افراد
 کو طلب کر کے ان میں ترقی دینے کی سفارش کی ہے۔ علاوہ
 ان میں صوبائی حکومت نے صحت کے لائق شعبوں میں
 ترقی دینے کے 342 ملازمین کو اس کی سفارش کی ہے۔ ترقی دینے کی
 سفارش کی گئی ہے اس سلسلے میں اطلاعاتی سیکشن کے چند ملازمین
 کو بھی سفارش کیا جائیگا۔ ایئر سیکرٹریٹ کی ذراحت نے تاحل ذکر ہے
 پختونخوا میں صحت کے لائق شعبوں کے افراد اور ترقی دینے
 کے لائق افراد کی ترقی کے سلسلے میں بہت چھٹ بیکری کے دفتر
 اور سال کی گئی ہے۔ یہاں سے صحت کے روز 342 ملازمین
 کو اس کی سفارش کی ہے۔ ترقی دینے کی سفارش کی گئی ہے جن کے
 مطابق 307 ملازمین افراد اور 20 تاحل سرجن کو کریڈٹ
 سترہ سے اٹھارہ میں ترقی دینے کے لائق ہے۔ ایئر سیکرٹریٹ کے افراد کو
 کریڈٹ 19 میں ترقی دینے کے لائق ہے۔ صحت کے چھٹ بیکری
 کے دفتر کے ملازمین کے بعد عکس صحت سے ان افراد کی
 ترقی اور دیگر اطلاعاتی سلیکشن بورڈ سے تاحل ہادی کیا جائیگا۔

1855 افراد کی ترقی کی سفارش، 342 ڈاکٹرز کو ترقی مل گئی

پشاور (نیوز پورٹ) چیف سیکرٹری خیرہ، پختونخوا کی زیر
 نگرانی صوبائی سلیکشن بورڈ کا اجلاس جمعرات کے
 روز منعقد ہوا جس میں لائق ملازمین کے تقریباً
 1855 افراد کی ترقی دینے کی سفارش کی گئی۔ ترقی دینے والوں میں عکس صحت کے 19 افراد
 (بقیہ 44 صفحہ 10)

Attested
 Zele Huma
 10/01/18

W

تہ 50



19550

ایڈوکیٹ: طلحہ سجاد لکھنوی
بار کونسل ایسوسی ایشن نمبر: BC 10-3017
رابطہ نمبر: 0332 9442207

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: جسٹس کورٹ، سرسوال ایپلٹ

مخانب: ایپلٹ	دعویٰ: سرسوال ایپلٹ
شہر: خیبر پختونخواہ	علت نمبر:
بنام چیف سیکریٹری	مورخہ:
در	جرم:
	تھانہ:

باعث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام جسٹس کورٹ کیلئے طلحہ سجاد لکھنوی کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 18. 01. 10

العبد _____ واہ شد _____ العبد

مقام _____ کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

علی


BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 44/2018

Shabir Hussain S/O Sikandar Khan, Resident of Sadda Kuram Agency former, Conservator of Forest Department.

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AITEZAZ MEHMOOD
DIVISIONAL FOREST OFFICER
DIRECTION HEAD OFFICE
PESHAWAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 44/2018


Shabir Hussain son of Sikandar Khan,
Resident of Sadda Kuram Agency former
Conservator of Forest Department.....Appellant.

VERSUS

1. The Chief Secretary,
Government of Khyber Pakhtunkhwa Peshawar
2. The Secretary,
Government of Khyber Pakhtunkhwa Forestry,
Environment & Wildlife Department, Peshawar
3. The Chief Conservator of Forests,
Central and Southern Forest Region-I, Peshawar
4. Muhammad Siddique Khan Khattak,
Chief Conservator of Forest Peshawar
5. Sher Nawaz Khan, Managing Director,
Forest Development Corporation Peshawar Respondents

AFFIDAVIT

I Mr. Aitezaz Mahfooz Divisional Forest Officer (Direction) Head Office Peshawar do hereby solemnly affirm and state on oath that the whole contents of this Writ Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.


AITEZAZ MEHFOOZ
DIVISIONAL FOREST OFFICER
DIRECTION HEAD OFFICE
PESHAWAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 44/2018

Shabir Hussain son of Sikandar Khan,
Resident of Sadda Kuram Agency former
Conservator of Forest Department.....Appellant

VERSUS

1. The Chief Secretary,
Government of Khyber Pakhtunkhwa Peshawar.
2. The Secretary,
Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department,
Peshawar.
3. The Chief Conservator of Forests,
Central and Southern Forest Region-I, Peshawar.
4. Muhammad Siddique Khan Khattak,
Chief Conservator of Forest Peshawar.
5. Sher Nawaz Khan, Managing Director,
Forest Development Corporation Peshawar Respondents

**PARAWISE COMMENTS ON BEHALF OF
RESPONDENT NO.1, 2, 3 & 4.**

PRELIMINARY OBJECTIONS:

1. The appeal is not maintainable in the present form.
2. The appellant has no locus standi to bring the present appeal.
3. The appellant is legally stopped by his own conduct to bring the present appeal
4. The appeal is time barred.
5. That the appellant has no cause of action.

✓

FACTS:

Parawise comments are as under:

1. The appellant was inducted as Forest Ranger (BPS-16) in 1979, selected as Assistant Conservator of Forest in BPS-17 on 14/10/1986, promoted as Deputy Conservator of Forest (BPS-18) and lastly Conservator of Forest (BPS-19) on 31/8/2006 and 7/9/2015 respectively.
2. Pertains to record hence needs no comments.
3. **Incorrect.** Out of 36 years service from BPS-16 to BPS-19, the appellant remained out of service/Department for a period of 11 years as per the following break up:
 - i. 2 years in B.Sc Forestry course at PFI as stipendiary candidate.
 - ii. 2 years in M.Sc. Forestry course at PFI.
 - iii. Remained on Extra ordinary leave/leave without pay and leave on half average pay from 29/11/2007 to 7/1/2013 (6 years)
4. The appellant was promoted to the post of Conservator of Forests (BS-19) on regular basis w.e.f. 7.9.2015 and his inter-se-seniority was restored according to the rules/policy on advice of the Establishment Department on 27.4.2016, which remained intact.
5. **Incorrect.** On his regular promotion to the post of Conservator of Forest (BPS-19) on 7/9/2015, he was also on probation for a period of one year (**Annex-I**). According to para IV (f) of the promotion policy 2009, "***promotion of officer still on probation after his promotion in his existing Basic Pay Scale shall not be considered***" (**Annex-II**). The probation period of the petitioner was terminated by the competent authority on 11.11.2016 (**Annex-III**). The appellant filed an appeal before the Secretary to Govt. of Khyber Pakhtunkhwa Forestry Environment and Wildlife Department on 6/10/2015 for restoration of inter-se-seniority which was referred to the Establishment Department for advice. On receiving advice from the Establishment Department, the inter-se-seniority of the petitioner was restored on 27.4.2016 (**Annex-IV**). It is, however, clarified that the promotion case of Conservator of Forests (BS-19) to the post of CCF (BS-20) was processed and sent to Establishment Department on 15.2.2016 (i.e., just after five months from the date of promotion of the appellant i.e., 07/9/2015) (**Annex-V**), wherein his name was included according to the seniority list at serial No.5 of the working paper. It is further clarified that due to long absence from service being on probation and having less than one year service in BS-19, he had neither yet earned any PER in BS-19 nor completed the probation period. Resultantly, the senior most officers at S.No.1 & 2 of seniority list namely M/S Muhammad Siddique Khan Khattak and Sher Nawaz Khan were considered for appointment to the post of Chief Conservator of Forests BPS-20 on acting charge basis

on 15/7/2016 (**Annex-VI**). However, according to Khyber Pakhtunkhwa (Appointment, Promotion & Transfer Rules 1989) acting charge appointment shall not confer any vested right for regular promotion to the post held on Acting Charge Basis, therefore, his seniority was intact according to Rule-9(6) of the Rules, abid (**Annex-VII**).

- 6. **Incorrect.** Proviso to Section-22 of the Khyber Pakhtunkhwa Civil Servants Act 1973 provides that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade (**Annex-VIII**). As such the appellant has no right to file departmental appeal against promotion of officers to BS-20.
- 7. **Incorrect.** The appellant was promoted to the post of Conservator of Forest (BS-19) on regular basis w.e.f. 7.9.2015 vide notification dated 7.9.2015 whereas his junior was earlier promoted in 2014 due to reasons recorded at para-3 & 5 above. According to the service rules of Forest Department, the required length for promotion on regular basis to Chief Conservator of Forest BS-20 **is five years** service in (BPS-19) (**Annex-IX**). Furthermore, Rule-9(1) of APT Rules 1989 provides that no such appointment on acting charge basis shall be made if the prescribed length of service is short by more than three years (**Annex-VII**). Due to less than one year service in BS-19, his junior was appointed on acting charge basis in BS-20 vide notification dated 15.7.2016. However, acting charge appointment shall not confer any vested right for regular promotion to the post held on acting charge basis. Therefore, the seniority of the appellant remained intact.
- 8. **Incorrect.** The promotion case of the appellant was processed, however, due to lack of prescribed length of service; and due to his being on probation after earlier promotion, he was neither eligible for promotion on regular basis nor on acting charge basis as per the rules referred to in para-7 above, and the promotion policy.
- 9. **Incorrect.** The appellant repeatedly submitted two applications for premature retirement on 19.8.2016 and 21.12.2016 (**Annex-X**). The appellant is misleading the tribunal as no application for withdrawal of his earlier applications for premature retirement has ever been received in the department. No proper receipt, diary No. & date etc is available on record nor provided by the appellant as documentary proof.
- 10. **Incorrect.** On his written request, 120-days earned leave was granted to the appellant and after availing the said leave, he submitted arrival report for duty but he did not request for withdrawal of his earlier request/applications of premature retirement.
- 11. Needs no comments, as the appellant was in service at that time therefore, his name existed in the seniority list circulated on 2.7.2017.
- 12. **Incorrect.** As no application for withdrawal of his earlier applications was received as clarified at para-9 above, therefore, his retirement order was issued w.e.f. 29.8.2017.
- 13. As per para 6 above.
- 14. That the appeal of the appellant is liable to be dismissed on the following grounds:-

4

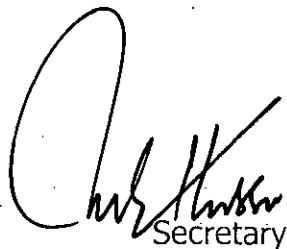
On Grounds:

- I. The appellant was not eligible for promotion as Chief Conservator of Forest (BS-20) on regular basis, as he had not completed 05-years length of service for regular promotion and 2-years service for appointment on acting charge basis as per rules/policy, when he was in service. The appellant has been retired from service on his own repeated requests **and now he has also attained the age of superannuation on 15.01.2018.**
- II. As per para (I).
- III. **Incorrect.** According to Rule 3(2)(b) of the Govt. of Khyber Pakhtunkhwa Services and General Administration Department Notification dated 19th April, 1982, the Secretary of the Department concerned shall have the power to grant/sanction all kinds of pension, to civil servants in Grade 17 to 19 who are or have been working under his administrative control immediately before retirement (**Annex-XI**). The competent authority exercised his power and issued retirement order of the appellant on his own repeated requests. No application for withdrawal of earlier request have been received to this department, therefore, after availing 4-months earned leave the validity of his earlier application for premature retirement was in vogue.
- IV. **Incorrect.** The appellant quoted wrong ruling. He was allowed premature retirement on his repeated requests/own wish.
- V. **Incorrect.** The appellant was appointed as member of the inquiry committee in a disciplinary case under E&D Rules, 2011 by the competent authority on 29.8.2016, while he was in service as the stipulated period of completion of inquiry report was 30-days and his retirement order was issued on 29.8.2017 i.e. after a lapse of one year period.
- VI. **Incorrect.** He left the Billion Tree Afforestation Project in the lurch when the department needed him the most, by incessant request for leave and retirement.
- VII. As explained in para-3 and 9 above.
- VIII. As explained in para-3 and 9 above.
- IX. No unfair policy of pick and choose is either available or practiced on the part of respondent No.2 with further justification that granting of 120 days as well as retirement have been made on the request of the appellant.
- X. As per explanation available in para-1 of the grounds.
- XI. The respondents in the subject appeal will further clarify the position during the course of arguments.

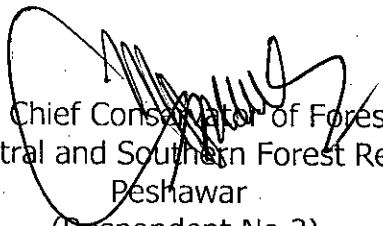
Since the appellant is no more civil servant, therefore it is prayed that the present appeal having no legal footings/justification may kindly be dismissed with cost **as the appellant has already attained the age of superannuation on 15.01.2018.**



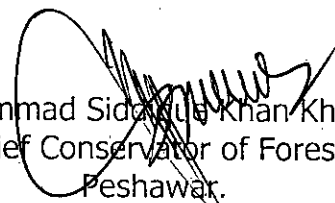
Chief Secretary,
Government of Khyber Pakhtunkhwa
Civil Secretariat Peshawar
(Respondent No.1)



Secretary,
Government of Khyber Pakhtunkhwa
Forestry Environment & Wildlife
Department Peshawar
(Respondent No.2)



Chief Conservator of Forests,
Central and Southern Forest Region-I,
Peshawar
(Respondent No.3)



Muhammad Siddique Khan Khattak,
Chief Conservator of Forests
Peshawar
(Respondent No.4)

GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Pesh: 7th September, 2015

NOTIFICATION

No.SO(Estt)Env/1-2/2k15: The Competent Authority is pleased to promote the following Deputy Conservator of Forests/Divisional Forest Officer (BPS-18) to the post of Conservator of Forests/Director Integrated Specialized Units (BPS-19), on regular basis, with immediate effect:-

1. **Dr. Faizul Bari**
2. **Mr. Shabir Hussain**

2. On promotion, the officer at Sr. No.1 above shall be on probation-till his retirement from Government Service i.e. on 09.09.2015; while the officer at Sr.No.2 shall remain on probation for a period of one year extendable for further one year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

3. For actualization of promotion, the officer at Sr.No.1 above, is hereby posted against the vacant post of Conservator of Forests, Lower Hazara Forest Circle, Abbottabad (BS-19); and after actualization of charge, he shall continue as Project Director "Billion Trees Tsunami Afforestation Project. Whereas, the officer at Sr. No.2 will continue his charge at his present place of posting i.e. Deputy Chief Conservator of Forests (BS-19).

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE
DEPARTMENT

Ends: No. SO(Estt)Env/1-2/2k15 3268-76 Dated Peshawar, 7th September, 2015

Copy is forwarded to:-

- 1) PSO to Chief Secretary, Khyber Pakhtunkhwa.
- 2) PS to Secretary, Forestry, Environment & Wildlife Department.
- 3) Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
- 4) Officer concerned
- 5) Personal file of the officer.
- 6) Master file
- 7) Office order file.

5.11
(SYED KAZIM HUSSAIN SHAH)
SECTION OFFICER (ESTT)

Divisional Forest Officer

10/5
attached
ESH
cc: 10/5
10/5
6

IV. PROMOTION OF OFFICERS WHO ARE ON DEPUTATION, LONG LEAVE, FOREIGN TRAINING:

- a) The civil servants who are on long leave i.e. one year or more, whether within or outside Pakistan, may be considered for promotion on their return from leave after earning one calendar PER. Their seniority shall, however, remain intact.
- b) The civil servants who are on deputation abroad or working with international agencies within Pakistan or abroad, will be asked to return before their cases come up for consideration. If they fail to return, they will not be considered for promotion. They will be considered for promotion after earning one calendar PER and their seniority shall remain intact.
- c) In case of projects partially or fully funded by the Federal or Provincial Government, where PERs are written by officers of Provincial Government, the condition of earning one calendar PER shall not be applicable. The officers on deputation to projects shall be considered for promotion. However, after promotion they will have to actualize their promotion within their cadre.
- d) The civil servants on deputation to Federal Government, Provincial Government, and autonomous/semi T autonomous organization shall be considered for promotion and informed to actualize their promotion within their cadres. They shall have to stay and not be allowed to go back immediately after promotion. Such stay shall be not less than a minimum of two years. If he/she declines his/her actual promotion will take place only when he/she returns to his/her parent cadre. His/her seniority in the higher post shall, however, stand protected.
- e) The cases of promotion of civil servants who have not successfully completed the prescribed mandatory training (MCMC, SMC & NMC) or have not passed the departmental examination for reasons beyond control, shall be deferred.
- f) Promotion of officers still on probation after their promotion in their existing Basic Scales shall not be considered.
- g) A civil servant initially appointed to a post in a Government Department but retaining lien in a department shall not be considered for promotion in his parent department. However, in case he returns to parent department, he would be considered for promotion only after he earns PER for one calendar year.

A civil servant who has resigned shall not be considered for promotion no matter the resignation has yet to be accepted.

DEFERMENT OF PROMOTION:

- (a) Promotion of a civil servant will be deferred, in addition to reasons given in para-IV, if
 - (i) His inter-se-seniority is disputed/subjudice.
 - (ii) Disciplinary or departmental proceedings are pending against him.

attached

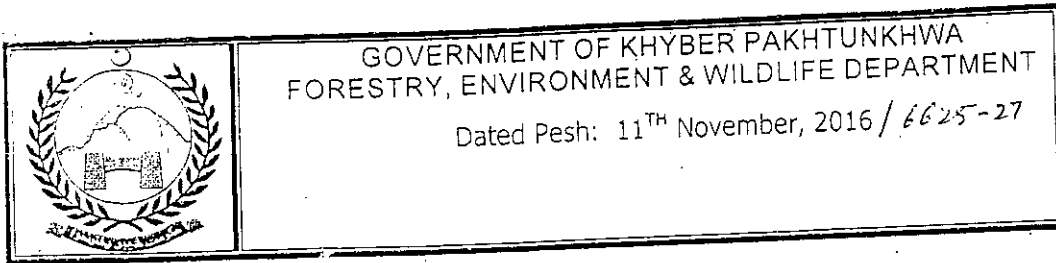
Divisional Forest Officer
(Direction) Forest Division
Khyber Pakhtunkhwa

B-X-17(A)

B-X-17C

Annex-III

8



NOTIFICATION

No. SO(Estt)FE&WD/1-2/2k6: On satisfactory completion of one year probation period after promotion, the Competent Authority is pleased to terminate the probation period of Mr. Shabbir Hussain, Conservators of Forests (BS-19), Khyber Pakhtunkhwa Forest Department w.e.f. 07/09/2016.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE
DEPARTMENT.

Estt. No. SO(Estt)FE&WD/1-2/2k12

Dated Pesh: 11TH November, 2016.

Copy is forwarded to:-

1. Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
2. Director Budget and Accounts Cell, Forestry, Environment & Wildlife Department.
3. PS to Secretary, Forestry, Environment & Wildlife Department.
4. Officer concerned.
5. Personal file of the officer.
7. Master file.
8. Office order file.

J.K.
SECTION OFFICER (ESTD)
11/11

No. 1367 /E
B-X-17C/1

Dated Peshawar the 25 / 11 / 2016

Copy forwarded to Project Director Billion Trees Afforestation Project Peshawar for information and necessary action. A copy of the notification meant for him is also enclosed.

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

Divisional Forest Officer
(Direction) Forest Division
Khyber Pakhtunkhwa Peshawar.

8



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Pesh: 27th April, 2016

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Amex-IV

9

NOTIFICATION

No.SO(Estt)FE&WD/1-39/2k16: In terms of Para-IV(a) of Promotion Policy, 2009, the Competent Authority is pleased to order restoration of inter-se-seniority of Mr. Shabbir Hussain, Conservator of Forests (BPS-19), on regular basis, with effect from 07/05/2013 i.e. the date his next juniors were promoted as Conservator of Forests (BPS-19) on regular basis vide the Government of Khyber FE&W Department Notification No.SO(Estt)Envt/1-2/2k10/2724-36 dated 07/05/2013 and Notification No.SO(Estt)Envt/1-2/2k10/832-844 dated 07/02/2014 respectively.

2. The intervening period i.e. from 07/05/2013 to 31/12/2015 would count towards increments under FR-26© but without arrears.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE
DEPARTMENT.

Endst: No.SO(Estt) FE&WD/1-39/2k16 527 Dated Pesh: 27th April 2016.

Copy is forwarded to :-

1. PS to Secretary Environment Department.
2. Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
3. Director Budget and Accounts Cell, Environment Department.
4. Mr. Shabbir Hussain, Deputy Chief Conservator of Forests/Project Director BTTAP w/r to his Appeal No.2010/BTTAP dated 6/10/2015.
5. Personal file of the officer.
6. Master file.
7. Officer order file.


S.H.
(SYED KAZIM HUSSAIN SHAH)
SECTION OFFICER (EST)

Attest

Divisional Forest Officer
(Direction) Forest Division
Khyber Pakhtunkhwa Peshawar.

9

Annex-V

	<p style="text-align: center;">GOVERNMENT OF KHYBER PAKHTUNKHWA FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT</p> <p style="text-align: center;">NO.SO(Estt)FE&WD/I-2/2K14 Dated Pesh: 15th February, 2016.</p>
---	--

10

To
The Secretary to Govt of Khyber Pakhtunkhwa,
Establishment Department.

Atten: SECTION OFFICER (PSB).

SUBJECT: PROMOTION OF CONSERVATOR OF FOREST (BS-19) TO THE POST OF CHIEF CONSERVATOR OF FOREST (BS-20), ON ACTING CHARGE BASIS.

Dear Sir,

I am directed to refer to the subject cited above and to enclose herewith seven sets of working paper regarding promotion of Conservator Of Forest (BS-19) to the post of Chief Conservator Of Forest (BS-20), on acting charge basis; and to request that the same may please be placed before the Provincial Selection Board for its consideration.

Yours faithfully,

S. H. Shah

 Divisional Forest Officer
 (Direction) Forest Division
 Khyber Pakhtunkhwa Peshawar.

S. H.

 (SYED KAZIM HUSSAIN SHAH)
 SECTION OFFICER (ESTT)

Endst: No. and date even.

Copy is forwarded to Ps to Secretary Forestry, Environment & Wildlife Department.

Recd in office
15-2-16

S. H.

 SECTION OFFICER (ESTT)

3:30 pm

10



493
Annex-VI

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar, the July 15, 2016

NOTIFICATION

NO.SO/IE-I)E&AD/9-112/2016. The competent authority, on recommendations of the Provincial Selection Board, is pleased to appoint the following Conservator of Forests (BS-19) to the post of Chief Conservator of Forests (BS-20) on acting charge basis, with immediate effect:-

SR. #	NAME OF OFFICER
1.	Mr. Muhammad Siddique Khan Khattak
2.	Mr. Sher Nawaz

2. Consequent upon the above, the following adjustments are made:-

S. #	NAME OF OFFICER	FROM	TO
1.	Mr. Muhammad Siddique Khan Khattak (BS-20 acting charge basis)	Chief Conservator of Forests, Northern Forest Region-II, Abbottabad	Chief Conservator of Forest, Central & Southern Region-I, Peshawar. He is authorized to hold additional charge of the post Chief Conservator of Forests, Northern Forest Region-II, Abbottabad, till further orders.
2.	Mr. Sher Nawaz (BS-20 acting charge basis)	Conservator of Forests, FATA Forests Circle	Chief Conservator of Forest, Malakand Forests Region-III, against the vacant post. He is also authorized to hold additional charge of the post of Conservator of Forests, FATA Forests Circle, till further orders.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

Endst. No. & date even.

Copy forwarded to the:-

1. Additional Chief Secretary (FATA), FATA Secretariat.
2. Principal Secretary to Governor, Khyber Pakhtunkhwa.
3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. Secretary to Govt of Khyber Pakhtunkhwa, Environment Department.
5. Divisional Commissioners, Malakand, Hazara and Peshawar.
6. Accountant General, Khyber Pakhtunkhwa.
7. Chief Conservator of Forests Malakand, Forest Region-III, Swat

Attested
Divisional Forest Officer
(Direction) Forest Division
Khyber Pakhtunkhwa Peshawar.

(11)

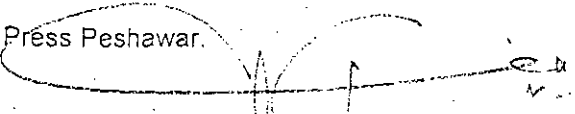


4.95

12

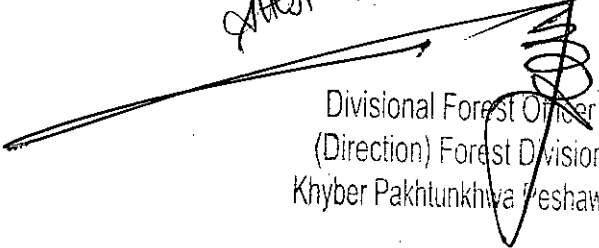
GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

8. Chief Conservator of Forests Region-I Central and Southern Forest Region-I, Peshawar.
9. Chief Conservator of Forests, Northern Forest Region-II, Abbottabad.
10. Conservator of Forests, FATA Forests Circle
11. District Accounts Officers concerned.
12. PS to Chief Secretary, Khyber Pakhtunkhwa.
13. PS to Secretary Establishment.
14. Officers concerned.
15. Manager, Govt. Printing Press Peshawar.


(KASHIF IQBAL JILANI)
SECTION OFFICER (ESTT. I)

ZIA.UL.HAQ**

Alto ed


Divisional Forest Officer
(Direction) Forest Division
Khyber Pakhtunkhwa Peshawar.

(12)

- (iv) the person concerned is a bonafide resident of the North-West Frontier Province.
- (v) a vacancy exists to accommodate the request of such a transfer and
- (vi) provided further that in most deserving cases, the merit of which shall be determined on case to case basis and the decision of the Competent Authority in that behalf shall be final, Government may allow transfer of a civil servant in BPS 16 and above, subject to the aforesaid conditions.

(2) A person so transferred shall be placed at the bottom of the cadre strength which he joins for the purposes of determining his seniority vis-a-viz other members borne on the cadre.

(3) It will be the sole discretion of the appointing authority to accept or refuse a request of transfer under this rule and any decision made in this behalf shall be final and shall not be quoted as precedence in any other case.

9. Appointment on Acting Charge or current Charge Basis. (1) Where the appointing authority considered it to be in the public interest to fill a post reserved under the rules for departmental promotion and the most senior civil servant belonging to the cadre or service concerned, who is otherwise eligible for promotion, does not possess the specified length of service the authority may appoint him to that post on acting charge basis;

¹ Provided that no such appointment shall be made, if the prescribed length of service is short by more than ² {three years}.

(2) So long as a civil servant holds the acting charge appointment, a civil servant junior to him shall not be considered for regular promotion but may be appointed on acting charge basis to a higher post.

(3) In the case of a post in Basic Pay Scale 17 and above, reserved under the rules, to be filled in by initial recruitment, where the appointing authority is satisfied that no suitable officer drawing pay in the basic scale in which the post exists is available in that category to fill the post and it is expedient to fill the post, it may appoint to that post on acting charge basis the most senior officer otherwise eligible for promotion in the organisation, cadre or service, as the case may be, in excess of the promotion quota.

(4) Acting charge appointment shall be made against posts which are likely to fall vacant for period of six months or more. Against occurring for less than six months, current charge appointment may be made according to the orders issued from time to time.

(5) Appointment on acting charge basis shall be made on the recommendations of the Departmental Promotion Committee or the Promotion Selection Board, as the case may be.

(6) Acting charge appointment shall not confer any vested right for regular promotion to the post held on acting charge basis.

PART-III
INITIAL APPOINTMENT

10. Appointment by Initial Recruitment:-(1) Initial appointment to posts {in various pay scales} shall be made-

- (a) if the post falls within the purview of the Commission, on the basis of Examination or test to be conducted by the Commission; or
- (b) if the post does not fall within the purview of the Commission, in the manner as may be determined by Government.

²(2) Initial recruitment to posts which does not fall within the purview of the Commission shall be made on the recommendation of the Departmental Selection Committee, after vacancies have been advertised in newspapers";

(3) A candidate for initial appointment to a post must possess the educational qualification or technical qualifications and experience and except as provided in the rules framed for the purpose of relaxation of age limit, must be within the age limit as laid down for the post, provided that-

- ³(i) where recruitment is to be made on the basis of written examination, then, notwithstanding anything to the contrary contained in any other rules for the time being enforce, age shall be reckoned on 1st January of the year in which the examination is proposed to be held";

¹ Full stop at the end of rule 9(1) replaced by colon and proviso added by Notification No. SOR(S&GAD)4-1/80(V.II), dated 20.10.1993.
² The words "one year" substituted by Notification No. SOR(S&GAD)4-1/80(Vol.III), dt: 14.3.96.

¹ The words "in Basic Pay scale 16 to 21" substituted by Notification No. SOR(S&GAD)1-117/91(C), dated 12.10.1993.
² Sub-rule (2) of rule 10 substituted by Not: No. SOR(S&GAD)1-117/91(C), dated 12.10.1993.
Clause (i) of sub-rule (3) of rule 10 substituted by Notification No. SOR(S&GAD)4-1/80, dated 17.5.1980.

affected
Divisional Forest Officer
(Director) Forest Division
Khyber Pakhtunkhwa Peshawar

Committee comprising of the Secretaries, to Government, Finance Department, Law Department and Accountant General, Khyber Pakhtunkhwa for removal of the difficulty.
(Section 19 substituted vide Khyber Pakhtunkhwa Act No. III OF 2013)

20. **Provident Fund:-** (1) Before the expiry of the third month of every financial year, the Accounts Officer or other officer required to maintain provident fund accounts shall furnish to every civil servant subscribing to a provident fund the account of which he is required to maintain a statement under his hand showing the subscriptions to including the interest accruing thereon, if any, and withdrawals or advances from his provident fund during the preceding financial year.

(2) Where any subscription made by a civil servant to his provident fund has not been shown or credited in the account by the Accounts Officer or other officer required to maintain such account, such subscription shall be credited to the account of the civil servant on the basis of such evidence as may be prescribed.

21. **Benevolent Fund and Group Insurance:-** All civil servants and their families shall be entitled to the benefits admissible under the West Pakistan Government Employees Welfare Fund Ordinance, 1969 (W.P Ordinance of 1969), or the North-West Frontier Province Government Servants Benevolent Fund Ordinance, 1972 (THE KHYBER PAKHTUNKHWA Ordinance VII of 1972), and the rules made thereunder.

22. **Right of Appeal or Representation:-** (1) Where a right to prefer an appeal or apply for review in respect of any order relating to the terms and conditions of his service is provided to a civil servant under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed, be made within thirty days of the date of such order.

(2) Where no provision for appeal or review exists under the rules in respect of any order or class of orders, a civil servant aggrieved by any such order may, within thirty days of the communication to him of such order, make a representation against it to the authority next above the authority which made the order.

Provided that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

MISCELLANEOUS

23. **Saving:-** Nothing in this Act or in any rule shall be construed to limit or abridge the power of the Governor to deal with the case of any civil servant in such manner as may appear to him to be just and equitable:

Provided that, where this Act or any rule is applicable to the case of a civil servant, the case shall not be dealt with in any manner less favourable to him than that provided by this Act or such rules.

23-A. **Indemnity:-** No suit or, prosecution or other legal proceedings shall lie against a civil servant, for any thing done or intended to be done in good faith in his official capacity under this Act or the rules, instructions or direction made or issued thereunder.

23-B. **Jurisdiction barred.-** Save as provided under this Act and the Service Tribunal Act, 1974 (The Khyber Pakhtunkhwa Act No. 1 of 1974), or the rules made thereunder, no order

15

(1)

Annex IX

GOVERNMENT OF NWFP,
FORESTRY, FISHERIES & WILDLIFE
DEPARTMENT.

Dated Pesh: the 26.1.1993.

NOTIFICATION.

No.SO(FT:II)/AD/I-465/88/Vol-IV. In pursuance of the provision contained in sub-rule(2) of rule 3 of the NWFP Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, and in super-session of all previous rules made in this behalf, the Forests, Fisheries & Wildlife Deptt: in consultation with the Services & General Admn: Department and the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in columns 3 to 5 of the Appendix to this notification, which shall be applicable to posts in column-2 of the said Appendix in the Forest Department.

Secretary to Govt. of NWFP,
Forestry, Fisheries & Wildlife
Department.

No.:-No.SO(FT:II)/AD/I-465/88/Vol:IV/720-27
Dated Pesh: the 26.1.1993.

Copy forwarded to :-

The Secretary to Govt. of NWFP, Services & General Admn: Department w/r to letter No.SOR:III(S&GAD) 7-3/89/832, dated 11.11.1992.

The Secretary to Govt. of NWFP, Law Deptt:

The Secretary NWFP Public Service Commission, Peshawar.

The Chief Con: of Forests, South Region, Peshawar.

The Chief Con: of Forests, North Region, Peshawar.

The Con: of Wildlife, NWFP Peshawar.

The Director(B&A), Forests Department.

The Manager, Govt. Printing Press & Stationery Deptt: for publication in the next issue of Govt. Gazette.

attached

[Signature]
Divisional Forest Officer
(Direction) Forest Division
Khyber Pakhtunkhwa Peshawar.

[Signature]
SECTION OFFICER(FT:II).

26.96

[Signature]
1/2.1993

15

Nomenclature of posts.	Minimum qualification, for appointment by initial recruitment.	Age limit for initial recruitment.	Method of recruitment.
2.	3.	4.	5.

FOREST WING
PART - I PROFESSIONAL POSTS.

Chief Conservator of Forests. X

By promotion, on the basis of selection on merit, from amongst four senior most Conservators of Forests with at least five years service as such. Seniority being considered only in the case of Officers of practically the same standard of merit.

Conservator of Forests.

- (i) M.Sc. Forestry or B.Sc. (Hons.) in Forestry from a recognised University; and
- (ii) twelve years job experience in EPS-17 and above in Forestry or related field.

35 to 45 years.

- (a) By promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Divisional Forest Officers (BPS-18) and Deputy Conservator of Forests having at least twelve years service in EPS-17 and above, who have successfully completed such training or passed such departmental examination as may be prescribed by Government for the purpose; or
- (b) if no suitable person is available for promotion, by initial recruitment.

Note.- Preference will be given to candidates who have contributed significantly to the profession/practice of Forestry and its allied fields by way of preparing management plans, research studies, survey and feasibility reports for assessing and sustaining renewable economic and social benefits, etc.

affected

Divisional Forest Officer
(BPS-18) (Regular)
Khy. Ser. Pathankot, Jammu & Kashmir

CONCLUSIONS:

1. The appeal is not maintainable in the present form.
2. The appellant has no...

113
seen
17/7/18

Mr. Jane - alomn SDFo

(v) a vacancy exists to accommodate the request of such a transfer; and

(vi) provided further that in most deserving cases, the merit of which shall be determined on case to case basis and the decision of the Competent Authority in that behalf shall be final, Government may allow transfer of a civil servant in BPS-16 and above, subject to the aforesaid conditions.

(2) A person so transferred shall be placed at the bottom of the cadre strength which he joins for the purposes of determining his seniority vis-a-viz other members borne on the cadre.

(3) It will be the sole discretion of the appointing authority to accept or refuse a request of transfer under this rule and any decision made in this behalf shall be final and shall not be quoted as precedence in any other case.

9. Appointment on Acting Charge or current Charge Basis. (1) Where the appointing authority considered it to be in the public interest to fill a post reserved under the rules for departmental promotion and the most senior civil servant belonging to the cadre or service concerned, who is otherwise eligible for promotion, does not possess the specified length of service the authority may appoint him to that post on acting charge basis;

¹ Provided that no such appointment shall be made, if the prescribed length of service is short by more than {three years}.

(2) So long as a civil servant holds the acting charge appointment, a civil servant junior to him shall not be considered for regular promotion but may be appointed on acting charge basis to a higher post.

(3) In the case of a post in Basic Pay Scale 17 and above, reserved under the rules to be filled in by initial recruitment, where the appointing authority is satisfied that no suitable officer drawing pay in the basic scale in which the post exists is available in that category to fill the post and it is expedient to fill the post, it may appoint to that post on acting charge basis the most senior officer otherwise eligible for promotion in the organisation, cadre or service, as the case may be, in excess of the promotion quota.

¹ Full stop at the end of rule 9(1) replaced by colon and proviso added by Notification No. SOR(S&GAD)-1/S(V.II), dated 20.10.1993.

² The words "one year" substituted by Notification No. SOR(S&GAD)-1/80(Vol.III), dt: 14.3.96.

(4) Acting charge appointment shall be made against posts which are likely to fall vacant for period of six months or more. Against vacancies occurring for less than six months, current charge appointment may be made according to the orders issued from time to time.

(5) Appointment on acting charge basis shall be made on the recommendations of the Departmental Promotion Committee or the Provincial Selection Board, as the case may be.

Acting charge appointment shall not confer any vested right for regular promotion to the post held on acting charge basis.

PART-III

INITIAL APPOINTMENT

10. Appointment by Initial Recruitment:-(1) Initial appointment to posts {in various pay scales} shall be made-

- (a) if the post falls within the purview of the Commission, on the basis of Examination or test to be conducted by the Commission; or
- (b) if the post does not fall within the purview of the Commission, in the manner as may be determined by Government.

²(2) Initial recruitment to posts which does not fall within the purview of the Commission shall be made on the recommendation of the Departmental Selection Committee, after vacancies have been advertised in newspapers;

(3) A candidate for initial appointment to a post must possess the educational qualification or technical qualifications and experience and except as provided in the rules framed for the purpose of relaxation of age limit, must be within the age limit as laid down for the post, provided that-

- (i) where recruitment is to be made on the basis of written examination, then, notwithstanding anything to the contrary contained in any other rules for the time being enforce, age shall be reckoned on 1st January of the year in which the examination is proposed to be held;

¹ The words, "in Basic Pay scale 16 to 21" substituted by Notification No. SOR(S&GAD)-1/791(C), dated 12.10.1993

² Sub-rule (2) of rule 10 substituted by Not. No. SOR(S&GAD)-1-117/91(C), dated 12.10.1993.

Clause (i) of sub-rule (3) of rule 10 substituted by Notification No. SOR(S&GAD)-1/80, dated 17.5.1980.

Annex - X

M. A. Khan
Divisional Forest Officer
(Direction) Forest Division
Khyber Pakhtunkhwa Peshawar

Annex XI

309

17

To,

The Secretary to Government of KP
Forestry, Environment and Wildlife, Department,
Peshawar.

Through: Proper channel

Subject: Proceeding on retirement w.e.f September 1, 2016 and Encashment
of Leave Salary

It is submitted with due respect that the undersigned joined service in Khyber Pakhtunkhwa Forest Department as Forest Ranger in BS-16 on 07-10-1981. Subsequently I was elevated as ACF, DCF and finally as Conservator of Forests in BS-19. I have completed twenty five years service as required under the rules for the retirement.

In view of my domestic compulsions, I can't continue my service. It is therefore, most respectfully submitted that I may kindly be allowed to proceed on retirement w.e.f September 1, 2016 and obliged. It is also requested that encashment of leave salary may also very kindly be sanctioned in my favour.

Yours obediently,

attested

Divisional Forest Officer
(Direction) Forest Division
Khyber Pakhtunkhwa Peshawar.

[Signature]
Shahir Hussain

19/8/2016

Deputy Chief Conservator of Forests/
Project Director BTTAP, Peshawar.

Copy in advance forwarded to the Secretary Forestry, Environment and Wildlife Department for favour of his kind information and necessary action please.

For favour of
necessary action.

7/14

[Signature]

18

To

18

The Section Officer,
Establishment Section

Subject: Expeditions processing of retirement
Case

Kindly refer my application duly
supported by CEF for allowing me the retirement
and approving the encashment of salary.

It is requested that my case may please
be processed expeditiously and I may be
relieved by December 31, 2016 and obliged.

Artes

Divisional Forest Officer
(Direction) Forest Division
Khyber Pakhtunkhwa Peshawar

21-12-2016

Shabir Hussain

CF Bmt Dept

1463
23-12-2016

Pl. on his P.F.

SL

21/12

GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE
SERVICES AND GENERAL ADMINISTRATION
DEPARTMENT

Annex XII
F/E

REGULATION

Attention 19
50 (E3H)

Peshawar, dated the 19th April, 1982.

NO. BONI (S&GAD) 1-46/80; - In exercise of the powers conferred by section 26 of the North-West Frontier Province Civil-Servants Act, 1973 (N.W.F.P. XVIII of 1973), the Governor of the North-West Frontier Province is pleased to direct that in the West Pakistan (Civil Services) Delegation of Powers Rules, 1962, the following further amendment shall be made, namely:

A M E N D M E N T

For rule 3, the following rule shall be substituted, namely;

3. Powers of appointing authorities.-

(1) Subject to the provisions of this rule, all appointing authorities shall have the powers indicated in Appendix 'A' in respect of the civil servants whom they are competent to appoint.

(2) The Secretary of the Department concerned shall have the powers to grant/sanction-

(a) all kinds of leave, except study leave and disability leave, to civil servants in Grade 17 & above other than the civil servants in All Pakistan Unified Grades or Federal Unified Grades, working in Attached Departments or any other office or organization; and

(b) all kinds of pension, excluding compassionate allowance, to civil servants in Grades 17 to 19 who are or have been working under his administrative control immediately before retirement.

(3) Power under clause (b) of sub-rule (2) in respect of a civil servant in Grade-20 or above shall be exercised by the Chief-Secretary."

attested

Divisional Forest Officer
(Direction) Forest Division
Khyber-Pakhtunkhwa Peshawar.

CHIEF SECRETARY
GOVERNMENT OF NORTH-WEST FRONTIER
PROVINCE.

FTO....

(... 2 ...)

Endst. No. SORI (S&GAD) 1-46/80, Dt: Pesh. the 19th April, 1982.

Copy forwarded to:-

1. All Administrative Secretaries to Govt. of NWFP.
2. Secretary to Governor, NWFP.
3. All Commissioners in NWFP.
4. All Heads of Attached Departments in NWFP.
5. Registrar, High Court, Peshawar.
6. Registrar, Service Tribunal, Peshawar.
7. Secretary, NWFP Public Service Commission, Pesh.
8. Secretary, Board of Revenue, NWFP, Peshawar.
9. All Deputy Commissioners/Political Agents in NWFP.
10. All District & Session Judges in NWFP.
11. Section Officer (Services-I).
12. Section Officer (Services-II).
13. Section Officer (Services-III), P.S.G.A Deptt.
14. Section Officer (Services-IV).
15. Section Officer (Regulation-II).
16. Manager, Government Printing Press, Peshawar for publication in the next Government Gazette. 50 copies of the printed Gazette may be supplied to this department, when published.

g
(Mohammad Inshad Swati)
Section Officer (R-I)

Endst. No. SORI (S&GAD) 1-46/80, Dt: Pesh. the 19th April, 1982.

Copy to:-

1. Accountant General, N.W.F.P. Peshawar.
2. All District Accounts Officers in NWFP.
3. All Agency Accounts officers in NWFP.

g
Section Officer (R-I)

22/4/82