

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

(Camp Court, Abbottabad)

**Appeal No. 133/2018**

**Date of Institution ... 13.11.2017**

**Date of Decision ... 02.12.2021**

Muhammad Maroof son of Jandad Ex-Forest Guard Village Jandwal, P/O Shinkiari  
Tehsil and District Mansehra. ... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary Peshawar and others.  
...(Respondents)

Present.

Mr. Khalid Mahmood,  
Advocate

... For appellant.

Mr. Muhammad Riaz Khan Paindakhel,  
Asstt. Advocate General,

... For respondents.

MR AHMAD SULTAN TAREEN  
MR. SALAH-UD-DIN,

... CHAIRMAN  
... MEMBER(J)

JUDGMENT

**AHMAD SULTAN TAREEN, CHAIRMAN:-**The appellant named above has invoked the jurisdiction of this Tribunal through above titled appeal with the prayer as copied below:-

**"By acceptance of this appeal, respondents may please be directed to process the pension case of the appellant (Ex-Forest Guard) alongwith any other relief which this Hon'ble Court deems fit and proper in the circumstances of the case, in the interest of justice may also be granted to the appellant."**

2. Briefly stated, the facts of the appeal are that the appellant was appointed as Forest Guard and regularly served in Forest Department for more than 40 years and after attaining the age of superannuation, he was retired from service with effect from 30.09.2016. In pursuance of the concern expressed by Mr. Wajih-u-Zaman Khan MPA on the floor of Provincial Assembly regarding the illicit cutting of forests in Mandagucha, Panjul(Paracha), Tanglai and Pary area, the Secretary Forest Government of Khyber Pakhtunkhwa appointed Director I&HRD to conduct enquiry/checking report regarding illicit cutting of forests in the said areas. After submission of the enquiry/checking report, the competent authority constituted an Enquiry Committee, comprising of Mr. Kamran Rehman Khan, Additional Secretary, Finance Department and Mr. Shabir Hussain, Deputy Chief Conservator of Forests to conduct an inquiry against the officers/officials including the appellant. Charge sheet alongwith statement of allegations was issued to the appellant, which was duly replied by him. The enquiry committee conducted the enquiry and put the damage report on the appellant is 57208 cft on the appellant. Since the appellant had already retired from service on attaining the age of superannuation w.e.f. 30.09.2016, the respondent No. 13 vide letter Number 6047/GE, dated 30.01.2017 requested respondent No. 15 to lodge an FIR against the appellant for a recovery of Rs. 2,86,04,000/- on account of illicit damages as per recommendation of the enquiry committee. The appellant firstly approached the Hon'ble Peshawar High Court, Abbottabad Bench through Writ Petition No. 860-A/2017. Vide order dated 26.09.2017, the same was treated as departmental appeal and transmitted to the competent authority for its decision strictly in accordance with the law, within a period of thirty days from the receipt of that judgment. If still aggrieved, then the appellant would be



at liberty to approach proper forum available to him under the law. After getting no departmental remedy, the appellant filed the present appeal on 13.11.2017.

3. After admission of appeal for regular hearing, notice of appeal was given to the respondents who turned up and filed their parawise comments with several legal and factual objections and requested for dismissal of appeal with cost.

4. We have heard the arguments and perused the record.

5. The fact of compulsory retirement of the appellant is undisputed. The grievance which compelled the appellant to prefer this appeal relates to the grant of pension and pensionary benefits because of retirement. The respondents in their written reply to upara-3 and 4 of the memorandum of appeal stated about the nature of charges and consequence against the appellant which for ready reference are copied herein below:-

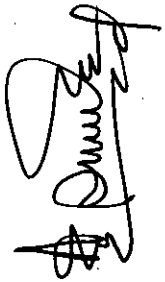
**"3. On detection of huge illicit damage, the competent authority i.e. Chief Minister Khyber Pakhtunkhwa was pleased to constitute an Enquiry Committee comprising of Mr. Kamran Rehman Khan (PAS BS-19) Additional Secretary Finance Department (Convener of the Enquiry Committee) and Mr. Shabir Hussain (BPS-18) Deputy Chief Conservator of Forests (Member of the Enquiry Committee) to conduct enquiry against the officers/officials (including appellant) on account of their involvement in illicit cutting of trees. It is also correct that the Convener of Enquiry Committee was substituted by Mr. Mukhtiar Ahmad Additional Secretary Zakat, Ushr, Social Welfare, Special**



Education and Women Empowerment Department Peshawar. Charge sheet alongwith statement of allegations were served upon the appellant (accused official) besides others (accuses) duly acknowledged by him. The enquiry committee conducted detailed enquiry into the allegations levelled against the appellant (accused) and others wherein charges of illicit cutting of 57208 cft timber were proved against him and the enquiry committee concluded that:-

"The committee concluded that damage of 57208 cft has been caused by his negligence and he failed to mobilize his seniors to seize the damage as such. The committee recommends the recovery for this damage amounting to Rs.  $57208 \times 500 =$  Rs. 2,86,04,000/- shall recover from him. The charge for damage of 57208 cft proved against him. He has already been retired compulsory in another case."

In view of the above, the Government of KPK Forestry, Environment & Wildlife Department vide Notification No. SO(ESTT)Envnt/1-31/2015/81/7259 dated 06.12.2016 issued directives to CCF NFR-II to lodge FIR against the appellant (accused) in Anticorruption Mansehra as provided in FR 54(a). Hence, in view of the above directives, Circle Officer Anticorruption Mansehra was requested to lodge FIR against the accused/appellant vide this office letter No. 6047/GE dated 30.01.2017.



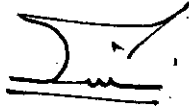
**4. On completion of enquiry report, the competent authority served show cause notices upon the accused officers/officials except appellant as he was already compulsory retired from Government service in another case. The other officers/officials were called for personal hearing and the enquiry was finalized by the competent authority vide Govt. of KPK Forestry, Environment & Wildlife Department vide Notification No. SO(Estt)/FF&WD/1-31/2015/5113-119, dated 22.05.2017."**

6. It is evident from the above reply of the respondents that criminal case was registered against the appellant in pursuance to the enquiry report. It was further clarified by the respondents in para-10 of their written reply that in pursuance to requirement of FR 54(a), name of the appellant (accused) was deleted from the enquiry proceedings by the enquiry committee and directed to lodge FIR against him for recovery of Rs. 2,86,04,000/- from him on account of illicit damage of 57208 cft proved against him. Therefore, till recovery of the above amount, the appellant/accused is not liable to get pensionary benefits. Needless to say that the department is at liberty to prove the charge of damages against the appellant in judicial proceedings before the competent court of law in pursuance to the criminal case registered against him. However, when the compulsory retirement of the appellant has been admitted by the respondents, he is entitled for pension and pensionary benefits in accordance with rules and law. The respondents have not been able to assist us with any legal material that in presence of criminal case against the appellant as per their stance, he is precluded to avail the pension in consequence of his retirement. With the given



observations, the prayer of the appellant for process of his pension case is justified.

7. For what has gone above, this appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

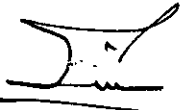
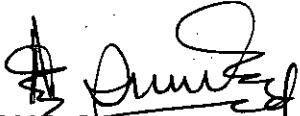


(SALAH-UD-DIN)  
Member(J),  
(Camp Court, Abbottabad)

ANNOUNCED  
02.12.2021



(AHMAD SULTAN TAREEN)  
Chairman  
(Camp Court, Abbottabad)

S.No.	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	02.12.2021	<p><u>Present.</u></p> <p>Mr. Khalid Mahmood, ... For appellant Advocate</p> <p>Mr. Muhammad Riaz Khan Paindakhel, Asstt. Advocate General, ... For respondents.</p> <p>Vide our detailed judgment, this appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to the record room.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">             (SALAH-UD-DIN)            Member(J)         </div> <div style="text-align: center;">             (AHMAD SULTAN TAREEN)            CHAIRMAN         </div> </div> <p><u>ANNOUNCED</u> 02.12.2021</p>

S.A No. 133/2018

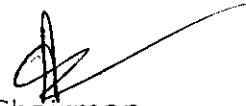
30.11.2021

Appellant with his counsel present. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General alongwith Mr. Ibrar Shah, Range Officer for the respondents present.

Learned Assistant Advocate General for the respondents made a request for adjournment for further preparation of the brief. Adjourned. To come up for arguments on 02.12.2021 before the D.B at Camp Court Abbottabad.



(Salah-ud-Din)  
Member (J)  
Camp Court Abbottabad



Chairman  
Camp Court Abbottabad



22.10.2020


Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 14.10.2021.


  
Reader

14.10.2021

Nemo for the appellant. Mr. Muhammad Azeem Butt, Addl. AG for the respondents present.

Notices be issued to appellant, his counsel as well as respondents. Case to come up for arguments on 20.11.2021 before the D.B. at Camp court, Abbotabad.

  
(Salah-ud-Din)  
Member(Judicial)  
Camp Court, A/Abad

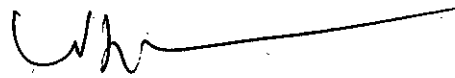
  
Chairman  
Camp Court, A/Abad

22.10.2020

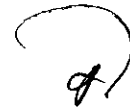
Appellant present through representative.

Assistant Advocate General present.

Lawyers are on general strike, therefore, case is adjourned to 17.12.2020 for arguments before D.B at Camp Court, Abbottabad.



(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, A/Abad



(Rozina Rehman)  
Member (J)  
Camp Court, A/Abad

*Due to COVID-19 case is  
adjourned to 18-03-2021*

*Oh  
Reader*

18.03.2021

Appellant in person present.

Riaz Khan Paindakheil learned Asst. AG along with Jawad Ahmed Forester for respondents present.

Appellant requested for adjournment as his counsel is busy before Hon'ble Peshawar High Court; granted. To come up for arguments on 12/7/2021 before D.B at Camp Court Abbottabad.



(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, A/Abad



(Rozina Rehman)  
Member (J)  
Camp Court, A/Abad

Due to covid ,19 case to come up for the same on 16/4/20  
at camp court abbottabad.

  
Reader

Due to summer vacation case to come up for the same on 10/1/20 122  
at camp court abbottabad.

  
Reader

22.10.2019

Counsel for the appellant present. Mr. Usman Ghani, District Attorney present. M/S Zahid Masood, SDFO for respondents No. 3, 7, 8, 9, 10, 13, 14 and Sajid Superintendent for respondent No. 5 present. Representative of respondent No.5 relied on the joint written reply already furnished by Forest Department.

Learned counsel for the appellant stated at the bar that joint written reply of the necessary respondents have already been submitted. In view of statement of learned counsel for the appellant Service Appeal is assigned to D.B for further proceedings. To come up for rejoinder, if any, and arguments on 19.12.2019 at camp court, Abbottabad.




Member  
Camp court, A/Abad

19.12.2019

Appellant in person present. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Zahid Masood, SDFO for official respondents No. 3, 7, 8, 9, 10, 13, & 14 and Mr. Shamim, Section Officer for respondent No. 5 present. Appellant requested for adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 18.02.2020 for rejoinder, if any, and arguments before D.B at Camp Court Abbottabad.


(Hussain Shah)  
Member  
Camp Court Abbottabad



(M. Amin Khan Kundi)  
Member  
Camp Court Abbottabad

17.06.2019

Appellant in person present. Mr. Muhammad Bilal, DDA alongwith Mr. Masood Ur Rehman, SDFO for official respondents present. None present on behalf of respondents no. 2,4,5,6,11 and 12 nor their written reply submitted. Fresh notices be issued to them for submission of written reply by way of another last chance. Case to come up for written reply/comments of the remaining respondents on 20.08.2019 before S.B at camp court Abbottabad.



(Ahmad Hassan)  
Member  
Camp Court A/Abad

20.08.2019

Appellant in person present. Mr. Muhammad Bilal learned Deputy District Attorney alongwith Zahid Mahsood SDFO and Shameem SO for official respondents present.

Written reply on behalf of respondents No.2, 4,5, 6, 11 and 15 still awaited.

The appellant has impleaded respondent No.2, 3, 4, 5, 6 by name. Similarly the appellant has arrayed as many as 15 respondents in calendar of present service appeal. Learned counsel for the appellant is not available today to assist this Tribunal. Adjourn. Learned counsel for the appellant to assist this Tribunal that as to whether all the respondents in the respondents are necessary/proper or otherwise. To come up for further proceedings on 22.10.2019 before S.B at Camp Court, Abbottabad.



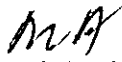
Member  
Camp Court, A/Abad

17.01.2019 Appellant in person present. Mr. Muhammad Bilal learned Deputy District Attorney alongwith Mr. Ameen ul Islam representative of respondents No. 3,7,8,9,10,13&14 present and submitted written reply. Mr. Imtiaz Ali Shah Circle Officer also present on behalf of respondents No. 15 also submitted written reply. No one present on behalf of respondents No. 2,4,5,6,11,12 therefore fresh notices be issued to them. Adjourn. To come up for written reply on behalf of remaining respondents on 21.03.2019 before S.B at Camp Court Abbottabad.

  
Member  
Camp Court A/Abad

21.03.2019

Appellant in person present. Mr. Muhammad Bilal Khan, Deputy District Attorney for official respondent No. 1 present. Written replies on behalf of respondents No. 3, 7, 8, 9, 10, 13, 14 & 15 have already submitted. None present on behalf of respondents No. 2, 4, 5, 6, 11 & 12 therefore, fresh notice be issued to them for attendance and filing of written reply by way of last chance. Adjourned. To come up for written reply/comments on behalf of respondents No. 2, 4, 5, 6, 11 & 12 on 17.06.2019 before S.B at Camp Court Abbottabad.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Abbottabad

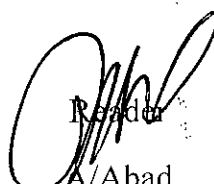
19.09.2018

Since 21st September, 2018 has been declared as public holiday on account of Moharram, therefore, case is adjourned to 15.11.2018 for written reply/comments before the S.B at camp court, Abbottabad.

  
Chairman  
Camp court, A/Abad

15.11.2018

None for the appellant and Mohammad Pervez RFO and Imtiaz Ali ACO for the respondent present. Due to retirement of the Hon'ble Chairman the Service Tribunal is incomplete. Tour to Camp Court Abbottabad has been cancelled. To come up for the same on 19.12.2018 at camp court Abbottabad.

  
Reader  
A/Abad

19.12.2018

Appellant in person and Mr. Usman Ghani, District Attorney for the respondents present. Written reply not submitted. Fresh notices be issued to the respondents for written reply. Case to come up for written reply/comments on 17.01.2019 before S.B at camp court, Abbottabad.

  
Member  
Camp Court, A/Abad

25.05.2018

Neither the appellant nor his counsel present. Adjourned. To come up for preliminary hearing on 31.08.2018 before S.B at camp court A/Abad.

  
Chairman  
Camp court A/Abad

Note:


25.05.2018

Later on appellant Muhammad Maroof alongwith counsel Mr. Khalid Mehmood Advocate put appearance and heard in limine. The appeal is admitted to full hearing, subject to all legal objections raised by the respondents.

The appellant is directed to deposit security and process fee within 10 days and thereafter notice be issued to the respondents for written reply/comments for 19.07.2018 before S.B at camp court Abbottabad.


Appellant Deposited  
Security & Process Fee

  
28/5/18

  
Chairman  
Camp court A/Abad

19.07.2018

Appellant Muhammad Maroof in person present. Mr. Hasnain, SDFO on behalf of respondent No. 2 and Syed Imtiaz Ali Shah, Assistant Circle Officer on behalf of respondents No. 15 alongwith Mr. Usman Ghani, District Attorney present and made a request for adjournment. None present on behalf of remaining respondents. Fresh notices be issued to them. To come up for written reply/comments on 20.09.2018 before S.B at camp court, Abbottabad.



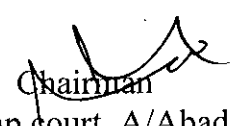
  
Chairman  
Camp Court, A/Abad



**Form-A**  
**FORM OF ORDERSHEET**

Court of \_\_\_\_\_

Case No. 133/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	24/1/2018	<p>The appeal of Mr. Muhammad Maroof resubmitted today by Mr. Khaled Mehmood Advocate, may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	8-2-18	<p>This case is entrusted to Touring S. Bench at Abbottabd for preliminary hearing to be put up there on <u>22-03-2018</u></p> <p style="text-align: right;"> CHAIRMAN</p>
22.03.2018		<p>Appellant present and seeks adjournment as his counsel is not in attendance. Granted. To come up for preliminary hearing on 25.05.2018 before S.B at camp court, Abbottabad.</p> <p style="text-align: right;"> Chairman Camp court, A/Abad</p>

This is an appeal filed by Mr. Muhammad Maroof today on 13.11.2017 against the order dated 30.01.2017 against which he filed Writ Petition before the Hon'ble Peshawar High Court Abbottabad Bench and the Hon'ble High Court vide its order dated 26.09.2017 treated the Writ Petition as departmental appeal/ representation. The period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies.

- 1- Annexure-B and enquiry report are incomplete which may be completed.
- 2- Annexure-N of the appeal is missing.
- 3- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 4- Annexures of the appeal may be flagged.
- 5- 17 more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2431/ST,

Dt. 13/11/2017

*13/11/2017*  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Khaled Mahmood Adv.  
High Court Abbottabad.

*R/Sir,*  
*After completion*  
*of the service appeal*  
*of appellant Mr. Maroof*  
*through counsel.*  
*Khaled Mahmood*  
*24/1/018*

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

In the matter  
Service Appeal No. 133 /2018

Muhammad Maroof .....**APPELLANT**

**VERSUS**

Provincial Government through the Chief  
Minister KPK etc .....**RESPONDENTS**

**APPEAL UNDER SECTION 4 OF KHYBER  
PAKHTUNKHWA OF THE SERVICE TRIBUNAL  
ACT, 1974**

**INDEX**

<b>S#</b>	<b>Description of documents</b>	<b>Annexure</b>	<b>Page#</b>
1.	Service Appeal		1-12
2.	Affidavit		12
3.	Certified copies of the writ petition and orders of the Peshawar High Court Abbottabad Bench &	"A(i), (ii) & (iii)"	13-27 D
4.	Copy of Retirement order	"A"	28
5.	Photocopy of the proceedings consist two pages	"B"	29-30
6.	Photocopies of the notification and inquiry report	"C" & "D"	31-32
7.	Photocopy of the notification	"E"	34
8.	Photocopy of the charge sheet	"F"	35-38

9.	Photocopy of reply of the appellant	"G" & "G1"	39-41
10	Photocopy of loss / damages report appellant informed his senior	"H"	42-47
11.	Photocopies of damage report (DR) and other relevant documents	"I"	48-56
12.	Photocopy of charge report	"J" K,	57-61
13.	Photocopy of the rule <i>Factor's Report No 3</i>	<del>"K" &amp; "L"</del> L.M.N	62-67
14.	Wakalat Nama		68

Dated: 11.11.2017



**MUHAMMAD MAROOF**

(Appellant)

Through:



**KHALID MEHMOOD,**

Advocate, High Court,

Federal Shariat Court,

**(Mansehra)**

X  
—  
A. B. C.

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

Service Appeal No. 133 /2017

Muhammad Maroof S/O Jandad ex  
Forest Guard Village Jandwal, P/O  
Shinkhari Tehsil & District Mansehra  
.....**APPELLANT**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1291

Dated 13-11-2017

**VERSUS**

1. Provincial Government through the  
Chief Minister Khyber  
Pakhtoonkhawa Chief Secretariat  
Peshawar
2. Mr. Abdullah Khan, DFO Direction  
Forest Department Peshawar
- ✓ 3. Mr. Ibrahim Khan, AD I&HR  
Directorate Peshawar
4. Mr. Mukhtiar Ahmed, Additional  
Secretary Zakat & Usher Khyber  
Pakhtoonkhawa Peshawar
5. Mr. Kamran Rehman, Additional  
Secretary Finance Department  
Peshawar
6. Mr. Shabbir Hussain, Deputy Chief  
Conservator Forest Department  
Peshawar

Filed to-day

Registrar  
13/11/2017

Re-submitted to-day  
and filed.

Registrar  
24/11/18

- ✓ ✓7. The Secretary of Forest, Environment & Wild Life Departments Peshawar
- ✓ ✓8. The Chief Conservator of Northern Forest Region -II Abbottabad.
- ✓ ✓9. The Section Officer Establishment Govt of Khyber Pakhtoonkhawa Peshawar.
- ✓ ✓10. The Conservator of Forest Lower Hazara Circle Aboottabad.
- 11. The Divisional Accountant of Siran Forest Division Mansehra.
- 12. Incharge Establishment Branch of Siran Forest Division Manshera.
- ✓ ✓13. Divisional Forest Officer Siran Forest Division Mansehra.
- ✓ ✓14. SDFO Lower Siran Forest Shinkiari Tehsil & District Mansehra
- ✓ 15. The Circle Officer Anti Corruption Establishment Mansehra

.....**RESPONDENTS**

**APPEAL UNDER SECTION 4 OF KHYBER**  
**PAKHTUNKHWA OF THE SERVICE**  
**TRIBUNAL ACT, 1974 UNDER THE**  
**DIRECTION/ORDER OF PESHAWAR**  
**HIGH COURT ABBOTTABAD BENCH TO**  
**THE WRIT PETITION NO 860A/217**  
**DATED 26-9-2017 ALONGWITH**

FORWARDED THE LETTER NO 146  
DATED 29-9-2017 BY THE ADDITIONAL  
REGISTRAR PESHAWAR HIGH COURT  
ABBOTTABAD BENCH TO THE  
RESPONDENT NO 13 DIVISIONAL  
FOREST OFFICER MANSEHRA THAT THE  
SAID ORIGINAL WRIT PETITION  
CONSIDERED AS A DEPARTMENTAL  
APPEAL STRICTLY IN ACCORDANCE  
WITH IN A PERIOD OF 30 DAY FROM  
THE RECEIVE OF THE ORDER DATED  
26-9-2017 OF THE HONOURABLE  
PESHAWAR HIGH COURT ABBOTTABAD  
BENCH, HOWEVER THE SAME THAT THE  
RESPONDENT NO 13 & OTHERS WAS  
NOT RESPONDED WITH IN THE PERIOD  
OF 30 DAYS UNDER THE DIRECTION OF  
THE SAID HONOURABLE COURT

Prayer in Appeal

By acceptance of this appeal, respondents may please be directed to process the pension case of the petitioner ex Forest Guard, along with any other relief which this honorable court deems facts and proper in the circumstances of the case, in the interest of justice may also be granted to the appellant.



**Respectfully Sheweth,**

**Short facts giving raise to the present appeal are as under:-**

- 1) That the appellant come to this honourable court under the direction/order of honourable Peshawar high court Abbottabad bench for his relief and remedy.  
**(Certified copies of the writ petition and orders of the Peshawar High Court Abbottabad bench are annexed as annexure A(i), (ii) & (iii) respectively)**
- 1A) That the appellant was appointed as a forest guard and regularly served in forest department KPK for more than 40 years with the respondents concerned, ultimately after attain the age of superannuation he was retired with effect from 30-09-2016.  
**(Attested copy of his retirement order is annexed as annexure "A1")**
- 2) That during the service period of the appellant perusing of the concerned expressed by Mr. Waji-ur-Rehman Khan MPA on the floor of the Provincial Assembly regarding the illcite cutting of the forest in areas of Mandaguccha Punjool, Tanglai and Paryai. Than the direction of Respondent number 7 appointed director I&HRD and others to conduct details inquiry on dated 25-06-2013, later in keeping in view the Director I&HRD constituted a checking committee on dated 05-07-

2013 comprising of his respondent number 2 & 3.

**(Attested Photocopy of the proceedings consist two pages is annexed as annexure "B")**

- 3) That on the next occasion the competent authority constituted an other inquiry comprising the office of the respondent number 1 to conduct an inquiry against the officers & official of Forest Department which the name of the official/ officers is mentioned in the notification number SO(Estt) Eenvt/ 1-31/2K15 dated 3<sup>rd</sup> March 2015, the notification was issued from the office of the respondent number 1 to respondent number 7 and the respondent number 7 issued sd copy to the officer/official which the name is mentioned in the notification. However the office of the respondent number 1 to substitute another name as a member in the inquiry committee comprises the respondent number 1&6 to conduct the inquiry against the said official / officer of forest department in the charge,

6

allegation level against them including appellant.

**(Attested Photocopies of the notification and inquiry report are annexed as annexure "C" & "D")**

- 4) That another notification in the office of the respondent number 1 was issued in favour of the officials hearing them in persons and exercise has power under the KPK government servant (E&D) Rules 2011 has been pleased impose the minor penalty "**CENSURE**" and some were exonerate of the charges except appellant.

**(Attested Photocopy of the notification is annexed as annexure "E")**

- 5) That the inquiry committee charge sheeted to the appellant on the name of forest Unha RF (Reserve Forest) and Manda Gucha Guzara Beats of Siran Forest Division Mansehra in period with effect from 1-7-2011 to 1-9-2013, 2-1-2013 to 1-9-2013. It is baseless allegations about the periods remained appellant as forest guard in the above said Forest Beats.

**(Attested Photocopy of the charge sheet is annexed as annexure "F")**

- 6) That the appellant submitted the reply to the inquiry committee (respondents number 5&6) in shape of his defence, that it is examinable for the best interest of justice.

**(Attested Photocopy of the reply of the appellant is annexed as annexure "G"& "G1")**

- 7) That the appellant informed his senior about the loss/damages of forest from time to time.

**(Attested Photocopy is annexed as annexure "H")**

- 8) That the damages report DR during the period of the appellant is also enclosed i.e. 897.12 cft occurred while the inquiry committee put the damage report on the appellant is 57208 cft which is baseless allegation on the appellant and unlawful act of the respondents number 5 & 6.

**(Therefore, damage report (DR) and other relevant documents are annexed as annexure "I" & "J")**

- 9) That the appellant as a forest guard remained eight months in RF Unha and Mandaguccha as a additional charge with effect from 02-01-2013 to 07-09-2013.

**(Photocopies of charge reports is annexed as annexure "K")**

- 10) That the appellant may not be allow to deprived the pensionrey benefit by respondents under fundamental rule (FR-54) of the civil servant act 1973.

**(Photocopies of the rule is annexed as annexure "L" & "M")**

- 11) That the respondent number 13 vide letter number 6047/GE dated 30-01-2017 to requested the respondent number 15 to please lodge an FIR against appellant for a recovery of Rs. 2,86,04000/- (Rupees two Corers eighty six lacs and four thousand only) on account of illcites damages as per recommendation of the inquiry committee, so that it is unlawful act of the respondent number 13 and others.

**(Photocopies of the letter is annexed as annexure "N")**

**Note:** That during the pendency of appeal further record of the

relevant appeal will be submitted to this honourable court.

- 12) That the appellant in the circumstances mentioned above has no other adequate remedy provided in the law to seek the redress prayed in the handing above and therefore moving this petition august court for such redressed of his grievance inter alia on the following ground.

**GROUND**

- A) That the allegation against the appellant is illegal, irregular; baseless which is liable to set-aside.
- B) That respondents concerned have failed to exercise their powers honestly.
- C) That the appellant has been discriminated under article of 9 & 14 of the constitution of Islamic Republic of Pakistan 1973.
- D) That the act of respondents is malafide intension about the appellant.

- E)** That they put the baseless allegation and charge on him.
- F)** That the respondents concerned in their findings of inquiry about the appellant that the appellant has already been compulsory retired another case while the appellant was retired with effect from 30-9-2016 after attain the age of superannuation.
- G)** That, the appellant has secure vested right which could not be withdrawn without fulfilling the requirement in the Right of principle of nature justice.
- H)** That the order of the respondent No 13 & others is a result of misreading and non-reading of relevant record.
- I)** That the respondent No 13 & others is against the law, facts of the case and norms of natural justice. Therefore the same is untenable under the law.
- J)** That the act of the respondent No 13 & others is against the fundamental rights hence the impugned order of the said respondents is based on

//

surmises and conjectures. Hence,  
the same is bad in law.

**K)** That the respondent No 13 & others  
were by biased and prejudiced  
against the appellant and therefore,  
he has stopped the process of the  
pension of the appellant.

**It is therefore, most humbly** prayed  
that on the acceptance of the present  
appeal , respondents may please be  
directed to process pension case of the  
appellant (ex Forest Guard) along with  
any other relief which this honorable  
court deems fit and proper in the  
circumstances of the case in the interest  
of justice.


**INTERIM RELIEF**

The respondent No 15 may kindly be  
directed to restrain from harassing  
and lodging any FIR against the  
appellant.

**Dated 11.11.2017**

  
**MUHAMMAD MAROOF**  
(Appellant)

Through: -

  
**KHALID MEHMOOD**  
Advocate High Court,  
Federal Shariat Court,  
(Mansehra)



12

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

In the matter  
Service Appeal No. \_\_\_\_\_/2017

Muhammad Maroof .....**APPELLANT**

**VERSUS**

Provincial Government through the Chief  
Minister KPK etc .....**RESPONDENTS**

**APPEAL UNDER SECTION 4 OF  
KHYBER PAKHTUNKHWA OF THE  
SERVICE TRIBUNAL ACT, 1974**

**AFFIDAVIT**

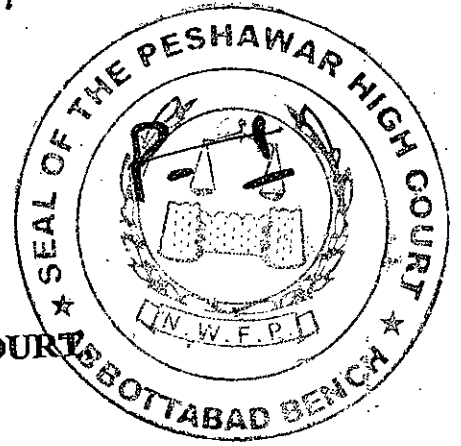
I, MUHAMMAD MAROOF SON OF  
JANDAD EX FOREST GUARD,  
RESIDENT OF VILLAGE JANDWAL, P/O  
SHINKIARI, TEHSIL & DISTRICT  
MANSEHRA DO HEREBY SOLEMNLY  
AFFIRM AND DECLARE THAT THE  
CONTENTS OF THE ACCOMPANIED  
SERVICE APPEAL ARE TRUE AND  
CORRECT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF AND  
NOTHING HAS BEEN CONCEALED OR  
SUPPRESSED FROM THIS  
HONOURABLE Tribunal.



**MUHAMMAD MAROOF  
(DEPONENT)**

13

Annexure  
A(i)



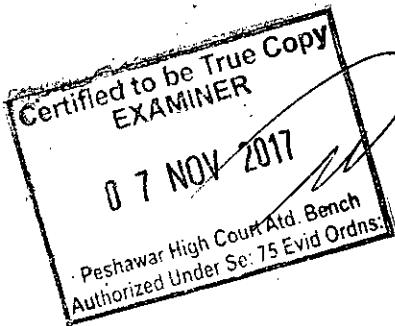
BEFORE THE PESHAWAR HIGH COURT  
BENCH ABBOTTABAD

W.P No. \_\_\_\_\_ of 2017

Muhammad Maroof son of Jandad Ex-Forest  
guard Village Jandwal, P.O Shinkiari, Tehsil  
and District Mansehra .....Petitioner

VERSUS

1. Provincial Government through Chief Minister  
Khyber Pakhtunkhwa, Chief Minister  
Secretariat, Peshawar.
2. Abdullah Khan, Divisional Forest Officer,  
Direction forest Department, Peshawar.
3. Ibrahim Khan, AD I&HR Directorate Peshawar.
4. Mukhtiar Ahmed, Additional Secretary Zakat &  
Usher Khyber Pakhtunkhwa Peshawar.
5. Kamran Rehman, Additional Secretary Finance  
Department, Peshawar.
6. Shabbir Hussain, Deputy Chief Conservator  
Forest Department, Peshawar.
7. Secretary of Forest, Environment and Wild Life  
Departments, Peshawar.
8. Chief Conservator of Northern Forest Region-  
II, Abbottabad.
9. Section Officer, Establishment, Govt. of  
Khyber Pakhtunkhwa Peshawar.
10. Conservator of Forest, Lower Hazara Circle,  
Abbottabad.
11. Divisional Accountant of Siran Forest Division,  
Mansehra.



14.

P-2

12. Incharge Establishment Branch of Siran Forest Division, Mansehra.
13. Divisional Forest Officer, Siran Forest Division, Mansehra.
14. Sub Divisional Forest Officer, Lower Siran Forest Shinkiari, Tehsil and District Mansehra.
15. Circle Officer, Anti Corruption Establishment, Mansehra .....Respondents.

WRIT PETITION UNDER ARTICLE 199  
OF THE CONSTITUTION OF ISLAMIC  
REPUBLIC OF PAKISTAN, 1973 FOR  
DECLARATION TO THE EFFECT THAT  
PETITIONER IS SEEKING PAYMENT OF  
HIS PENSION DUES AFTER ATTAINING  
THE AGE OF HIS SUPERANNUATION,  
WHO WAS RETIRED WITH EFFECT  
FROM 30.09.2016 FROM KHYBER  
PAKHTUNKHWA FOREST DEPARTMENT  
AND HE SERVED ALMOST 40 YEARS OF  
HIS VALUABLE LIFE OF HIS SERVICE  
AS A FOREST GUARD/CIVIL SERVANT  
WITH THE RESPONDENTS BUT HIS  
PENSION DUES HAVE NOT BEEN PAID  
TO HIM ON THE BASIS OF BASELESS  
ALLEGATIONS ABOUT THE DAMAGES  
OF 57208 C.FT. WOOD HAS BEEN  
CAUSED BY HIS NEGLIGENCE AND HE  
FAILED TO MOBILIZE TO HIS SENIOR  
TO SEIZE TO DAMAGE AS SUCH, THE  
RESPONDENTS RECOMMENDED THE  
RECOVERY FOR THE DAMAGE

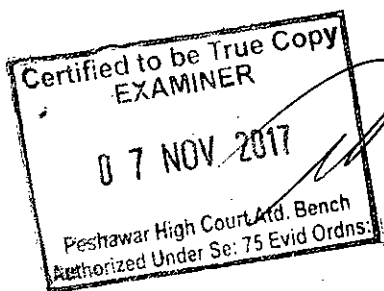
Certified to be True Copy  
EXAMINER  
07 NOV 2017  
Peshawar High Court Atd. Bench  
Authorized Under Se: 75 Evid Ordns.

15

P-3

AMOUNT TO TUNE OF RS.2,86,04,000/-  
(TWO CRORES EIGHTY SIX LACS AND  
FOUR THOUSAND), HOWEVER, THE  
ABOVE SAID ALLEGATION IS  
BASELESS, WITHOUT LAWFUL  
AUTHORITY, UNLAWFUL AND  
ILLEGAL ACT BY THE RESPONDENTS  
THUS THEY VIOLATED ARTICLES 9  
AND 14 OF THE CONSTITUTION OF  
ISLAMIC REPUBLIC OF PAKISTAN,  
1973 SO IT IS ALSO VIOLATION OF THE  
RIGHT TO LIFE OF THE PETITIONER  
AND LIABLE TO BE SET ASIDE THE  
ORDER OF RESPONDENTS AND IT MAY  
KINDLY BE DIRECTED TO  
RESPONDENTS CONCERNED TO PAY  
THE PENSION DUES OF THE  
PETITIONER.

Respectfully Sheweth!



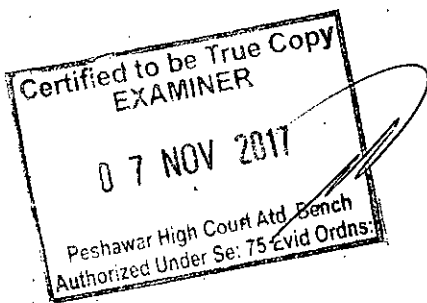
Brief facts giving rise to the instant petition are arrayed as under: -

1. That, the petitioner was appointed as a Forest Guard and regularly served in Forest Department Khyber Pakhtunkhwa almost 40 years with the respondents concerned ultimately after attaining

the age of superannuation, he was retired with effect from 30.09.2016.

*(Attested copy of the retirement order is annexed as annexure "A").*

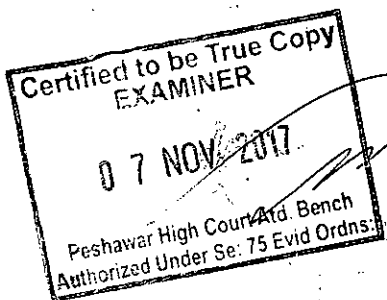
2. That, during the service period of the petitioner perusing of the concerned expressed by Mr. Wajih-ur-Rehman Khan, Ex-MPA on the floor of the Provincial Assembly, KPK, regarding the illicit cutting of the forest in areas of Mandagucha, Panjool, Tanglai and Paryai. Then the direction of respondent No.7 appointed Director I&HRD and others to conduct a detailed inquiry on dated 26.05.2013, later on keeping in view the Director I&HRD constituted a checking committee on dated 05.07.2013 comprising of respondents No.2 and 3.



*(Attested photocopy of the proceedings consisting two pages is annexed as annexure "B").*

3. That, on the next occasion, the competent authority constituted another inquiry comprising the office of respondent No.1 to conduct an inquiry

against the officers and officials of Forest Department which the name of the official/officers is mentioned in the notification No.SO(Estt) Env/1-31/2015 (annexure) dated 3<sup>rd</sup> March 2015, the notification was issued from the office of the respondent No.1 to respondent No.7 and the respondent No.7 issued sd/- copy to the officer/official which the name is mentioned in the notification. However, the office of the respondent No.1 to substitute another name as a member in the inquiry committee comprising the respondents No.1 and 6 to conduct the inquiry against the said official/officers of forest department in the charge, allegations levelled against them including petitioner.



*(Attested photocopies of the notification and inquiry report are annexed as annexure "C" & "D").*

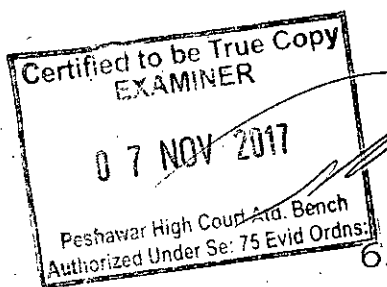
4. that, another notification in the office of the respondent No.1 was issued in favour of the officials hearing them in persons and exercise his power under the Khyber Pakhtunkhwa Government Servant (E&D) Rules, 2011 has been

pleased to impose the minor penalty "Censure" upon them and some were exonerated of the charges except petitioner.

*(Attested Photocopy of the notification is annexed as annexure "E").*

5. That, the inquiry committee charge sheeted to the petitioner on the name of forest Unha RF (Reserve Forest) and Manda Gucha Guzara Beats of Siran Forest Division Mansehra in period with effect from 01.07.2011 to 01.09.2013, 02.01.2013 to 01.09.2013. It is baseless allegations about the periods remained petitioner as forest guard in the above said Forest Beats.

*(Attested Photocopy of the charge sheet is annexed as annexure "F").*



6. That, the petitioner submitted the reply to the inquiry committee (respondents No.5 and 6) in shape of his defence, that it is examinable for the best interest of justice.

*(Attested photocopy of the reply of the petitioner is annexed as annexure "G").*

19.

P-7

7. That, the petitioner informed his senior about the loss/damages of forest from time to time.

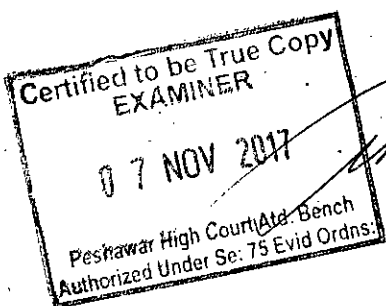
*(Attested photocopies is annexed as annexure "H").*

8. That, the damages report (DR) during the period of the petitioner is also enclosed i.e. 897.12 C.ft. which was confiscated, while the inquiry committee put the damage report on the petitioner is 57208 C.ft. which is baseless allegation on the petitioner and unlawful act of the respondents No.5, 6 and others.

*(Attested photocopies of damage reports (DRs) are annexed as annexure "I").*

9. That, the petitioner as a forest guard remained eight months in RF Unha and Mandagucha as a additional charge with effect from 02.01.2013 to 07.09.2013.

*(Photocopies of charge reports are annexed as annexure "J").*





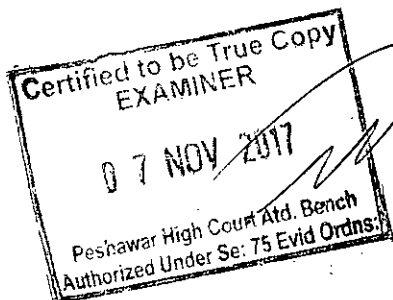
20

P. 8  
1/8

10. That, the petitioner may not be allowed to deprive the pensionary benefits by respondents of unlawful act under fundamental rule (FRA-54) of the Civil Servant Act 1973.

*(Photocopies of the rule is annexed as annexure "K").*

11. That, the respondent No.13 vide letter No.6047/GE dated 30.01.2017 to requested the respondent No.13 to please lodge an FIR against petitioner for a recovery of Rs.2,86,04,000/- (Rupees Two Crores eighty six lacs and four hundred only) on account of illicit damages as per recommendation of the inquiry committee, so that it is unlawful act of the respondent No.13 and others. ~



*(Photocopies of the letter is annexed as annexure "L").*

12. That, the petitioner in the circumstances mentioned above has no other adequate remedy provided in the law to seek the redress prayer in the handing above and therefore moving this petition august court for such

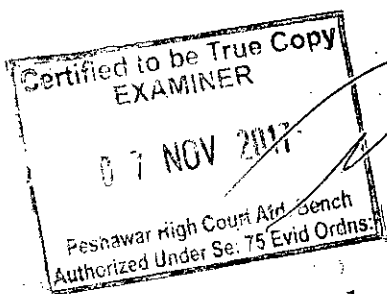
21

P-9

redressed of his grievance inter alia on the following grounds: -

### GROUNDS

- a. That, the allegations against the petitioner is illegal, irregular, baseless which is liable to be set aside.
- b. That, respondents concerned have failed to exercise their powers honestly.
- c. That, the petitioner has discriminated under articles of 9 and 14 of the Constitution of Islamic Republic of Pakistan, 1973.
- d. That, the act of the respondents is malafide intention about the petitioner.



e. That, the respondents put the baseless allegations and charge on him.

f. That, the respondents concerned in their findings of inquiry about the petitioner that the petitioner has already been compulsory retired another case while the petitioner was retired with effect from 30.09.2016 after attaining the age of superannuation.

g. That, the petitioner has secure vested right which could not be withdrawn without fulfilling the requirements in the right of Principal of natural justice.

Certified to be True Copy  
EXAMINER  
07 NOV 2017  
Peshawar High Court Ad. Bench  
Authorized Under Sec: 75 Evid Ordns.

h. That, the other grounds shall be urged at the time of arguments.

i. That, the court fees stamp worth Rs.500/- is attached herewith.

.....PRAYER  
.....

23

P 11

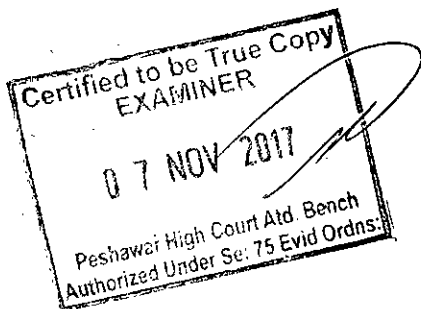
It is, therefore, most humbly prayed that on acceptance of the instant Writ Petition, respondents may please be directed to process pension case of the petitioner (Ex-Forest Guard) alongwith any other relief which this Honourable Court deems fit and proper in the circumstances of the case, in the interest of justice.

INTERIM RELIEF.

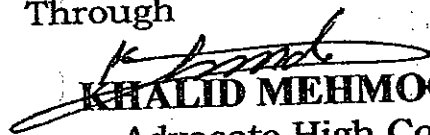
The respondent No.15 may kindly be directed to restrain from harassing and lodging any FIR against the petitioner till final disposal of the instant Writ Petition.

Dated 14.08.2017

Muhammad Maroof  
.....Petitioner



Through

  
**KHALID MEHMOOD,**  
Advocate High Court,  
Federal Shariat Court,  
Mansehra.

24

P-12

AFFIDAVIT.

I, Muhammad Maroof son of Jandad Ex-Forest guard Village Jandwal, P.O Shinkiarî, Tehsil and District Mansehra, Petitioner, do hereby solemnly affirm and declare on oath that the contents of the foregoing Writ Petition are true and correct and nothing has been concealed from this Honourable Court.

Dated 23.08.2017

Muhammad Maroof  
(DEPONENT)

ATTESTED

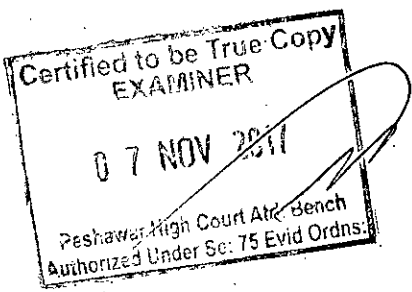
13503-2586692-5



4113/356

356

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4113/356  
73  
Muhammad Maroof son of Jandad Ex-Forest guard Village Jandwal P.O Shinkiarî District Mansehra



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73/18117

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P-12-A

**BEFORE THE PESHAWAR HIGH COURT**  
**ABBOTTABAD BENCH**

Muhammad Maroof ..... PETITIONER

VERSUS

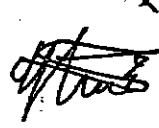
Provincial Government through Chief Minister KPK ~~et~~ ..... RESPONDENTS

**WRIT PETITION**

**CERTIFICATE**

CERTIFIED THAT NO SUCH LIKE WRIT PETITION HAS EARLIER BEEN FILED BEFORE THIS HONOURABLE COURT BY THE PETITIONER, AND NOW COPY OF WRIT PETITION HAS BEEN SENT ALONG WITH COPY OF NOTICE TO RESPONDENT NO:7 FOR INFORMATION.

DATED: 23.08.2017



MUHAMMAD MAROOF  
(Petitioner)

Through:-



**KHALID MEHMOOD**

Advocate High Court,  
Federal Shariat court,  
(Manshra)

Certified to be True Copy  
EXAMINER  
07 NOV 2017  
Peshawar High Court Atd. Bench  
Authorized Under Sec: 75 Evid Ordns.

26

P-12-8

H

**BEFORE THE PESHAWAR HIGH COURT**  
**ABBOTTABAD BENCH**

Muhammad Maroof .....PETITIONER

**VERSUS**

Provincial Government through the Chief  
Minister KPK etc .....RESPONDENTS

**WRIT PETITION**

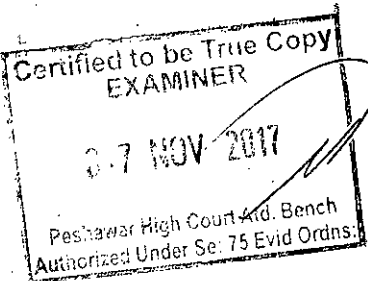
**LIST OF LAW BOOKS**

**Respectfully sheweth!**

List of law books are as under:-

- 1) The Constitution of Islamic Republic of Pakistan, 1973,
- 2) Any other law book will be provided at the time of arguments.

**Dated 15.08.2017**



*[Handwritten signature]*

**MUHAMMAD MAROOF**  
(Petitioner)

Through: -

*[Handwritten signature]*

**KHALID MEHMOOD**  
Advocate High Court,  
Federal Shariat Court,  
(Mansehra)

27

15

P-12-C

**BEFORE THE PESHAWAR HIGH COURT**  
**ABBOTTABAD BENCH**

Muhammad Maroof .....**PETITIONER**

**VERSUS**

Provincial Government through the Chief  
Minister KPK etc .....**RESPONDENTS**

**WRIT PETITION**

**CORRECT ADDRESSES OF THE PARTIES**

**Respectfully Sheweth!**

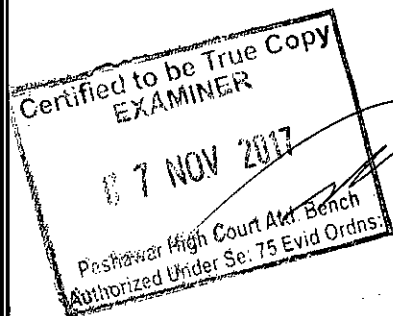
Correct addresses of the parties are  
as under: -

**PETITIONER**

Muhammad Maroof S/O Jandad ex  
Forest Guard Village Jandwal, Post Office  
Shinkiari, Tehsil & District Mansehra.

**RESPONDENTS**

- 1). Provincial Government through the  
Chief Minister Khyber  
Pakhtoonkhawa Chief Secretariat  
Peshawar
- 2). Mr. Abdullah Khan, DFO Direction  
Forest Department Peshawar
- 3). Mr. Ibrahim Khan, AD I&HR  
Directorate Peshawar
- 4). Mr. Mukhtiar Ahmed, Additional  
Secretary Zakat & Usher Khyber  
Pakhtoonkhawa Peshawar





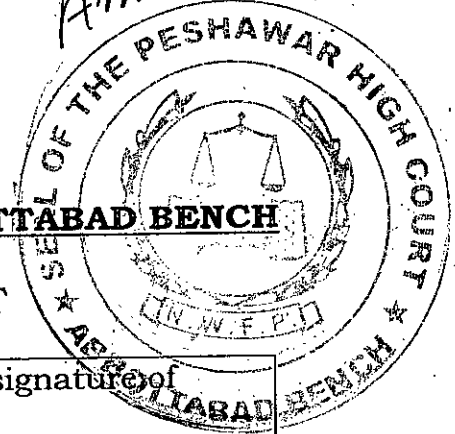
27A.

Annexure A ii

JUDGMENT SHEET

IN THE PESHAWAR HIGH COURT, ABBOTTABAD BENCH

FORM OF ORDER SHEET



Date of order or proceedings (1)	Order or other proceedings with signature of Judge(s). (2)
26.09.2017	<p><b><u>W.P.No.860-A/2017.</u></b></p> <p><b><u>Present:-</u></b> Mr. Khalid Mehmood, Advocate for petitioner.</p> <p style="text-align: center;">*****</p> <p><b><u>SYED ARSHAD ALI, J:-</u></b> Petitioner through the instant writ petition has approached this Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, with the following prayer:-</p> <p style="text-align: center;"><i>“It is, therefore, most humbly prayed that on acceptance of the instant writ petition, respondents may please be directed to process pension case of the petitioner (Ex-Forest Guard) alongwith any other relief which this Honourable Court deems fit and proper in the circumstances of the case, in the interest of justice.”</i></p> <p>2. Without dilating upon the merits of the case suffice it to mention that the alleged grievance</p>

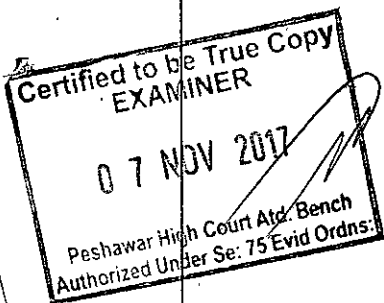
Certified to be True Copy  
EXAMINER  
07 NOV 2017  
Peshawar High Court Atd. Bench  
Authorized Under Sec: 75 Evid Ordns

5-11

27B #



of the petitioner relates to the terms and conditions of his service. The jurisdiction of this Court is barred under Article 212 of the Constitution to entertain petition for enforcement of the terms and conditions of the civil servant. Reliance is placed on cases Dr. Ahmad Salman Waris, Assistant Professor, Services Hospital, Lahore Vs. Dr. Naeem Akhtar and others (PLD 1997 Supreme Court 382) and Pir Muhammad V. Government of Baluchistan through Chief Secretary and others (2007 SCMR 54).

3. Moreover, it is evident from record of the case, that the petitioner has not made any departmental appeal/representation against the impugned order. Rather, he has straightaway impugned the same before this Court in the instant petition on 23.08.2017. Therefore, in the peculiar facts and circumstances of the present writ petition, this Court in the larger interest of justice, treats the present petition as departmental representation/appeal against the impugned order and remit to respondent No.13 with direction to place it before competent authority for its decision, strictly in



accordance with the law, within a period of thirty days from the receipt of this judgment, whereafter, if the petitioner still feels aggrieved, then he may approach the competent forum available to him under the law. The office is directed to transmit the original file to respondent No.13 and retain the photocopy on record of the case.

**Announced.**  
26.09.2017.

*Sd/*  **JUDGE**  
*Sd/*  **JUDGE**

Certified to be True Copy  
EXAMINER  
07 NOV 2017  
Peshawar High Court Afd. Bench  
Authorized Under Section 75 Evid Ordns.



THE

**PESHAWAR HIGH COURT,**  
**ABBOTTABAD BENCH**

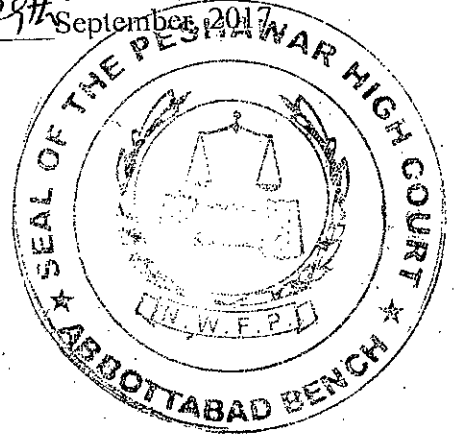
27D

Annexure  
A III

Ph: 0992-9310058  
Fax: 0992-9310055

No: 146

Dated Abbottabad 29th September, 2017



From

The Additional Registrar,  
Peshawar High Court,  
Abbottabad Bench.

To

The Divisional Forest Officer,  
Siran Forest Division, Mansehra.

Subject:

**WRIT PETITION NO. 860-A OF 2017.**

**Muhammad Mahroof**

**Petitioner.**

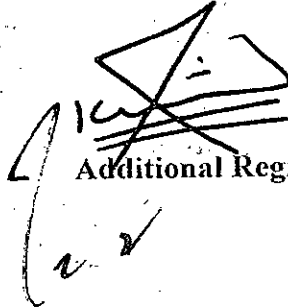
**Versus**

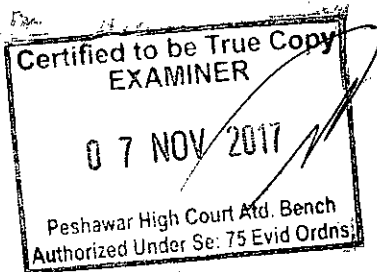
**Provincial Govt. & others**

**Respondents.**

Sir,

I am directed to forward herewith Original Writ Petition/representation No. 860-A/2017 titled "Muhammad Mahroof Vs Provincial Govt. & others" Total sheets (54) along with order of the Honourable Division Bench for compliance please.

  
Additional Registrar



No	193	7/11/17
Date of Presentation of Application	19	28/2/17
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28

~~P-13~~

Annexure

①

OFFICE ORDER NO. 83 DATED MANSEHRA THE 01/10/2015 ISSUED BY MUHAMMAD RIAZ DIVISIONAL FOREST OFFICER SIRAN FOREST DIVISION MANSEHRA.

As applied for vide his application dated 28.09.2015 and on completion of 38 years 05 months and 16 days qualifying service for Pension, Mr. Muhammad Maroof Forest Guard S/O Jehandad village Jandwal Post Office Shinkhari Tehsil and District Mansehra is hereby allowed 365 days LP admissible vide Rule-14 of Khyber Pakhtunkhwa Civil Servant Revision (Leave Rules-1981 amended) vide Government of Khyber Pakhtunkhwa Finance Department Notification No. SO (FR) FD-92/2005/Vol-V dated 13.12.2012 with effect from 01.10.2015. On expiry of L.P.R the Forest Guard stand retired from service with effect from 30.09.2016 (afternoon).

Sd/- (Muhammad Riaz)  
Divisional Forest Officer  
Siran Forest Division Mansehra

Copy forwarded to:-

1. The Conservator of Forests Lower Hazara Forest Circle Abbottabad for favour information please.
2. The Director Budget and Accounts Khyber Pakhtunkhwa, Forestry, Environment & Wildlife Department Peshawar for favour of information please.
3. SDFO Mansehra for information.
4. Head Clerk/Divisional Accountant Siran Forest Division Mansehra for information necessary action.
5. Mr. Muhammad Maroof Forest Guard C/O SDFO Mansehra for information and necessary action. This is with reference to his application dated 28.09.2015.

Divisional Forest Officer  
Siran Forest Division Mansehra

Attested  
Divisional Forest Officer  
Siran Forest Division  
Mansehra

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P-14

Inquiry /Checking Report regarding illicit cutting of forests in Mandagucha, Una, Panjul(Paracha), Tanglai and Paryai Forests and Undemarcated forest woodlots Siran Forest Division

Annexure B

1. Background:

In pursuance of the concern expressed by Mr. Wajih-u-Zaman Khan MPA on the floor of Provincial Assembly regarding the illicit cutting of forests in Mandagucha, Panjul (Paracha), Tanglai and Paryai area. The Secretary Environment Khyber Pakhtunkhwa vide Notification No. SO(Tech)ED/590/2012/PC/4598 dated. 24.6.2013, No. SO(Tech) ED/V-590/2012/PC/1924, dated 17/7/2013, No. SO (Tech) ED/ v-590/2012/PC,4661, dated 25.6.2013 appointed Director I&HRD to conduct detailed enquiry. Regular forest management in Hazara is more or less 140 years old. First regular land settlement was carried out in 1872 and the forests were designated as Reserve Forests at Guzara Forests. Both categories of forests are being managed through regular management plan. Sizable private areas covered with good trees crops but the owners remained deprived of benefits from these forests due to exclusion from the regular management of the forests. Current policy for working in private lands has been approved in 2002 and revised in 2012. Upper Siran Reserve forest comprises of Panjul, Una and Paryai forests having total area of 5,284 ha. Upper Siran Guzara forest covers an area of 68,015 ha. The forest lies between 1200-3000meter elevation. The extent of area of private un-demarcated wood could not be known.

2. Proceedings:

Keeping in view the gigantic task of the work the Director I&HRD constituted a checking committee vide office order no. 2/HRD/E, dated 05.7.2013 comprising of the following officers of Forest Department:-

1. Mr. Abdullah Khan DFO Direction (Chairman)
2. Mr. Ibrahim Khan AD I&HR Directorate (Member)
3. Mr. Farhad Ali SDFO Hurripur (Member)

Mr. Farhad Ali SDFO was not spared by the Department due to his official engagements. As such checking was conducted by the aforementioned two officers along with the field staff of Working Forest Division Abbottabad. The Chairman of the Committee vide his No. 179/E dated 16/7/2013 requested the Chief Conservator of Forests Lower Hazara to provide the relevant record. In response the Conservator of Forests Lower Hazara directed the DFO Siran vide his No.510/GL dated 24/7/2013 to provide the required record to the chairman of the committee. The committee along with Director I&HRD proceeded to Abbottabad and held meetings with Chief Conservator of Forests, Northern Forest Region-II and Conservator of Forests Lower Hazara on 8.7.2013 in their offices and discussed complaint regarding illicit cutting in Siran Forest Division. The committee proceeded to Mansehra and collected some of the available record i.e. forest maps, working plans, Compartment history files, harvesting record etc. from office of the DFO Siran. In order to ascertain the quantum of work for conducting detailed enquiry reconnaissance of the forests in question was made by the checking committee. Only those forest compartments were checked which have conspicuously more illicit cutting. Rest could not be checked because of insufficient time and resources. The enquiry committee visited Par

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Divisional Forest Officer  
Siran Forest Division

aracha), Ur, Tanglai, Paryai Reserve Forests and Mandagucha Guzara forests on 9 & 10-July-2013. It was noted that the quantum of work was gigantic and thorough checking of the above forests would require sufficient time, energy and support staff. In view of extensive nature of work in such a difficult terrain, the setting in of the holy month of Ramazan it was not possible to check the forests; hence it was decided to carry out the job after Eid-ul-Fitar. The Director I&HRD visited office of the DFO Siran on 2.8.2013 again and collected the photo copies of harvesting record of un-demarcated forest woodlots for further probing. The committee also collected Damage Report Books, Prosecution Registers of respective sub- divisions.

The checking committee along with the SDFO Upper Siran and his field staff and the staff of Working Plan Abbottabad cruised Panjul (Paracha), Una, Paryai, Tanglai Reserve Forests, Manadagucha Guzara forest and un-demarcated woodlots, detailed list along with compartment number compiled. The detailed lists show the illicitly cut trees diameter, species, volume, stump height, stumps period, stumps condition, damage report number carved, marking number and checking numbers. In order to keep the extent of work within the capacity of the committee, the enlistment of illicit stumps has been kept confined to a period of two years only while making list of damages. All the enlisted illicit cut stumps were given serial number and numbers were written with marker.

The committee carried out checking as per following detail:-

S.NO	Name of forest	Compartment No.	Date of checking
1	Panjul, Una RF, Madagucha Guzara Forests, Undemarcated Woodlots	1,2(i),3(i,ii),4(i),5(i,iii), & 7(i,ii), 1(i),2(i,ii), 10,16, Lungi Jamara-Khatta Saidan woodlot.	29/8 to 1.9.2013
2	Una RF Un-demarcated Forest Woodlots	4(i,vi),6(i,iii) Lungi-Jamra-Khatta Saidan, Akhori-Jabbi, Akhori-Bogra Woodlot.	12.9.13 to 15.9.13
3	Tanglai RF	4(ii),5(i,ii,iii),6,7(i,ii)	16&17.9.13
4	Paryai RF Undemarcated Forest woodlot	2(i,ii,iii) Khun-Shakoora	24.10.13 to 27.10.2013

3. Description of inspection

The damage detected in demarcated forests is as under:-

3.1 Panjul & Una Reserve Forests

The committee carried out thorough checking of seven compartments of Panjul Reserve Forest including compartment NO. 1, 2(i), 3(i,ii), 4(i), 5(i,iii), 7(i,ii), Una 1(i), 2(i,ii) 4(i,vi), (6,i,iii). Panju compartment No.1 due to extreme steep terrain has been allotted to Ecological Working Circle, so could not be cruised but from the opposite side of Mandagucha Guzara compartment No.10, which is at biscuit throw and facing south, the illicitly cut stumps were counted. Period of cutting and the diameter were recorded. It was highly discouraging that not a single mature Deodar tree was left standing which has led to genocide of their valuable tree specie. Rest of the compartments were thoroughly cruised. Una Reserve Forests has also been subjected to illicit cutting. The committee checked those compartments of Unna Reserve Forest which were conspicuously prone to illicit cutting; rest of the compartments could not be checked because the same have been handed over to

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 Divisional Forest Officer  
 Una Forest Division  
 Mansab  
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*Amirul*  
*Forests*

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(6th Edition) Form No F.D.15-E. (Article 103).  
FOREST DEPARTMENT..... K.P.K.....

(6th Edition) Form No F.D.15-E.  
FOREST DEPARTMENT.....

DIVISION..... REG NO 26  
Permit No..... 77

DIVISION.....  
Permit No..... 77

Name..... قمر الدین خان

Name.....

Residence.....

Residence.....

Forest	Date of expiry of grant	Description of timber or other produce	Number or quantity	Rate	Amount	Remarks	Forest	Date of expiry of grant	Description of timber or other produce	Number or quantity
	30/4/2013	Handwritten description in Urdu	12	30 = 360						
		Handwritten description in Urdu	12	14 = 168						
		Handwritten description in Urdu	2							
		Handwritten description in Urdu			37944					

Dated..... 6/4/2013 }  
The..... 19..... }

Under Signatures  
Forest Survey Division  
Jacori Division.

Date..... }  
The..... 19..... }

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FDC for timber harvesting. Detailed list of illicit cutting in Panjul and Unna Reserve Forest is annexed as annexure I. The compartment wise abstract of illicit cutting is given below:-

S.#	Name of Forests	Species	No. of Trees	Volumes (CFT)	Remarks
1	Panjul RF Comptt No. 1 (Paracha)	Deodar	140	26138.73 (Estimated)	Deodar trees of Marketable <sup>size</sup> have been wiped out. The damage reports have been issued to cover the damage inflicted for ulterior motives. Guard Book No.41 contains tampering, cutting and over writing.
2	Panjul RF cpt. No. 2(i)	Kail Deodar Walnut <b>Total</b>	91 2 1 <b>94</b>	25554.34 584.39 - <b>26138.73</b>	The fresh stumps burnt to camouflage the damage. The diameter of trees shown the damage reports issued do not tally with the ground situation.
3	Panjul RF cpt No. 3(i)	Kail Deodar <b>Total</b>	38 11 <b>49</b>	4254.38 2763.12 <b>7017.50</b>	Most of timber smuggled. Contents of damage reports issued do not tall with the <del>ground</del> situation, on the ground.
4	Panjul RF cpt No. 3(ii)	Deodar Poplar Ciliate <b>Total</b>	84 1 <b>85</b>	9037.61 - <b>9037.61</b>	--do--
5	Panjul RF cpt No. 4(i)	Kail	25	3874.28	--do--
6	Panjul RF cpt No. 5(i)	Kail Deodar <b>Total</b>	7 2 <b>9</b>	2313.85 600.31 <b>2914.16</b>	--do--
7	Panjul RF cpt No. 5(iii)	Kail	77	19802.03	--do--
8	Panjul RF cpt No. 7(i)(ii)	Kail Deodar <b>Total</b>	3 1 <b>4</b>	314.94 56.66 <b>374.60</b>	--do--
9	Una RF cpt. No.1(i)	Kail Deodar <b>Total</b>	92 1 <b>93</b>	23983.39 116.70 <b>24100.09</b>	--do--
10	Una RF cpt. No.2(i)	Kail	45	5482.94	--do--
11	Una RF cpt. No.2(ii)	Kail Deodar <b>Total</b>	30 1 <b>31</b>	6082.63 365.07 <b>6447.70</b>	--do--
12	Una RF cpt. No.4(i)	Fir	14	2464.19	--do--
13	Una RF cpt. No.4(vi)	Fir	17	3311.88	--do--
14	Una RF cpt. No.6(i)	Fir Spruce Kail Horse chestnut	77 57 59 5 198	14416.17 13842.61 4330.670 ----- <b>83259.45</b>	--do--

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		<b>Total</b>			
15	Una RF cpt. No.6(iii)	Fir	8	1354.78	--do--
		Kail	6	1060.34	
		Spruce	2	407.43	
		Deodar	1	39.82	
		<b>Total</b>	<b>17</b>	<b>2862.37</b>	
Grand Total			849	123,170.59 cft	

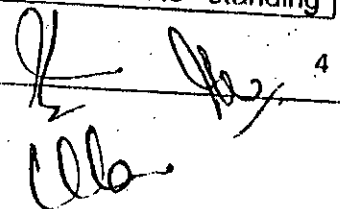
**3.2 Tanglai Reserve Forest** :- The committee checked the following compartments of Tangalai Reserve Forest in the presence of the local block and beat staff. Detail list of stumps of illicitly cut trees is annexed as annexure II. The abstract of damage is given below:-

S.#	Name of Forests	Species	No. of Trees	Volumes (CFT)	Remarks
1	Tanglai RF cpt No. 4(ii)	Chir	70	3,719.10	Damage reports issued but the contents do not tally with the ground situation.
2	Tanglai RF cpt No. 5(i)	Chir	45	2,123.37	--do--
3	Tanglai RF cpt No. 5(ii)	Chir	130	3903.26	--do-- No damage report issued.
		Quercus Spp. (Rantol)	12		
		<b>Total</b>	<b>142</b>	<b>3,903.26</b>	
4	Tanglai RF cpt. No. 5(iii)	Quercus Spp.(Rantol)	30		No damage report issued
5	Tanglai RF. cpt No. 6	Chir	39	917.38	Damage reports issued but do not tally with the ground situation.
6	Tanglai RF cpt No. 7(i)	Chir	176	53,336.10	-Do-
Grand Total			502	62,403.73 cft	

**3.3 Paryai Reserve Forest.**

The Paryai Reserve Forest was checked by the committee in the presence of local staff. Detailed list of damage detected therein is annexed as annexure III. The compartment wise abstract of the damage is given below:-

S.#	Name of Forests	Species	No. of Trees	Volumes (CFT)	Remarks
1	Paryai RF cpt. No. 2 (i)	Deodar	29	1,2140.10	No Damage report numbers available on the stumps.
		Kail	68	1,685.79	
		<b>Total</b>	<b>97</b>	<b>3,825.79</b>	
2	Paryai RF cpt. No. 2 (ii)	Deodar	31	1,927.77	Timber smuggled. Few stumps were found bearing damage reports numbers..
		Kail	241	22,368.39	
		<b>Total</b>	<b>272</b>	<b>24,296.16</b>	
3	Paryai RF cpt. No. 2	Deodar	30	4,018.16	Almost all the standing



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(iii)	Kail <b>Total</b>	58 <b>88</b>	11,289.82 <b>15307.98</b>	mature trees girdled with the connivance of the staff. The illicitly cut trees cut flush to the ground and then covered with soil and grasses. Only few stumps bearing damage report numbers.
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Grand Total 457 43,429.93 cft.

3.4 Mandaghucha Guzara Forest.

The Committee checked Manda ghucha compartment no.10 &16 in the presence of local staff, however, the Chairman JFMC did not turn up despite request. No facsimile of hammer mark and marking number were found on the cut stumps within the harvesting coupe. Marking for local permits were also carried out which is irregular and diluted the situation. Inspite of repeated requests to the Chairmen JFMCs and the DFO Siran, no harvesting record was produced. The felled timber of dry marked trees in the shape of logs and scants are still lying in the forest. Detailed list of illicitly cut trees is annexed as annexure -IV. The abstract of compartment wise illicit cutting detected is given below:-

S.#	Name of Forests	Species	No. of Trees	Volumes (CFT)	Remarks
1	Mandaghucha Guzara Forest cpt No. 10	Kail	24	5,241.46	No Damage reports numbers found carved on the stumps.
		Fir	19	3,500.48	
		<b>Total</b>	<b>43</b>	<b>8,741.94</b>	
2	Mandaghucha Guzara Forest cpt No. 16	Kail	17	5,061.47	..do..
		Fir	24	9,354.66	
		<b>Total</b>	<b>41</b>	<b>14,416.13</b>	

Grand Total 84 23,158.07 cft.

Besides above the committee also checked Mandaghucha transit depot of the JFMC. Detail lists of illicit scants is annexed as annexure-V. The following timber was found stacked:-

Name of JFMC	Name of Forests	Species	No. Scant	Volumes (CFT)	Remarks
Chatua	Mandaghucha compartment No. 16	Fir	330	7,953	The timber originated from green trees which is ample proof of illegal admixture.
Mandaghucha	Mandaghucha compartment No. 8,10	Fir <b>Total</b>	313 <b>643</b>	8,120, <b>16,073</b>	-Do-

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**3.5 Abstract of Illicit Cutting in different Forests checked**

The abstract of the total illicit cutting detected/noted by the enquiry committee found in all forests that were checked during the enquiry is produced below:-

S.No	Name of Forest	Number of Trees	Volume (cft)
1.	Panjul Reserve Forest	483	88,067.21
2.	Unna Reserve Forest	415	77,267.62
3.	Paryai Reserve Forest	457	43,430.39
4.	Tanglai Reserve Forest	566	65,794.49
5.	Mandagucha Guzara Forest	84	23,158.07
<b>Grand Total</b>		<b>2,005</b>	<b>297,717.78</b>

**4. Description of inspection conducted in Un-demarcated Woodlots.**

In 2002 a draft policy proposal was submitted to the government for the management of the private un-demarcated Woodlots. Policy guidelines were approved by the government vide notification No. SO(Tech) Env/V-40/2002/866 dated 30.11.2002. The policy was amended vide No. SO(Tech) ED-401/2011/vol: viii dated. 10.08.2012. The owners are to be organized in the shape of Joint Forest Management Committee as per 2002 policy and simple management plan is to be drawn for each private forest woodlot.

**4.1 (a) Checking Of Un-demarcated Woodlot/ Private Forests**

The checking committee examined the management plans and checked the following un-demarcated forest woodlots:-

The owners of Lungi-Jamra-Khata Saydan submitted an application to the DFO Siran for harvesting of trees from their private un-demarcated woodlot. The DFO Siran through SDFO Upper Siran carried out enumeration of trees. As per enumeration list it contains the following growing stock in various diameter classes:-

S.No	Species	No. of Trees	Volume (CFT)
1	Kail	4204	456,208
2	Deodar	258	51,976
	<b>Total</b>	<b>4462</b>	<b>508,184</b>

The management plan was approved by the DFO Siran dated nil as per 2002 un-demarcated woodlot policy. The plan proposed the following felling program in various Khasras of the private wood lot:

Year	Species	Total Volume (cft)	Volumes prescribed for felling (cft)
2011-12	Kail	205336	17111
	Deodar	39184	3265
2012-13	Kail	105754	8813
	Deodar	12792	1066
2013-14	Kail	145118	12093
	<b>Total</b>	<b>508,184</b>	<b>42348</b>

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The committee carried out physical checking of un-demarcated private woodlot Lungi- Jamra, Khatta Saidan on 31.8.2013 in the presence of forest staff and owners of the woodlot.

The Conservator of Forest Lower Hazara Abbottabad vide letter No. 5054/GL dated. 14.6.2012 had accorded approval for making of 20,376 cft. for the year 2011-12. Similarly Conservator of Forests Lower Hazara vide letter No. 79/GL dated. 2.7.2013 accorded approval for marking of 8,777 cft. prescribed in the year 2012-13 and 12,020 cft. for the year 2013-14 with specific instructions for exercising effective control over all the operations from making to carriage operation in order to eliminate any chance of admixture of illicit timber. He also directed the DFO Siran for maintaining record as per lease procedure of the Forest Department.

As per record marking for the year 2012-13 and 2013-14 was shown to have been carried out on 28.6.2013 whereas the approval from Conservator of Forests Lower Hazara issued on 02.07.2013 in reference to letter from DFO Siran vide No. 18/GB dated 02.07.2013. It transpires that the volume earmarked for 2013-14 was marked even before the onset of the financial year and the approval was accorded on the same date on which request was made by the DFO Siran. This shows how prompt the officers were in liquidating the resource.

As per Working Plan of Upper Siran Guzara forests, the prescribed yield is 8% of the total growing stock by giving 20% allowance for local uses and illicit cutting. Contrary to this the yield calculated for felling in the plan pertaining to the said woodlot is as under:-

Available cut =	$\frac{\text{Total Volume} \times \text{Felling cycle}}{\text{Rotation}}$
Kail	= $\frac{456,208 \times 10}{120} = 38017 \text{ cft.}$
Deodar	= $\frac{51,976 \times 10}{120} = 4331 \text{ cft.}$
Total	= 42,348 cft.

This plan has also calculated the 8% of growing stock as yield but without deducting any allowance for local uses and illicit cutting as is provided in the plan for Siran Guzara Forests.

The following inference is drawn while calculating the yield as per inventory of the woodlot. Total growing stock is (1419.5 m<sup>3</sup>), (0.8% per annum) whereas the total area is 62 ha. Hence the stock per ha comes to 234.18 m<sup>3</sup>. It is evident from the calculation that the inventory carried out in the woodlot is superficial because Guzara Forests are well stocked have trees of bigger diameter than the ones in the said woodlot. The enumeration and yield calculation are apparently not based on the ground realities so seems inflated. Their utilization percent comes to 0.80% per annum.

During the physical checking of the wood lot the following were noted:-

- Contrary to the enumeration list only 20-25 Deodar trees both felled and standing were found in the woodlot. And those even found growing on precipitous slope and cliffs and were not at all feasible to be marked whereas the plan shows 258 Deodar trees in the enumeration list which is fictitious.
- The marking due for felling in the year 2013-14 was carried out in advance and the trees felled and converted.
- No hammer mark and marking number was found on the cut stumps required as per lease procedure.
- Only marking number affixed at DBH with marker on few trees, which transpires highly irresponsible and non-professional behavior of the forest staff.

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- All the operations from enumeration to extraction left unattended on the mercy of so called JFMC chairman (harvesting Committee).

During the checking it was noted that all the mature trees have been marked irrespective of marking rules and silivcultural principles. Tree No. 6-10 felled were growing on very steep slope and not were not feasible for marking.

**4.1 (b) Bela Transit Depot**

Transit depot of the private woodlot Lungi-Jamra Khatta -Saidan was physically checked by the committee on 31.8.2013 and as per observation 1175 cft was arranged from illicit sources for adjacent areas/ Reserve Forest and admixed within the timber extracted from the marked trees of the woodlot (detailed list attached as Annexure- VI).

**4.2 AKhori- Jabbi Private Woodlot**

The owners of 11 No of Khasra bearing forest trees submitted an application to the DFO Siran for preparation of management plan. A JFMC was registered vide DFO Siran O/O No. 172 dated 28.1.2013. Total area of the woodlot is 20 acres.

Enumeration of the trees having diameter 22 inches and above was carried out by the staff of Upper Siran Forest sub-division. The plan was approved by the Chief Conservator of Forest-II Hazara vide Letter No.4278/GB, dated 26.4.2013.

The enumeration list appended as 2 (L) appeared at page 55 of the plan having the following growing stock.

S.No	Species	No. of Trees	Volumes (CFT)
1	Kail	438	56,691

As per para 4 (lb) of the approved policy ¼ of every exploitable diameter tree will be marked for felling.

Yield calculation has been made as:-

Available cut =  $\frac{\text{total Growing Stock} \times \text{Felling Cycle}}{\text{Rotation}}$

Available Cut =  $\frac{56691 \times 25}{100} = 14,173 \text{ cft}$

Plan period is 25 years.

As per plan, the total area of the wood lot is 8 ha (20 acre). Total growing stock is 1620 m³ (56,691cft). Hence the average growing stock comes 203 m³ per ha (2835 cft) which is almost double than that of Guzara forest of Upper Siran and is not justifiable.

The woodlot was checked on 13.9.2013 by the checking committee. The marking numbers and hammer mark were applied totally in disregard to the laid down procedure in vogue in the Forest

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Department. The harvesting record has been maintained and was presented to the committee for scrutiny. No irregularity was found.

**4.3 Akhori – Bogra Private Woodlot Jaccha**

The owners of 10 Khasra, comprising of tree crop located in Jaccha area submitted application for preparation of plan under the private woodlot policy. The DFO Siran registered a JFMC(harvesting committee) comprising the owners and forest officials. After fulfilling the pre requisite an enumeration list was prepared by the SDFO Upper Siran. Total plan area is 38 ha (93 acres). The plan for the woodlot was approved by CCF-II vide letter No. 3142/GB dated. 12.3.2013. As per appendix 2 (K) appearing at page No. 55, the growing stock is as under:

S.No	Species	No. of exploitable Trees	Volumes (cft)
1	Kail	407	65,200
2	Deodar	19	3,441
	Total	426	68,641

Yield calculation has been done on the following formula:

Available cut =  $\frac{\text{total GS X Felling Cycle}}{\text{Rotation}}$

Yield (Kail) =  $\frac{65,200 \times 25}{100} = 16,300 \text{ cft}$

Yield (Deodar) =  $\frac{3441 \times 30}{100} = 860 \text{ cft}$

Total Yield = 17,160 cft (1863 m<sup>3</sup>)

The utilization percentage exceeds by 0.24 % as compared to Upper Siran Guzara forests Working Plan.

The yield has been prescribed in two years felling program. The harvesting coupe was checked by the committee. Marking was carried out to the tune of 67 trees having standing volume 11,756 cft. Harvesting record was maintained and presented by the JFMC. No irregularity was noted during the checking by the committee.

**4.4 Khun –Shakoora:Un-demarcated Woodlot (Hillkot)**

The woodlot was checked by the committee in the presence of the local staff. The owners of the forest submitted an application to the DFO Siran for preparation of Management Plan for the said forest. The DFO registered JFMC( Harvesting Committee) under the 2012 policy vide O/O No. 69 dated. 11.12.12. Total area of the plan is 37 ha and as per para 2.4 the total Growing stock is 14,832 m<sup>3</sup>, plan period is 10 years. The average stocking comes 401 m<sup>3</sup> per hectare, is more than the Normal Growing Stock which is 300 m<sup>3</sup>/ha. Thus transpires overestimation of growing stock assessment/ enumeration by the field staff.

43,261 cft (1236 m<sup>3</sup>) volume has been prescribed for felling which comes to 8.33 % of the total growing stock. Annual utilization percent comes to 0.833 % which is even more than prescribed in the working plan for Upper Siran Guazara Forests.

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As per approved plan marking to the tune of 35,868 cft was carried out in khun- Shakoora un-demarcated forest woodlot on 22.1.2013 and work order issued to the JFMC vide DFO Siran No. 4995/GB dated. 20.2.2013 by DFO Siran. It is also astonishing to note that the prescribed yield of 35,868 cft has exactly been marked and no cushion left for damage marking. During June 2013, in addition 4,191 cft. has been carried out as damage marking over and above the prescribed yield which reflects over exploitation.

The approval of the plan was accorded under the policy of 2002 on 20.12.12, whereas the new policy was notified by the Govt; vide No. SO (Tech) ED-401/20111/ Vol: viii dated. 10.08.2012:-

#### 4.5 Timber Permits

During inspection by committee, the timbe lying along the River Siran at Jachaa village were checked. Detail attached as annexure No-VII

Local staff stated that the timber in question pertains to non-resident right holder permits, but neither any legal document was produced to substantiate their claim nor the timber bearing any Government hammer mark hence termed illicit.

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## 5. Issues and recommendations

During physical checking of the forests, the following issues were noted by the committee, each issue restraining sustainable forest management. The committee briefly discussed the issues and recommendations given. The competent authorities may take appropriate action in the best interest of forest conservancy.

### 5.1 Lack of community participation

It has now been internationally established fact that resource cannot be protected against owners/forest dependent communities, but instead they need to be part of solution. The above situation required a paradigm shift from top-down to bottom-up approach, which necessitated the reforms in the Forest Department. Under these reforms and host of other instruments were carved, approved and promulgated. The reforms instruments provides for establishing approval of Khyber Pakhtunkhwa Forest Policy 1999, Integrated Natural Resource Management, Joint Forest Management, Establishment of Forest Development Fund (FDF) and transformation of Forest establishment in to Forest Force. As a result of these reforms, the Department was organized in to Matrix Management, having Area Managers cadre and Integrated Specialized Units (ISUs) to support managers in management and conservation of the resource.

In spite of the legal provision, the participation of stakeholders is ceremonial rather not existing..

**"Joint Forest Management (JFM) is people's involvement sought to save forests by linking people with forests"**

**Joint Forest Management** is seen a major shift which transforms government controlled policies and attitudes from centralized management to decentralized management, revenue oriented to resource oriented, production motive to sustainability motives, restricting people to working with people. JFM is a window of opportunity, however poorly it is conceived and implemented in the field.

The locals are however deriving benefits in the shape of grazing their livestock in Reserve Forest, collect firewood, NTFP and grasses to which they are not entitle but neither they feel responsibility for forest protection nor the forest functionaries bother to force them to cooperate in forest conservation which is a dilemma "Everyone uses the forest but nobody owns it". Due to anthropogenic factors the Reserve Forests are under tremendous biotic pressure. On one hand unrestricted grazing is restraining the establishment of natural regeneration causing erosion but on the other hand less investment is made towards forest development. The forest resource is fast depleting. Illicit cutting of forest and encroachment are great threats to the sustenance of forest resources.

The only glimmer of hope of a fairer deal for the forest users appear to be in participatory forest management, since they are significant stakeholders without whose willing participation it would be impossible to launch the era of sustainable forest management.

Since the Reserve Forests should by preference be strictly protected from all uses for ensuring the perpetuation and enhancement of biological diversity and eco-tourism. Guzara forests located on appropriate terrain should be intensively managed under Joint Forest Management involving mutually agreed benefits and responsibilities among all the principal stakeholder but the system will be sustained and maintained only if an efficient regulatory support is also available to control some of the problems that may arise in the beginning.

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**5.2 Lack of career planning.**

The total sanctioned strength of Forest Guard of Siran Forest Division is 66 and that of Forester 13. At present effective strength of Forest guards is 57 and that of Foresters is 8. Out of the effective strength of Forest Guards, 32 have been posted as incharge of forest beats and 7 performing the duty of Block Officers in addition to their own duties, rest of the Forest guards have been assigned duties at Forest Check posts, timber depots, court duties etc. Similarly out of effective strength of Foresters 4 have been posted on the forest as Block Officers, 2 have been assigned duty as SDFO and two are performing duties as Forest Public Prosecutor and Depot Officer.

Siran Forest Division has four forest sub-divisions but none of the sub-division has SDFO, charges of sub-divisions have been assigned to Foresters/ Deputy Rangers. Similarly all the blocks are run by incharge Forest Guards rather some of the Block Officers have both the charges of blocks and Blocks as well. The Forest guards are holding the charges of more than one beats, whereas every beat forest guards are looking after 2500- 3000 acre of forest. (classical example is of Mr. N Forest Guard who is holding the charges of two forest beats and one block). This transparent mismanagement, lack of sufficient qualified field staff, lack of supervision and nonexistence of professionalism. Since both the human and Livestock population has been increased many fold the strength of forest protection staff remained the same looking after extensive forest area having sloped and rugged terrain. The field staff even did not have any official accommodation in the forest area.

Keeping in view the above facts, not only the strength of paraprofessional staff needs to be rationalized but the forest area under the control of one Forest Guard should be reduced to 1000 acres for better protection. The vacancies of Foresters and Forest Guards lying vacant shall be filled in priority. Forestry reforms already undertaken need to be fully operationalized in order to reduce workload on the territorial staff.

**5.3 Weak Forest prosecution services**

Thousands of forest offence cases are lying pending in various courts but these cases are being pleaded by matriculate forester/ forest guards called Forest Public Prosecutors (FPP), who have legal background and are not able to properly defend the forest offence cases in the courts in befitting manners. Hence the offenders are not getting appropriate punishment and deterrence is lacking. There is a dire need to strengthen the forest prosecution services.

**5.4 Insufficient Touring/ Forest Inspection**

As per notification No. 45-(333)-S.O.Ft.vi/62 dated 13.12.62 issued by Secretary Agriculture Department West Pakistan, the number of days/nights to be spent on tour by various touring forest officers are as under:-

<u>Designation</u>	<u>No. of days of effective Forest touring</u>	<u>No. of nights outside HQ</u>
1. Chief Conservator of Forests	14-16	14
2. Conservators of Forests	16-20	16
3. Divisional Forest Officers	18-22	18

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4. Sub-Divisional Forest Officers	18-22	18
5. Range Forest Officers	18-22	16

Till recent past the above instructions for forest touring were being followed but in the last decade the touring to the forests are neither well planned nor result oriented resulting in to lack of monitoring of the state of forest. The lack of monitoring in the forests by senior officers rendered the protective staff lethargic and dependent on the "CHOULA GUARDS".

The Compartment History Files which are meant for recording the instructions given by the senior forest officers during the forest inspection. The Compartment History Files are also meant for recording marking, felling operations, developmental activities, forest fires and resin tapping etc. undertaken in specific forests compartment. The perusals of the History Files transpire that none of the officers perform inspection of the forest in the near past. This state of affairs leaves the forests on the mercy of the lower tiers and the process of monitoring and accountability and professionalism at grass roots level is completely lacking. The locals during checking disclosed that Mr. Sardar Mohammad Sultan and Raja Imtiaz ex- DFOs Siran were taking keen interest in forest protection but they were not allowed to complete their normal tenures. Politically motivated posting/transfers to such a highly sensitive forest division are extremely detrimental to forest conservancy. Forest functionaries shall be free from political fitters to promote unison between policy and practice. Politically motivated posting/transfer on such an ecologically sensitive forest divisions need to be discouraged.

**5.5 Tanglai Reserve Forest**

Tanglai Reserve forest was comparable in quality with that of Kohlo Forest of Dehradun India but with the passage of time, the same has been depleted to greater extent. Compartment No. 1 to 4 which are close to Afghan Refugee Camp have been illicitly cut and are completely devoid of tree crop. Rests of the forests are under tremendous biotic pressure and are fast depleting. There is every likelihood that if immediate attention is not paid to the rehabilitation of these four blank forest compartments, the land use may be changed. The said forest needs rehabilitation through reforestation with closure against grazing to promote natural regeneration. The adjoining Guzara forests have profuse regeneration and good tree crop being private property. Paryai Reserve Forest is one of the best forests in Siran Forest Division but is under heavy biotic pressure and fast depleting. Frequent inspection by the senior officers and closure against unrestricted grazing may definitely improve the state of protection and promotion of natural regeneration. Restoration of scientific forest management will not only benefit the health of forest but will earn handsome revenue or the provincial exchequer.

**5.6 Un-demarcated Private woodlots**

The private woodlot policy is a very good piece of regulation which is both owners and forest friendly. A mindset change has been noted in the forest dependent communities regarding protection and promotion of natural regeneration even in grass land as well, but there is not an lots of mindsets change within the forest bureaucracy towards social forestry approach.

Wherever and whenever, during the checking in the field, the committee went, the incharge field staff shown complete ignorance regarding the private woodlot policy, preparation of the plan and harvesting record. However, the enumeration, preparation of the plan, marking and transportation of

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timber are being done under the direct supervision of the forest functionaries. During discussion with the small owners, there was complete lack of awareness regarding the woodlot policies.

The policy is well thought and well-conceived but at the implementation level the same has been flouted. As per Para 5 of the woodlot Policy 2012, the Forest Department staff was required to provide training to the private woodlot owners on raising of private tree seedling nurseries, tending and care for plantation and natural regeneration and also to provide necessary brochures and pamphlets. Similarly information on timber marketing and utilization to be shared with the owners, so that the owners may avail the prime market value for their produce which was found lacking. It was highly discouraging to note crucial para of the policy has been ignored. The owners' awareness regarding the promotion of natural regeneration, plantation and marketing was found at the lowest ebb. It was mandatory to prepare the old stumps list before initiation of harvesting operation by the JFMC (Harvesting Committee) which in the instant case has not been done. Hence it was difficult for the checking committee or any other person checking the harvesting coupe to ascertain the status of fresh illicit cutting in the harvesting coupe.

The Joint Forest Committees shall be organized as per provision and spirit of the Khyber Pakhtunkhwa JFM Rule, 2004 and not just an harvesting committee fulfilling the formalities for timber harvesting from Guzara forests and un-demarcated forest woodlots. The JFMCs shall not be viewed as the passive recipients of the benefits but they should be key contributors to forest protection and development. Their participation initially will lead to their capacity building through organizing and training them and involve them in to implementation process. The JFM is a valid approach, if the real devolution takes place and if the JFMCs are democratic in nature, skilled, facilitated and assisted technically and regulated by a committed, dedicated, innovative, honest and efficient supervision. At the same time the role of forestry professionals should be changing from custodial to participatory. Reorientation and mindsets change of all levels of staff in forest department is equally necessary.

**5.7 Fuel Wood**

It was noted that 95% of the inhabitants of forest areas in Jabori, Tanglai, Konsh valleys are using wood as primary source of energy for cooking and heating and this demand is being met from the natural forests. The design of the houses is not energy efficient and hence requires huge quantity of wood for heating especially in winter when the mercury fall below zero degree in winter. This heavy pressure is leading to fast depleting the forest resource at an alarming rate and hence need appropriate steps on war footing.

It will require launching a crash program for social/agro-forestry and energy plantation in the forest areas. For this purpose Forest Development Fund (FDF) need to be fully operationalized. Moreover, the available alternate sources of energy also need to be tapped to reduce pressure on forest for fuel wood.

**5.8 Poverty**

Institutional and policy failures create poverty, cause people to degrade the natural resources on which they depend, which worsen poverty further. As income grows, people tend to degrade the environment less. The symptoms of poverty, unemployment, lack of social services which cannot be dissociated from poverty are far more acute in Mandagucha valley. The landless and marginalized sections of the society are living in and around the forests. They cause damage to the forests and

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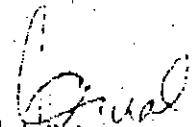
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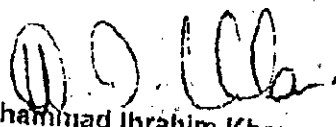
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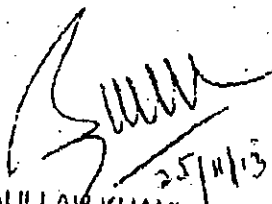
other natural resources at large since they depend on them for their livelihoods and eking out living and survival.

Coniferous forests are growing in remote and far flung interior valleys of Siran Forest Division, which is home to some of the poorest people and their wellbeing is highly dependent on maintaining and improving eco-system services. They are not well integrated in overall development of the province and livelihoods options are few. Resultantly poverty is rampant. Poverty and environment has close nexus. The unsustainable use of natural resources is now the primary cause of ecological changes.

The prevailing poverty creates high pressure on the natural resources. The locals are using the natural resources in unsustainable manner. In the hilly areas support to improved agriculture is often more important for reducing deforestation than activities which are directly focused on forests. There. Efforts are required to be made for diversification of livelihood options in the forest areas so that economic pressure could be diverted from the forest resource through on- farm economic growth (INK).

  
Abdullah Khan  
(Chairman Enquiry Committee)  
Divisional Forest Officer  
Bunir Watershed Division, Bunir

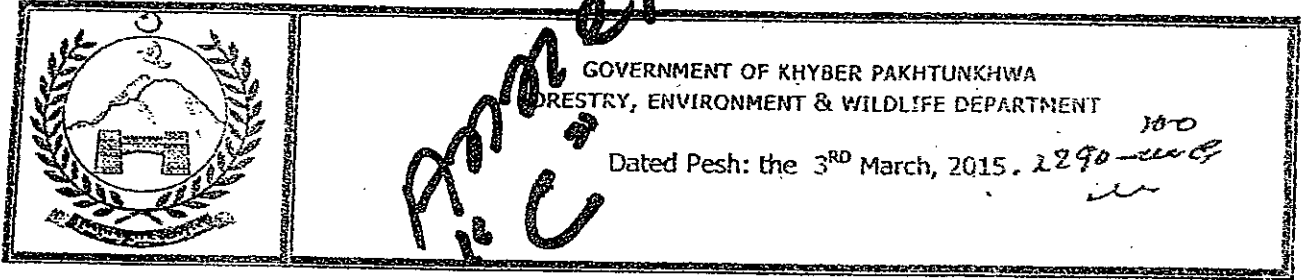
  
Muhammad Ibrahim Khan  
(Member Enquiry Committee)  
Assistant Director-III  
I & HRD Peshawar.

  
25/1/13  
ABDULLAH KHAN  
Director of Forests/Director  
Forest Department.

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**NOTIFICATION**

No.SO(Estt)Envt/1-31/2k15: The Competent Authority has been pleased to constitute an Enquiry Committee, comprising Mr. Kamran Rehman Khan (PAS BS-19) Additional Secretary, Finance Department, (Convener of the Enquiry Committee) and Mr. Shabir Hussain (BS-18), Deputy Chief Conservator of Forests (Member of the Enquiry Committee) to conduct an inquiry against the following officers/officials of Forest Department, into the charges/allegations leveled against them in the enclosed Charge Sheet(s) and Statement of Allegation(s), under section-5(1) of the Khyber Pakhtunkhwa Efficiency and Disciplinary Rules, 2011 :-

- 1- Mr. Zafar Ali Khan, Divisional Forest Officer, (BPS-18), the then Divisional Forest Officer Siren Forest Division.
- 2- Mr. Ejaz Qadir, Divisional Forest Officer, (BPS-18), the then Divisional Forest Officer Siren Forest Division.
- 3- Mr. Muhammad Muzaffar, Forest Ranger I/C Hilkot Forest Sub Division.
- 4- Mr. Muhammad Farooq, Deputy Ranger I/C Upper Siren Forest Sub Division.
- 5- Mr. Muhammad Younis, Forester I/C Lower Siren; AND Upper Siren Forest Sub Division.
- 6- Mr. Zahoor Ahmad, Forester I/C Upper Siren Forest Sub Division.
- 7- Mian Tahir Hussain, Forester I/C Hilkot and Lower Siren Forest Sub Division.
- 8- Mr. Sakhi Sultan, Forest Guard (BO Bara Ziarat Block),
- 9- Mr. Muhammad Siddique, Forest Guard, BO Bara Ziarat Block; AND , I/C Devlai Block Unha RF
- 10- Mr. Muhammad Iltaf, Forest Guard BO Bara Ziarat Block; AND; I/C Unha RF
- 11- Mr. Ishtiaq Ahmad Forest Guard (I/C Tanglai RF Beat No.1),
- 12- Mr. Asad Iqbal, Forest Guard (I/C Tanglai RF Beat No.1),
- 13- Mr. Aurangzeb, Forest Guard (I/C Tanglai RF Beat No.2),
- 14- Mr. Muhammad Bashir, Forest Guard (I/C Devlai Block Unha RF).
- 15- Mr. Muhammad Arif-II, Forest Guard (I/C Unha RF Beat C -4, 5).
- 16- Mr. Muhammad Pervez Forest Guard (I/C Unha RF Beat C -6, 7).
- 17- Mr. Muhammad Alam, Forest Guard, Forest Guard (I/C Baitai Block).
- 18- Mr. Muhammad Javed, Forest Guard, (I/C Paryai RF beat.
- 19- Mr. Muhammad Maroof, Forest Guard I/C Unha RF.
- 20- Mr. Muhammad Irshad, Forest Guard, (I/C Mundagucha Guzara Beat of Upper Siren Forest Division.

*Attended*  
*Mansoor*  
Divisional Forest Officer  
Siren Forest Division

2. The Enquiry Committee shall submit its findings within 30 days positively.

Sd/-  
CHIEF MINISTER  
KHYBER PAKHTUNKHWA

Endst: No. SO(Estt)Envt/1-31/2k15:

Dated Pesh: the 3rd March, 2015

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

- 1- Mr. Kamran Rehman Khan (PAS BS-19) , (Convener of the Enquiry Committee), Additional Secretary, Finance Department.
- 2- Mr. Shabir Hussain (BS-18), (Member of the Inquiry Committee), Deputy Chief Conservator of Forests.
- 3- All the above accused officers/officials C/O Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar; with the direction to appear before the Enquiry Committee on the date, time and place to be fixed by the Enquiry Committee for the purpose of inquiry proceeding

*Attended*  
*Mansoor*

*Mansoor*  
SECTION OFFICER (ESTT)

P.T.O.

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Amendment  
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## INQUIRY REPORT

The Chief Minister Khyber Pakhtunkhwa has been pleased to constitute an Enquiry Committee comprising the followings:-

1. Mukhtiar Ahmad (PCS SG BS 19),  
Additional Secretary, Zakat and Ushr Department.
2. Shabir Hussain (BS 18),  
Deputy Conservator Forests

Vide notification No SO(Estr)Env/1-31/2015 dated 26<sup>th</sup> May, 2015 (vide Annex- 1) to conduct inquiry under section 5(1) of the Efficiency & Discipline Rules, 2011 against the following officers/officials of Forests Department into the charges/allegations leveled against them:

1. Mr. Zaffar Ali Khan (BPS-18) the then Divisional Forest Officer, Siran Forest Division Manshera
2. Ejaz Qadir Divisional Forest Officer(BPS-18) the then DFO, Siran Forest Division, Manshera
3. Muhammad Muzaffar Range Forest Officer (BPS-16) the then incharge Hilkot Forest Sub-Division, (Paryai RF) of Siran Forest Division Manshera
4. Muhammad Farooq Deputy Ranger (BPS-11) the then in charge Upper Siran Forest Sub-Division, (Panjool, Una&Mandagucha) of Siran Forest Division Manshera
5. Muhammad Younis Forester (BPS-09) the then in charge Lower Siran Forest Sub-Division, Tanglai RF) and Upper Siran Forest Sub-Division, (Panjool, Una&Mandagucha) of Siran Forest Division Manshera
6. Zahoor Ahmad, Forester (BPS-09) the then in charge Upper Siran Forest Sub-Division, (Panjool, Una&Mandagucha) of Siran Forest Division Manshera
7. Mian Fahir Hussain, Forester (BPS-09) the then incharge Hilkot Forest Sub-Division, (Paryai RF) and Lower Forest Sub-Division of Siran Forest Division Manshera
8. Sakhi Sultan, Forest Guard (BPS-07) the then incharge Bharaziarat Block (Tanglai RF) of Siran Forest Division Manshera
9. Muhammad Siddique S/O Muhammad Aslam, Forest Guard (BPS-07) the then incharge Bharaziarat Block (Tanglai RF of Lower Siran Forest Sub-Division) and Devli Block (Una RF of Upper Siran Forest Sub-Division) of Siran Forest Division Manshera
10. Muhammad Iltaf, Forest Guard (BPS-07) the then incharge Una RF Beat and Bharaziarat Block (Tanglai RF) of Siran Forest Division Manshera
11. Ishtiaq Ahmad, Forest Guard (BPS-07) the then incharge Tanglai RF Beat No.1 (Compartment No. 1 to 4) of Siran Forest Division Manshera
12. Asad Iqbal, Forest Guard (BPS-07) the then incharge Tanglai RF Beat No.1 (Compartment No. 1 to 4) of Siran Forest Division Manshera
13. Aurangzeb, Forest Guard (BPS-07) the then incharge Tanglai RF Beat No.2 (Compartment No. 5 to 7) of Siran Forest Division Manshera
14. Muhammad Bashir, Forest Guard (BPS-07) the then incharge Devli Block (Una RF) of Siran Forest Division Manshera
15. Muhammad Arif-II, Forest Guard (BPS-07) the then incharge Una RF Beat (Compartment No. 4 & 5) of Siran Forest Division Manshera
16. Muhammad Perviaz, Forest Guard (BPS-07) the then incharge Una RF (Compartment No. 6 & 7) of Siran Forest Division Manshera
17. Muhammad Alam, Forest Guard (BO) (BPS-07) the then incharge Battal Block (Paryai RF Compartment No. 2(i), 2(ii) and 2(iii)) of Siran Forest Division Manshera

*Attested*

*Attested*

**Divisional Forest Officer**  
**Una Forest Division**



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18. Muhammad Javed Forest Guard (BS-07) the incharge Paryai RF (Compartment No. 2(ii) & 2(iii) of Siran Forest Division
- ✓ 19. Muhammad Maroof Forest Guard (BS-07) the then in charge Unha RF and Mandagucha Guzara Beats of Siran Forest Division
20. Muhammad Irshad Forest Guard of Upper Siran Forest Sub-Division, Manshera

The Charge sheets and statement of allegations were served upon the accused officers/official vide Annex- 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19 & 1-20 respectively on 16<sup>th</sup> June, 2015 with the direction to submit their written defense/ reply within seven days failing which it shall be presumed that you have defense to offer and in that case ex-party action will be taken against them.

On 16<sup>th</sup> June, 2015 the accused officers/officials were directed to appear before the Enquiry Committee on 24/06/2015 and 25/06/2015 in the office the chief conservator of Forests, Central and Southern Forests Region-I along with their written defense and record their statements vide Annex- II (1&2).

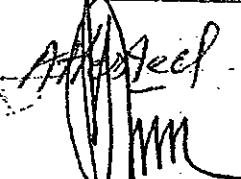
The officers/officials appeared before the committee as per list attached as Annex III(1 & 2) except and submitted their written statements/defense. During the proceeding it transpired that in order to inquire the charges and allegations against the cited officers/officials bulky documentary evidences are to be examined besides oral defense and statements. All the records was reported available in Siren Forests Division. Therefore further proceeding was decided to held on July 8,9,10, 2015 in Siren Forests Division.

1. Proceeding Against Zaffar Ali Khan (BPS-18) the then Divisional Forest Officer, Siran Forest Division Manshera:

That you, while posted as DFO, Siran Forest Division Manshera with effect from 02-01-2013 to 27-08-2013 committed the following irregularities:

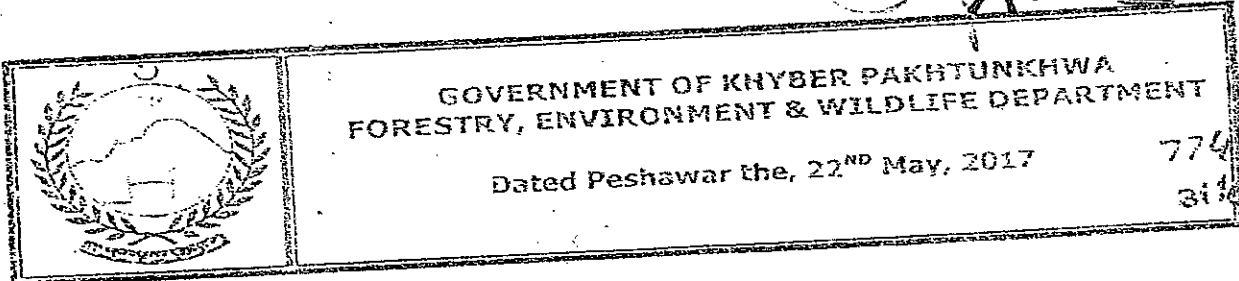
- i- That the illicit damage of 962 Tress = 154890 Cft (Standing Volume) of Deodar, Kail, and others coniferous species and the quantum of illicit damage committed by the forest offenders have created an alarming situation and ruthlessly destructed the green gold of the State as detected by the checking Committee during cruising of following forests of Siran Forest Division during your respective period / tenure:

S.#	Name of Forest	Reported Damage		Un-Reported Damage		Total	
		No. of Trees	Volume (Cft)	No. of Trees	Volume (Cft)	No. of trees	Volume (Cft)
1.	Panjool RF-C-1, 2(i), 3(i), 3(ii), 4(i) 5(i), 5(iii), 7 (i) &(ii)	212	44654	112	19021	324	63675
2.	Unha RF C-2(i), 2(ii), 4(i), 4(vi), 6(i) & 6(iii)	121	27334	146	24203	267	51537
3.	Paryai RF C-2(i), 2(ii) (iii)	14	2203	97	9012	111	11215
4.	Tangali RF C-4(ii), 5(i), 5(iii), 6, 7(i) &(ii)	123	5256	85	2128	208	7384
5.	MandagucchaGuzara C-10 & 16	23	7876	29	13203	52	21079
	G.Total	493	87323	469	67567	962	154890

Attested  
  
 Divisional Forest Officer  
 Siran Forest Division  
 Manshera

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~~REVISOR~~  
Zameer  
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**NOTIFICATION**

No: SO(Estt)/FE&WD/1-31/2015: WHEREAS, the officers/officials, mentioned below, were proceeded against under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011 for the charges as mentioned in the Charge Sheets and Statement of Allegations, served upon them:-

- (i) Mr. Zafar Ali Khan, DFO (BS-18);
- (ii) Mr. Ejaz Qadir, DFO (BS-18);
- (iii) Muhammad Muzaffar, Forest Ranger (BS-16);
- (iv) Muhammad Farooq, Deputy Ranger (BS-11);
- (v) Muhammad Younis, Forester (BS-09);
- (vi) Mr. Zahoor Ahmad, Forester (BS-09);
- (vii) Mian Tahir Hussain, Forester (BS-09);
- (viii) Muhammad Siddique, Forest Guard (BS-07);
- (ix) Muhammad Altaf, Forest Guard (BS-07);
- (x) Mr. Ishtiaq Ahmad, Forest Guard (BS-07);
- (xi) Mr. Asad Iqbal, Forest Guard (BS-07);
- (xii) Mr. Aurangzeb, Forest Guard (BS-07);
- (xiii) Muhammad Bashir, Forest Guard (BS-07);
- (xiv) Muhammad Arif-II, Forest Guard (BS-07);
- (xv) Muhammad Pervez, Forest Guard (BS-07);
- (xvi) Muhammad Alam, Forest Guard (BS-07);
- (xvii) Muhammad Javed, Forest Guard (BS-07);
- (xviii) Muhammad Irshad, Forest Guard (BS-07);

AND WHEREAS, Enquiry Committee, comprising of Mr. Mushtaq Ahmad (PCS SG BS-19), Additional Secretary, Zakat & Ushr Department, Khyber Pakhtunkhwa and Mr. Shabir Hussain, Deputy Chief Conservator of Forests (BS-19) was constituted to conduct the inquiry against the said accused officers/officials.

AND WHEREAS, the Enquiry Committee, after having examined the charges, evidence on record and explanation of the accused officers/officials, submitted its report, wherein the charges against the officers/officials named at Sr. No: (i), (ii), (iii), (v), (vii), (viii), (ix), (x), (xii), (xiii), (xiv), (xv), (xvi), (xvii) & (xviii) above have been proved being of serious nature beyond reasonable doubt whereas the charges against the officials at Sr. No: (iv) (vi) & (xi) above have not been established.

AND WHEREAS, the Competent Authority, after considering the Inquiry Report and other related documents of the case, served Show Cause Notices upon the accused officers/officials against whose charges established to which they replied, and provided them opportunity of personal hearing.

NOW, THEREFORE, the Competent Authority, after having considered the charges, evidence on record, findings of the Enquiry Committee, the explanation of the accused officers/officials, and hearing them in person and exercising his powers under Rule-14 (5) (ii) read with Rule-4 (1) (a) (i) of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011 has been pleased impose minor penalty of "CENSURE" upon the accused officers/officials named at Sr. No: (i), (ii), (iii), (v), (vii), (viii), (ix), (x), (xii), (xiii), (xiv), (xv), (xvi), (xvii) & (xviii) above.

The Competent Authority is further pleased to "EXONERATE" the officials named at S. No: (iv), (vi) & (xi), above from the charges levelled against them in the respective Statement of Allegations in exercise of the powers under sub-rule-3 of Rule-14 of the Rules (ibid).

Chief Minister,  
Khyber Pakhtunkhwa

Dated Peshawar the, 22<sup>nd</sup> May, 2017

Endst: No: SO (Estt)/FE&WD/1-31/2015/5113-119

Copy is forwarded to:-

- 1) Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 2) Chief Conservator of Forests, Central Southern Forest Region-I, Peshawar.
- 3) Chief Conservator of Forests, Northern Forest Region-II, Civil Line Forest Offices, Abbottabad.
- 4) Chief Conservator of Forests, Malakand Forest Region-III, Saidu Sharif, Swat.
- 5) Conservators of Forests, Lower & Upper Hazara Forest Circles Abbottabad.
- 6) Divisional Forest Officer, Siran Forest Division.
- 7) PS to Secretary, Forestry, Environment & Wildlife Department, Khyber Pakhtunkhwa.
- 8) Personal file of the officers.
- 9) Master file.
- 10) Office order file.

EA  
20/5

Attested  
Divisional Forest Officer  
Siran Forest Division

Section Officer (Estt)

Attested  
20/5

35

## CHARGE SHEET

27/20

Annexure  
F.

Pervez Khattak Chief Minister Khyber Pakhtunkhwa, as competent authority, hereby charge you  
Imdad Maroof Forest Guard (BPS-07) the then incharge Una RF and Mandagucha Guzara Beats of Siran  
Forest Division, Mansehra as follows.

That you, while posted as the incharge Una RF and Mandagucha Guzara Beats of Siran Forest  
Division Mansehra with effect from 01-07-2011 to 1-09-2013 & 02-01-2013 to 01-09-2013 committed the  
following irregularities:

- i- That the illicit damage of 264 Trees = 66905 Cft (Standing Volume) of Deodar, Kail, species  
and the quantum of illicit damage committed by the forest offenders have created an alarming  
situation and ruthlessly destructed the green gold of the State as detected by the checking  
Committee during crusing of following forests of Siran Forest Division during his respective  
period / tenure:

	Name of Forest	Reported Damage		Un-Reported Damage		Total	
		No. of Trees	Volume (Cft)	No. of Trees	Volume (Cft)	No. of Trees	Volume (Cft)
1	Unha RFC-1(i),2(i), 2(ii)	122	30754	59	12667	181	43421
2	Mandaguccha Guzara C-10 & 16	32	11364	51	12120	83	23484
	G.Total	154	42118	110	24787	264	66905

- ii- That you utterly and absolutely failed in performance of his duty and resulting an huge  
irreparable lost to the prevailing environment and sustained huge financial losses to the tune  
of Rs. 33452500/- based on estimating the value of illicit damage at conservative rate of Rs.  
500/- per Cft approximately to the Government exchequer.
- iii- That it is crystal clear that the quantum of such colossal damage can not be occurred without  
his connivance and he absolutely seems in league with the forest offenders in commission of  
such a huge and unprecedented damage in the Forests.
- iv- That you are responsible for recovery of losses sustained by the Government exchequer in  
addition to interest as per law.

2. By reasons of the above, you appear to be guilty of In-efficiency and Mis-conducte under rule-  
3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered  
you self liable to all or any of the penalties specified in Rule-4 of the rules ibid.

3. You are, therefore, required to submit your written defence within seven days of the receipt of  
this Charge Sheet to the Enquiry Officer/Committee, as the case may be.

4. Your written defense, if any, should reach the Enquiry Officer/Committee within the specified  
period, failing which it shall be presumed that you have no defence to put in and in that case exparte action shall  
be taken against you.

5. Intimate whether you desire to be heard in person.

6. A Statement of allegation is enclosed.

(Pervez Khattak)

Chief Minister Khyber Pakhtunkhwa

Divisional Forest Officer  
Siran Forest Division  
Mansehra

P. 21

- Ans : I was not with the checking party but was present in the forests and was told to go the respective boat.
- Q : 252 stumps has been charged against you, what is you defense.
- Ans : Most of the 252 were small poles. My reply and defense is that which is stated by my SDFO in his defense and I am not adding anything further.

A : In his reply the accused tried to defend his position by relying on over population, insurgency and weak writ of law has caused extensive damage to the forest. This implies that the accused knew that there are factors leading to caused damage to the forests but did not took the appropriate measures to control the damage. Arguing that this forest was not included in the list and absence of Abulullah Khan from the Inspection committee does not absolved him from the charges leveled against him. Similarly the claim that the committee has no experience and estimated age of stumps worked out by the committee cannot be relied upon and not tangible as committee contain senior officer having experience of temperate forests.

The accused while defending himself has provided list of 6 tree in C 2(i) and 14 trees in C 2(ii) and 2(iii) whereas per damage report as given in the damage list, the actual age is beyond the tenure of the accused. Although at times forest guards curb wrong number on stump to camouflage the damage, even if it is accepted that the damage report is correct, only 20 trees against allegation of 252 trees can be doubted for falling beyond his tenure. The accused provided a list of 34 trees where he claims that the volume has not been properly assessed. By accepting this, still the number of trees alleged against him stands the same. The accused official has defended himself arguing that three wind fallen trees was available on site at SNO 40 of C 2(i) and 7 and 38 of C 2(ii) his claim is tenable that these tree were still available on site till the time of inspection. The claim of the accused about the disputed boundaries is not tenable, as the responsibility of indicating boundary was on the staff of the Siran Division and not on committee. Even in case of non clarity of boundary, the damage was there for which the local staff are responsible. The accused claim that there were 89 wind fall and had produced record of wind fall report of 15/9/2012, 5/6/2012/16/2/2013, 2/3/2013, and 30/4/2013. His claim was admitted by the prosecutors. The accused further claim that 34 trees to have recovered fines and 26 trees cases were lodged through Damage Report. But the record which he appended confirmed that he recovered fine for 2 trees and initiated action for 8 trees. Thus in total 20 trees are beyond his tenure, 89 trees could be wind fallen trees, three tree were available on spot, for 2 tree he recovered compensation and regarding 8 trees he issued Damage report. Hence for 122 tree, he could produce proof of being genuine. He failed to produce a documents proofs for 130 trees. About these trees he argued that these were young pole and were damage by the wind fallen trees during wind and snow storm. Since he failed to produced any report in support of his this stance, therefor his defense is not tenable. Based on average volume per tree, the volume of 130 trees worked out to be 20167cft\*500PKR cft thereby caused a pecuniary damage of amounting to Rs 10083500/ The committee recommends the recovery of 1/4 of the loss caused by his negligence amounting to PKR 25,20,875/= . The committee recommend the major penalty of reduction to lower stage in time scale.

The charges partially proved and he is responsible for damage of 130 trees as FG.

19. Proceeding Against Muhammad Maroof Forest Guard (BS-07) the then in charge Una RF and Mandagucha Guzara Beats of Siran Forest Division.

That you, while posted as the incharge Una RF and Mandagucha Guzara Beats of Siran Forest Division Manshera with effect from 01-09-2012 to 01-09-2013 committed the following irregularities:

That the illicit damage of 264 Trees = 66905Cft (Standing Volume) of Deodar, Earth species and the quantum of illicit damage committed by the forest offenders have

Divisional Forest Officer  
Una Forest Division

~~21P-22~~

365

erected an alarming situation and ruthlessly destructed the green gold of the State as detected by the checking Committee during cruising of following forests of Siran Forest Division during his respective period / tenure:

S.#	Name of Forest	Reported Damage		Un-Reported Damage		Total	
		No. of Trees	Volume (Cft)	No. of Trees	Volume (Cft)	No. of trees	Volume (Cft)
1	Unha RFC-1(i),2(i), 2(ii)	122	30754	59	12667	181	43421
2	Mandaguccha-Guzara C-10 & 16	32	11364	51	12120	83	23484
	G.Total	154	42118	110	24787	264	66905

- ii- That you utterly and absolutely failed in performance of his duty and resulting an huge irreparable lost to the prevailing environment and sustained huge financial losses to the tune of Rs. 33452500/- based on estimating the value of illicit damage at conservative rate of Rs. 590/- per Cft approximately to the Government exchequer.
- iii- That it is crystal clear that the quantum of such colossal damage can not be occurred without his connivance and he absolutely seems in league with the forest offenders in commission of such a huge and unprecedented damage in the Forests.
- iv- That you are responsible for recovery of losses sustained by the Government exchequer in addition to interest as per law.

Statement:

The accused official Stated that he was compulsorily retired from service in another cases and in intended to file appeal/representation against the penalty

The official is charged with damage of 264 trees out of which 181 pertain to Unha Reserved Compartment 1 and ii and 83 Mandaguccha Compartment 10 and 16 . As per-statement of accused the forests guard remained in-charge of Unha Reserved Forest from 2/1/2013 to 7/9/2013 and of Mandaguccha from 1/7/2011 to 1/9/2013. The accused official admitted that 156 trees cut during the his tenure while the rest are doesn't pertained to his tenure. During this period as per report duly verified by SDFO upper Siran, he had taken action of 186 trees and confiscated 242 scants measuring 897 cfts. Since the details of damage report furnished by the accused is duly verified by the SDFO as such it can be construed that the entire 156 trees pertaining to his tenure are reported. However, the details of damage report reveals that damage of three to seven trees as been reported in each damage report and even on 21/2/2013 he has confiscated 24 scants. This reveals that extensive damage was reported in the forests and the forest guards only resorted to the issuance of the damage report. He failed to produced any evidence whereby he has reported his senior for help. The issuance of damage report of 6 to 7 trees reveals that he took his duty casually and did not visit the forests regularly. Otherwise either such an extensive damage would not have happened or he would have been able to confiscate the timber or tools used in the commission of offence. Thus his reply does not inspire trust.

As against allegation of 83 trees of Mandaguccha 10 and 16 compartment, the accused admits that faulty trees were cut during his tenure. Since he failed to append list of damage pertaining to his tenure therefore, his argument cannot be relied upon. The accused has brought out that 8 to 10 trees were granted to owner on permit while the owner were entitled to collect rain fallen trees freely. In his defense he could only produce three permits bearing no.54 dated 22/5/2013 No 77 dated 30/4/2013 and 89 dated 23/5/2013 as such 8 trees were definitely given to owner. He could not produced any document regarding wind fallen trees. Therefore his argument of free collection of wind fallen tree is not trust worthy. Therefore 75 tree cut during his tenure has no validity.

Accordingly, on the basis of average volume per tree in Unha Forest the volume attributable to the accused for 156 trees cuts during his tenure works out to 37423cft standing volume. Since he seized 897 cft converted timber thus on the basis of 40 percent out turn the reciprocal standing volume works out as 1435 cft. Thus the damage timber of Unha Forest works out as 35988 cft.

Attested  
K. Prasad

*[Handwritten signatures]*

Divisional Forest Officer  
Unha Forest Division

P-23

306

Similarly, in Mandaguccha the total alleged damage of 83 trees measuring 23484 cft has happened in compartment 10 and 16 out of which 8 trees are of permit thus, the net damage of 75 tree measuring of 21220 cft is to be justified by the accused. Hence the total damage of 57208 cft occurred during his tenure. The accused official has issued damage report but the issuance of damage report alone is not appropriate measure to curb the damage as such he has to bear the brunt of this damage.

The committee concludes that damage of 57208 cft has been caused by his negligence and he failed to mobilize his senior to seize the damage as such. The committee recommends the Recovery for this damage amounting to Rs 57208\* 500 = 28604000 shall recover from him.

The charges for damage of 57208 cft proved against him. He has already been retired compulsorily in another case.

20. Proceeding Against Muhammad Irshad Forest Guard of Upper Siran Forest Sub-Division, Manshera

That you, while posted as Forest Guard /C Mandaguccha Guzara beat of Upper Siran Forest Division with effect from 12.03.2011 to 27.8.2013 and prepared the management plan and carried out the marking of Lungi-Jamra-Khata Saydan committed the following irregularities that:

- 1- That the checking committee examined management plan of lungi Jamra Khata sydan and checked the said undemarcated woodlot on spot and after physical checking of the woodlot of the above forests the enquiry officer has pointed out the following irregularities/ draw backs in the plan
- That the owners of Lungi JamrahKhatasydan submitted an application to the DFO Siran for harvesting of trees from their private demarcated woodlot,
- That under the supervision, of SDFO, Upper Siran you have carried out enumeration of trees. As per enumeration list it contains the follow stock:

S.#	Species	No of trees	Volume (Cft)
1-	Kail	4204	456208
2-	Deodar	258	51976
	Total	4462	508184

- That the committee carried out physical checking of said demarcated woodlot on 31/8/2013 in the presence of forest staff and owners of the woodlot. The committee enlisted all Deodar trees in said woodlot both felled and standing contrary to the enumeration list only 20-25 deodar trees both felled and standing were found in the woodlot and those even found growing on precipitous slopes and cliffs and were not at all feasible to be enumerated/marked where as the plan shows 258 deodar trees in the enumeration list which prove its fictitious.
- That management plan was prepared/approved on the basis of above factitious enumeration under the un-demarcated woodlot policy. The plan proposes the following felling program in various Khasras of the private wood lot.

Year	Species	Total volume (Cft)	Volume prescribed for felling (Cft)
2011-12	Kail	205336	17111
	Deodar	39184	3265
	S-Total	244520	20376
2012-13	Kail	105754	8813
	Deodar	12792	1066

*Affected*  
 Divisional Forest Officer  
 Upper Forest Division  
 Manshera

*Affected*

*[Signature]*

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P-24

Amexware

بخدمت جناب کامران رحمن خان صاحب،  
جناب شبیر حسین صاحب ڈپٹی چیف کنزرویٹو صاحب  
(انکوائری کمیٹی)

بحوالہ حکومت خیبر پختونخواہ چارج شیٹ فارٹھری، انوائرنمنٹ اور وائیبلڈ لائف  
ڈیپارٹمنٹ چٹھی نمبر SO(ESTT)/ENV/1-31/2k15/2290  
تاریخ مورخہ 03-03-2015

جناب عالی!

چٹھی بحوالہ بالا کے ذریعہ فدوی پر یہ الزام عائد کر کے کہ اس کے عرصہ تعیناتی  
میں منڈا گچھ گزارہ کپارٹمنٹ نمبر 16 اور اناہ RF کپارٹمنٹ نمبر 2(ii)، 2(i)،  
(1) میں ذیل نقصان رپورٹ شدہ وغیرہ رپورٹ شدہ بہ تفصیل ذیل پایا گیا۔

سے	تک	درختان	غیر درختان	دائیم کبوت	رپورٹ شدہ	کپارٹمنٹ	میں
43421	181	12667	59	30754	122	2(i), 2(ii)	RF, ti
23484	83	12120	51	11364	32	1(i)	منڈا گچھ
56905	264	24787	110	42118	252		کلی

فدوی پر اس الزام کی بنیاد پر نااہلی اور بد انتظامی کی فرد جرم عائد کر کے  
آجناب کو تفتیش تقویٰ کی گئی جبکہ فدوی کو دفاع کا حکم ملا۔

جناب عالی!

فدوی بوجہ ذیل و دیگر صحت جرم سے انکاری ہے۔

یہ کہ فدوی نے اپنے عرصہ تعینات میں کوئی کوتاہی نہیں کی اور ویسٹ پاکستان  
فارسٹ مینول و الیم II کے صفحہ 10 پر پیرا گراف 2.8 کے مطابق ڈیوٹی  
سرا انجام دیتے ہوئے جملہ نقصان جنگل کی بروقت ڈیج رپورٹ کر کے  
افسران بالا کو ملزمان کے خلاف کارروائی کے لیے بروقت روانہ کی ہیں۔ جس

Attested  
[Signature]

کی تصدیق ریکارڈ سے کی جاسکتی ہے۔

۲۔ یہ کہ علاقہ برفانی ہے اس کے علاوہ گرمیوں کی چراگاہ بھی ہے۔ اس لیے سارا سال ان جنگلات سے مقامی اور غیر مقامی آبادی (جو گرمیوں میں مال مویشی کے ساتھ آتے ہیں۔ اپنے بان کی ضروریات اور مکانات کی مرمتی وغیرہ کے لیے لکڑی حاصل کرتے ہیں۔

۳۔ یہ کہ جہاں تک اناہ RF کپارٹمنٹ (i), 2(i), 2(ii) میں 181 درختان کے نقصان کا تعلق ہے۔ اس ضمن میں عرض ہے کہ بوقت فدوی کا عرصہ تعیناتی صرف 8 ماہ تھا۔ اس طرح اس کے عرصہ تعیناتی میں برطابق فہرست مرتب کردہ چیکنگ کمیٹی صرف 156 درختان آتے ہیں۔ بقیہ درختان فدوی کے عرصہ تعیناتی سے قبل کے ہیں۔ فدوی کو ان کا ذمہ دار نہیں ٹھہرایا جاسکتا۔

۴۔ یہ کہ جہاں تک 156 درختان متذکرہ فہرست کا تعلق ہے۔ فدوی نے ملزمان کے خلاف اناہ RF میں 186 درختان کی نئی ڈیمج رپورٹ ہائے چاک کی ہیں۔ جس سے فدوی نے 242 ٹک = 897.12 مکعب فٹ لکڑی ضبط کر کے سنٹرل ڈپو مانسہرہ لائی جو بحق سرکاری ضبط ہو کر نیلام ہو چکی ہے۔ (نقول DR رجسٹر شامل کی جاتی ہیں)۔

۵۔ یہ کہ فدوی نے ملزمان کے خلاف جوڈیشل مجسٹریٹ مانسہرہ اور SHO شکلیاری کو بھی تحریری درخواست ہائے دی ہیں کہ ملزمان کے خلاف کارروائی کی جائے۔

۶۔ یہ کہ جہاں تک منڈا لکچھ گزارہ کپارٹمنٹ ہائے 10 اور 16 کا تعلق ہے۔ ان ہر دو کپارٹمنٹ میں فدوی کے عرصہ تعیناتی میں 40 درختان کا نقصان ہوا جس

Attest  
[Signature]



کے بابت فدوی نے بروقت کارروائی کرتے ہوئے ملزمان کے خلاف کارروائی کرتے ہوئے ڈیجیٹل رپورٹ ہائے کا اجراء کر کے افسران بالا کو بروقت بجھوائی۔ جس کی بعد تفتیش تصدیق ہو کر مقدمات دائر عدالت کیے گئے۔

۷۔ یہ کہ اس کے علاوہ کپارٹمنٹ نمبر 10 سے 8 درختان کے مالکان کو پرمٹ برائے خانگی استعمال دیئے گئے۔ ✓

۸۔ یہ کہ گزارہ روٹرز 2004 کے قاعدہ نمبر 4 کے مطابق خشک اور وٹڈ فالز مالکان اپنے خانگی استعمال کے لیے بلا اجازت کسی رکاوٹ کے لے سکتے ہیں۔ زیادہ تر درختان مندرجہ فہرست وہ ہیں جو ریفاری سے گر گئے تو مقامی آبادی نے اپنے خانگی استعمال میں لائے۔ ان کا یہ قانونی حق ہے۔

**علاجیہ!** درج بالا حقائق سے واضح ہے کہ فدوی کے عرصہ تعیناتی میں جو بھی نقصان جنگل ہوا ان کی بابت بروقت کارروائی کی گئی اور کوئی نقصان جنگل بلا اجازت رپورٹ نہیں۔ جس کی تصدیق ریکارڈز سے کی جاسکتی ہے۔

لہذا استدعا ہے کہ فدوی کے خلاف عائد کردہ الزامات اور ان کے نتیجے میں قائم کردہ فرد جرم سے فدوی کو بری فرمایا جاوے۔

مزید استدعا ہے کہ فدوی کو ذاتی طور پر پیش ہو کر مزید وضاحت کا موقع دیا جاوے۔

المترقوم 22 اپریل 2015ء

محمد معروف..... فاریسٹ گارڈ

انچارج تمباہ بیٹ سب ڈویژن شکاریاری ضلع مانسہرہ

Attested  
[Signature]

~~P 27~~ Amexline  
H. I

لہذا تہ جناب جوڈیشل مجسٹریٹ صاحب ہانڈ

Forwarded  
to SHO  
concerned  
for n/a  
& report.  
25/2/13.

مہسروف نارت گاڈو انبار 2 AF ادناہ ننڈا گڈ پٹا : سٹی

نام

1 ڈسٹریکٹ ونگ عبدالرشید سہیل - 2 سٹی ٹیڈ ونگ بہارنہ سہیل - 3 باہر ونگ

4 سٹی ٹیڈ ونگ - 5 انڈین میا ونگ - 6 انڈین سہیل ونگ - 7 انڈین سہیل ونگ

8 ڈیپارٹمنٹ - 9 ڈیپارٹمنٹ ونگ - 10 انڈین ونگ - 11 انڈین ونگ  
12 انڈین ونگ

محلہ سہیل

جناب عالی، دستاویز ذیل درجہ 07 صفحات تیار کیا گیا ہے

دستاویز ذیل ہے -

1۔ ایک سٹی سرکاری سہیل گڈ پٹا ادناہ ننڈا گڈ پٹا سہیل ونگ

2۔ سرکار انجمن دیتا

Attested  
Hand

3۔ ایک سہیل ونگ فورٹ سہیل ونگ - 4۔ انڈین ونگ

5۔ درختان گانٹے ہیں - 6۔ ایک سہیل ونگ فورٹ سہیل ونگ

7۔ ایک سہیل ونگ فورٹ سہیل ونگ - 8۔ ایک سہیل ونگ

9۔ ایک سہیل ونگ

10۔ ایک سہیل ونگ

11۔ ایک سہیل ونگ

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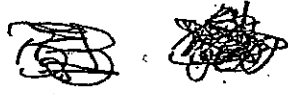
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جنسور ہیب ڈی - ایف - او ... ڈی ایف او ...

ذیل عالی ... 25-4-13 ...

جائزہ جوہر میں ادر لوئیس ... شہزادہ ...

ذیل فرزند ... اور ...

Attest  
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25/4/13 ...

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~~SECRET~~

Forwarded to D.F.O Small Forest Division (unclassified)  
for information and action please.

*[Handwritten signature]*

418

P. 30

Better Copy for Information to D.F.O Siran  
Forest Division, Mansehra C/o Sub  
Division Forest Officer, Upper Siran Sub  
Division, Jabbori.

بمخبر جناب ڈی۔ ایف۔ او صاحب سرن فارسٹ ڈویژن مانسہرہ

بوساطت جناب SDFO صاحب اپر سرن سب ڈویژن جبوڑی

جناب عالی!

گزارش ہے کہ مورخہ 25.04.2013 کو ہم فدویان جنگل پنچول RF کپارٹمنٹ نمبر  
(1) 2، (II) 2 میں میاں صدیق شاہ ولد لقمان شاہ، بنارس ولد محمد جان ساکن خانپور، شاہ  
الرحمان، اقبال عرف زیبال، جان محمد عرف چھوٹا پسران بازیر ساکن سکیاں حال چچھہ جو کہ  
مفرور ہیں اور پولیس تھانہ شنکیاری کو بجرم قتل و اقدام قتل میں مطلوب ہیں اور جس نے ہمراہ  
شیر زمان ولد نامعلوم ساکنہ ٹوکوٹ داخلی کیری کو قتل کے مقدمہ میں مطلوب مفرور ہے۔ دیگر  
بنارس ولد کالوساکنہ دو میل، طفیل ولد گل محمد ساکن تریڈ اینچول، عبدالحق شاہ، آفتاب شاہ،  
عبدالملک شاہ پسران مہتاب شاہ ساکنان ملکوڑی، جان محمد، عبداللطیف پسران خانجیا،  
شفقت ولد جان محمد ساکنہ چچھہ، جھنڈو ولد راجولی، شفیع پسران راجولی، ولی خان، زیب  
پسران ولی جان، زیب، شاہ زمان، لیاقت پسران ملک آمان ساکنان بھٹی داخلی چچھہ نے  
سوات اور بگرام ہلاں سے چین سا آپریٹر لاکر جنگل مندرجہ بالا میں بے دریغ کٹائی شروع  
کر رکھی ہے اور مندرجہ بالا مفرور افراد ان کی حفاظت پر مامور کھڑے ہوتے ہیں۔ جو کہ نہ تو  
ہم ملازمین کو جنگل کی گشت پر چھوڑتے ہیں اور نہ ہی منڈی جات پر ڈیکچر رپورٹ نمبر لگانے  
دیتے ہیں۔ انہی لوگوں سے میں جانی خطرہ لاحق ہے اور ان جنگلات میں گشت کرنا محال  
ہے اور جنگل کو بے تحاشہ نقصان ہو رہا ہے۔ جس کی مالیت کروڑوں میں ہے۔ استدعا ہے  
کہ جنگل کو جنگل کی کٹائی روکنے میں مدد کے لئے لکھا جائے۔

(1) محمد نظیر فارسٹ گارڈ پنچول RF، (2) محمد معروف فارسٹ گارڈ آناہ RF بیٹ

(3) محمد ہارون بلاک آفیسر منڈہ کچھہ بلاک

25.04.2013

OE 47 P-31

Forwarded to D.F.O Siran Forest Division Mansehra  
for information and n/action please.

Sd/-

32

Attest  
*[Signature]*

56 A

(6th Edition) Form No F.D.15-E. (Article 103).

FOREST DEPARTMENT..... R. P. K. ....

DIVISION. RGN 51  
201213

Permit No. 434

Name ..... *[Handwritten Name]*

Residence .....

Forest	Date of expiry of grant	Description of timber or other produce	Number or quantity	Rate	Amount	Remarks
	22/5/2013	<i>[Handwritten Description]</i>				
		1 = 30-205				
		1 = 32-23				
		2	442			

*[Vertical handwritten note]*

Dated 7/5/13 }  
The 9

SUB DIVISION FOREST OFFICER  
Upper Siran Forester.  
Forest Sub Division  
Jabal



Accepted  
 (6th Edition) 130 Form No F.D.15-E. (Article 103.)

56

B

FOREST DEPARTMENT, K. P. ...

Sivankant. DIVISION. 1. March 1933

89

Permit No.....

Name .....

Residence .....

Forest	Date of expiry of grant	Description of timber or other produce	Number quantity	Rate	Amount	Remarks
C-10	2013	420	5			①
						②
						③
						④
						⑤
		D. No. Dia. V. in				
		1 - 31-203				
		1 - 32-217				
		1 - 32-237				
		1 - 30-205				
		42	862.41			

Dated 22. 4. 2013

The.....19.....

Forester

209  
43

C-10

2013

فادیت کسب عند در زمان و در زمان در تمام کما و کما در 15/17

ردیف	قسمت	قطر	دایره	تعداد	کسب	ردیف	قسمت	قطر	دایره	تعداد	کسب
1	کابل	41	416	15/6	مرف زده	34	نر	29	185	15/17	مرف زده
2	-	23	110	}	-	35	کابل	24	122	-	-
3	-	26	147		-	36	سریس	22	102	-	-
4	-	26	147		-	37	فر	22	102	-	-
5	سریس	26	146		-	38	سریس	28	172	-	-
6	-	28	172		-	39	-	26	146	-	-
7	-	22	102		-	40	مرف زده	45	473	-	-
8	-	29	185		-	41	-	27	157	-	-
9	-	42	410		-	42	کابل	20	79	-	-
10	-	30	200		-	43	-	28	174	-	-
11	-	25	135		-	44	-	24	122	-	-
12	-	24	124		-	45	-	28	174	-	-
13	-	20	83		-	46	-	26	147	-	-
14	کابل	20	79		-	47	-	16	46	-	-
15	سریس	40	368		-	48	-	29	108	-	-
16	کابل	28	174		-	49	-	20	79	-	-
17	-	27	160		-	50	-	30	200	-	-
18	سریس	27	157		-	51	-	22	160	-	-
19	کابل	19	69		-	52	-	45	497	-	-
20	سریس	45	473		-	53	-	26	146	-	-
21	کابل	33	256		-	54	-	29	122	-	-
22	سریس	26	146		-	55	-	27	160	-	-
23	کابل	30	205		-	56	-	27	157	-	-
24	نر	22	102		-	57	-	22	102	-	-
25	-	20	83		Deleted	58	-	20	83	-	-
26	سریس	26	146		-	59	-	20	83	-	-
27	-	25	135		-	60	-	30	200	-	-
28	-	21	93		-	61	-	28	172	-	-
29	نر	38	330		-	62	کابل	20	79	-	-
30	-	23	112		-	63	-	23	110	-	-
31	-	26	146		-	64	کابل	28	174	-	-
32	-	25	135		-	65	-	29	188	-	-
33	-	22	102		Deleted	66	-	26	147	-	-



ماژولر اینت جند در قضا و در زمان در مسدود کردن کرده که این وقت 10/11/17

شماره	قسم	قطر	والیج	تعمیرات	تصفیات	شماره	قسم	قطر	والیج	تعمیرات	تصفیات	
67	کابل	23	110	15/17	برف زده	100	فر	40	368	15/17	برف زده	
68	-	20	79		سنگ زده	101	-	29	185		-	
69	-	31	221		-	102	-	21	93		-	
70	-	24	122		-	103	-	36	294		-	
71	فر	20	83	Defected	-	104	-	20	83		-	
72	-	30	200		-	105	-	30	200		-	
73	-	28	172		-	106	-	33	245		فقدان داده	
74	-	32	230		-	107	-	34	261		-	
75	-	33	245		-	108	-	26	146		-	
76	-	28	172		-	109	-	30	200		-	
77	-	16	51		پوشش کابل داده	110	-	34	261	2258	-	
78	-	15	44		-	111	-	36	294	15/17	-	
									TOTAL	19832		
80	-	25	135		-							
81	-	23	112		-							
82	-	30	200		-							
83	کابل	31	221		برف زده	13114133.82 6966 فر						
84	-	30	205		-	6450 42 کابل						
85	-	23	110		-	19564149832 HT 108						
86	-	20	79		-	بررسی شد: این کابل در 10/11/17 در قضا و در زمان در مسدود کردن کرده که این وقت 10/11/17						
87	-	29	188		-	قضا و در زمان در مسدود کردن کرده که این وقت 10/11/17						
88	-	30	205		خند اشاره	در این وقت 10/11/17						
89	-	27	160		-	کارزار این کابل در 10/11/17						
90	-	28	172		-	DFO						
91	-	25	134		-	SDFD						
92	-	30	205		-							
93	فر	32	230		-							
94	-	35	277		-							
95	-	30	200		-							
96	-	25	135		-							
97	-	31	213		-							
98	-	30	200		-							
99	-	28	172	2258 19/17	-	2258 15/17						

تعمیرات  
تصفیات  
شماره  
قسم  
قطر  
والیج  
تعمیرات  
تصفیات

13114133.82 6966 فر  
6450 42 کابل  
19564149832 HT 108  
بررسی شد: این کابل در 10/11/17 در قضا و در زمان در مسدود کردن کرده که این وقت 10/11/17  
قضا و در زمان در مسدود کردن کرده که این وقت 10/11/17  
در این وقت 10/11/17  
کارزار این کابل در 10/11/17  
DFO  
SDFD  
2258 15/17

۱۵

۵۵۴

ب

میں لکھتا ہوں کہ مذکورہ درختوں کی نشاندہی ۱۵  
 میں ماریشس کے علاقے اور علی گڑھ میں  
 اور پھر علی گڑھ اور دیگر اڑھان میں  
 درختوں کی نشاندہی کے لئے  
 کے لئے سے نام اور تازہ کاری میں ہوگی  
 مہاراجہ لال امرتسر

CERTIFICATE

Certified that marking of Dry and windfallen/snow  
 damaged & earthquake effected trees in Mandaguchha Guzara C-10 as  
 per marking list has been carried out in my personal supervision  
 in the presence of Chairman JPMC Mandaguchha and Halqa Patwari  
 strictly in accordance with policy on harvesting/markling of  
 and wind fallen trees. Also certified that the marking staff has  
 correctly carried out measurement and classification of species.

Attested  
 [Signature]

[Signature]  
 Divisional Forest Officer  
 Sirsa Forest Division  
 Manshra