

As recommended by Departmental Selection Committee, constituted vide this office order No.08 dated 10/08/2015. Muhammad Ismail S/O Fazal Muhammad resident of village Tangi Dara P/O and Tehsil Timergara District Dir Lower is hereby appointed as Wildlife Watcher BPS-07 (7490-415-19940) along with allowances admissible as per Government of Khyber Pakhtunkhwa rules against the regular vacant post in the office of the Divisional Forest Officer Dir Wildlife Division at Timergara with immediate effect and subject to the following terms and conditions mentioned hereunder:-

TERMS AND CONDITIONS

1. His services will be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, all the laws applicable to the Civil Servants and the Rules made hereunder.
2. He shall be on probation initially for a period of one year extendable for further one year.
3. His services will be liable to termination at 15 days notice, at any time without assigning any reason irrespective of the fact that he holds a post other than the one to which he was originally recruited.
4. In case he wishes to resign at any time, an advance notice of one month shall be necessary or in lieu thereof his one month's pay shall be forfeited to government.
5. The appointment is subject to the production of Clearance Certificate from District Police Officer Dir Lower and necessary medical fitness certificate from the Medical Superintendent of District Head Quarter Hospital Timergara before joining of the position.
6. He will have to verify his all academic certificates, degrees and transcripts/DMCs from respective Boards and Universities before joining of the position.
7. His service will start from the date of his arrival for duties.
8. If he failed to report arrival for duty within thirty days of the receipt of this order, the appointment will stand cancelled automatically.
9. The incumbent will be posted anywhere in the jurisdiction of Dir Wildlife Division.
10. In case of any political influence for posting/transfer for favorable station or undue favour which is against the public interest the service of the incumbent will be terminated.
11. He will join duty at his own expenses, as no TA/DA shall be admissible there-for.

-sd-
(ABDUL GHAFQOR)
Divisional Forest Officer
Dir Wildlife Division
Timergara

No. 851-56/WLD

1. The Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar for favor of information please.
2. The Conservator Wildlife, Northern Circle Saidu Sharif Swat for favor of information please.
3. Divisional Accountant for information and necessary action.
4. Muhammad Ismail S/O Fazal Muhammad resident of village Tangi Dara P/O and Tehsil Timergara District Dir Lower for information and necessary action.
5. Personal file.
6. Office order file.

[Signature]
Divisional Forest Officer
Dir Wildlife Division
Timergara

(7) *Fazal* *B* OFFICE ORDER NO. 59 DATED TIMERGARA THE 25/03/2016, ISSUED BY
SYED FAZAL BAQI KAKAKHEL DIVISIONAL FOREST OFFICER DIR WILDLIFE DIVISION
TIMERGARA *B*

BRIEF HISTORY

As reported by Block Officer Wildlife Timergara dated 20/01/2016, Muhammad Ismail Wildlife Watcher posted in Dir Lower Wildlife Sub Division is willfully absent from his official duty with effect from 16/01/2016. According to the report he was contacted through his Mobile phone, but Mobile phone of accused official was observed in off mode continuously. The said Block Officer also enquired the matter from reliable/relatives of Muhammad Ismail Wildlife Watcher personally and it was learnt that Muhammad Ismail Wildlife Watcher has left the country for Saudi Arabia on 16/01/2016.

The matter was then reported by Sub Divisional Wildlife Officer Dir Lower vide his letter No.48/WL (SDWOL) dated 22/1/2016 bearing the same situation and requested to take appropriate action against him under the rules and the same case was endorsed to Mr. Muhammad Ismail Wildlife Watcher vide No.49/WL (SDWOL) dated 22/1/2016 and directed him to report his arrival on duty within three days and explain the reasons for willful absence.

Upholding the sequence, the undersigned issued a notice to the official concerned on his mailing address through registered receipt No.266 dated 28/01/2016 wherein he was directed to resume his official duty within week time positively and explain his position with cogent reason in writing as provided under Rule 9 of the Efficiency and Disciplinary Rules, 2011 but the official concerned neither reported for his duty nor submitted reasons for his willful absence. According to the rule ibid, the undersigned floated notice in the newspapers which appeared in Daily "Aaj Peshawar" and Daily "Chaand Swat" on 2/3/2016. After waiting the prescribed period of fifteen days, the accused official failed to resume his official duty.

It is also pertinent to mention that the accused Muhammad Ismail Wildlife Watcher has been appointed vide office order No.23 dated 06/10/2016 wherein he was still under probation period.

DECISION

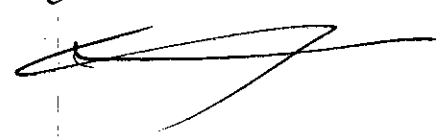
Keeping in view the above situation and in accordance with the provisions of the Section-9 of the Efficiency & Disciplinary Rules, 2011, Major penalty of "removal from service" is imposed upon the accused official with immediate effect and his period of absence shall be held as "extra-ordinary leave without pay".

Amer 8 "C"

BEFORE THE CONSERVATOR WILDLIFE, NORTHREN CIRCLE
AT SAIDU SHARIF, SWAT

DEPARTMENTAL APPEAL AGAINST THE OFFICE ORDER
DATED:25.03.2016 THROUGH WHICH THE APPELLANT WAS
REMOVED FROM SERVICE.

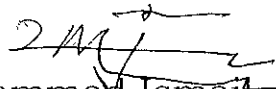
1. That initially the appellant joined the respondent/department in the 2015 and as such performed his duties with zeal and zest.
2. That during his service, the appellant applied for a short leave for performing "Umrrah" and as such on verbal assurance of granting of leave by respondent No.1 the appellant went Saudi Arabia but due to misfortune of appellant during visit of some holy places, the appellant crossed the territorial limits of specified visa area and as such the local authorities arrested the appellant and was charged for illegal activities where the appellant was sentenced for two years.
3. That after release from Jail at Saudi Arabia when the appellant came back to Pakistan where the appellant got knowledge regarding the impugned removal from service order dated:25/03/2016.

C-T-C


- 4. That the impugned office order is against the facts, law and procedure, hence, untenable being unjust and unfair.
- 5. That the absence from duty was not willful and the absence from duty was beyond the control of appellant because of his confinement in jail at Saudi Arabia.
- 6. That the appellant was not treated in accordance with law and rules, thus acted in violation of the relevant laws laid down for the purpose.

It is, therefore, most humbly prayed that On acceptance of this appeal, impugned Order dated:25.03.2016 regarding major penalty i-e removal of service of appellant may kindly be set aside and the appellant may kindly be re-instated to his service with all back benefits of service.

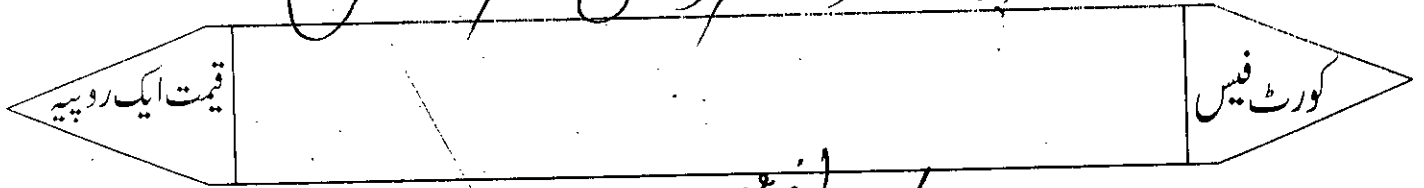
Appellant


Muhammad Ismail

Dated:15.08.2018.

Received for for
Amul
16/8/2018
C.H.C

بعدالت چنار سروس لم بیونل



26 نومبر ۱۹۵۵ء منجانب

اسمائیل بنام گورنمنٹ وکریٹ

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی متعلقہ آن مقام سروس لم بیونل کے جس الہا دل ریل وکریٹ کو مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ ڈائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب سے ہا گا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند ہے

المرقوم 26 ماہ نومبر ۱۹۵۵ء

العبد گواہ شدہ العبد

سروس لم بیونل کے لئے منظور ہے

Attested and accepted
by Shams-ul-Hadi

شمارہ ۱۵۳۵۱-۲۰۵۵-۰۷۶۷۷۷۷۷

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

**APPEAL NO.1449/2018 MR.MUHAMMAD ISMAIL S/O FAZAL MUHAMMAD
RESIDENT OF VILLAGE TANGI DARA TEHSIL TAMERGARA, DISTRICT DIR
LOWER V/S DIVISIONAL FOREST WILDLIFE DIR LOWER AND OTHERS**

1. **Mr.Muhammad Ismail S/o Fazal Muhammad,**
Resident of Village Tangi Dara Tehsil Tamergara
District Dir Lower.

-----PETITIONER

VERSUS

1. The Divisional Forest Officer Wildlife, Dir Wildlife Division at Tamergara Dir Lower.
2. The Conservator Wildlife Northern Circle, Saidu Sharif, Swat.
3. Chief Conservator Wildlife Khyber Pakhtunkhwa at Peshawar.

-----RESPONDENTS

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED OFFICE ORDER
DATED 25.03.2016**

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS
NO. 1 TO 3 FACTS:**

RESPECTFULLY SHEWETH:

Preliminary objections:

1. That the appellant has got no cause of action.
2. That the appeal is barred by law.
3. That this honorable tribunal lack jurisdiction to adjudicate upon the matter.
4. That the appeal is bad for non-joinder and mis-joinder.

ON FACTS:

1. Correct to the extent of appointment but performance of the duty was not satisfactory.
2. Incorrect. The appellant neither applied for leave nor granted by the competent authority as such the appellant was absent from duty with effect from 16-01-2016.
3. The appellant was appointed by respondent No.1 vide office order No.23 dated 06-10-2015 (**Annexure-I**) as Wildlife Watcher and was on probation period for one year extendable for another year as per rules. However, during the first one year probation period he was absent from duty with effect from 16-01-2016 (**Annexure-II**). On enquiry it was reported that the incumbent Wildlife Watcher was gone abroad (**Annexure-III**). Such visit for Government employee without Ex-Pakistan leave is illegal. Even then, all the required codal formalities completed as notices on home address (**Annexure-IV**) and in newspaper were issued (**Annexure-V**). Show cause notice also has been issued but to no response (**Annexure-VI**). Later on, due to lapse of about two and half month of his absence the responded No.1 being Competent authority issued orders of his removal vide


office order No.59, dated 25-03-2016 (Annexure-VII) as per section-9 of E&D Rules, 2011.

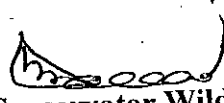
4. Incorrect. The appellant was properly removed from service as all the required codal formalities have been fulfilled as explained in para-3 above. The departmental appeal as well as the instant appeal is time barred.

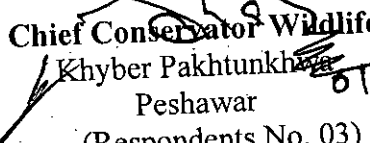
GROUND

- A. Incorrect. The removal from service order issued by respondent No.1 is according to E&D Rules, 2011 and the required codal formalities have been fulfilled.
- B. Incorrect. The absence from duty was willful as the appellant went abroad without sanctioning Ex-Pakistan leave from the competent authority.
- C. Incorrect. The rules and regulation in the case has been properly followed as explained in para-3 and in removal from service office order No.59, dated 25-03-2016.
- D. Incorrect. The action against the appellant was not on personal capacity rather the department has fulfilled proper proceeding according to E&D Rules, 2011.
- E. Incorrect. The notice is not required to the family members under the rules but even then the notices were issued to the appellant on his home address through registered parcel as well as in the newspaper daily "Ajj and Chand" dated.02/03/2016.
- F. The respondents may be allowed to produce evidences in the court if needed later on.

In view of above the appeal may be rejected, upheld the removal order issued by the respondent No.1.


Divisional Forest Officer Wildlife
Dir Wildlife Division
at Tamergara
(Respondents No.01)


Conservator Wildlife
Northern Circle
Swat
(Respondents No. 02)


Chief Conservator Wildlife
Khyber Pakhtunkhwa
Peshawar
(Respondents No. 03)

Veled


DISTRICT ATTORNEY
SWAT
29.3.19

OFFICE ORDER NO. 23 DATED TIMERGARA THE 06/10 2015, ISSUED BY
ABDUL GHAFOR DIVISIONAL FOREST OFFICER DIR WILDLIFE DIVISION
TIMERGARA

As recommended by Departmental Selection Committee, constituted vide this office order No.08 dated 10/08/2015. Muhammad Ismail S/O Fazal Muhammad resident of village Tangi Dara P/O and Tehsil Timergara District Dir Lower is hereby appointed as Wildlife Watcher BPS-07 (7490-415-19940) along with allowances admissible as per Government of Khyber Pakhtunkhwa rules against the regular vacant post in the office of the Divisional Forest Officer Dir Wildlife Division at Timergara with immediate effect and subject to the following terms and conditions mentioned hereunder:-

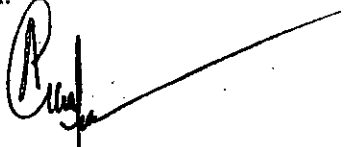
TERMS AND CONDITIONS

1. His services will be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, all the laws applicable to the Civil Servants and the Rules made hereunder.
2. He shall be on probation initially for a period of one year extendable for further one year.
3. His services will be liable to termination at 15 days notice, at any time without assigning any reason irrespective of the fact that he holds a post other than the one to which he was originally recruited.
4. In case he wishes to resign at any time, an advance notice of one month shall be necessary or in lieu thereof his one month's pay shall be forfeited to government.
5. The appointment is subject to the production of Clearance Certificate from District Police Officer Dir Lower and necessary medical fitness certificate from the Medical Superintendent of District Head Quarter Hospital Timergara before joining of the position.
6. He will have to verify his all academic certificates, degrees and transcripts/DMCs from respective Boards and Universities before joining of the position.
7. His service will start from the date of his arrival for duties.
8. If he failed to report arrival for duty within thirty days of the receipt of this order, the appointment will stand cancelled automatically.
9. The incumbent will be posted anywhere in the jurisdiction of Dir Wildlife Division.
10. In case of any political influence for posting/transfer for favorable station or undue favour which is against the public interest the service of the incumbent will be terminated.
11. He will join duty at his own expenses, as no TA/DA shall be admissible there-for.


(ABDUL GHAFOR)
Divisional Forest Officer
Dir Wildlife Division
Timergara

No. 851-56/WLD

1. The Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar for favor of information please.
2. The Conservator Wildlife, Northern Circle Saidu Sharif Swat for favor of information please.
3. Divisional Accountant for information and necessary action.
4. Muhammad Ismail S/O Fazal Muhammad resident of village Tangi Dara P/O and Tehsil Timergara District Dir Lower for information and necessary action.
5. Personal file.
6. Office order file.


Divisional Forest Officer
Dir Wildlife Division
Timergara

OFFICE OF THE SUB DIVISIONAL WILDLIFE OFFICE DIR LOWER WILDLIFE SUB
DIVISION AT TIMERGARA

To,

The Divisional Forest Officer
Dir Wildlife Division
At Timergara

No. 48 /WL (SDWOL)

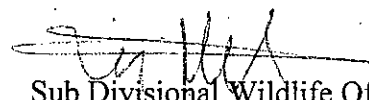
dated Timergara the 22/01/2016

Subject: ABSENCE FROM DUTY

Memo:

It is submitted that Mr. Ihsanullah Head Wildlife Watcher of Timergara Block has informed the undersigned as per attached report that Muhammad Ismail Wildlife Watcher was found continuously absent from his duty with effect from 16/01/2016. The official did not respond on the telephone calls of Head Wildlife Watcher. The Block Officer also apply all possible ways to contact with him but he failed. After it he has personally enquired the same matter from relatives and other people of the area about the absentee they told that Muhammad Ismail has gone to Saudi Arabia for unknown purpose on 16/01/2016.

It is therefore requested that salary of Muhammad Ismail Wildlife Watcher BPS-07 may be stopped till further in the matter and necessary action may also be taken against him under the rules, please.


Sub Divisional Wildlife Officer
Dir Lower Sub Division
Timergara

No. 49
48 /WL (SDWOL)

Copy forwarded to Muhammad Ismail Wildlife Watcher BPS-07 for information. He is directed to report the office of the undersigned and explain his position on the above within three days otherwise necessary action will be taken against him under the rules.

Sub Divisional Wildlife Officer
Dir Lower Sub Division
Timergara

محکم دلائل سے مزین و متنوع ومنفرد موضوعات پر مشتمل مفت آن لائن مکتبہ

عنا - عالی :-

گذشتہ روز - کہ محمد اسماعیل واہر تنگی درہ کو 20/01/2016

سے ملکر 18/01/2016 تک مسلسل فونائیل فون پر رابطہ

کرتا رہا۔ مگر محمد اسماعیل واہر تنگی فون

مسئلہ بند رہتا رہا۔ آج بلوچہ 19/01/2016 پر تنگی

گیا وہاں پر ناصر ذریعہ اور وقار ٹوگون سے معلومات

حاصل کی وقار نے بتایا کہ محمد اسماعیل واہر تنگی

تیسرا دن ہے۔ کہ ضروری فریڈ جلا گیا ہے

لہذا آپ کو اطلاع کی خدمت سے اطلاع پیش کرتا ہے

محمد اسماعیل واہر تنگی بلوچہ 20/01/2016

تہ گروہ اینڈ خالی بلاک

OFFICE OF THE DIVISIONAL FOREST OFFICER DIR WILDLIFE DIVISION AT
TIMERGARA

NOTICE

To,

Mr. Muhammad Ismail
Wildlife Watcher
Village Tangi Dara P.O and Tehsil Timergara
District Dir Lower

No. *1604* /WLD

dated Timergara, the *27* / *01* /2016

Subject: **WILLFUL ABSENCE FROM DUTY**

As per report submitted by Sub Divisional Wildlife Officer Dir Lower vide his letter No.48/WL (SDWOL) dated 22/01/2016 followed by a written report of Mr.Ihsan Ullah Head Wildlife Watcher dated 20/01/2016 regarding your willful absence from duty with effect from 16/01/2016 till date. It is also reported that you have left the country without prior approval of the competent authority. You are therefore directed with the instant notice to resume your duty within a week time positively and explain cogent reason regarding your absence otherwise further action under E&D Rules 2011 will be taken against you. You should also reminded that you are still under probation and in that case your services can be terminated/dismissed as per quoted in your appointment order.

It may be treated as notice for duty.

22/1/2016
Divisional Wildlife Officer
Dir Wildlife Division
Timergara

No. *1605* /WLD

Copy forwarded to Sub Divisional Wildlife Officer Dir Lower for information with reference to his letter cited above.

22/1/16
Divisional Wildlife Officer
Dir Wildlife Division
Timergara

Received

روزنامہ
عوام کی آواز
سوات
پبلشر: ایف بی بی جی آر اقبال
Reg No. 475

جلد نمبر 13 | دہہ 1402 | 23 مارچ 2016ء | ماہنامہ | 1437 صفحات | قیمت 9 روپے | شمارہ نمبر 67

روزنامہ سوات | 2 مارچ 2016ء | شمارہ نمبر 67

نوٹس غیر حاضری گورنمنٹ ڈیوٹی

آپ کی عمر اسیل والد فضل محمد سنگھ اور پوسٹ آفس نمبر کہ تحصیل نمبر کہ ضلع ہری پور CNIC نمبر 15302-0974499-3-3 وائلڈ لائف ڈاچہ وہ ماٹلا لائف ڈویژن سوری 16-01-2016 سے غیر حاضر ہیں، آپ کو بذریعہ لیکچر نمبر (SDWOL) 49/WL سوری 22-01-2016 اور لیکچر نمبر 1604/WLD سوری 27-01-2016 مطلع کیا گیا تھا کہ اپنی ذیویٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی متقول وجہ تحریرنی طور پر دفتر نمائش پیش کریں، آپ ابھی تک کام نہیں۔ لہذا آپ کو بذریعہ اخباری نوٹس پنا آخری از مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے چورہ دن کے اندر اندر اپنی ذیویٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی متقول تحریرنی وجہ بیان کریں بصورت دیگر آپ کے خلاف E&D Rules 2011 کے تحت کارروائی کی جائے گی، جس میں آپ کو ملازمت سے برخواست کیا جائے گا۔

ایف بی بی جی آر اقبال
ڈویژنل فارسٹ آفیسر وائلڈ لائف ڈویژن ہری پور
INF(SW)10

نوٹس غیر حاضری گورنمنٹ ڈیوٹی

آپ کی عمر اسیل والد فضل محمد سنگھ اور پوسٹ آفس نمبر کہ تحصیل نمبر کہ ضلع ہری پور CNIC نمبر 15302-0974499-3-3 وائلڈ لائف ڈاچہ وہ ماٹلا لائف ڈویژن سوری 16/01/2016 سے غیر حاضر ہیں، آپ کو بذریعہ لیکچر نمبر (SDWOL) 49/WL سوری 22/01/2016 اور لیکچر نمبر 1604/WLD سوری 27/01/2016 مطلع کیا گیا تھا کہ اپنی ذیویٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی متقول وجہ تحریرنی طور پر دفتر نمائش پیش کریں لیکن آپ ابھی تک کام نہیں۔ لہذا آپ کو بذریعہ اخباری نوٹس پنا آخری از مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے چورہ دن کے اندر اندر اپنی ذیویٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی متقول تحریرنی وجہ بیان کریں بصورت دیگر آپ کے خلاف E&D Rules 2011 کے تحت کارروائی کی جائے گی، جس میں آپ کو ملازمت سے برخواست کیا جائے گا۔

ایف بی بی جی آر اقبال
ڈویژنل فارسٹ آفیسر وائلڈ لائف ڈویژن ہری پور
INF(SW)10

OFFICE ORDER NO. 59 DATED TIMERGARA THE 25/3 /2016, ISSUED BY
SYED FAZAL BAQI KAKAKHEL DIVISIONAL FOREST OFFICER DIR WILDLIFE DIVISION
TIMERGARA

BRIEF HISTORY

As reported by Block Officer Wildlife Timergara dated 20/01/2016, Muhammad Ismail Wildlife Watcher posted in Dir Lower Wildlife Sub Division is willfully absent from his official duty with effect from 16/01/2016. According to the report he was contacted through his Mobile phone, but Mobile phone of accused official was observed in off mode continuously. The said Block Officer also enquired the matter from reliable/relatives of Muhammad Ismail Wildlife Watcher personally and it was learnt that Muhammad Ismail Wildlife Watcher has left the country for Saudi Arabia on 16/01/2016.


The matter was then reported by Sub Divisional Wildlife Officer Dir Lower vide his letter No.48/WL (SDWOL) dated 22/1/2016 bearing the same situation and requested to take appropriate action against him under the rules and the same case was endorsed to Mr. Muhammad Ismail Wildlife Watcher vide No.49/WL (SDWOL) dated 22/1/2016 and directed him to report his arrival on duty within three days and explain the reasons for willful absence.

Upholding the sequence, the undersigned issued a notice to the official concerned on his mailing address through registered receipt No.266 dated 28/01/2016 wherein he was directed to resume his official duty within week time positively and explain his position with cogent reason in writing as provided under Rule 9 of the Efficiency and Disciplinary Rules, 2011 but the official concerned neither reported for his duty nor submitted reasons for his willful absence. According to the rule ibid, the undersigned floated notice in the newspapers which appeared in Daily "Aaj Peshawar" and Daily "Chaand Swat" on 2/3/2016. After waiting the prescribed period of fifteen days, the accused official failed to resume his official duty.

It is also pertinent to mention that the accused Muhammad Ismail Wildlife Watcher has been appointed vide office order No.23 dated 06/10/2016 wherein he was still under probation period.

DECISION

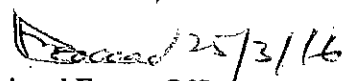
Keeping in view the above situation and in accordance with the provisions of the Section-9 of the Efficiency & Disciplinary Rules, 2011, Major penalty of "removal from service" is imposed upon the accused official with immediate effect and his period of absence shall be held as "extra-ordinary leave without pay".


(Syed Fazal Baqi Kakakhel)
Divisional Forest Officer
Dir Wildlife Division
Timergara

No. 1791-95 /WLD,

Copy forwarded for favour of information to the:

1. Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar.
2. Conservator Wildlife Northern Circle Saidu Sharif Swat.
3. Sub Divisional Wildlife Officer Dir Lower with reference to his above cited letter. He is directed to collect Challan Book and other official record from Muhammad Ismail Ex-Wildlife Watcher under intimation to this office for appropriate action.
4. Muhammad Ismail Ex-Wildlife Watcher for information.
5. Divisional Accountant for information and necessary action.


Divisional Forest Officer
Dir Wildlife Division
Timergara

بعدالت جناب سروس ٹریبونل کمپ کورٹ بمقام گلگدہ سید و شریف سوات

DFO وغیرہ

بنام

محمد اسماعیل

درخواست برائے تبدیلی تاریخ پیشی

جناب عالی! حسب ذیل عرض ہے۔

- ۱۔ یہ کہ مقدمہ عنوان بالا عدالت حضور میں زیر سماعت ہے۔ جس میں آج مورخہ 06/01/2020 تاریخ پیشی مقرر ہے۔
- ۲۔ یہ کہ سائل کا وکیل شمس الہادی ایڈووکیٹ دیگر مقدمات کے سلسلے میں پشاور ہائی کورٹ پشاور میں مصروف ہے۔ بدیں وجہ عدالت حضور میں پیش ہونے سے قاصر ہے۔

لہذا استدعا ہے کہ بمظوری درخواست ہذا سائل کو تبدیلی تاریخ پیشی کا حکم صادر فرمایا جائے۔ المرقوم: 06/01/2020

عریضہ

محمد اسماعیل (سائل)

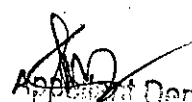
بذریعہ وکیل کلرک خورشید خان

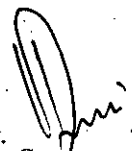
06.03.2019

Counsel for the appellant present.

Contends, inter-alia, that the absence attributable to the appellant was not wilful but was due to the circumstances beyond his control. He had gone to perform Umra and during his stay in Saudi Arabia he crossed the territorial limits without permission and was confined for two years. Upon his release he returned to Pakistan and on gaining knowledge of his removal from service, he submitted departmental appeal on 15.08.2018 which was not responded to, hence the instant service appeal.

In view of the above, instant appeal is admitted for regular hearing subject to all just and legal exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents. To come up for written reply/comments on 03.04.2019 before S.B at camp court Swat.


Appellant Deposited
Security & Process Fee


Chairman
Camp Court, Swat

03.04.2019




Clerk to counsel for the appellant Mian Amir Qadir learned District Attorney alongwith Naveed Ul Haq DFO present. Representative of the respondent department submitted written reply. Adjourn. To come up for rejoinder/arguments on 10.06.2019 before D.B at Camp Court Swat.


Member
Camp Court, Swat

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1449/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/12/2018	<p>The appeal of Mr. Muhammad Ismail presented today by Mr. Shams-ul-Hadi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	12-12-19	<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>06-2-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	06:02.2019	<p>Clerk to counsel for the appellant present. Due to general strike of the bar, the case is adjourned. To come up for preliminary hearing 06.03.2019 before S.B at camp Court Swat.</p> <p style="text-align: right;"> Member Camp Court Swat.</p>

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 1449/2018.

Muhammad IsmailAppellant

V E R S U S

Divisional Forest Officer and others.....Respondents

INDEX

S.N	Description of Documents	Annex	Pages
1.	Memo of Appeal.		1--- 3
2.	Affidavit.		4
3.	Addresses of the Parties.		5
4.	Copy of appointment order.	A	6
5.	Copy of impugned office order dated:25.03.2016.	B	7
6.	Copies of Departmental appeal .	C	8-9
	Wakalat Nama		10

Appellant

Through



Shams ul Hadi

Advocate, Peshawar.

Office: Near Al- Falah Mosque

Hayat Abad Mingora, Swat.

Cell No. 0347-4773440

**BEFORE THE KHYBER PAKHTOON KHWA SERVICES
TRIBUNAL, PESHAWAR**

Service Appeal No. 1449 /2018.

Khyber Pakhtunkhwa
Services Tribunal

Diary No. 1717

Dated 03/12/2018

Muhammad Ismail S/o Fazal Muhammad

R/O Village Tangi Dara Tehsil Tamergara

District Dir Lower.....Appellant

V E R S U S

1. Divisional Forest Officer Dir
Wild life Division at Tamergara Dir Lower.
 2. Conservator Wildlife, Northern Circle Saidu Sharif Swat.
 3. Chief Conservator Wildlife Khyber Pakhtunkhwa at Peshawar.
-Respondents

**APPEAL UNDER SECTION 4 OF KHYBER
PUKHTUNKHWA SERVICES TRIBUNAL ACT
1974 AGAINST THE IMPUGNED OFFICE
ORDER DATED:25.03.2016.**

Filed to-day
Registrar
3/12/18

PRAYER IN APPEAL:

On acceptance of this appeal the impugned Order dated: 25.03.2016 regarding major penalty i-e Removal from service of appellant may kindly be set aside and the appellant may kindly be re-instated to his service with all back benefits of service Or any other remedy/relief if not specifically prayed for may also be awarded in circumstances of the case.

Respectfully Sheweth:

1. That initially the appellant joined the respondent/department in the 2015 and as such performed his duties with zeal and zest.(Copy of appointment order is annexure-A)
2. That during his service, the appellant applied for a short leave for performing "Umrrah" and as such on verbal assurance of granting of leave by respondent No.1 the

appellant went Saudi Arabia but due to misfortune of appellant during visit of some holy places, the appellant crossed the territorial limits of specified visa area and as such the local authorities arrested the appellant and was charged for illegal activities where the appellant was sentenced for two years.

3. That after release from Jail at Saudi Arabia when the appellant came back to Pakistan where the appellant got knowledge regarding the impugned removal from service order dated:25/03/2016.(Copy of impugned order dated:25.03.2016 is annexure-B)
4. That against his illegal removal from service, the appellant filed departmental appeal before the competent authority but the same was not decided within statutory period.(Copies of departmental appeal is annexure-C)

That being aggrieved from the impugned orders, the appellant approached this Hon'ble Tribunal on the following grounds amongst other inter alia:

GROUND:

- A. That the impugned office order is against the facts, law and procedure, hence, untenable being unjust and unfair.
- B. That the absence from duty was not willful and the absence from duty was beyond the control of appellant because of his confinement in jail at Saudi Arabia.
- C. That the appellant was not treated in accordance with law and rules, thus acted in violation of the relevant laws laid down for the purpose.
- D. That the whole departmental proceedings against the appellant was based on personal ill will and with ill intention a harsh and illegal penalty was imposed on the

appellant through an order which find no mention in the eyes of law.

- E. That no notice what so ever has been served on any member of appellants family and as such no legal procedure was adopted while removing the appellant from service.
- F. That any other ground may be adduced during the course of argument, with the kind permission of this Hon'ble Court.

It is, therefore, most humbly prayed that On acceptance of this appeal, impugned Order dated:25.03.2016 regarding major penalty i-e removal of service of appellant may kindly be set aside and the appellant may kindly be re-instated to his service with all back benefits of service.

Or

Any other relief which this Hon'ble Tribunal deems appropriate in circumstances of the case may kindly be awarded to the appellant.


Appellant

Muhammad Ismail

Through


Shams ul Hadi

Advocate, Peshawar.

**BEFORE THE KHYBER PAKHTOON KHWA SERVICES
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2018.

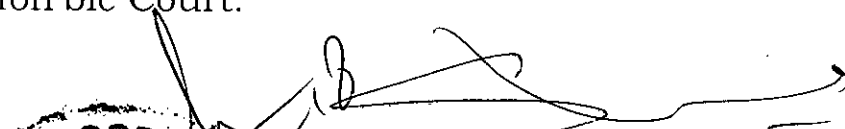
Muhammad IsmailAppellant

V E R S U S

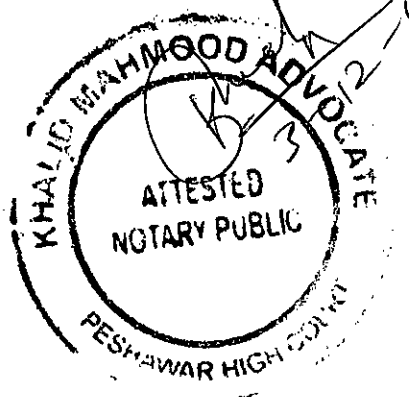
Divisional Forest Officer and others.....Respondents

AFFIDAVIT

I, **Shams ul Hadi**, Advocate, do hereby as per information conveyed to me by my client solemnly affirm and declare that the contents of the **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



ADVOCATE



BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No. _____/2018.

Muhammad IsmailAppellant

V E R S U S

Divisional Forest Officer and others.....Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

Muhammad Ismail S/o Fazal Muhammad

R/O Village Tangi Dara Tehsil Tamergara

District Dir Lower.

Cell No..

RESPONDENTS:

1. Divisional Forest Officer Dir
Wild life Division at Tamergara Dir Lower.
2. Conservator Wildlife, Northern Circle Saidu Sharif Swat.
3. Chief Conservator Wildlife Khyber Pakhtunkhwa at Peshawar.

Appellant

Through



Shams ul Hadi

Advocate, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
APPEAL NO.1449/2018 MR.MUHAMMAD ISMAIL S/O FAZAL MUHAMMAD
RESIDENT OF VILLAGE TANGI DARA TEHSIL TAMERGARA, DISTRICT DIR
LOWER V/S DIVISIONAL FOREST WILDLIFE DIR LOWER AND OTHERS

1. **Mr.Muhammad Ismail S/o Fazal Muhammad,**
Resident of Village Tangi Dara Tehsil Tamergara
District Dir Lower.

-----PETITIONER

VERSUS

1. The Divisional Forest Officer Wildlife, Dir Wildlife Division at Tamergara Dir Lower.
2. The Conservator Wildlife Northern Circle, Saidu Sharif, Swat.
3. Chief Conservator Wildlife Khyber Pakhtunkhwa at Peshawar.

-----RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED OFFICE ORDER
DATED 25.03.2016

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS
NO. 1 TO 3 FACTS:

RESPECTFULLY SHEWETH:

Preliminary objections:

1. That the appellant has got no cause of action.
2. That the appeal is barred by law.
3. That this honorable tribunal lack jurisdiction to adjudicate upon the matter.
4. That the appeal is bad for non-joinder and mis-joinder.

ON FACTS:

1. Correct to the extent of appointment but performance of the duty was not satisfactory.
2. Incorrect. The appellant neither applied for leave nor granted by the competent authority as such the appellant was absent from duty with effect from 16-01-2016.
3. The appellant was appointed by respondent No.1 vide office order No.23 dated 06-10-2015 (**Annexure-I**) as Wildlife Watcher and was on probation period for one year extendable for another year as per rules. However, during the first one year probation period he was absent from duty with effect from 16-01-2016 (**Annexure-II**). On enquiry it was reported that the incumbent Wildlife Watcher was gone abroad (**Annexure-III**). Such visit for Government employee without Ex-Pakistan leave is illegal. Even then, all the required codal formalities completed as notices on home address (**Annexure-IV**) and in newspaper were issued (**Annexure-V**). Show cause notice also has been issued but to no response (**Annexure-VI**). Later on, due to lapse of about two and half month of his absence the responded No.1 being Competent authority issued orders of his removal vide

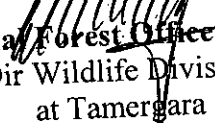
office order No.59, dated 25-03-2016 (Annexure-VII) as per section-9 of E&D Rules, 2011.

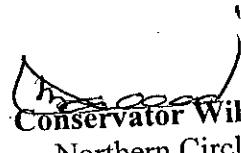
4. Incorrect. The appellant was properly removed from service as all the required codal formalities have been fulfilled as explained in para-3 above. The departmental appeal as well as the instant appeal is time bard.

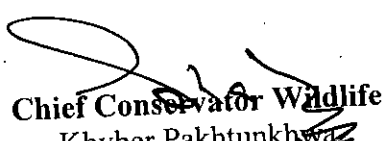
GROUNDS

- A. Incorrect. The removal from service order issued by respondent No.1 is according to E&D Rules, 2011 and the required codal formalities have been fulfilled.
- B. Incorrect. The absence from duty was willful as the appellant went abroad without sanctioning Ex-Pakistan leave from the competent authority.
- C. Incorrect. The rules and regulation in the case has been properly followed as explained in para-3 and in removal from service office order No.59, dated 25-03-2016.
- D. Incorrect. The action against the appellant was not on personal capacity rather the department has fulfilled proper proceeding according to E&D Rules, 2011.
- E. Incorrect. The notice is not required to the family members under the rules but even then the notices were issued to the appellant on his home address through registered parcel as well as in the newspaper daily "Ajj and Chand" dated.02/03/2016.
- F. The respondents may be allowed to produce evidences in the court if needed later on.

In view of above the appeal may be rejected, upheld the removal order issued by the respondent No.1.


Divisional Forest Officer Wildlife
Dir Wildlife Division
at Tamergara
(Respondents No.01)


Conservator Wildlife
Northern Circle
Swat
(Respondents No. 02)


Chief Conservator Wildlife
Khyber Pakhtunkhwa
Peshawar
(Respondents No. 03)

Vellod

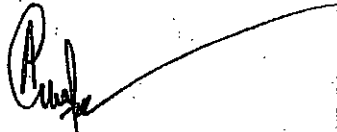
DISTRICT ATTORNEY
SWAT
29.3.19

OFFICE ORDER NO. 23 DATED TIMERGARA THE 06/10 2015, ISSUED BY
ABDUL GHAFOR DIVISIONAL FOREST OFFICER DIR WILDLIFE DIVISION
TIMERGARA

As recommended by Departmental Selection Committee, constituted vide this office order No.08 dated 10/08/2015. Muhammad Ismail S/O Fazal Muhammad resident of village Tangi Dara P/O and Tehsil Timergara District Dir Lower is hereby appointed as Wildlife Watcher BPS-07 (7490-415-19940) along with allowances admissible as per Government of Khyber Pakhtunkhwa rules against the regular vacant post in the office of the Divisional Forest Officer Dir Wildlife Division at Timergara with immediate effect and subject to the following terms and conditions mentioned hereunder:-


TERMS AND CONDITIONS

1. His services will be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, all the laws applicable to the Civil Servants and the Rules made hereunder.
2. He shall be on probation initially for a period of one year extendable for further one year.
3. His services will be liable to termination at 15 days notice, at any time without assigning any reason irrespective of the fact that he holds a post other than the one to which he was originally recruited.
4. In case he wishes to resign at any time, an advance notice of one month shall be necessary or in lieu thereof his one month's pay shall be forfeited to government.
5. The appointment is subject to the production of Clearance Certificate from District Police Officer Dir Lower and necessary medical fitness certificate from the Medical Superintendent of District Head Quarter Hospital Timergara before joining of the position.
6. He will have to verify his all academic certificates, degrees and transcripts/DMCs from respective Boards and Universities before joining of the position.
7. His service will start from the date of his arrival for duties.
8. If he failed to report arrival for duty within thirty days of the receipt of this order, the appointment will stand cancelled automatically.
9. The incumbent will be posted anywhere in the jurisdiction of Dir Wildlife Division.
10. In case of any political influence for posting/transfer for favorable station or undue favour which is against the public interest the service of the incumbent will be terminated.
11. He will join duty at his own expenses, as no TA/DA shall be admissible there-for.


(ABDUL GHAFOR)
Divisional Forest Officer
Dir Wildlife Division
Timergara

No. 851-56/WLD

1. The Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar for favor of information please.
2. The Conservator Wildlife, Northern Circle Saidu Sharif Swat for favor of information please.
3. Divisional Accountant for information and necessary action.
4. Muhammad Ismail S/O Fazal Muhammad resident of village Tangi Dara P/O and Tehsil Timergara District Dir Lower for information and necessary action.
5. Personal file.
6. Office order file.


Divisional Forest Officer
Dir Wildlife Division
Timergara

OFFICE OF THE SUB DIVISIONAL WILDLIFE OFFICE DIR LOWER WILDLIFE SUB
DIVISION AT TIMERGARA

To,

The Divisional Forest Officer
Dir Wildlife Division
At Timergara

No. 48 /WL (SDWOL)

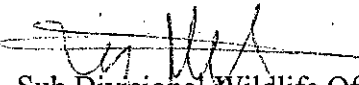
dated Timergara the 22/01/2016

Subject: ABSENCE FROM DUTY

Memo:

It is submitted that Mr. Ihsanullah Head Wildlife Watcher of Timergara Block has informed the undersigned as per attached report that Muhammad Ismail Wildlife Watcher was found continuously absent from his duty with effect from 16/01/2016. The official did not respond on the telephone calls of Head Wildlife Watcher. The Block Officer also apply all possible ways to contact with him but he failed. After it he has personally enquired the same matter from relatives and other people of the area about the absentee they told that Muhammad Ismail has gone to Saudi Arabia for unknown purpose on 16/01/2016.

It is therefore requested that salary of Muhammad Ismail Wildlife Watcher BPS-07 may be stopped till further in the matter and necessary action may also be taken against him under the rules, please.


Sub Divisional Wildlife Officer
Dir Lower Sub Division
Timergara

No. 49 /WL (SDWOL)

Copy forwarded to Muhammad Ismail Wildlife Watcher BPS-07 for information. He is directed to report the office of the undersigned and explain his position on the above within three days otherwise necessary action will be taken against him under the rules.

Sub Divisional Wildlife Officer
Dir Lower Sub Division
Timergara

محفوظ صواب۔ سب ڈیوٹیوں پر فارسی آفس ڈائری لائف ٹیبل گزرتے

صدا۔ عالی۔

گذشتہ 9۔ کہ محمد اسماعیل واہر تنگی درہ کو 16/01/2016

سے ملکر 18/01/2016 تک مسلسل فونائیل فون پر رابطہ

کرتا رہا۔ مگر 19/01/2016 کو فونائیل فون

مسلسل بند رہتا رہا۔ آج طورہ 19/01/2016 پر تنگی درہ

گیا وہاں پر باغیہ ذریعہ اور وقایہ فوجوں سے معلومات

حاصل کی وقایہ نہ تھا کہ محمد اسماعیل واہر تنگی

تیسرے دن 9۔ کہ ضروری فریڈم جلا گیا رہا۔

لہذا آپ کو اطلاع کی خدمت سے اطلاع پیش کرتے رہتے

با احترام اللہ علیہ السلام 20/01/2016

تیبل گزرتے اپنے خالی بلاک

OFFICE OF THE DIVISIONAL FOREST OFFICER DIR WILDLIFE DIVISION AT
TIMERGARA

NOTICE

To,

Mr. Muhammad Ismail
Wildlife Watcher
Village Tangi Dara P.O and Tehsil Timergara
District Dir Lower

No. *1604* /WLD

dated Timergara, the *27* / *01* /2016

Subject: **WILLFUL ABSENCE FROM DUTY**

As per report submitted by Sub Divisional Wildlife Officer Dir Lower vide his letter No.48/WL (SDWOL) dated 22/01/2016 followed by a written report of Mr.Ihsan Ullah Head Wildlife Watcher dated 20/01/2016 regarding your willful absence from duty with effect from 16/01/2016 till date. It is also reported that you have left the country without prior approval of the competent authority. You are therefore directed with the instant notice to resume your duty within a week time positively and explain cogent reason regarding your absence otherwise further action under E&D Rules 2011 will be taken against you. You should also reminded that you are still under probation and in that case your services can be terminated/dismissed as per quoted in your appointment order.

It may be treated as notice for duty.

22/1/2016
Divisional Wildlife Officer
Dir Wildlife Division
Timergara

No. *1605* /WLD

Copy forwarded to Sub Divisional Wildlife Officer Dir Lower for information with reference to his letter cited above.

22/1/16
Divisional Wildlife Officer
Dir Wildlife Division
Timergara

Received

No. 266

For Insurance No. _____
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Rs. Ps.

55
60



Received a registered
addressed to _____

Date-Stamp _____

Initials of Receiving Officer M. K. Singh *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) _____ (in words) Widely F. J. K. K. K.

If insured.

Insurance fee Rs. _____ Ps. _____ (in words) _____
Weight _____ Kilo _____
Gross _____

Name and address of sender _____
T. M. S. A. A.



OFFICE OF THE DIVISIONAL FOREST OFFICER DIR WILDLIFE DIVISION
AT TIMERGARA

To

The Assistant Director
Regional Information Officer
Gul Kada, Swat

No. 1705 /WLD dated Timergara the 29/12 /2016

Subject: SHOW CAUSE NOTICE

Kindly find enclosed herewith seven copies of show cause notice in Urdu and English version for publication in the two leading news papers of the province according to the rule No. 09 of the government of Khyber Pakhtunkhwa E&D Rules 2011, please.

Received

29/12/16
Divisional Forest Officer
Dir Wildlife Division
Timergara

No. 1706-7 /WLD

Copy along with its enclosure forwarded to the;

1. Chief Conservator Wildlife Khyber Pakhtunkhwa and
2. Conservator Wildlife Northern Circle Swat for favour of information.

29/12/16
Divisional Forest Officer
Dir Wildlife Division
Timergara

*Received
No. 1705
dt. 29/12/16
29/12/2016*

NOTICE FOR WILLFUL ABSENT FROM GOVERNMENT DUTY

You Muhammad Ismail CNIC No.15302-0974499-3 Wildlife Watcher (BPS-7) resident of village Tangi Dara P.O and Tehsil Timergara District Dir Lower willful absent from official duty since 16/01/2016. You were informed vide letter No.49/WL (SDWOL) dated 22/01/2016 and No.1604/WLD dated 27/01/2016 to attend office and provide logical and solid reasons for absence from duty but you failed to do so till date.

So now you are informed through this notice to resume your duty within 15 days after publication of this notice in newspaper and produce the decorous cause in writing. Otherwise necessary action will be taken against you under E&D Rules 2011 and you will be dismissed/ removed from government service.

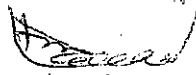
29/2/16
Divisional Forest Officer
Dir Wildlife Division
Timergara

نوٹس غیر حاضری گورنمنٹ ڈیوٹی

آپ مسمی محمد اسماعیل ولد فضل محمد سکنہ تنگی درہ پوسٹ آفس تیمرگرہ تحصیل تیمرگرہ ضلع دیر لور CNIC نمبر 15302-0974499-3 وانٹڈ لائف واپر دیر وانٹڈ لائف ڈویژن مورخہ 16/01/2016 سے غیر حاضر ہیں۔ آپ کو بذریعہ لیٹر نمبر (SDWOL) 49/WL مورخہ 22/01/2016 اور لیٹر نمبر 1604/WLD مورخہ 27/01/2016 مطلع کیا گیا تھا کہ اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی معقول وجہ تحریری طور پر دفتر ہذا میں پیش کریں لیکن آپ ابھی تک ناکام ہیں۔

لہذا آپ کو بذریعہ اخباری نوٹس ہذا آخری بار مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے پندرہ دن کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی معقول تحریری وجہ بیان کریں بصورت دیگر آپ کے خلاف E&D Rules 2011 کے تحت کارروائی کی جائے گی، جس میں آپ کو ملازمت سے برخواست کیا جائے گا۔

المشتر



ڈویژنل فارسٹ آفیسر وانٹڈ لائف

میر وانٹڈ لائف ڈویژن

تیمرگرہ

ABC
CERTIFIED

DAILY CHAND SWAT

CPNE
MEMBER

سوات

روزنامہ

عوام کی آواز

Reg. No. 475

چیف ایڈیٹر: سید اقبال

13 دسمبر 2016ء 02 مارچ 2016ء 23 جمادی الاول، 1437ھ نمٹات، 6 قیمت 9 روپے

نوٹس غیر حاضری گورنمنٹ ڈپوٹی

آپ سکی محمد اسماعیل ولد فضل محمد سکشن 11 اردو پوسٹ آفس تیرگرہ تحصیل تیرگرہ ضلع ڈیرہ پور CNIC
نمبر 3-0974499-15302-0974499-15302 ڈاکٹر دیر ڈاکٹر لائف ڈاکٹر لائف ڈاکٹر لائف ڈاکٹر لائف ڈاکٹر لائف
16/01/2016 سے غیر حاضر ہیں آپ کو بذریعہ لیٹر نمبر (SDWOL) 49/WL مورخہ
22/01/2016 اور لیٹر نمبر 1604/WLD مورخہ 27/01/2016 مطلع کیا گیا تھا کہ
اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی معقول وجہ تحریری طور پر دفتر ہذا میں پیش کریں
لیکن آپ ابھی تک ناکام ہیں۔ لہذا آپ کو بذریعہ اخباری نوٹس ہذا آخری بار مطلع کیا جاتا ہے کہ
اس نوٹس کی اشاعت کے پندرہ دن کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری
کی معقول تحریری وجہ بیان کریں بصورت دیگر آپ کی خلاف E&D Rules 2011 کے تحت
کارروائی کی جائے گی جس میں آپ کو ملازمت سے برخواست کیا جائے گا۔

INF(SW)10

اس نوٹس کی اشاعت کے پندرہ دن کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی معقول تحریری وجہ بیان کریں بصورت دیگر آپ کی خلاف E&D Rules 2011 کے تحت کارروائی کی جائے گی جس میں آپ کو ملازمت سے برخواست کیا جائے گا۔

نوٹس غیر حاضری گورنمنٹ ڈیوٹی

آپ کی عمر ۳۵ سال والد فضل محمد سنگی اور پوسٹ آفس نمبر گرجہ تحصیل نمبر گرجہ ضلع ڈیرہ ذریعہ CNIC نمبر 3-0974499-15302-0974499-15302 ماٹرن لائف واچ ڈیوٹی لائف ڈویژن سوری 16-01-2016 سے غیر حاضر ہیں۔ آپ کو بذریعہ لیٹر نمبر (SDWOL) 49/WL سوری 22-01-2016 اور لیٹر نمبر 1604/WLD سوری 27-01-2016 مطلع کیا گیا تھا کہ اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی مستول وجہ تحریری طور پر دفتر نمائش پیش کریں۔ لیکن آپ ابھی تک کام نہیں کریں۔ لہذا آپ کو بذریعہ اخباری نوٹس بذراختیار مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے چند روزوں کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی مستول تحریری وجہ بیان کریں۔ بصورت دیگر آپ کے خلاف E&D Rules 2011 کے تحت کارروائی کی جائے گی، جس میں آپ کو ملازمت سے برخواست کیا جائے گا۔

انجمن: ڈویژنل قارنٹ آفیسر وائلڈ لائف
ڈیر وائلڈ لائف ڈویژن نمبر گرجہ

INF(SW)10

نوٹس غیر حاضری گورنمنٹ ڈیوٹی

آپ کی عمر ۳۵ سال والد فضل محمد سنگی اور پوسٹ آفس نمبر گرجہ تحصیل نمبر گرجہ ضلع ڈیرہ ذریعہ CNIC نمبر 3-0974499-15302-0974499-15302 ماٹرن لائف واچ ڈیوٹی لائف ڈویژن سوری 16/01/2016 سے غیر حاضر ہیں۔ آپ کو بذریعہ لیٹر نمبر (SDWOL) 49/WL سوری 22/01/2016 اور لیٹر نمبر 1604/WLD سوری 27/01/2016 مطلع کیا گیا تھا کہ اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی مستول وجہ تحریری طور پر دفتر نمائش پیش کریں۔ لیکن آپ ابھی تک کام نہیں کریں۔ لہذا آپ کو بذریعہ اخباری نوٹس بذراختیار مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے چند روزوں کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جائیں اور اپنی غیر حاضری کی مستول تحریری وجہ بیان کریں۔ بصورت دیگر آپ کے خلاف E&D Rules 2011 کے تحت کارروائی کی جائے گی، جس میں آپ کو ملازمت سے برخواست کیا جائے گا۔

انجمن: ڈویژنل قارنٹ آفیسر وائلڈ لائف (ڈیر وائلڈ لائف ڈویژن) نمبر گرجہ

INF(SW)10

OFFICE ORDER NO. 59 DATED TIMERGARA THE 25/3 /2016, ISSUED BY
SYED FAZAL BAQI KAKAKHEL DIVISIONAL FOREST OFFICER DIR WILDLIFE DIVISION
TIMERGARA

BRIEF HISTORY

As reported by Block Officer Wildlife Timergara dated 20/01/2016, Muhammad Ismail Wildlife Watcher posted in Dir Lower Wildlife Sub Division is willfully absent from his official duty with effect from 16/01/2016. According to the report he was contacted through his Mobile phone, but Mobile phone of accused official was observed in off mode continuously. The said Block Officer also enquired the matter from reliable/relatives of Muhammad Ismail Wildlife Watcher personally and it was learnt that Muhammad Ismail Wildlife Watcher has left the country for Saudi Arabia on 16/01/2016.


The matter was then reported by Sub Divisional Wildlife Officer Dir Lower vide his letter No.48/WL (SDWOL) dated 22/1/2016 bearing the same situation and requested to take appropriate action against him under the rules and the same case was endorsed to Mr. Muhammad Ismail Wildlife Watcher vide No.49/WL (SDWOL) dated 22/1/2016 and directed him to report his arrival on duty within three days and explain the reasons for willful absence.

Upholding the sequence, the undersigned issued a notice to the official concerned on his mailing address through registered receipt No.266 dated 28/01/2016 wherein he was directed to resume his official duty within week time positively and explain his position with cogent reason in writing as provided under Rule 9 of the Efficiency and Disciplinary Rules, 2011 but the official concerned neither reported for his duty nor submitted reasons for his willful absence. According to the rule ibid, the undersigned floated notice in the newspapers which appeared in Daily "Aaj Peshawar" and Daily "Chaand Swat" on 2/3/2016. After waiting the prescribed period of fifteen days, the accused official failed to resume his official duty.

It is also pertinent to mention that the accused Muhammad Ismail Wildlife Watcher has been appointed vide office order No.23 dated 06/10/2016 wherein he was still under probation period.

DECISION

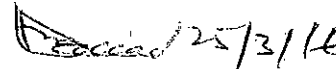
Keeping in view the above situation and in accordance with the provisions of the Section-9 of the Efficiency & Disciplinary Rules, 2011, Major penalty of "**removal from service**" is imposed upon the accused official with immediate effect and his period of absence shall be held as "extra-ordinary leave without pay".


(Syed Fazal Baqi Kakakhel)
Divisional Forest Officer
Dir Wildlife Division
Timergara

No. 1791-95 /WLD,

Copy forwarded for favour of information to the:

1. Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar.
2. Conservator Wildlife Northern Circle Saidu Sharif Swat.
3. Sub Divisional Wildlife Officer Dir Lower with reference to his above cited letter. He is directed to collect Challan Book and other official record from Muhammad Ismail Ex-Wildlife Watcher under intimation to this office for appropriate action.
4. Muhammad Ismail Ex-Wildlife Watcher for information.
5. Divisional Accountant for information and necessary action.


Divisional Forest Officer
Dir Wildlife Division
Timergara