

Annex - XI (45) Annex - E

Annexive - F

OFFICE OF THE CHIEF CONSERVATOR OF FORESTS MALAKAND FOREST REGION
(REGION-III) SAIDU SHARIF SWAT.

To

The Section Officer (Establishment),
Govt: of Khyber Pakhtunkhwa,
Environment Department, Peshawar.

No. 4297/E, Dated Saidu Sharif the 10/4/2014.

Subject:- ACQUISITION/PURCHASE OF LAND MEASURING 6-KANALS AND
1-MARLAS IN THE VICINITY OF DAGGAR FOR CONSTRUCTION
OF DFO OFFICE CUM RESIDENCE/STAFF QUARTERS.

Memo:

Reference your letter No.SO(Estt)/Env/1-50(87)/2K8/1717, dated
04/4/2014.

As desired, Draft Charge Sheet/Statement of allegation against the
following officers are enclosed herewith for favour of further necessary action in your
office please:-

- 1) Mr.Hasham Khan the then DFO Buner.
- 2) The then District Officer Revenue and Estate Buner.

Encl: As above.

[Signature]
10/4/14
CHIEF CONSERVATOR OF FORESTS
MALAKAND FOREST REGION (REGION-III)
SAIDU SHARIF SWAT. *[Signature]*

CHARGE SHEET

1. Mr. _____ as a competent authority, hereby charge you
Mr. _____ the then District Officer Revenue and Estate Buner as follow:-

That you, while posted as District Officer Revenue and Estate Buner committed the following irregularities:-

- a) Whereas the DFO Buner approach to you vide his letter No.3276/G, dated 06/5/2010 requested you for issuing of Notification under Section 4 of the Land Acquisition Act, 1894.
- b) Whereas, under provision of para-4 of Revenue Circular No.54: V/4/2006/Notification/LA/10973, dated 17/08/2006 approval of the Administrative Department i.e. Environment was required to be obtained by the DFO Buner for negotiated rate under section-5(i) of the said Notification the District collector was required to constitute a committee for assessment and determination of price and verification of titled where as the DFO Buner letter No. cited above had provided the agreement deed clearly indicating Rs.55600/- per marla of the land to be acquired. The DFO Buner has also requested you for further proceeding for acquisition of land. Though the circular provides for purchase of land on private negotiation, yet the rate are to be assessed by a committee constituted by you. As per section 4 of the Revenue circular No.54, the DFO was required to get approval from the Administrative Department/Head of Department, which he did not take and hence violated the rules, where you are equally responsible.
- c) Whereas you were required to constitute a rate assessment Committee under the rules which you did not bother inspite of the facts that the DFO Buner through the above referred letter had asked you for further proceedings for acquisition of land under the Land Acquisition Act, 1894, though the rates were negotiated by the DFO but the land was to be purchased for public/state purpose and you being Revenue and Estates Officer was required to safeguard the interest of the State and should have assessed the rates and if not found prevailing according to Yaksala should have objected to the negotiated rates because the same agreement was shared with you officially by the DFO vide letter cited above.
- d) Whereas you have signed Notification under the land acquisition act which simply authorize any person to enter into such land for survey etc, but kept themselves aloof from further proceedings of acquisition. Neither you have officially communicated the actual Ausat Yaksala or Charsala to the DFO nor has furnished rate reasonability certificate to the DFO. However, the rates negotiated by the DFO were in your knowledge and you have made the mutations.
- e) Whereas under Notification No.Rev:V/4/2006/LA/10973, amendments made in land acquisition act, 1894 vide No.legis: 1(2)71/11/4228 dated 22/08/2001, under the above Notification new Section-11(A) and 11(b) to Act 1 of 1894 have been inserted. Under Sub Section-11(B) (4) the acquiring department in the application given under para-1 shall also inform the District Collector that permission for entering into private negotiation for acquisition of land has been obtained from the Head of the Administrative Department. Hence, you as District Officer Revenue did not notify the committee for assessment and determination of the price in the absence of this permission, neither the DFO Buner asked for average Ausat Yaksala or Charsala nor the Revenue Authorities provided the same officially.
- f) Whereas due to your slackness/collusion with the then DFO Buner did not make efforts to safeguard the interest of the state being District Collector/District Officer Revenue and Estate and sustained a loss to the Government worth Rs.3238644/- by not playing your due role.
Due to this highly inflated rates paid by the DFO Buner, which become a precedence for others, the Police Department was compelled to pay Rs.85109043/- over and above than the price assessed by the Revenue Department. Hence huge loss was sustained to the public exchequer.

- 2) By reason of the above, you appear to be guilty of in-efficiency, misconduct and corruption under rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule 4 of the rules ibid.
- 3) You are, therefore, require to submit your written defense within seven days of the receipt of this charge sheet to the inquiry officer/inquiry committee, as the case may be.
- 4) Your written defense, if any, should reach the inquiry officer/inquiry committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.
- 5) Intimate whether you desire to be heard in person.
- 6) A statement of allegations is enclosed.

(MR. MUHAMMAD PERVEZ KHATTACK)
CHIEF MINISTER
KHYBER PAKHTUNKHWA.

DISCIPLINARY ACTION

1. I, _____ as a competent authority, am of the opinion that the District Officer Revenue and Estate Buner as employee of the Revenue Department, has rendered himself liable to be proceeded against as he committed the following acts/omissions, within the meaning of rule 3 of the Khyber Pakhtunkhwa Servants (Efficiency and discipline) Rules, 2011.

STATEMENT OF ALLEGATION

- a) Whereas the DFO Buner approach to you vide his letter No.3276/G, dated 06/5/2010 requested you for issuing of Notification under Section 4 of the Land Acquisition Act, 1894.
- b) Whereas, under provision of para-4 of Revenue Circular No.54: V/4/2006/Notification/LA/10973, dated 17/08/2006 approval of the Administrative Department i.e. Environment was required to be obtained by the DFO Buner for negotiated rate under section-5(i) of the said Notification the District collector was required to constitute a committee for assessment and determination of price and verification of titled where as the DFO Buner letter No. cited above had provided the agreement deed clearly indicating Rs.55600/- per marla of the land to be acquired. The DFO Buner has also requested you for further proceeding for acquisition of land. Though the circular provides for purchase of land on private negotiation, yet the rate are to be assessed by a committee constituted by you. As per section 4 of the Revenue circular No.54, the DFO was required to get approval from the Administrative Department/Head of Department, which he did not take and hence violated the rules, where you are equally responsible.
- c) Whereas you were required to constitute a rate assessment Committee under the rules which you did not bother inspite of the facts that the DFO Buner through the above referred letter had asked you for further proceedings for acquisition of land under the Land Acquisition Act, 1894, though the rates were negotiated by the DFO but the land was to be purchased for public/state purpose and you being Revenue and Estates Officer was required to safeguard the interest of the State and should have assessed the rates and if not found prevailing according to Yaksala should have objected to the negotiated rates because the same agreement was shared with you officially by the DFO vide letter cited above.
- d) Whereas you have signed Notification under the land acquisition act which simply authorize any person to enter into such land for survey etc, but kept themselves aloof from further proceedings of acquisition. Neither you have officially communicated the actual Ausat Yaksala or Charsala to the DFO nor has furnished rate reasonability certificate to the DFO. However, the rates negotiated by the DFO were in your knowledge and you have made the mutations.
- e) Whereas under Notification No.Rev:V/4/2006/LA/10973, amendments made in land acquisition act, 1894 vide No.legis: 1(2)71/11/4228 dated 22/08/2001, under the above Notification new Section-11(A) and 11(b) to Act 1 of 1894 have been inserted. Under Sub Section-11(B) (4) the acquiring department in the application given under para-1 shall also inform the District Collector that permission for entering into private negotiation for acquisition of land has been obtained from the Head of the Administrative Department. Hence, you as District Officer Revenue did not notify the committee for assessment and determination of the price in the absence of this permission, neither the DFO Buner asked for average Ausat Yaksala or Charsala nor the Revenue Authorities provided the same officially.
- f) Whereas due to your slackness/collusion with the then DFO Buner did not make efforts to safeguard the interest of the state being District Collector/District Officer Revenue and Estate and sustained a loss to the Government worth Rs.3238644/- by not playing your due role.

Due to this highly inflated rates paid by the DFO Buner, which become a precedence for others, the Police Department was compelled to pay Rs.85109043/- over and above than the price assessed by the Revenue Department. Hence huge loss was sustained to the public exchequer.

2. Therefore, for the purpose of scrutiny of the conduct of the accused and conducting an inquiry against him, with reference to the above allegations, an inquiry committee comprised of the following is hereby constituted under rule 10(a) of the rules ibid:-

1. Mr. _____ Chairman.

2. Mr. _____ Member.

3. The inquiry committee shall, in accordance with the provision of the rules ibid, provide reasonable opportunity of hearing to the accused, record its findings and make, within thirty (30) days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused officer and a representative of the Department well versant with the case, shall join the proceedings on the date, time and venue fixed by the inquiry officer/committee.

**COMPETENT AUTHORITY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

No. _____/E, dated Peshawar the: ____/04/2014.

Copy of the above is forwarded to the:-

1. Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar for information and further necessary action.
2. Mr. _____ Chairman Committee for initiating proceedings against the accused, strictly under the provisions of Khyber Pakhtunkhwa, Government Servants (Efficiency and Discipline) Rules, 2011 and completion within stipulated period. Enquiry file from page-01 to _____ is enclosed herewith.
3. Mr. _____ the member inquiry committee for information and necessary action. He is directed to associate and join the inquiry committee for initiating proceedings against the accused and enable/assist the committee to complete the proceedings within stipulated period.
4. Mr. _____ for information and necessary action. He is directed to join the disciplinary proceedings on the date, time and venue fixed by the inquiry committee and vigorously defend Govt, interest as prosecutor.
5. District Officer, Revenue and Estates Collector Buner, for information and further necessary action.
6. Mr. _____ the then District Officer Revenue and Estate Buner for information and compliance. He is directed to submit his reply to the allegations leveled against him directly to the chairman, inquiry committee within 07 days of receipt of this memo and also appear before the inquiry committee on the date, time and venue to be fixed by the inquiry committee for the purpose of inquiry proceedings.

**CHIEF MINISTER
KHYBER PAKHTUNKHWA**

Annexure - 9

ENQUIRY REPORT

Subject: DE-NOVO ENQUIRY AGAINST Mr. HASHIM KHAN EX-DFO FORESTS DISTRICT BUNER

Enquiry Order

1. Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department vide its Notification bearing No.SO(Estt)/ENV/1-50(87)/2012 dated 20th March 2017 (*Annex-I*) has tasked the following officers to conduct a de-novo enquiry under Rule-14(6) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011 against Mr. Hashim Khan Ex-DFO Buner for the charges/allegations levelled against him in the Charge Sheet (*Annex-II*) and Statement of Allegations (*Annex-III*) which was provided along with the notification:

- Mr. Muhammad Khalid PMS BS-19, DG FDMA Convener
- Qazi Muhammad Younis BS-19, Conservator Forests Member.

2. Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department vide its Notification bearing No.SO(Estt)/FE&WD/1-50(87)/2012 dated 13th April 2017 (*Annex-IV*) has nominated Mr. Ahmad Jalil, DFO, Buner Forest Division Daggar as departmental representative for provision of record and necessary facilitation of the enquiry team.

Proceedings of the Enquiry

3. The enquiry team summoned the accused officer on 24th April 2017 and received his written reply to the allegations levelled against him (*Annex-V*). The accused officer was also asked to express his satisfaction to the composition of the enquiry team, to which he responded in affirmative. The enquiry team went through the entire script of the written reply along with its annexures and on 2nd May 2017 met and discussed and accordingly prepared a questionnaire (*Annex-VI*) which was served upon the accused officer in advance of his next hearing subsequently made on 10th May 2017. Moreover, the predecessor of the accused officer naming Mr. Mir Wali Khan Ex DFO, Buner was also called for recording his statement (*Annex-VII*) as he was responsible for implementation of the part of the ADP Scheme No.606 titled "Construction of Offices & Residential Buildings in NWFP" relating to District Buner i.e. Procurement of land for construction of DFO Offices & Residential Building in District Buner ever since the issuance of Administrative Approval of the scheme on 24th January 2009. Moreover the Enquiry Team also requested Deputy Commissioner Buner to provide the documentary evidence and outcome of any disciplinary proceedings against the then District Officer (Revenue) for his negligence in the case, to which he accordingly responded and provided report of an enquiry conducted jointly by Deputy Commissioner Swat

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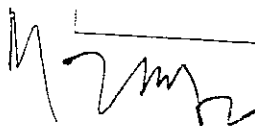
M. Z. M.

and Deputy Commissioner Buner (*Annex-VIII*). The departmental representative Mr. Ahmad Jalil DFO Buner diligently provided record relating to the case and also provided a copy of CPLA 159-P/2016 which comprised of some crucial documents of the case (*Annex-IX*).

Findings

4. After giving appropriate opportunity of personal hearing to the accused officer and proper scrutiny of the available documents relating to the enquiry, the enquiry team found the following against allegations contained in the charge sheet/statement of allegations: -

Sr. No. (as in the statement of allegation.	Findings of the enquiry team.
a	Although the allegation levelled against the accused officer for procuring the requisite land in haste i.e. in the last two months of the project period was proved; however, it was noted that the accused officer took charge of his duties as DFO Buner on 19 th April 2010. The <u>responsibility of delaying the case for the entire period of scheme does not fall on him rather it falls on those who were responsible for implementation of the scheme ever since its approval by the competent forum and could not do much to that effect.</u> The accused officer during his personal hearing and written reply took stand that he was continuously forced by his senior officers to act in haste and implement the part of scheme so as to prevent the allocated money from being lapsed on the expiry of the FY 2009-10; however, he could not produce any credible evidence of any such instructions by his senior officers.
b	The allegation of entering into negotiations with land owners in contravention of Government of Khyber Pakhtunkhwa Board of Revenue Notification No.Rev:V/4/2006 dated 17 th August 2006 was sufficiently proved as the procedure of procuring land through private negotiations contained in the notification was grossly violated. The officer during his personal hearing took stand of his total unawareness to the procedure of land procurement through private negotiations as contained in the above notification of the Revenue Department; however, it could not be condoned as every officer has to work in accordance to the law/rules/instructions of the government while dealing with the official business.

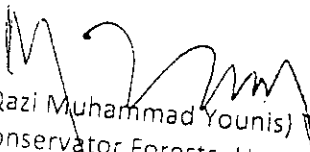


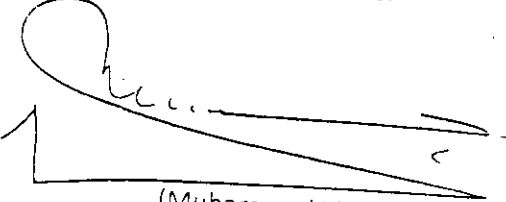
c	<p>The allegation of not obtaining approval of the competent forum i.e. Secretary Environment for initiating the land procurement process through private negotiations was proved. The accused officer during his scheduled interaction with the enquiry team took stand that approval of the PCI for the scheme contained an intrinsic approval for procuring land through either mean i.e. compulsory acquisition under Land Acquisition Act or private negotiations. However, his contention was in contradiction to the procedure reflected in Board of Revenue's Notification dated 17th August 2006.</p>
d	<p>After careful scrutiny of the available record and written reply of the accused officer, it was proved that no price committee was constituted in the subject case for rate determination of the procured land. Although the accused officer is responsible for not initiating a case for constituting such a committee; however, this violation could be equally attributed to the then District Officer (Revenue) Buner who did not play his regulatory function by putting the process on right track and accepted the process without taking any notice of fulfillment of codal formalities or otherwise.</p>
e	<p>The allegation of making direct payment to the land owner was proved. The standard procedure of making payment for the procured land through District Officer (Revenue) was violated. As the accused officer did the entire procurement process himself and did not involve the District Officer (Revenue) office; therefore, his making payment to the land owners directly was a kind of compounding other violations he made in the procurement process. In his written reply, he banked upon the direct mode of payment as mentioned in the Land Acquisition Act 1894 to justify the way he made payment to the owner. However, all these modes were to be considered by the office which is authorized for land acquisition i.e. District Officer (Revenue) and not DFO (Buner)</p>
f	<p>As mentioned against allegation at Sr.No. c</p>
g	<p>Though the allegation levelled against the accused officer for procuring land through an irregular procedure of private negotiations at a higher rate than the Ausat Yaksala was proved. Moreover, his act of procuring land at a higher rate has also been proved as becoming a strong base for rate enhancement by the court in the land acquisition process for Police Department. However, his culpability on this</p>

	count seems partial than exclusive as there are some other mutations available on record where the rates of land in the same <i>Mouza</i> were quoted even higher than the price which the accused officer paid to the land owners.
h	The allegation stands proved as narrated in the statement.
j	The charge stands proved as the officer violated the procedures in vogue for land procurement as notified by the Board of Revenue on the pretext of urgency, expediency and unawareness.
k	Charge stands proved
l	Charge stands proved

Recommendations

5. In view of the above, the enquiry committee recommends the following :-
- As the officer has been proved of committing very serious irregularities in the procurement of land for construction of DFO offices and Residences in District Buner, therefore, the punishment already ordered vide notification bearing No. SO(Estt)Env/1-50(87)/2012 dated 31st December 2014 (*Annex-X*) may be sustained.
 - As the total loss incurred to the government is higher than the amount being recovered from the accused officer and as there are likely chances of other reasons as mentioned in para 4(a,d,g); which have contributed towards the huge loss incurred to the government in this case; therefore, the same should also be investigated/considered so as to prevent such instances in future.


(Qazi Muhammad Younis)
Conservator Forests, Upper Hazara Forests Circle


(Muhammad Khalid)
Director General FDMA

Monthly Tour Diary of Mr. Mohammad Ikram Khan Conservator
of Forests Malakand Forest Circle for the month of MAY 2010

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- 01.05.2010 Closed day.
- 02.05.2010 Sunday.
- 03.05.2010 Attended office of the Chief Conservator of Forest and persuaded various pending cases. Also attended office of the Director Community & GAD and discussed the ways and means to strengthen the existing village development committees and women organizations in Malakand Forest Circle. Stayed at Peshawar.
- 04.05.2010 Attended briefing session held in the NAB headquarter along with Chief Conservator of Forest and others Conservators on smuggling of timber from Upper Kohistan through river Indus and mitigation measures. Briefing was given by C.F upper Hazara. Stayed at Peshawar.
- 05.05.2010 Peshawar to Saidu Sharif.
Attended office and did office work.
Time : 0700 1030hrs.
Distance; 180 kms.
- 06.05.2010 Attended office and did office work .Also conducted personal hearings in various appeal cases of the staff of Alpuri Forest Division. In the evening proceeded to Peshawar. Stayed at Peshawar.
Time: 1700 2100Hrs.
Distance 180 kms.
- 07.05.2010 At Peshawar. Attended office of the Chief Conservator of Forests and Secretary to Government of Khyber Pakhtunkhwa Environment Department and discussed various issues of Malakand Circle including checking of Bunir Forests, posting transfers etc. Returned back to Headquarter in the evening.
Time: 1500 1900hrs.
Distance: 175 Kms.
- 08.05.2010 Closed Day:
- 09.05.2010 Sunday.
- 10.05.2010 Attended office and did office work.
- 11.05.2010 Saidu Sharif to Bunir and back.
At Swari held meeting with DFO Bunir and RFOs and discussed various issues concerning protection of forest wealth in Bunir. Also inspected the site of purchase of land selected for construction of office and residential

building .On return inspected Karakar inspection hut which sustained damages during insurgency.

Time: 0900 1700hrs.

Distance: 144 Kms

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179

12.05.2010 Saidu Sharif to Peshawar.
Attended office in the morning and did office work. In the evening proceeded to Peshawar. Stayed at Peshawar.
Time: 1500 1900hrs.
Distance: 170 Kms.

13.05.2010 Attended meeting held in the office of the Chief Conservator of forest under the chairmanship of Deputy secretary Environment . Various issues specially enhancement of royalty from 60 to 80% prosecution cases ways and means to strengthen the litigation cell besides other agenda items were deliberated upon. Stayed at Peshawar.

14.05.2010 Attended office of the Conservator of forest P&M circle and discussed monitoring of the activities in the Circle. Returned back to Headquarter in the evening.
Time :1500 1900hrs.
Distance: 210 Kms

15.05.2010 Closed day.

16.05.2010 Sunday

17.05.2010 Saidu Sharif to Malakand and back. .
At DFO office held discussion with the staff and afterward inspected the timber depot as well as nursery located in the premises of divisional office. Issued instruction for disposal of the timber through open auction .

Time: 0900 1600 hrs.

Distance 124 kms.

18.05.2010 Attended office and did office work.

19.05.2010 Attended office and did office work.

20.05.2010 Saidu Sharif to Bunir Totali.
Attended office in the morning, did office work. In the afternoon proceeded to Totali with a view to exercise control over the field staff. Nothing regarding illicit transportation was brought in my knowledge. Stayed at Swabi.

Time: 1500 1900hrs.
Distance: 180 Kms.

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21.05.2010 Swabi to Dargai, Peshawar.
Early in the morning conducted raid/surprise checking at Dargai. No illicit movement was noticed. Returned to Peshawar.

Time: 0400 1100hrs.
Distance: 190 Kms.

22.05.2010 Closed day.

23.05.2010 Sunday.

24.05.2010 At Peshawar attended office of the Conservator of Forest P&M Circle. Held meeting on Chitral working plan under the chairmanship of D.C.C.F.

25.05.2010 Peshawar to Saidu Sharif.
Attended office of the Chief Conservator of Forests in the morning and persuaded various pending cases and then returned back to Headquarter.
Time: 1100 1500hrs.
Distance: 170 Kms.

26.05.2010 Attended office and did office work.

27.05.2010 Attended office and did office work.

28.05.2010 Attended office and did office work.

29.05.2010 Closed day.

30.05.2010 Saidu Sharif to Peshawar. Halt at Peshawar.
Time: 1100 1400hrs.
Distance: 175 Kms.

31.05.2010 At Peshawar. Attended meeting held in the office of the Chief Conservator of Forests under his Chairmanship on devolution strategy in the wake of 18th amendment.

ABSTRACT

385 / 103

1. No. of days spent on tour	16 Nos.
2. No. of nights spent on tour	10 Nos.
3. No. of days to and fro journey	02 Nos.
4. No. of Casual Leave/Sundays	08 Nos.
5. No. of days attended office		07 Nos.

181

Sd/-
(MOHAMMAD IKRAM KHAN)
CONSERVATOR OF FORESTS
MALAKAND CIRCLE SHAGAI,

No. 265 /PA,

Dated Saidu Sharif the 25 /June, 2010.

Copy forwarded to the Chief Conservator of Forests, Khyber Pakhtunkhwa Peshawar for favour of Information please.


CONSERVATOR OF FORESTS
MALAKAND CIRCLE SHAGAI.

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INSPECTION NOTE BY MR. NAZIR MOHAMMAD, CHIEF CONSERVATOR OF FORESTS, KHYBER PUKHTOONKHWA from 25TH TO 28TH APRIL, 2010.

On way to Malakand Forest Circle inspected some parts of Peshawar and Mardan Forest Divisions of Southern Circle but no officer/ official was seen during traveling may be due to holiday.

1. At Dargai met with Conservator of Forests Malakand, DFO Malakand and Sub-Divisional Forest Officer, Dargai and directed them to be vigilant against smuggling of forest produce and plug all routes connecting Malakand, Mardan and Peshawar Forest Divisions and to keep an open eye on all legal timber coming to down districts via Malakand from Malakand Circle and Indus Kohistan Hazara including FDC timber.

2. At Chakdara FDC timber market held a meeting with CF Malakand, DFO Malakand, DFO Upper and Lower and Dy Forest Manager Marketing, Chakdara. It was observed that the timber price is increasing but neither the concerned DFO nor JFMC members are participating in the auction process of FDC which is necessary as per provision of 10 Draft. The Forest staff was directed to check the in and out flow of timber of FDC timber market, Chakdara as well as at the transit / roadside depots. All the forests should be regularly inspected/ checked particularly FDC lots and surrounding compartments and other hot spots, by DFO personally and if any irregularity is found in time action may be taken accordingly.

3. Alongwith CF Malakand, DFO Upper and Lower paid a surprise visit to Timergarah, Summer Bagh, Shahi, Barawal, Dir etc. Some scattered fresh illicit cut timber was visible in the jurisdiction of DFO Upper Dir. On query the DFO and his staff has no convincing reply. The CF and DFO were directed to take appropriate action and to seek the help of the local Administration and Law Enforcing Agencies to curb the illegal damage in the forests and its smuggling. During the discussion with DFO Upper Dir it was noticed that some damage has occurred under the shadow of FDC but no action has been taken by the DFO and his staff. Neither the DFO has personally inspected the site. He was directed to immediately inspect the sites and take appropriate necessary action.

4. No suitable accommodation was arranged for the night stay by DFO Upper Dir, thus took the risk and proceeded to Mingora for the night stay in the late night hours.

5. On the next day held a meeting with CF Malakand, DFO Malakand, DFO Swat, DFO Patrol Squad at Singai and it was observed that none of the concerned DFO, JFMC and FDC staff are playing their notified role which is highly regretted. They were directed in clear terms that now the situation is normal and all concerned should play their positive role in the public interest.

Dr. evidence to...
DFO Malakand

853
11-6-2010

Conservator of Forests
Malakand Circle Swat

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6. Then proceeded to Buner alongwith DFO Patrol Squad and DFO Swat. At Buner alongwith DFO Buner inspected a piece of land selected by DFO Buner to purchase the land for construction of office and residential buildings. During discussion with DFO Buner it was also observed that chir timber cut years back is deteriorating day by day but so far no disposal made by his predecessor. It was also brought to my notice that damage has occurred in Buner Forest Division but no remedial action was taken so far. The DFO Buner and CF is directed to immediately sale out the cut timber, finalize purchase of land at suitable place and thoroughly check the various forests of Buner through a Committee at the earliest and submit the report upto end of May. Positively.

7. On way from Buner to Peshawar via Rustam- Mardan, no Forest Officer / Official was seen except one Forest Guard available at Forest Check Post.

8. All concerned are directed and requested to actively perform their duties in the best public interest as indicted above which is their responsibility. Further necessary action may be taken without loss of time under intimation to this office.

Sd/-
(Nazir Mohammad)
Chief Conservator of Forests,
Khyber Pukhtoonkhwa, Peshawar.

No. 3149-S-153 Dated the 6/5 May 2010

Copy forwarded to:

1. The PS to Secretary Environment, KPK Peshawar for information.
2. MD FDC, Hayatabad Peshawar for information & necessary action.

CF Malakand Circle, Mingora : For information. They are directed to proceed further as above and also to achieve the targets of ADP both qualitatively and quantitatively as already discussed and directed.
CF Southern Circle, Pesh
All DFO concerned

Sd/-
(Nazir Mohammad)
Chief Conservator of Forests,
Khyber Pukhtoonkhwa, Peshawar.

Dfo Malakand Backhela

le.
Enclnt to SDO Dargai / R/O BTR.
[Signature]

779
18-5-2010

To encluse to SDO Dargai for info.
[Signature]

853
11-6-2010

[Signature]
Conservator of Forests
Malakand Circle Swat

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Annex - IV (34) ~~21~~

OFFICE OF THE DISTRICT OFFICER REVENUE AND ESTATE COLLECTOR BUNER

NOTIFICATION UNDER SECTION 4 OF THE LAND ACQUISITION ACT 1894

No. / Dated Dagger the /5/2010. Whereas it appears to the District Officer Revenue and Estate/Collector, District Buner that the land is likely to be required to be taken by the government at the public expenses for a public purpose namely for the construction of Divisional forest officer office cum residence and staff quarters, at Dagger District Buner as earmarked by the committee in Moza Dagger Tehsil Dagger District Buner. It is hereby notified that the land in the locality described below is likely to be required for the above purpose.

- 1) The notification is made under the provision of section 04 of the land Acquisition Act, 1894 to all whom it may concern.
2) In exercise of the powers conferred by the aforesaid section, the District Officer Revenue and Estate/Collector, District Buner is pleased to authorize the officer for the time being engaged in the undertaking with their servants and workmen to enter upon and survey land in the locality and do all the other acts required or permitted by that section.
3) Any person who has any objection to the acquisition of any land in the locality may report within thirty (30) days of the publication of this notification in writing before the Collector, District Buner.

SPECIFICATION

Table with 6 columns: District, Tehsil, Location, Khasra No., Kanal, Marla. Row 1: Buner, Dagger, Dagger, 2905, 2907, 2908, 6, 01.

Divisional Forest Officer Buner Forest Divn. Swari.

District Officer Revenue and Estate Buner.

No. 1045-51/G Dated Dagger the 06/05/2010

Copy forwarded to:-

- 1) The Senior Member Board of Revenue NWFP, Peshawar.
2) The Commissioner Malakand Division at Saidu Sharif Swat.
3) Chief Conseravator of Forests, NWFP Peshawar.
4) Conservator of Forests Malakand Circle at Saidu Sharif Swat.
5) District Coordination Officer Buner.
6) The Manager Govt. Printing Prerss NWFP, Peshawar for publication in the Govt. Gazette.
7) Tehsildar Dagger.

Signature of District Officer

District Officer Revenue & Estate Buner.

Signature of Divisional Forest Officer Buner Forest Divn. Swari.

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Annexure H-(IV)

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Ann-V
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GOVERNMENT OF NWFP
ENVIRONMENT DEPARTMENT
(PLANNING CELL)
NO. DDP (ENVT) x6/507/5839-62
DATED PESHAWAR THE 19/6/2008.

To

1. The Chief (Agri & Evt),
P&D Deptt: Govt. of NWFP, Peshawar.
2. The Section Officer (Dev-III),
Finance Deptt: Govt. of NWFP, Peshawar.
3. The Chief Conservator of Forests,
NWFP, Peshawar.
4. The Director General,
EPA, NWFP, Peshawar.

Subject: MINUTES OF THE SPECIAL DDWP MEETING HELD ON 14/6/2008 UNDER THE CHAIRMANSHIP OF SECRETARY ENVIRONMENT NWFP

I am directed to enclose herewith a copy of the subject minutes duly approved by the Secretary Environment for further necessary action & record please.

Encl: As above


(ZIA-UD-DIN)
ASSISTANT DIRECTOR PLANNING
ENVIRONMENT DEPARTMENT

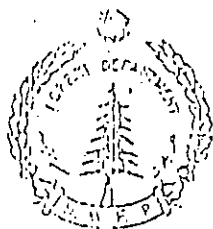
335

Annex - III

(23)

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GOVERNMENT OF NWFP
ENVIRONMENT DEPARTMENT



ADP No. 606

Scheme Code: 70609

PC-I

CONSTRUCTION
OF
OFFICE - ~~Annex~~ - RESIDENTIAL BUILDINGS
IN
NWFP

(REVISED)

Project Period July 2007-08 to 2009-10

(3 Years)

(Approved by DDWP = 6.11.2008)

NWFP FOREST DEPARTMENT

October, 2008



PC-1 (REVISED)

1. Name of the Project	Construction of office cum residence buildings in NWFP (Upper Dir, Buner, Kabal and Dooni of Malakand Circle. Scheme Code: 70609)																																								
2. Location	<p>The building will be constructed on the following places as per detail below:</p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Name of Division</th> <th>Particulars of Building</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Lower Dir</td> <td>Boundary wall of the Forest Colony, Larain Rest House and DFO residence.</td> <td>Timergara Lower Dir.</td> </tr> <tr> <td>2</td> <td>Upper Dir</td> <td>DFO office cum Residences & Boundary Wall</td> <td>Dodbah, Upper Dir</td> </tr> <tr> <td>3</td> <td>Buner</td> <td>-do-</td> <td>Swari Buner</td> </tr> <tr> <td>4</td> <td>Swat</td> <td>RFO office cum Residence.</td> <td>Kabal Swat</td> </tr> <tr> <td>5</td> <td>Chitral</td> <td>-do-</td> <td>Booni, Chitral.</td> </tr> </tbody> </table> <p>6. Construction of 8 Nos Ministerial Staff Quarters:</p> <table border="1"> <tbody> <tr> <td>i.</td> <td>DFO D/Upper</td> <td>Construction of 2 Nos Ministerial quarter</td> <td>Dodbah</td> </tr> <tr> <td>ii.</td> <td>DFO Buner</td> <td>--do--</td> <td>Buner</td> </tr> <tr> <td>iii.</td> <td>RFO Kabal (Swat)</td> <td>--do--</td> <td>Kabal</td> </tr> <tr> <td>iv.</td> <td>RFO Booni(DFO Chitral)</td> <td>--do--</td> <td>Booni</td> </tr> </tbody> </table> <p>The location Map of the Project is available at Annex-I</p>	S.No.	Name of Division	Particulars of Building	Location	1	Lower Dir	Boundary wall of the Forest Colony, Larain Rest House and DFO residence.	Timergara Lower Dir.	2	Upper Dir	DFO office cum Residences & Boundary Wall	Dodbah, Upper Dir	3	Buner	-do-	Swari Buner	4	Swat	RFO office cum Residence.	Kabal Swat	5	Chitral	-do-	Booni, Chitral.	i.	DFO D/Upper	Construction of 2 Nos Ministerial quarter	Dodbah	ii.	DFO Buner	--do--	Buner	iii.	RFO Kabal (Swat)	--do--	Kabal	iv.	RFO Booni(DFO Chitral)	--do--	Booni
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iii.	RFO Kabal (Swat)	--do--	Kabal																																						
iv.	RFO Booni(DFO Chitral)	--do--	Booni																																						
3. Authority responsible for Sponsoring	Government of NWFP, through Provincial ADP																																								
4. Execution	NWFP Forest Department, through CI Malakand and DFO Lower Dir, Upper Dir, Buner, Swat & Chitral Forest Divisions.																																								

~~1035/23~~

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	<p style="text-align: right;">339 ②</p>
<p>ii. Operation and Management</p>	<p>NWFP Forest Department, through DFO Lower Dir, Upper Dir, Swat & Chitral Forest Divisions, & overall supervision of the Conservator of Forests Malakand Forest Circle.</p>
<p>iii. Concerned Federal Ministry:</p>	<p>Ministry of Environment, Government of Pakistan.</p>
<p>iv. Plan provisions</p> <p>a. Plan provision</p> <p>If the project is included in the medium term/five year plan specify actual allocation.</p>	<p>Afforestation and Environmental rehabilitation are an integral part of the five year's Development Plan priorities in Environment Sector of Governments of Pakistan and NWFP. Hence the project forms part of the overall development priorities.</p> <p>The project was included in the Annual Development Programme (ADP) of NWFP Forest Department for the year, 2007-08, with a total cost of Rs.25.000 million, for a period of two years, S.No.758 with an allocation of Rs.10.000 million during the year, 2007-08.</p> <p>Now the PC-I is being revised for a period of three(3) years with a total cost of Rs.39.635 million with an allocation of Rs.12.300 million for the year, 2008-09.</p>
<p>If not included in current plan, what warrants its inclusion and how it is now proposed to be accommodated.</p> <p>Inter/intra-sectoral adjustments in allocation or other resources may be indicated.</p>	<p>The project has already been included in the development portfolio of Government of NWFP in the Forestry Sector with a total cost of Rs.39.635 millions expanding over three year's period from 2007-08 to 2009-10. An allocation of Rs.12.300 millions has been made for the project during the financial year, 2008-09 in ADP vide S.No.606. The project is now being revised keeping in view the unprecedented rise in prevailing market rates. The PC-I stand approved (Item #5) by the DDWP in its meeting held on 6.11.2008 (Annex-XXIV).</p>
<p>If the project is proposed to be financed out of block allocation for a program, indicate.</p> <p>Provision in the current year PSDP/ADP</p>	<p>Necessary provisions for the project have been made in the Annual Development Program (ADP) of Forestry Sector. An amount of Rs.39.635 millions has been earmarked for this new project in the Forestry Sector with an allocation of Rs.12.300 million for the financial year, 2008-09.</p> <p>An allocation of Rs.12.300 million has been made for the project in the ADP of Forestry Sector during 2008-09 at S #606 with scheme code 70609.</p>
<p>Project Objectives and its relationship with other Sectoral Objectives.</p> <p>Sector Objectives</p>	<p>The overall objectives of the project are to contribute to the socio-economic development of the local population, province and country and to improve the natural resource base and environmental conservation. To protect, conserve & develop the forestry and other allied natural resources in the Malakand Circle, in order to meet the demand of timber, firewood and wood based industries.</p>

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b. JUSTIFICATION.

quarters for Forester and 170 guards.

iv). Two (2) new ranges have been created at Kabal (Swat) and Booni(Chitral). Now for the better supervision, protection, conservation of the available forest resources in the area one building each at Kabal and Booni is needed for the RFO office-cum-residence and residential quarters for his staff i.e. Forester and Forest Guard etc.

The project is aimed to Construct the much required following buildings in the Malakand Circle of the NWFP Forest Department, for which the DDWP in its meeting held on 18.8.2007 approved the scheme at a total cost of Rs. 25.000 million, with the rates as under:-

(Rate as per Original PC-1)

#No.	Particulars of activities	Unit	PC-1 target	Unit cost	Total cost
1	Const. of boundary walls	Rft	2133	800	1,706
2	Const. of Residence(DFO L/Dir)	SN	2800	800	2,000
3	Const. of office cum-Residence(DFO L/Dir) at Dodbah	Sft	5184	900	4,666
4	Const. of office cum-Residence(DFO Booni at Swat)	SN	1384	800	1,107
5	Const. of office cum-Residence for RFO Kabal Swat	Sft	2234	800	1,787
6	Const. of office cum-Residence for RFO Booni Chitral.	SN	2234	1000	2,230
7	Const. of 3 ministerial staff quarters at:				
	Upper Dir	SN	2080	900	1,870
	Booni	SN	2080	1000	2,080
	Swat	SN	2080	800	1,660
	Buner	SN	2080	800	1,660
8	Miscellaneous/others	LS	LS	LS	0.200
	Total.				25.000

Accordingly on releases of the funds allocated for the year, 2007-08, the tenders Annex-XXIX floated in the Newspapers, but no Govt. or Private Contractor was ready to under take the constructions works on the above mentioned low rates, as the same were far below the prevailing market rates.

Therefore, keeping in view the unavoidable circumstances arised, due to sky rocketing market prices the NWFP Forest Department decided to get revised the PC-1, which will help to start the physical works immediately. The new proposed per unit rates are based on the schedule rates of works and services department adding 75% premium to chase and match the current market rates. The new proposed rates for above mentioned construction works are :-

b-i Justification for Revision.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

SERVICE APPEAL NO. 355/2018

Mr. Hasham Khan,
Ex-Divisional Forest Officer,
House No. 17, Street Sector C-3,
Phase-5, Hayatabad, Peshawar (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through
Chief Secretary, Civil Secretariat, Peshawar.
2. The Chief Secretary Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.
3. The Secretary, Government of Khyber Pakhtunkhwa,
Environment Department Peshawar.
4. The Chief Conservator of Forests,
Central Southern Forest Region-I,
Khyber Pakhtunkhwa 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 estopped by his own conduct to bring the present appeal.
4. The appeal is time barred.
5. That the appellant has no cause of action.
6. That the appellant has not come to Tribunal with clean hands.

RESPECTFULLY SHEWETH.

Parawise comments are as under: -

1. Pertain to record hence needs no comments.
2. The PC-I titled "Construction of Offices and Residential Buildings in NWFP ADP No.606" was approved by DDWP vide No.DDP(Envt)X6/Forest/5859-62, dated 19/06/2008. Consequently Administrative Approval was issued by Forestry Environment and Wildlife Department vide No. DDP(Envt)/E-203/1337, dated 24/01/2009 (**Annex-A**). Relevant formalities for acquisitions of land under the LAA 1894 were initiated vide DFO Buner

Hasham Khan

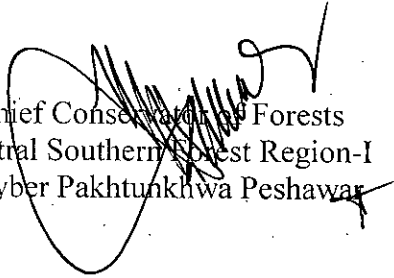
- letter No.3278/G, dated 06/05/2010 addressed to DOR Buner (**Annex-B**) with the request for further processing of the case.
3. Incorrect. Mr. Mir Wali Khan (predecessor of the appellant) was holding charge of DFO working plan unit VI, Swat. He conducted monitoring of the subject land purchased by the appellant and his report became cause of the subject inquiry. Copy of the monitoring report is attached as (**Annex-C**).
 4. Correct, to the extent of charge sheet which appellant replied.
While imposing penalty of "Reduction to lower post and recovery of Rs. 32,38,844/- vide order dated 31.12.2014, the competent authority considered the available record.
 5. Against the order dated 31.12.2014, the appellant had filed service appeal No. 414/2015 in the August Service Tribunal. The Honorable Court passed order on 02.02.2016 (**Annex-D**) set aside the impugned order, giving direction for DE-NOVO inquiry.
 6. Correct to the extent that a de-novo inquiry was conduct^{ed} in accordance with law and rules in which the charges were proved.
 7. In-correct. The inquiry was conducted by the committee in accordance with E&D Rules, 2011.
 8. The Show Cause Notice on the ground of inefficiency/ misconduct with the tentative penalty of "Removal from Service" was served upon the appellant under Khyber Pakhtunkhwa E&D Rules, 2011 which was confirmed by the authority vide order dated 07.11.2017.
 9. The appellant had filed review petition under E&D Rules, 2011 which was commented by the department on the basis of relevant record and ground facts. However, the competent authority rejected the appeal on 22.03.2018 (**Annex-E**).

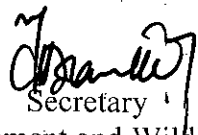
GROUND:

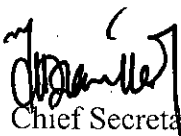
- A. Action has been taken against the appellant under Khyber Pakhtunkhwa Government Servants E&D Rules, 2011.
- B. The charges of misconduct and in efficiency were established in accordance with E&D rules, 2011. Draft Charge Sheet was issued against the then DOR Buner as communicated vide CCF-III office No. 4297/E, dated 10.04.2014 (**Annex-F**) which could not be materialized (finding of the inquiry as **Annex-G**). The same has been highlighted by the Enquiry Committee in their proceedings "Para-d".
- C. Finding of Para-d is reproduced as per finding of the enquiry committee to the effect is "the violation could equally attributed to the then DOR Buner who did not play his regulatory function by putting the process on right track".
- D. Incorrect. The inquiry committee fulfilled all the legal requirements.
- E. Incorrect. The charges were established against the appellant.
- F. Subject to proof, however, detail reply has been given above.

- G. The relevant record including tour diary of Conservator of Forests for the month of 05/2010 vide No.265/PA, dated 25/6/2010, Malakand, and tour note of Chief Conservator of Forests Peshawar vide No.3649-53/GB, dated 6/5/2010 and DOR Buner No. 1045-51 dated 6/5/2010 for imposition of Section 4 of LAA 1894, approval of the PC-I by the competent forum are attached as (Annex-II) (i, ii, iii, iv) which are self-explanatory.
- H. The inquiry was conducted in accordance with Khyber Pakhtunkhwa E&D rules, 2011.
- I. Pertains to record, hence needs no comments.
- J. Pertains to record, hence, however, the appellant was held guilty of the charges.
- K. As per paras above.
- L. No comments.

It is therefore, requested that the appeal may kindly be dismissed.


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


Secretary
Forestry, Environment and Wildlife Department
Khyber Pakhtunkhwa, Peshawar


Chief Secretary
Government of Khyber Pakhtunkhwa
Civil Secretariat Peshawar

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Particulars of titles	Unit	PC-I-Target	Unit cost	Total cost
Const: of boundary wall/Dir	Rft	2395	1056	2,528
Const: Boundary wall (DFO Upper Dir)	Rft	995	1267	1,260
Const: of office cum Residence (DFO Upper Dir) at Dodbah	Sft	4130	1400	5,782
Const: of office cum Residence (DFO Bunder at ASwari)	Sft	4130	1300	5,369
3. Const: of office cum Residence for FRO Booni Chital.	Sft	2234	1500	3,351
6. Purchase of land for Bunder	Kanal	5	1.4	7,000
7. Const: of office cum Residence for FRO Kabal (Swat).	Sft	2234	300	2,904
8. Const: of 8 ministerial staff Quarters.	Sft	8320		11,84
Total				39,635

8. Construction of Eight (8) Ministerial quarters at Booni, Swari, Dodbah & Kabal @ of Rs. 1500/- Rs. 1300 1400/- respectively).

- i). To construct the B/Wall around the DFO's residence, Forest Colony and Farm Rest House, situated at Timergara lower Dir.
- ii). The newly created Forest Division (Without any infrastructure) is not physically functioning since 2003, with head quarter at Dodbah in Upper Dir. Like wise construction of DFO Bunder office cum residence (Established since long and presently working in a rented building) is also directly required.
- iii) Two (2) newly created Ranges i.e Kabal (Swat) and Booni (Chital) to construct FRO office cum residences.
- iv) Construction of 8 Nos ministerial staff quarters. Land for Booni Range office cum residence and 2 ministerial staff quarters has already been provided by Revenue board vide Notification NO. 15103-07 dated 16.6.2008 (Annex-III) which five (5) Kanal land for DFO Bunder office cum residence and ministerial quarters will be purchased by vide DFO Bunder office letter No.473/C dated 21.8.2008 (Annex-X) provided that the available land under Bunder Watershed Division was not acquired.

PROJECT ACTIVITIES (Technical Parameters).

- i) Construction of Boundary Wall around B/Colony. The Boundary wall will be constructed around the Forest Colony, Farm Rest House and DFO Residence at cost estimates available at Annex-V (1-6)
- ii) Construction of office cum residence for DFO Upper Dir at Dodbah.

The building will be constructed at the rates of Rs.1400/- per unit. Detailed cost estimates of construction are available at Annexure-VI(1-6) & VII(1-6).

iii) Construction of office-cum-Residence for Sanyari (Distt: Buner).

The building will be constructed at Sanyari at the rate of Rs. 1300/- per unit. Detailed cost estimate of construction is available at Annex-VII(1-6) and VIII(1-5). The land - 5 Kanals, @ Rs. 1.4 million per Kanal will be purchased by DOR vide DFO Buner office letter No. 423/G dated 21-8-2008 at Annex-VIII, if Buner Watershed Division land was not transferred to Buner Forest Division..

iv) Construction of office-cum-Residence for RFO Kabal (Distt: Swat) & Booni (Distt: Chitral).

The office building each for RFO office-cum-residence at Booni (Chitral) @ Rs.1500/- per unit and Kabal Swat @ Rs.1300/- per unit. Detailed cost estimates are available at Annex: XVI(1-14)

v) Construction of Ministerial staff quarter at Booni and Kabal Buner and Upper Dir.

Two quarters each at Buner, Upper Dir, Booni (Chitral & Kabal Swat will be constructed. 5 Nos. quarter will be constructed. Cost estimates are available at Annex: X (1-9) XI (1-6), XII(1-8) and XIII(1-11).

vi) Boundary wall of DFO office-cum-residence Dir Upper

The Boundary Wall around the building will be constructed @ Rs.1267/- per Rft (Annex- XIV)

vii) Purchase of Land.

5 Kanal land for the office-cum-residence of the DFO Buner has been proposed to be purchased from the local market. The DDWP has decided to construct the said building on the land available with the Buner Watershed, but the said land is not feasible for the construction, as already by the CCF NWFP to Secretary Env't. Therefore an amount of Rs.7.000 million has been proposed for the said activity.

Capital cost estimates.

On Revision of the PC-I, the total cost of the project is

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estimated to be Rs.39.635 million. Summary/Annual phasing is available at Annex- I&II Details of item wise cost are given as under:

Sl. No.	Particulars	Unit (Revised)	PC-I Target (Revised)	Unit cost (Revised)	Total cost (Revised)
1	Construction of Boundary wall Lower Dir.	Rft	2395	1056	2,5288
2	Construction of office-cum-Residence for DFO Dir Upper at Doudbah	Sft	4130	1400	5,782
3	Construction of office-cum-Residence for DFO Buner at Swari (Buner).	Sft	4130	1300	5,369
4	Construction of office-cum-Residence for RFO Kabal (Swat).	Sft	2234	1300	2,904
5	Construction of office-cum-Residence for RFO Booni (Chitral).	Sft	2234	1500	3,351
6	Construction of 8 ministerial staff quarters at:				
	i. Upper Dir.	Sft	2080	1400	2,912
	ii. Booni (Chitral).	Sft	2080	1500	3,120
	iii. Kabal (Swat)	Sft	2080	1300	2,704
	iv. Swari (Buner).	Sft	2080	1300	2,704
7	Purchased of land for DFO Buner	Kanal	5 Kanal	1.4	7,000
8	Boundary walls at Doudbah DFO office/cum-residence	Rft	995	267	1,260
	Grand total (Rs. in million)				39.635
			G. Total		39.635

The unit cost of each item has been approved by the DDWP in its meeting dated 6.11.2008.

Annual Operating and maintenance cost on the project.

The expected annual recurring expenditure on average basis on operation and maintenance i.e. annual and special repair will be Rs.0.250 million. The expenses will be met out of annual allocation for repair and maintenance under normal fund/FIDE.

Fixed and variable cost be fixed separately.

Almost all the costs are fixed costs and therefore, will not vary with the scope of work to be under-taken under the project.

Demand and supply

N.A.

Financial plan & Mode of funding.

Year wise Financial plan is available at Annex- I&II. The project will be funded by the Provincial Government through its Provincial Annual Development Program (ADP) 2008-09.

Project benefits and analysis financial.

The people of the area in particular and staff of the NWFP Forest Department in general will be benefited from the project. The problems of the local communities will be solved at their door steps, due to this project.

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	<p>9</p>
<p>economic life of component of</p>	<p>Building: 30 years. Equipments: 15 years.</p>
<p>benefits with indicators.</p>	<p>The capacity of Govt. servants, in social, technical management and inter personal skills will be improved. This will enhance their self-confidence and their income earning abilities by providing job opportunities at their door step.</p>
<p>employment generation (direct & indirect)</p>	<p>This is a labor intensive project and will provide numerous employment generation opportunities in the area. It is however, hoped that a sizeable job opportunities will be provided to the local communities, in the project's construction sites.</p>
<p>environmental impact.</p>	<p>The construction of building would not lead to any negative environmental effect, but will increase the scenic beauty of the area.</p>
<p>effect of delay on project cost & availability.</p>	<ul style="list-style-type: none"> - The cost of the project will go up due to inflation. - The likely impact of delay will be only increase the cost overlay, but will also result in loss of confidence over the implementers.
<p>Implementation Schedule (date starting and completion of the project.)</p>	<p>The project duration will be 36 months from the dates of its start. It was expected that the project will be approved on priority basis and will start from July, 2007, but the approved rates were far below the prevailing market rate and the PC-I was get revised. The year, 2007-08 will be carry over to 2008-09 and up to 6/2010 it could be completed.</p>
<p>Organizational structure and manpower requirements including Specialized during construction and operational phases.</p>	<ul style="list-style-type: none"> - July 2007 to June 2010 (36 months). In case of late start, the end dates will be accordingly changed. - Annual phasing of the achievement of project targets is given in the Annexure-I&II
<p>Additional Projects/Decisions needed to maximize socio economic benefits from the proposed project.</p>	<ul style="list-style-type: none"> - The project will be implemented by the DFO's of the concerned Forest Divisions, under the supervision of the Conservator of Forests Malakand Circle, who will also work as the PD of the project and look after/monitor the project activities on regularly basis. - The Assistant Forest Engineer of Head office, Peshawar will be assigned the monitoring role of the construction works of the project at different sites. - The P&M directorate will carry out external monitoring on quarter basis, years basis, as per their mandate.
<p>Justification for Enhancement of Rates.</p>	<p>The people of the area in particular and staff of the government in general will be benefited from the project.</p>
<p></p>	<p>Due to high priced market and current inflation as well as instruction for revision of the PC-I vide the Conservator of Forests Malakand Circle Mingora office letter No. 8439-</p>

Annexure
PARA WISE COMMENTS AGAINST THE PR

Ann. XXIV

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GOVERNMENT OF NWFP
ENVIRONMENT DEPARTMENT
(PLANNING CELL)
NO. DDP (ENVT) (E-203) / 1337
DATE: PESHAWAR THE 24/4/2009.

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To

The Chief Conservator of Forests,
NWFP, Peshawar.

Subject:

ADMINISTRATIVE APPROVAL OF THE SCHEME TITLED "CONSTRUCTION OF OFFICE & RESIDENTIAL BUILDINGS IN NWFP" ADP NO.606 (REVISED)

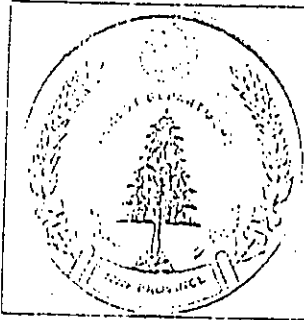
In exercise of the powers delegated vide para-1 second schedule's S.No.6 of the NWFP Delegation of Powers under Financial Rules and the powers of Re-appropriation Rules 2001, the Government of NWFP is pleased to accord Administrative Approval of the ADP scheme titled "Construction of Office & Residential Buildings in NWFP" ADP No.606 at a total cost of Rs.39.635 million (Rupees Thirty nine million six lacs & thirty five thousand only) for a period of 3 years (2007-08 TO 2009-10) as per details given below:

		(Rs. In million)	
S#	Item of work.	Unit Cost	Amount
(i) 2007-08			
	Sub Total 2007-08		Nil
(ii) 2008-09			
1	Construction of office cum residence and ministerial staff quarter building DFO Dir Upper Dir Forest Division (Partial)	1400	6.710
2	Construction of office cum residence and ministerial staff quarter building DFO Buner Forest Division	1300	--
3	Construction of office cum residence and ministerial staff quarter building RFO Booni Chitral Forest Division (Partial)	1500	0.971
4	Construction of office cum residence and ministerial staff quarter building RFO Kabal Swat Forest Division (Partial)	1300	0.337
5	Construction of Boundary wall by DFO Lower Dir at Timergara (Partial)	1056	0.282
6	Purchase of land for DFO Buner		4.000
	Sub-Total 2008-09		12.300
(iii) 2009-10			
1	Construction of office cum residence and ministerial staff quarter building DFO Dir Upper Dir Forest Division	1400	3.245
2	Construction of office cum residence and ministerial staff quarter building DFO Buner Forest Division	1300	11.073
3	Construction of office cum residence and ministerial staff quarter building RFO Booni Chitral Forest Division	1500	5.5
4	Construction of office cum residence and ministerial staff quarter building RFO Kabal Swat Forest Division	1300	5.271
5	Construction of Boundary wall DFO Timergara	1056	2.246
	Sub-Total 2009-10		27.335
Grand Total			39.635

The scheme was revised in the 3rd DDWP meeting held on 06/11/2008 under the chairmanship of Secretary Environment NWFP.

The expenditure involved will be met out from the sanctioned budget grant under the function cum-object classification under demand No.45, NC 12058 (Capital) & NC 22058 (Revenue) during the respective years.

Annexure B



OFFICE OF THE DIVISIONAL FOREST OFFICER
BUNER FOREST DIVISION SWATI

Ph: 0939-555504

Fax: 0939-555504

No. 3278 /G, Dated Swati the 26/8/2010

To

The District officer Revenue,
Buner

Subject:- PURCHASE OF LAND FOR THE CONSTRUCTION OF OFFICE
CUM RESIDENCE.

Memorandum:

This office intend to acquire/purchase land measuring six (6) kanals and one (1) Marla situated in Moza Dagger for the construction of Divisional forest Officer office cum residence and staff quarters. Necessary revenue record/documents pertaining to the aforesaid land are enclosed herewith along with section 4 of the Land Acquisition Act 1894 and agreement deed executed with the owner of the land. As this office has settled the price of the land with the land owner privately through negotiation. It is therefore, requested that the notification under section 4 of the land Acquisition Act 1894 may please be signed and further proceedings initiated for the acquisition of the land in question.

Divisional Forest Officer
Buner Forest Division Swati

No. 3279 /G.

Copy forwarded to:-

1. The Chief Conservator of Forests, NWFP, Peshawar.
2. The Conservator of Forests Malakand circle at Saidu Sharif Swat.

For favour of information please.

Divisional Forest Officer
Buner Forest Division Swati

Annexure 'c'

OFFICE OF THE DIVISIONAL FOREST OFFICER WORKING PLAN UNIT-VI SWAT

To: The Conservator of Forests,
Forestry Planning & Monitoring Circle,
Khyber Pakhtunkhwa Peshawar.

No. AWP-VI

dated Shagai the 01/02/2011.

Subject: MONITORING AND EVALUATION OF THE ACTIVITIES OF BUNER FOREST DIVISION

Memo:

The undersigned accompanied the monitoring team to Buner on 14.12.2010 and visited the land purchased by DFO Buner for the construction of Divisional office and residential buildings etc.

The team evaluated the following main aspects:

1. Location of the land in respect of the PC-1 prescriptions and its accessibility.
2. Price of the land in respect of the one year average cost record of the Revenue department of Buner district, regarding the same period and location.
3. PC-1 provision in respect of location of the land.
4. Comparison of the price of the land, paid by the DFO Buner with the one year average price of the Revenue department, called "Yaksala".
5. Map of the building as applied in the construction of the office building.
6. Procedure adopted by the DFO Buner for the purchase of land.

During the detailed monitoring and evaluation, the team noted the following discrepancies/shortcomings.

1. Location

The land has been purchased at mauza Daggar in utter violation of PC-1 provision. The PC-1 allows purchase of land at Swari only, which is the main market of District Buner. The purchased land has no approach road and is situated far away from the limits of the Bazaar.

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2. Price of the land

It is important to mention here that the price of the land of Swari due to its nearest to the main bazaar is at least ten times more costly as compared to the land situated at other areas in district Buner. The PC-1 provision of Rs. Seventy lacs in the PC-1 for the purchase of five kanal or Rs. fourteen lacs per kanal was estimated including the expected inflation, for two years for the land of Swari area only.

But the DFO Buner purchased land, in violation of the PC-1 prescription at mauza Daggar at the rate of Rs. 112000/- where the per kanal cost was fixed as Rs. 255014/- vide case No. 4 dated 05.10.2010 (regarding the acquisition of seventy kanal and two marla land at mauza Daggar, for the Police line Daggar) in the court of District Officer Revenue and Estate/collector Buner, decided dated 05.10.2010 (photo copy attached)

It is pointed out that the Police department has acquired 70-kanal and two marla land at mauza Daggar during the year 2010 at the rate of Rs. 255014/- per kanal and the

*68
58
7/2/11*

*Revenue
DPA*

*8/2
17/2/11*

*36/8
03/2/11*

Forest department has purchased 6 kanal and one marla land at the same location at mauza Daggar, during the same year 2010, at the rate of Rs.1112000/- per kanal.

The per kanal difference, in the cost of land purchased at the same location and during the same year, by the Forest department and the Police department Buner is Rs.856986/-. It means that the DFO Buner has paid more amount of Rs.856986/- per kanal as compared to the Police department, for the land situated at the same area and during the same year.

Here it is crystal clear that in the process of purchase of six kanal and one marla land by the DFO Buner, the Forest department has sustained the loss of Rs.5184765/-.

3. Map of the office building

The map is extremely substandard. The office building has only two rooms. The rest of the office building consists of Jirga hall like structure.

It smells that for the justification of cost of the building, only the target of the covered area has been tried to be achieved, irrespective of having any regard for the provision of accommodation and other related facilities to the staff.

4. Procedure adopted for the purchase of land

The DFO Buner violated all the procedures meant for the purchase/acquiring of Government land. Instead of acquisition of the land and making of payment through Revenue department, the DFO Buner conducted direct deal with the land owners and made direct payment to the owners. Due to this blunder, the Environment Department of Khyber Pakhtunkhwa sustained a huge loss of Rs.5184765/- in the purchase of only six kanal and one marla land.

The detail of the direct payment to the land owners is as under:

S.No.	Name of the owner	Amount	Cheque No. & date
1.	Sahib Gul S/O Sanab Gul of Daggar	Rs.5782400/-	246776 dt:24.05.2010
2.	Ihsanullah S/O Nasib Gul of Daggar	Rs.945200/-	246777 dt:24.05.2010

Photo copy of the DFO Buner letter No.1481/G dated 12.11.2010, addressed to the DFO Working Plan Unit-VI Swat, having the above detail is attached.

The purchase of the land does not seem to be fair and transparent. Therefore, it needs further investigations to fix the responsibility for the huge Government losses.

Divisional Forest Officer,
Working Plan Unit-VI Swat

No. 256 /WP-VI.

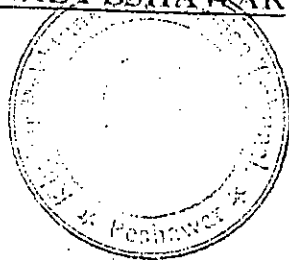
Copy forwarded to the Chief Conservator of Forests Khyber Pakhtunkhwa Peshawar, for favour of information please.

[Signature]
Divisional Forest Officer,
Working Plan Unit-VI Swat

[Handwritten notes and signatures]
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Annexure - D (45) F 43

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR



K.W.P. Province
Service Tribunal
Diary No. 508
Dated 15-5-2015

Appeal No. 474 /2015

Hashim Khan Divisional Forest Officer, Malakand Forest
Division Batkhela.

(Appellant)

VERSUS

1. Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar;
2. Secretary to the Govt of Khyber Pakhtunkhwa Environment Department Peshawar.
3. The Chief Conservator of Forests, Central Southern Forest Region I Khyber Pakhtunkhwa Peshawar.
4. The Chief Conservator of Forests, Malakand Forest Region-III, Shagai Saidu Sharif Swat.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the Notification No. SO (Estt) Env/1-50 (87)/2k12: dated 31.12.2014, whereby the major penalty of Reduction to lower post and recovery of Rs. 32, 38, 644/- has been imposed upon the appellant, against which the departmental appeal dated 22.01.2015 has not been responded so far.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Attd to day

Registrar

PRAYER IN APPEAL:

On acceptance of this appeal the impugned Notification No. SO (Estt) Env/1-50 (87)/2k12: dated 31.12.2014, may please be set aside and the appellant may be restored to his original position with all arrears and benefits.

re-submitted to day
and filed:

Registrar

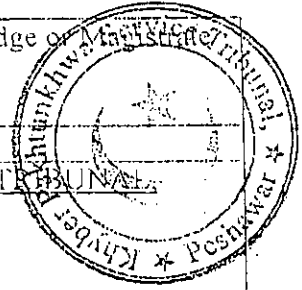
Respectfully Submitted:

1. That the appellant was initially appointed in the Respondent Department as Forest Ranger on 14.10.2014, during the course of his service the appellant got promotions and was lastly promoted as DFO BPS-18. It is pertinent ever since his appointment the

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S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	02.02.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u> <u>CAMP COURT SWAT</u></p> <p style="text-align: center;">APPEAL NO. 474/2015</p> <p>(Hashim Khan-vs- Govt. of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others).</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>ABDUL LATIF, MEMBER:</u></p> <p>Appellant with counsel and Mr. Jan Alam, SDFO alongwith Mr. Muhammad Zubair, Sr. G.P for respondents present.</p> <p>2. The instant appeal has been filed by the appellant under Section-4 of KPK Service Tribunal Act, 1974 against the notification dated 31.12.2014, whereby the major penalty of reduction to lower post and recovery of Rs 32,38,644/- has been imposed upon the appellant, against which the departmental appeal dated 22.01.2015 has not been responded so far. He has prayed that on acceptance of this appeal the impugned notification dated 31.12.2014, may please be set aside and the appellant may be restored to his original position with all arrears and benefits.</p> <p>3. Brief facts giving rise to the instant appeal are that the appellant was appointed in the respondent-department as Forest Ranger, during the course of his service the appellant got promotions and was lastly promoted as DFO (BPS-18). That in the year 2007, a PC-1 titled "construction of Offices and residential</p>



ATTESTED

(Signature)


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

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building in NWFP" envisages purchase of 5 Kanal Land to DFO Buner Office was launched during July 2007-June 2010. At the relevant time one Mr. Mir Wali Khan was holding the Charge of DFO Buner since 2007 to 19.04.2010, but he could not purchase the land during his tenure. That the appellant was posted as DFO Buner on 19.04.2010. soon after the posting of the appellant, he gave rapid attention to years long hanging issue and purchased 6 Kanal and 1 Marla Land in District Head Quarter Colony, Daggar, Buner. To this effect the agreement deed with the owners and Forest Department was executed and sent to DOR & E/Collector Buner dated 06.05.2010 with a request for signing and further processing. The said letter was endorsed to conservation Malakand and Chief Conservator Khyber Pakhtunkhwa. That no objection from any side was raised during the entire period and the payment was made to the owner at the rate of Rs. 11.12.000/- leveled against the approved rate of Rs. 14.00.000/- per Kanal. The land was transferred in the name of Provincial Government (Forest Department). That the predecessor of the appellant Mr. Wali Khan DFO was highly prejudiced against the appellant, he was posted as Monitoring Officer at Malakand. He floated a malafide monitoring report dated 01.02.2011 in respect of the subject land. That initially an inquiry was conducted by an Inquiry Committee comprising the Deputy Commissioner Swat and Deputy Commissioner Buner. However the appellant was never associated with the inquiry. The inquiry Committee while submitting its report recommended the appellant for disciplinary action. That the appellant was served with charge sheet and statement of allegations dated 09.07.2014, for certain baseless and unfounded allegations regarding irregularities in the purchase of land etc. The

ADJUSTED


 DEPUTY COMMISSIONER
 Khyber Pakhtunkhwa
 District Office, Malakand,
 Peshawar.

appellant duly replied the charge sheet and refuted the allegations leveled against him. That the appellant was served with show cause notice dated 20.10.2014, which he duly replied and refuted the allegations leveled against him. That thereafter without considering the defense reply of the appellant quit illegally the appellant was awarded the major penalty of "Reduction to Lower Post and recovery of Rs. 32,38,644" vide notification dated 31.12.2014. That the appellant preferred departmental appeal which was not responded, hence the instant present appeal.

4. Learned counsel for the appellant at the very outset diverted attention of the Tribunal to the letter dated 01.02.2011 written by the predecessor of the appellant to the high-ups of the department wherein he pin pointed discrepancies and short comings in the purchase of land for construction of office and residential building at Daggar in District Buner. He further argued that the complainant Officer was subsequently appointed a Member of the enquiry committee who conducted a formal enquiry in the charges leveled against the appellant and submitted report to the competent authority which resulted in the impugned order against the appellant. He further contended that the appellant had expressed his reservations against the said official of Forest Department who besides being Junior to the appellant was also a complainant in the instant case and conducted the proceedings with a biased mind. He further argued that the E&D Rules 2011 provide for transparent conduct of disciplinary proceedings, providing for cross examination of witnesses and conducting the enquiry in the prescribed manner which provisions were not complied with by the respondents and hence impugned order was

violative of the law, rules and norms of natural justice. He further contended that version of defense provided by the appellant during the course of enquiry was totally ignored, the appellant was not provided opportunity of fair trial as guaranteed under the Article 10-A of the constitution and opportunity of personal hearing was not provided to the appellant hence ends of natural justice were not met in the process of the entire proceedings against the appellant which stands nullity in the eyes of law. He prayed that the impugned order being defective in law may be set aside and appellant may be restored to his original position with all back benefits. He relied on 2003 SCMR 104.

5. The learned Sr. GP resisted the appeal and argued that all codal formalities were duly complied with before passing of impugned order by the competent authority. He further contended that the appellant was fully associated with the enquiry proceedings, final show cause notice was served on him and opportunity of personal hearing was also allowed. He further contended that formal enquiry was conducted against the appellant where charges framed in the charge sheet were duly proved against him and competent authority took a lenient view by opposing a major penalty of reduction as compared to the major penalty of dismissal recommended by the enquiry committee. He prayed that the appeal being devoid of any merits may be dismissed.

6. We have heard arguments of the learned counsel for the parties and perused the record with their assistance.

7. From perusal of the record, it reveals that enquiry

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conduct *de-novo* enquiry against the appellant strictly in accordance with law and rules providing him full opportunity of defense and opportunity of personal hearing before passing of an order ^{by} the competent authority. The proceedings shall be completed in a period of sixty days after the receipt of this judgment. The appeal is accepted in the above terms. Parties are left to bear their own costs. File be consigned to the record.

Announced
02-02-2016

Sd/- Abdul Latif,
Member

Sd/- Muhammad Azim Khan Afridi,
Chairman

Certified to be true copy


Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation: 8-2-2016
 Number of Pages: 2800
 Copying Fee: 161
 Stamp: 161
 Total: 161
 Name of Officer: [Signature]
 Date of Completion: 9-2-2016
 Date of Delivery of: 9-2-2016

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committee comprised of one of the member who in the first instance sent a monitoring and evaluation report containing allegations of illegalities in the purchase of land and sustaining of losses to Government by the appellant. Record further reveals that witnesses which were required to be examined in the presence of the appellant were not so examined. Similarly the appellant was not provided opportunity of cross examination of witnesses against him nor was he given ample opportunity to produce witnesses in his support. The appellant tried to register his reservations against the partial conduct of one of the member of the enquiry committee and voiced his concerns in this regard both before the competent authority and the Peshawar High Court as well but could not succeed to prevail upon the authority for substitution of the enquiry committee.


8. In view of the foregoing the Tribunal is of the considered view that full opportunity of defense was not provided to the appellant nor were the proceedings completely transparent in terms of Article 10-A of the Constitution as one of the member of the enquiry committee was complainant against the appellant and the charge comprised of the discrepancies raised by the officer in his monitoring report. Moreover, the said member of enquiry remained as predecessor incumbent of the post hold by the appellant and reservations of the appellant against his being biased could not be overlooked.

9. In the circumstances the Tribunal is constrained to interfere in the case, by setting aside the impugned order and to remit the case to the respondent-department with direction to

ATTESTED

Shiva
Tribunal,
Peshawar

Annexure - E

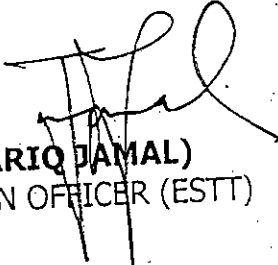
	<p>GOVERNMENT OF KHYBER PAKHTUNKHWA FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT</p> <p>NO.SO(Estt)/FE&WD/1-50 (87)/2012 Dated Peshawar the, 22nd March, 2018</p>
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To Mr. Hasham Khan,
Ex-Divisional Forest Officer,
Khyber Pakhtunkhwa Forest Deptt:

C/o Chief Conservator of Forests,
Central Southern Forest Region-I,
Peshawar.

Subject: - REVIEW PETITION/APEAL AGAINST THE IMPUGNED NOTIFICATION NO: SO (ESTT)/ENVT/1-50 (87)/2012, DATED 07/11/2017

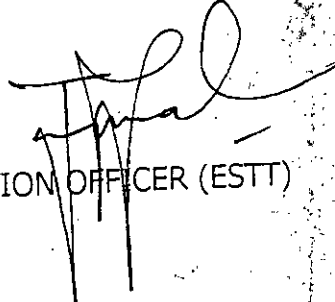
I am directed to refer to your Review Petition/appeal dated 07th November, 2017 on the subject captioned above and to say that the Appellate Authority has been pleased to reject your referred Review Petition/appeal.


(TARIQ JAMAL)
SECTION OFFICER (ESTT)

Endst: No: & date even

Copy is forwarded for information to:-

1. Chief Conservator of Forests, Central Southern Forest Region-I, Peshawar.
2. PS to Secretary, FE&W Department, Khyber Pakhtunkhwa.


SECTION OFFICER (ESTT)

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~~Annex - XI~~ ~~(45)~~ Annex - F

OFFICE OF THE CHIEF CONSERVATOR OF FORESTS MALAKAND FOREST REGION
(REGION-III) SAIDU SHARIF SWAT.

To

The Section Officer (Establishment),
Govt: of Khyber Pakhtunkhwa,
Environment Department, Peshawar.

No. 4297 /E, Dated Saidu Sharif the 10 / 4 /2014.

Subject:-

ACQUISITION/PURCHASE OF LAND MEASURING 6-KANALS AND
1-MARLAS IN THE VICINITY OF DAGGAR FOR CONSTRUCTION
OF DFO OFFICE CUM RESIDENCE/STAFF QUARTERS.

Memo:

Reference your letter No.SO(Estt)/Env/1-50(87)/2K8/1717, dated
04/4/2014.

As desired, Draft Charge Sheet/Statement of allegation against the
following officers are enclosed herewith for favour of further necessary action in your
office please:-

- 1) Mr.Hasham Khan the then DFO Buner.
- 2) The then District Officer Revenue and Estate Buner.

Encl: As above.

[Signature]
10/4/14
CHIEF CONSERVATOR OF FORESTS
MALAKAND FOREST REGION (REGION-III)
SAIDU SHARIF SWAT. *[Signature]*

CHARGE SHEET

1. Mr. _____ as a competent authority, hereby charge you Mr. _____ the then District Officer Revenue and Estate Buner as follow:-

That you, while posted as District Officer Revenue and Estate Buner committed the following irregularities:-

- a) Whereas the DFO Buner approach to you vide his letter No.3276/G, dated 06/5/2010 requested you for issuing of Notification under Section 4 of the Land Acquisition Act, 1894.
- b) Whereas, under provision of para-4 of Revenue Circular No.54: V/4/2006/Notification/LA/10973, dated 17/08/2006 approval of the Administrative Department i.e. Environment was required to be obtained by the DFO Buner for negotiated rate under section-5(i) of the said Notification the District collector was required to constitute a committee for assessment and determination of price and verification of titled where as the DFO Buner letter No. cited above had provided the agreement deed clearly indicating Rs.55600/- per marla of the land to be acquired. The DFO Buner has also requested you for further proceeding for acquisition of land. Though the circular provides for purchase of land on private negotiation, yet the rate are to be assessed by a committee constituted by you. As per section 4 of the Revenue circular No.54, the DFO was required to get approval from the Administrative Department/Head of Department, which he did not take and hence violated the rules, where you are equally responsible.
- c) Whereas you were required to constitute a rate assessment Committee under the rules which you did not bother inspite of the facts that the DFO Buner through the above referred letter had asked you for further proceedings for acquisition of land under the Land Acquisition Act, 1894, though the rates were negotiated by the DFO but the land was to be purchased for public/state purpose and you being Revenue and Estates Officer was required to safeguard the interest of the State and should have assessed the rates and if not found prevailing according to Yaksala should have objected to the negotiated rates because the same agreement was shared with you officially by the DFO vide letter cited above.
- d) Whereas you have signed Notification under the land acquisition act which simply authorize any person to enter into such land for survey etc, but kept themselves aloof from further proceedings of acquisition. Neither you have officially communicated the actual Ausat Yaksala or Charsala to the DFO nor has furnished rate reasonability certificate to the DFO. However, the rates negotiated by the DFO were in your knowledge and you have made the mutations.
- e) Whereas under Notification No.Rev:V/4/2006/LA/10973, amendments made in land acquisition act, 1894 vide No.legis: 1(2)71/11/4228 dated 22/08/2001, under the above Notification new Section-11(A) and 11(b) to Act 1 of 1894 have been inserted. Under Sub Section-11(B) (4) the acquiring department in the application given under para-1 shall also inform the District Collector that permission for entering into private negotiation for acquisition of land has been obtained from the Head of the Administrative Department. Hence, you as District Officer Revenue did not notify the committee for assessment and determination of the price in the absence of this permission, neither the DFO Buner asked for average Ausat Yaksala or Charsala nor the Revenue Authorities provided the same officially.
- f) Whereas due to your slackness/collusion with the then DFO Buner did not make efforts to safeguard the interest of the state being District Collector/District Officer Revenue and Estate and sustained a loss to the Government worth Rs.3238644/- by not playing your due role.
- Due to this highly inflated rates paid by the DFO Buner, which become a precedence for others, the Police Department was compelled to pay Rs.85109043/- over and above than the price assessed by the Revenue Department. Hence huge loss was sustained to the public exchequer.

- 2) By reason of the above, you appear to be guilty of in-efficiency, misconduct and corruption under rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule 4 of the rules ibid.
- 3) You are, therefore, require to submit your written defense within seven days of the receipt of this charge sheet to the inquiry officer/inquiry committee, as the case may be.
- 4) Your written defense, if any, should reach the inquiry officer/inquiry committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.
- 5) Intimate whether you desire to be heard in person.
- 6) A statement of allegations is enclosed.

(MR. MUHAMMAD PERVEZ KHATTACK)
CHIEF MINISTER
KHYBER PAKHTUNKHWA

DISCIPLINARY ACTION

1. I, _____ as a competent authority, am of the opinion that the District Officer Revenue and Estate Buner as employee of the Revenue Department, has rendered himself liable to be proceeded against as he committed the following acts/omissions, within the meaning of rule 3 of the Khyber Pakhtunkhwa Servants (Efficiency and discipline) Rules, 2011.

STATEMENT OF ALLEGATION

- a) Whereas the DFO Buner approach to you vide his letter No.3276/G, dated 06/5/2010 requested you for issuing of Notification under Section 4 of the Land Acquisition Act, 1894.
- b) Whereas, under provision of para-4 of Revenue Circular No.54: V/4/2006/Notification/LA/10973, dated 17/08/2006 approval of the Administrative Department i.e. Environment was required to be obtained by the DFO Buner for negotiated rate under section-5(i) of the said Notification the District collector was required to constitute a committee for assessment and determination of price and verification of titled where as the DFO Buner letter No. cited above had provided the agreement deed clearly indicating Rs.55600/- per marla of the land to be acquired. The DFO Buner has also requested you for further proceeding for acquisition of land. Though the circular provides for purchase of land on private negotiation, yet the rate are to be assessed by a committee constituted by you. As per section 4 of the Revenue circular No.54, the DFO was required to get approval from the Administrative Department/Head of Department, which he did not take and hence violated the rules, where you are equally responsible.
- c) Whereas you were required to constitute a rate assessment Committee under the rules which you did not bother inspite of the facts that the DFO Buner through the above referred letter had asked you for further proceedings for acquisition of land under the Land Acquisition Act, 1894, though the rates were negotiated by the DFO but the land was to be purchased for public/state purpose and you being Revenue and Estates Officer was required to safeguard the interest of the State and should have assessed the rates and if not found prevailing according to Yaksala should have objected to the negotiated rates because the same agreement was shared with you officially by the DFO vide letter cited above.
- d) Whereas you have signed Notification under the land acquisition act which simply authorize any person to enter into such land for survey etc, but kept themselves aloof from further proceedings of acquisition. Neither you have officially communicated the actual Ausat Yaksala or Charsala to the DFO nor has furnished rate reasonability certificate to the DFO. However, the rates negotiated by the DFO were in your knowledge and you have made the mutations.
- e) Whereas under Notification No.Rev:V/4/2006/LA/10973, amendments made in land acquisition act, 1894 vide No.legis: 1(2)71/11/4228 dated 22/08/2001, under the above Notification new Section-11(A) and 11(b) to Act 1 of 1894 have been inserted. Under Sub Section-11(B) (4) the acquiring department in the application given under para-1 shall also inform the District Collector that permission for entering into private negotiation for acquisition of land has been obtained from the Head of the Administrative Department. Hence, you as District Officer Revenue did not notify the committee for assessment and determination of the price in the absence of this permission, neither the DFO Buner asked for average Ausat Yaksala or Charsala nor the Revenue Authorities provided the same officially.
- f) Whereas due to your slackness/collusion with the then DFO Buner did not make efforts to safeguard the interest of the state being District Collector/District Officer Revenue and Estate and sustained a loss to the Government worth Rs.3238644/- by not playing your due role.

Due to this highly inflated rates paid by the DFO Buner, which become a precedence for others, the Police Department was compelled to pay Rs.85109043/- over and above than the price assessed by the Revenue Department. Hence huge loss was sustained to the public exchequer.

2. Therefore, for the purpose of scrutiny of the conduct of the accused and conducting an inquiry against him, with reference to the above allegations, an inquiry committee comprised of the following is hereby constituted under rule 10(a) of the rules ibid:-

1. Mr. _____ Chairman.

2. Mr. _____ Member.

3. The inquiry committee shall, in accordance with the provision of the rules ibid, provide reasonable opportunity of hearing to the accused, record its findings and make, within thirty (30) days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused officer and a representative of the Department well versant with the case, shall join the proceedings on the date, time and venue fixed by the inquiry officer/committee.

**COMPETENT AUTHORITY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

No. _____/E, dated Peshawar the: _____/04/2014.

Copy of the above is forwarded to the:-

1. Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar for Information and further necessary action.
2. Mr. _____ Chairman Committee for initiating proceedings against the accused, strictly under the provisions of Khyber Pakhtunkhwa, Government Servants (Efficiency and Discipline) Rules, 2011 and completion within stipulated period. Enquiry file from page-01 to _____ is enclosed herewith.
3. Mr. _____ the member inquiry committee for information and necessary action. He is directed to associate and join the inquiry committee for initiating proceedings against the accused and enable/assist the committee to complete the proceedings within stipulated period.
4. Mr. _____ for information and necessary action. He is directed to join the disciplinary proceedings on the date, time and venue fixed by the inquiry committee and vigorously defend Govt, interest as prosecutor.
5. District Officer, Revenue and Estates Collector Buner, for information and further necessary action.
6. Mr. _____ the then District Officer Revenue and Estate Buner for information and compliance. He is directed to submit his reply to the allegations leveled against him directly to the chairman, inquiry committee within 07 days of receipt of this memo and also appear before the inquiry committee on the date, time and venue to be fixed by the inquiry committee for the purpose of inquiry proceedings.

**CHIEF MINISTER
KHYBER PAKHTUNKHWA**

Annexure - 9

ENQUIRY REPORT

Subject: DE-NOVO ENQUIRY AGAINST Mr. HASHIM KHAN EX-DFO FORESTS DISTRICT BUNER

Enquiry Order

1. Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department vide its Notification bearing No.SO(Estt)ENV/1-50(87)/2012 dated 20th March 2017 (*Annex-I*) has tasked the following officers to conduct a de-novo enquiry under Rule-14(G) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011 against Mr. Hashim Khan Ex-DFO Buner for the charges/allegations levelled against him in the Charge Sheet (*Annex-II*) and Statement of Allegations (*Annex-III*) which was provided along with the notification:-

- Mr. Muhammad Khalid PMS BS-19, DG FDMA Convener
- Qazi Muhammad Younis BS-19, Conservator Forests Member.

2. Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department vide its Notification bearing No.SO(Estt)/FE&WD/1-50(87)/2012 dated 13th April 2017 (*Annex-IV*) has nominated Mr. Ahmad Jilil, DFO, Buner Forest Division Daggar as departmental representative for provision of record and necessary facilitation of the enquiry team.

Proceedings of the Enquiry

3. The enquiry team summoned the accused officer on 24th April 2017 and received his written reply to the allegations levelled against him (*Annex-V*). The accused officer was also asked to express his satisfaction to the composition of the enquiry team, to which he responded in affirmative. The enquiry team went through the entire script of the written reply along with its annexures and on 2nd May 2017 met and discussed and accordingly prepared a questionnaire (*Annex-VI*) which was served upon the accused officer in advance of his next hearing subsequently made on 10th May 2017. Moreover, the predecessor of the accused officer naming Mr. Mir Wali Khan Ex DFO Buner was also called for recording his statement (*Annex-VII*) as he was responsible for implementation of the part of the ADP Scheme No.606 titled "Construction of Offices & Residential Buildings in NWFP" relating to District Buner i.e. Procurement of land for construction of DFO Offices & Residential Building in District Buner ever since the issuance of Administrative Approval of the scheme on 24th January 2009. Moreover the Enquiry Team also requested Deputy Commissioner Buner to provide the documentary evidence and outcome of any disciplinary proceedings against the then District Officer (Revenue) for his negligence in the case, to which he accordingly responded and provided report of an enquiry conducted jointly by Deputy Commissioner Swat

M. J. Jilil

and Deputy Commissioner Buner (*Annex-VIII*). The departmental representative Mr. Ahmad Jalil DFO Buner diligently provided record relating to the case and also provided a copy of CPLA 159-P/2016 which comprised of some crucial documents of the case (*Annex-IX*).

Findings

4. After giving appropriate opportunity of personal hearing to the accused officer and proper scrutiny of the available documents relating to the enquiry, the enquiry team found the following against allegations contained in the charge sheet/statement of allegations: -

Sr. No. (as in the statement of allegation.)	Findings of the enquiry team.
a	Although the allegation levelled against the accused officer for procuring the requisite land in haste i.e. in the last two months of the project period was proved; however, it was noted that the accused officer took charge of his duties as DFO Buner on 19 th April 2010. <u>The responsibility of delaying the case for the entire period of scheme does not fall on him rather it falls on those who were responsible for implementation of the scheme ever since its approval by the competent forum and could not do much to that effect.</u> The accused officer during his personal hearing and written reply took stand that he was continuously forced by his senior officers to act in haste and implement the part of scheme so as to prevent the allocated money from being lapsed on the expiry of the FY 2009-10; however, he could not produce any credible evidence of any such instructions by his senior officers.
b	The allegation of entering into negotiations with land owners in contravention of Government of Khyber Pakhtunkhwa Board of Revenue Notification No.Rev:V/4/2006 dated 17 th August 2006 was sufficiently proved as the procedure of procuring land through private negotiations contained in the notification was grossly violated. The officer during his personal hearing took stand of his total unawareness to the procedure of land procurement through private negotiations as contained in the above notification of the Revenue Department; however, it could not be condoned as every officer has to work in accordance to the law/rules/instructions of the government while dealing with the official business.

c	<p>The allegation of not obtaining approval of the competent forum i.e. Secretary Environment for initiating the land procurement process through private negotiations was proved. The accused officer during his scheduled interaction with the enquiry team took stand that approval of the DC I for the scheme contained an intrinsic approval for procuring land through either mean i.e. compulsory acquisition under Land Acquisition Act or private negotiations. However, his contention was in contradiction to the procedure reflected in Board of Revenue's Notification dated 17th August 2006.</p>
d	<p>After careful scrutiny of the available record and written reply of the accused officer, it was proved that no price committee was constituted in the subject case for rate determination of the procured land. Although the accused officer is responsible for not initiating a case for constituting such a committee; however, this violation could be equally attributed to the then District Officer (Revenue) Buner who did not play his regulatory function by putting the process on right track and accepted the process without taking any notice of fulfillment of codal formalities or otherwise.</p>
e	<p>The allegation of making direct payment to the land owner was proved. The standard procedure of making payment for the procured land through District Officer (Revenue) was violated. As the accused officer did the entire procurement process himself and did not involve the District Officer (Revenue) office; therefore, his making payment to the land owners directly was a kind of compounding other violations he made in the procurement process. In his written reply, he banked upon the direct mode of payment as mentioned in the Land Acquisition Act 1894 to justify the way he made payment to the owner. However, all these modes were to be considered by the office which is authorized for land acquisition i.e. District Officer (Revenue) and not DFO (Buner)</p>
f	<p>As mentioned against allegation at Sr.No. c</p>
g	<p>Though the allegation levelled against the accused officer for procuring land through an irregular procedure of private negotiations at a higher rate than the Ausat Yaksala was proved. Moreover, his act of procuring land at a higher rate has also been proved as becoming a strong base for rate enhancement by the court in the land acquisition process for Police Department. However, his culpability on this</p>

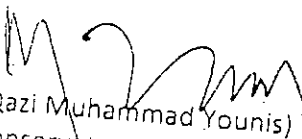


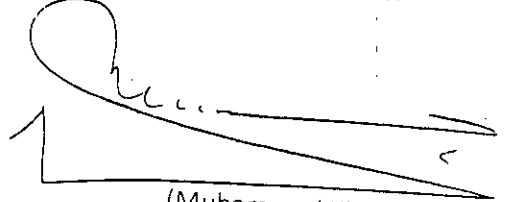
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	count seems partial than exclusive as there are some other mutations available on record where the rates of land in the same <i>Mouza</i> were quoted even higher than the price which the accused officer paid to the land owners.
h	The allegation stands proved as narrated in the statement.
j	The charge stands proved as the officer violated the procedures in vogue for land procurement as notified by the Board of Revenue on the pretext of urgency, expediency and unawareness.
k	Charge stands proved
i	Charge stands proved

Recommendations

5. In view of the above, the enquiry committee recommends the following :-
- As the officer has been proved of committing very serious irregularities in the procurement of land for construction of DFO offices and Residences in District Buner, therefore, the punishment already ordered vide notification bearing No. SO(Estt)Env/1-50(87)/2012 dated 31st December 2014 (*Annex-X*) may be sustained.
 - As the total loss incurred to the government is higher than the amount being recovered from the accused officer and as there are likely chances of other reasons as mentioned in para 4(a,d,g) which have contributed towards the huge loss incurred to the government in this case; therefore, the same should also be investigated/considered so as to prevent such instances in future.


 (Qazi Muhammad Younis)
 Conservator Forests, Upper Hazbra Forests Circle


 (Muhammad Khalid)
 Director General FDMA

Monthly Tour Diary of Mr. Mohammad Ikram Khan Conservator
of Forests Malakand Forest Circle for the month of MAY 2010

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- 01.05.2010 Closed day.
- 02.05.2010 Sunday.
- 03.05.2010 Attended office of the Chief Conservator of Forest and persuaded various pending cases. Also attended office of the Director Community & GAD and discussed the ways and means to strengthen the existing village development committees and women organizations in Malakand Forest Circle. Stayed at Peshawar.
- 04.05.2010 Attended briefing session held in the NAB headquarter along with Chief Conservator of Forest and others Conservators on smuggling of timber from Upper Kohistan through river Indus and mitigation measures. Briefing was given by C.F upper Hazara. Stayed at Peshawar.
- 05.05.2010 Peshawar to Saidu Sharif.
Attended office and did office work.
Time : 0700 1030hrs.
Distance; 180 kms.
- 06.05.2010 Attended office and did office work .Also conducted personal hearings in various appeal cases of the staff of Alpuri Forest Division. In the evening proceeded to Peshawar. Stayed at Peshawar.
Time: 1700 2100Hrs.
Distance 180 kms.
- 07.05.2010 At Peshawar. Attended office of the Chief Conservator, of Forests and Secretary to Government of Khyber Pakhtunkhwa Environment Department and discussed various issues of Malakand Circle including checking of Bunir Forests, posting transfers etc. Returned back to Headquarter in the evening.
Time: 1500 1900hrs.
Distance: 175 Kms.
- 08.05.2010 Closed Day.
- 09.05.2010 Sunday.
- 10.05.2010 Attended office and did office work.
- 11.05.2010 Saidu Sharif to Bunir and back.
At Swari held meeting with DFO Bunir and RFOs and discussed various issues concerning protection of forest wealth in Bunir. Also inspected the site of purchase of land selected for construction of office and residential

building .On return inspected Karakar inspection hut which sustained damages during insurgency.

Time: 0900 1700hrs.

Distance: 144 Kms

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12.05.2010 Saidu Sharif to Peshawar.
Attended office in the morning and did office work. In the evening proceeded to Peshawar. Stayed at Peshawar.
Time: 1500 1900hrs.
Distance: 170 Kms.

13.05.2010 Attended meeting held in the office of the Chief Conservator of forest under the chairmanship of Deputy secretary Environment . Various issues specially enhancement of royalty from 60 to 80% prosecution cases ways and means to strengthen the litigation cell besides other agenda items were deliberated upon. Stayed at Peshawar.

14.05.2010 Attended office of the Conservator of forest P&M circle and discussed monitoring of the activities in the Circle. Returned back to Headquarter in the evening.
Time :1500 1900hrs.
Distance: 210 Kms

15.05.2010 Closed day.

16.05.2010 Sunday

17.05.2010 Saidu Sharif to Malakand and back. .
At DFO office held discussion with the staff and afterward inspected the timber depot as well as nursery located in the premises of divisional office. Issued instruction for disposal of the timber through open auction .

Time: 0900 1600 hrs.

Distance 124 kms.

18.05.2010 Attended office and did office work.

19.05.2010 Attended office and did office work.

- 20.05.2010 Saidu Sharif to Bunir Totali.
Attended office in the morning, did office work. In the afternoon proceeded to Totali with a view to exercise control over the field staff. Nothing regarding illicit transportation was brought in my knowledge. Stayed at Swabi.
- Time: 1500 1900hrs.
Distance: 180 Kms.
- 21.05.2010 Swabi to Dargai, Peshawar.
Early in the morning conducted raid/surprise checking at Dargal. No illicit movement was noticed. Returned to Peshawar.
- Time: 0400 1100hrs.
Distance: 190 Kms.
- 22.05.2010 Closed day.
- 23.05.2010 Sunday.
- 24.05.2010 At Peshawar attended office of the Conservator of Forest P&M Circle. Held meeting on Chitral working plan under the chairmanship of D.C.C.F.
- 25.05.2010 Peshawar to Saidu Sharif.
Attended office of the Chief Conservator of Forests in the morning and persuaded various pending cases and then returned back to Headquarter.
- Time: 1100 1500hrs.
Distance: 170 Kms.
- 26.05.2010 Attended office and did office work.
- 27.05.2010 Attended office and did office work.
- 28.05.2010 Attended office and did office work.
- 29.05.2010 Closed day.
- 30.05.2010 Saidu Sharif to Peshawar. Halt at Peshawar.
- Time: 1100 1400hrs.
Distance: 175 Kms.
- 31.05.2010 At Peshawar. Attended meeting held in the office of the Chief Conservator of Forests under his Chairmanship on devolution strategy in the wake of 18th amendment.

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ABSTRACT

385 / 103

- | | | |
|-----------------------------------|-------|---------|
| 1. No. of days spent on tour | | 16 Nos. |
| 2. No. of nights spent on tour | | 10 Nos. |
| 3. No. of days to and fro journey | | 02 Nos. |
| 4. No. of Casual Leave/Sundays | | 08 Nos. |
| 5. No. of days attended office | | 07 Nos. |

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Sd/-
(MOHAMMAD IKRAM KHAN)
CONSERVATOR OF FORESTS
MALAKAND CIRCLE SHAGAI,

No. 265 /PA,

Dated Saidu Sharif the 25 /June, 2010.

Copy forwarded to the Chief Conservator of Forests, Khyber Pakhtunkhwa Peshawar for favour of Information please.


CONSERVATOR OF FORESTS
MALAKAND CIRCLE SHAGAI.

Annexure - H (113) 37/

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INSPECTION NOTE BY MR. NAZIR MOHAMMAD, CHIEF CONSERVATOR OF FORESTS, KHYBER PUKHTOONKHWA from 25th TO 28th APRIL, 2010.

On way to Malakand Forest Circle inspected some parts of Peshawar and Mardan Forest Divisions of Southern Circle but no officer/ official was seen during traveling may be due to holiday.

1. At Dargai met with Conservator of Forests Malakand, DFO Malakand and Sub-Divisional Forest Officer, Dargai and directed them to be vigilant against smuggling of forest produce and plug all routes connecting Malakand, Mardan and Peshawar Forest Divisions and to keep an open eye on all legal timber coming to down districts via Malakand from Malakand Circle and Indus Kohistan Hazara including FDC timber.

2. At Chakdara FDC timber market held a meeting with CF Malakand, DFO Malakand, DFO Upper and Lower and Dy Forest Manager Marketing, Chakdara. It was observed that the timber price is increasing but neither the concerned DFO nor JFMC members are participating in the auction process of FDC which is necessary as per provision of 10 Draft. The Forest staff was directed to check the in and out flow of timber of FDC timber market, Chakdara as well as at the transit / roadside depots. All the forests should be regularly inspected/ checked particularly FDC lots and surrounding compartments and other hot spots, by DFO personally and if any irregularity is found in time action may be taken accordingly.

3. Alongwith CF Malakand, DFO Upper and Lower paid a surprise visit to Timergarah, Summer Bagh, Shahi, Barawal, Dir etc. Some scattered fresh illicit cut timber was visible in the jurisdiction of DFO Upper Dir. On query the DFO and his staff has no convincing reply. The CF and DFO were directed to take appropriate action and to seek the help of the local Administration and Law Enforcing Agencies to curb the illegal damage in the forests and its smuggling. During the discussion with DFO Upper Dir it was noticed that some damage has occurred under the shadow of FDC but no action has been taken by the DFO and his staff. Whether the DFO has personally inspected the site. He was directed to immediately inspect the sites and take appropriate necessary action.

4. No suitable accommodation was arranged for the night stay by DFO Upper Dir, thus took the risk and proceeded to Mingora for the night stay in the late night hours.

5. On the next day held a meeting with CF Malakand, MFO Malakand, DFO Swat, DFO Patrol Squad at Shagai and it was observed that none of the concerned DFO, JFMC and FDC staff are playing their notified role which is highly regretted. They were directed in clear terms that now the situation is normal and all concerned should play their positive role in the public interest.

Dr. evidence to...
DFO Mal.

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11-6-2010

Conservator of Forests
Malakand Circle Swat

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6. Then proceeded to Buner alongwith DFO Patrol Squad and DFO Swat. At Buner alongwith DFO Buner inspected a piece of land selected by DFO Buner to purchase the land for construction of office and residential buildings. During discussion with DFO Buner it was also observed that chir timber cut years back is deteriorating day by day but so far no disposal made by his predecessor. It was also brought to my notice that damage has occurred in Buner Forest Division but no remedial action was taken so far. The DFO Buner and CF is directed to immediately sale out the cut timber, finalize purchase of land at suitable place and thoroughly check the various forests of Buner through a Committee at the earliest and submit the report upto end of May. Positively.

7. On way from Buner to Peshawar via Rustam- Mardan, no Forest Officer / Official was seen except one Forest Guard available at Forest Check Post.

8. All concerned are directed and requested to actively perform their duties in the best public interest as indicted above which is their responsibility. Further necessary action may be taken without loss of time under intimation to this office.

Sd/-
(Nazir Mohammad)
Chief Conservator of Forests,
Khyber Pakhtoonkhwa, Peshawar.

No. 3647-S-153 Dated the 6th May 2010

Copy forwarded to:

1. The PS to Secretary Environment, KPK Peshawar for information.
2. MD FDC, Hayatabad Peshawar for information & necessary action.

CF Malakand Circle, Mingora : For information. They are directed to proceed further as above and also to achieve the targets of ADP both qualitatively and quantitatively as already discussed and directed.
CF Southern Circle, Pesh
All DFO concerned

Sd/-
(Nazir Mohammad)
Chief Conservator of Forests,
Khyber Pakhtoonkhwa, Peshawar.

Dfo Malakand Batakela

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Enclmt to SDO Dargai/RoBTR
Dfo Malak

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18-5-2010

Enclmt to SDO Dargai/RoBTR
Dfo Malak

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11-6-2010

Conservator of Forests
Malakand Circle Swat