

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No.

344 / of 2013

K.W.P. Province  
383  
6-2-13

Muhammad Shafqat, Forester,  
Haripur Forest Division, Haripur

... Appellant

VERSUS

1. Province of Khyber Pakhtunkhwa  
through Secretary Environment Department,  
Peshawar.
2. Chief Conservator of Forests, Central and  
Southern Forest Region-I, Peshawar.
3. Chief Conservator of Forests, Northern Forest  
Region-II, Abbottabad.
4. Conservator of Forests, Lower Hazara  
Forest Circle, Abbottabad... Respondents

APPEAL UNDER SECTION 4 OF KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974  
AGAINST NOTIFICATION DATED 5.10.2012 AND  
FINAL ORDER DATED 18.1.2013  
COMMUNICATED TO THE APPELLANT ON  
24.1.2013 WHEREBY THE DEPARTMENTAL  
APPEAL OF THE APPELLANT FOR INCLUSION  
OF HIS NAME IN THE SENIORITY LIST OF  
LOWER HAZARA FOREST CIRCLE  
ABBOTTABAD HAS BEEN REJECTED.

Respectfully Sheweth:

FACTS OF THE CASE

6/2/13  
1. That the appellant is a regular member of Provincial Civil Service,  
holding the post of Forester under the administrative control of  
respondent No.4.

25.08.2016

Counsel for the appellant and Mr. Wahdat Zeeshan, SDFO alongwith Mr. Ziaullah, GP for respondents present: Arguments heard and record perused.

Vide our detailed judgment of today in connected Service Appeal No. 241/2013 titled "Muhammad Riasat-vs-Province of Khyber Pakhtunkhwa through Secretary Environment Department, Peshawar and others", this appeal is also disposed of as per detailed judgment. Parties are, however, left to bear their own costs. File be consigned to the record room.

sd/-  
(PIR BAKHSH SHAH)  
MEMBER

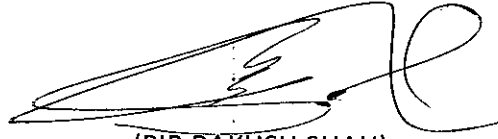
sd/-  
(ABDUL LATIF)  
MEMBER

25.08.2016

Counsel for the appellant and Mr. Wahdat Zeeshan, SDFO alongwith Mr. Ziaullah, GP for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today in connected Service Appeal No. 241/2013 titled "Muhammad Riasat-vs-Province of Khyber Pakhtunkhwa through Secretary Environment Department, Peshawar and others", this appeal is also disposed of as per detailed judgment. Parties are, however, left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
25.08.2016



(PIR BAKHSH SHAH)  
MEMBER



(ABDUL LATIF)  
MEMBER

21.07.2016

Counsel for the appellant and Addl: AG for respondents present. Order could not be announced as Learned Member Executive (Mr. Abdul Latif) is busy in Single Bench Cases, therefore the case is adjourned to 27.07.2016 for order.

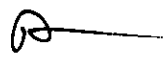
  
Member

Member

27.07.2016

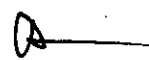
Counsel for the appellant and Mr. Wahdat Zeeshan, SDFO alongwith Mr. Ziaullah, GP for respondents present. Order could not be announced as learned Mr. Pir Bakhsh Shah, Member(Judicial) is on leave. To come up for order on 11.08.2016.

  
Member

  
Member

11.08.2016

Appellant in person and Mr. Zahoor Ahmed, Range Officer alongwith Additional AG for respondents present. Order could not be announced due to shortage of time. To come up for order on 25.8.16


  
Member

  
Member

19/04/2016


Appellant with counsel, M/S Arsalan Tariq, SDFO and Wahdat Zeeshan Anwar, SDFO alongwith Addl: AG for respondents present. Seniority list produced which is placed on file but no transfer order of the appellant produced. Hence to come up for perusal of record and order on 27-5-16.

  
MEMBER

  
MEMBER

27/05/2016

Appellant in person and Mr. Ziaullah, GP for respondents present. While perusing the record, it was noted that in the impugned notification dated 05.10.2012, there is reference to previous notification dated 02.01.2012 which is not available on record. Respondent-department is directed to produce copy of the same notification dated 02.01.2012 on the next date. To come up for such record and order on 23.06.2016.

  
Member

  
Member

23/06/2016

Appellant in person, Mr. Muhammad Muntaz, Block Officer and Mr. Wahdat Zeeshan, SDFO alongwith Mr. Ziaullah, GP for respondents present. Representative of the respondents submitted copy of notification dated 02.01.2012 which is placed on file. To come up for order on 21-7-16.

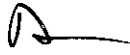
  
Member

  
Member

19/04/2016

01.10.2015

Counsel for the appellant and Yousaf Khan, DFO  
alongwith Mr. Ziaullah GP for respondents present. Arguments  
could not be heard due to paucity of time. To come up for  
arguments on 23, 2-16.



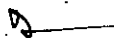
Member



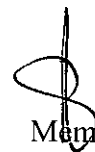
Member

14.04.2016

Counsel for the appellant, M/S Arsalan Tariq, SDFO and  
Zahoor Ahmad, Rang Officer alongwith Addl. AG for  
respondents present. Respondent-department is directed to  
produce transfer order dated 1997 and final seniority list of the  
Lower Hazara Circle and application if any of the appellant  
lodged against the transfer order on the next dated. To come up  
for such record and further arguments on 19.04.2016.



Member



Member

14.07.2015

Counsel for the appellant, Mr. Yousaf Khan, DFO and Inamullah, SDFO alongwith Mr. Ziaullah, GP for the respondents present. Arguments partly heard. Certain information's were asked by the department to be provided in the Tribunal on the next date, hence to come up for such informations and complete arguments on 27-08-2015



Member



Member

27.08.2015

Counsel for the appellant and Mr. Inamullah, SDFO alongwith Addl: AG for respondents present. Arguments could not be heard due to Learned Member (Judicial) is on leave. To come up for arguments on 1-10-2015.

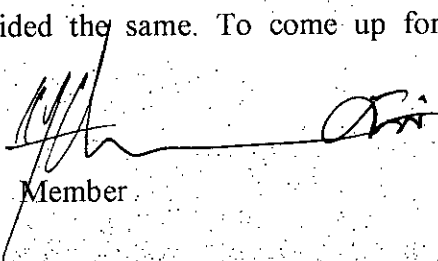


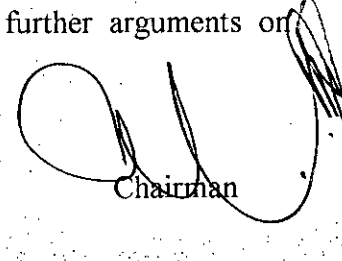
Member

344/13

13.2.2014

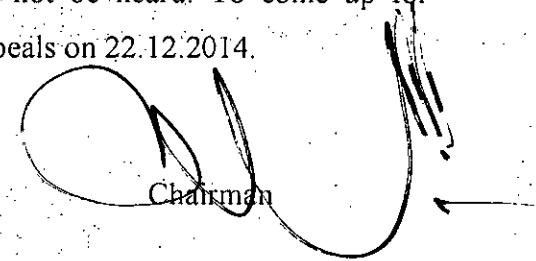
Counsel for the appellant and Mr. Nisar Ahmad, SDFO, Patrol Squad Lower Hazara Circle Abbottabad on behalf of respondents with AAG present. Arguments of the learned counsel for the appellant partly heard. The learned AAG requested for adjournment on the ground that he had instructed the respondent-department to provide him necessary record for preparing arguments, but the department has not yet provided the same. To come up for further arguments on 25.6.2014.

  
Member

  
Chairman

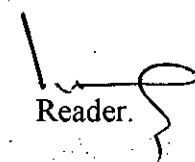
25.6.2014

Appellant with counsel and Mr. Javed Arshad, DFO Patrol Squad Abbottabad on behalf of respondents with Mr. Usman Ghani, Sr. GP present. Arguments could not be heard. To come up for arguments alongwith connected appeals on 22.12.2014.

  
Chairman

22.12.2014

Appellant in person and Mr. Muhammad Adeel Butt, AAG for the respondents present. The Tribunal is incomplete. To come up for arguments alongwith connected appeals on 04.06.2015.

  
Reader.

04.06.2015

Counsel for the appellant and Addl: AG for the respondents present. Arguments could not be heard as learned Member is on official tour to camp court Swat, therefore the case is adjourned to 14.07.2015 for arguments.

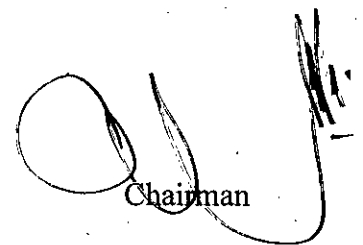
  
Member



344/13

26.3.2013

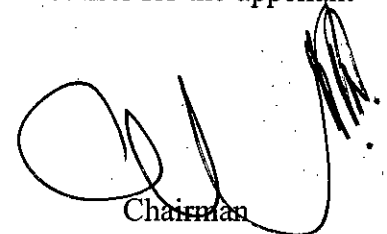
Counsel for the appellant and Mr. Abid Mumtaz, SDFO on behalf of the respondents with Mr. Noorullah, S.G.P present. To come up for reply to application for interim relief and written reply/comments on behalf of the respondents on 30.5.2013. The learned counsel for the appellant referred to his application for interim relief and stated that the respondent-department may be restrained from processing case of promotion of officers junior to the appellant. Representative of the respondents stated that no case of promotion is under process at the moment. The respondent-department is directed to put on hold process of promotion till further orders.



Chairman

30.5.2013

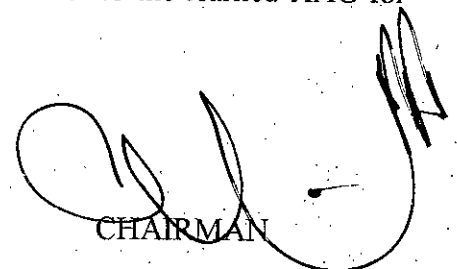
Counsel for the appellant and Mr. Abid Mumtaz, SDFO with Mr. Usman Ghani, Sr. GP for the respondents present. Written reply/para-wise comments received on behalf of the respondents, copy whereof be handed over to the learned counsel for the appellant for rejoinder on 9.9.2013.



Chairman

9.9.2013

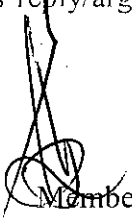
Counsel for the appellant and Mr. Nasir Ahmad, SDFO on behalf of the respondents with AAG present. Rejoinder on behalf of the appellant received, copy whereof is handed over to the learned AAG for arguments on 13.2.2014.



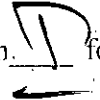
CHAIRMAN

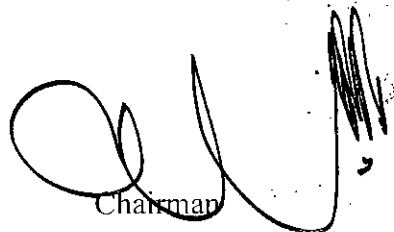
3. 15.2.2013

Counsel for the appellant present and heard on preliminary. Contended that the appellant has not been treated in accordance with the law. The name of the appellant has not been properly placed in the seniority list. The appellant preferred a departmental appeal but the same was rejected on 10.1.2013. The learned counsel for the appellant has also submitted an application for the grant of interim relief. Copy of application also be sent to the respondents. Points raised need consideration. The appeal is admitted to regular hearing, subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, notices be issued to the respondents. Case adjourned to 26.2.2013 for submission of written reply on main appeal as well as reply/arguments on application.

  
Member.

4. 15.2.2013

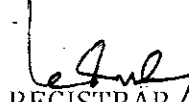

This case be put before the Final Bench.  for further proceedings.

  
Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 344/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06/02/2013	<p>The appeal of Mr. Muhammad Shafaqat presented today by Mr. Shahzada Irfan Zia Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	7-2-2013.	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>15-2-2013.</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

IN RE:

Service Appeal No. 344 / of 2013

Muhammad Shafqat, Forester ... .. Appellant

VERSUS

Province of Khyber Pakhtunkhwa and others... .. Respondents

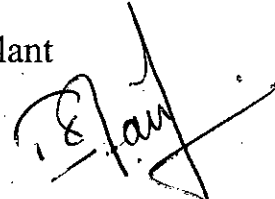
INDEX

Ser	Description of documents	Annexures	Pages
1.	Body of Service Appeal		1 - 4
2.	Application for Interim Relief		5
3.	Affidavit		6
4.	Impugned Notification	'A'	7
5.	Seniority List dated 31.12.2011	'B'	8 - 10
6.	Seniority List dated 31.10.2012	'C'	11 - 13
7.	Departmental Appeal	'D'	14 - 15
8.	Final Order dated 18.1.2013	'E'	16
9.	Vakalat Nama		

  
Appellant

Through:

Dated: 04.02.2013

  
(Shahzada Irfan Zia)  
Advocate, Peshawar.

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. 344 / of 2013

Muhammad Shafqat, Forester,  
Haripur Forest Division, Haripur

...  
...  
Appellant

VERSUS

1. Province of Khyber Pakhtunkhwa  
through Secretary Environment Department,  
Peshawar.
2. Chief Conservator of Forests, Central and  
Southern Forest Region-I, Peshawar.
3. Chief Conservator of Forests, Northern Forest  
Region-II, Abbottabad.
4. Conservator of Forests, Lower Hazara  
Forest Circle, Abbottabad...      ...      Respondents

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APPEAL UNDER SECTION 4 OF KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974  
AGAINST NOTIFICATION DATED 5.10.2012 AND  
FINAL ORDER DATED 18.1.2013  
COMMUNICATED TO THE APPELLANT ON  
24.1.2013 WHEREBY THE DEPARTMENTAL  
APPEAL OF THE APPELLANT FOR INCLUSION  
OF HIS NAME IN THE SENIORITY LIST OF  
LOWER HAZARA FOREST CIRCLE  
ABBOTTABAD HAS BEEN REJECTED.

---

Respectfully Sheweth:

FACTS OF THE CASE

*6/2/13*  
That the appellant is a regular member of Provincial Civil Service,  
holding the post of Forester under the administrative control of  
respondent No.4.

2. That the appellant was appointed as Forester in Working Plan Circle on 3.11.1982. The appellant joined service in Working Plan Unit-V, Abbottabad on 1.10.1983. On 8.5.1985 he was transferred from Working Plan Unit-V, Abbottabad to Watershed Project in the interest of Public Service and posted against an existing vacant post. The appellant was permanently adjusted in Lower Hazara Forest Circle and till to date performing his statutory functions in the said Circle. It is worth to mention that in all the Forest Divisions majority of officials were initially appointed in Pre-investment Projects and upon expiry of projects their services were adjusted against vacant posts in various territorial Forest Divisions.
3. That the seniority lists were framed and the name of appellant was shown in the seniority list of Lower Hazara Forest Circle at proper place. The appellant was enjoying services privileges in the Circle of his place of posting.
4. That all of a sudden the impugned notification dated 5.10.2012, which is totally illegal and in consistent with the provision of Khyber Pakhtunkhwa Civil Servants Act 1973 was issued, which changed the whole scenario. In the impugned notification the criteria of seniority and promotion has been violated, ignoring the principles laid down in Sections 8 & 9 of Khyber Pakhtunkhwa Civil Servants Act 1973.  
(Annex: A).

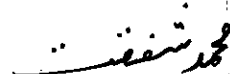
5. That it is worth to mention that on 31.12.2011 a seniority list of Foresters circulated by Conservator of Forests, Lower Hazara Circle, wherein name of the appellant has been shown at serial No.16. (Annex: B).
6. That on 31.10.2012 seniority list of Foresters of Lower Hazara Forest Circle, Abbottabad was circulated, wherein the name of the appellant was excluded without any Show Cause Notice, inspite of the fact that in all previous seniority lists of Lower Hazara Forest Circle circulated from time to time, name of the appellant was shown at his proper place. (Annex: C).
7. That the appellant filed his Departmental Appeal before respondent No.4 and requested for inclusion of his name in the seniority list of Lower Hazara Forest Circle, but to his utter dismay that his request was not accepted but rejected vide order dated 18.1.2013 communicated to the appellant on 24.1.2013. (Annex: D & E).
8. That the modus operandi adopted by respondents to exclude name of the appellant from the seniority list of Lower Hazara Forest Circle was that no posts of promotions were available in the initial place of posting. The whole strategy was observed to favour the junior officials of the Lower Hazara Forest Circle, ignoring the long service of the appellant. It is an under hand activity to give an opportunity of promotion to juniors in supersession of the appellant, which is against the rights of appellant.
9. That the notification dated 5.10.2012 issued by respondent No.1 is without the mandate of law and in conflict with the provision of Khyber Pakhtunkhwa Civil Servants Act. The entire exercise has been

undertaken to deprive the appellant from the benefit of promotion, for which he is expected to become due in near future at his present place of posting. The so-called notification dated 5.10.2012 was not published in the official Gazette, therefore, the same is illegal and when a basic order is void, whole series of orders falls to the ground.

10. That it is worth mentioning that an Act always prevail over the notification, hence the action of respondents is ultra vires of rules, unwarranted by law and totally illegal.

In view of the aforesaid facts and circumstances of the case it is humbly prayed that the impugned notification dated 5.10.2012 and final order dated 18.1.2013 communicated to the appellant on 24.1.2013 may graciously be set aside, being illegal and void, directing the respondents to issue/circulate final seniority list of Foresters of Lower Hazara Forest Circle Abbottabad, placing the name of appellant at his proper place in the same seniority list and not to disturb the appellant from his circle of posting (Lower Hazara Forest Circle) Abbottabad.

Any other relief though not specifically asked for to which the appellant is found entitled in the circumstances of the case may also be granted in favour of the appellant.



Appellant

Through:

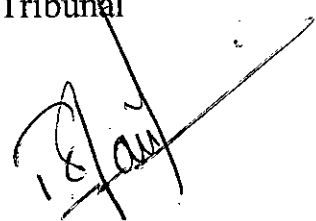
Dated: 04.02.2013

(Shahzada Irfan Zia)  
Advocate, Peshawar.

CERTIFICATE:

Certified that as per instructions of my client, no such Service Appeal on behalf of the appellant has earlier been filed in this Honourable Tribunal on the subject matter.

Advocate.





BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

C.M. No. \_\_\_\_\_ / of 2013  
Service Appeal No. \_\_\_\_\_ / of 2013

Muhammad Shafqat, Forester ... .. Applicant

VERSUS

Province of Khyber Pakhtunkhwa and others... .. Respondents

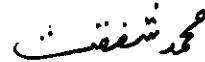
\_\_\_\_\_  
APPLICATION FOR INTERIM RELIEF.  
\_\_\_\_\_

Respectfully Sheweth:

1. That the above titled appeal has been filed before this Honourable Tribunal in which no date of hearing has yet been fixed.
2. That the appellant/applicant has a good prima facie case and he is sanguine about the success of his case.
3. That balance of convenience is in favour of the applicant and if the notification dated 5.10.2012 and final order dated 18.1.2013 are not suspended, the applicant will suffer irreparable loss.
4. That the facts and grounds of appeal may kindly be treated as integral part of this application.

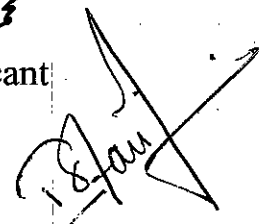
It is, therefore, humbly requested that the Notification dated 5.10.2012 and final order dated 18.1.2013 may kindly be suspended till the final disposal of the instant appeal.

It is further prayed that respondents be restrained from promoting any junior Forester in supersession of the appellant to the post of Deputy Ranger in Lower Hazara Forest Circle, Abbottabad.



Applicant

Through:



(Shahzada Irfan Zia)  
Advocate, Peshawar.

Dated: 04.02.2013

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

C.M. No. \_\_\_\_\_ / of 2013

IN RE:  
Service Appeal No. \_\_\_\_\_ / of 2013

Muhammad Shafqat, Forester ... .. Applicant

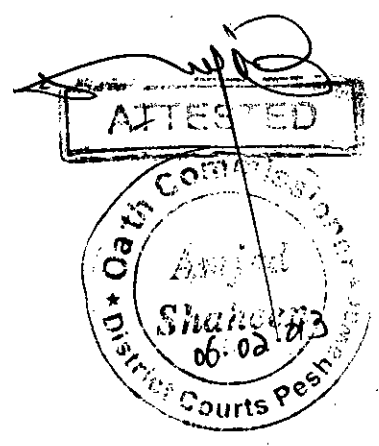
VERSUS

Province of Khyber Pakhtunkhwa and others... .. Respondents

AFFIDAVIT

I, Muhammad Shafqat, Forester, Haripur Forest Division Haripur, do hereby solemnly affirm and declare that the contents of this Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

*Muhammad Shafqat*  
Deponent



(Annex: A) (7)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

Dated Pesh 5<sup>th</sup> Oct., 2012

**NOTIFICATION**

No.SO(Estt)Envt/I-4/2k11: In supersession of this department Notification No.SO(Estt)Envt/I-4/2k11/6475 dated 2/1/2012, the Competent Authority, in exercise of the powers vested vide Item 1-6 Part-I of defunct West Pakistan Manual Volume-II, is pleased to order reconstitution/revision of the following Circles for the purpose of initial appointment of Foresters and Deputy Rangers and promotion of Foresters to the rank of Deputy Rangers, in each circle, on the basis of circle-wise seniority lists of the Foresters, with immediate effect.

#	Name of Circles constituted	Name of Circle
1-	Upper Hazara Circle	Upper Hazara Circle
2-	Lower Hazara Circle	Lower Hazara Circle
3-	Malakand West Circle	Malakand West Circle
4-	Malakand East Circle	Malakand East Circle
5-	FATA Circle	FATA Circle
6-	Southern Circle	Southern Circle
7-	Watershed Management Circle	Watershed Management Circle
8-	Forestry Planning & Monitoring Circle	Forestry Planning & Monitoring Circle

The seniority of the Foresters and Deputy Rangers shall be determined and fixed in the respective Circles on the basis of their initial appointment.

SECRETARY TO GOVT: OF  
KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT.

Dated Pesh: 5<sup>th</sup> Oct., 2012

Encl: No. SO(Estt)Envt/I-4/2k11/ 1629-50

Copy is forwarded for information to:-

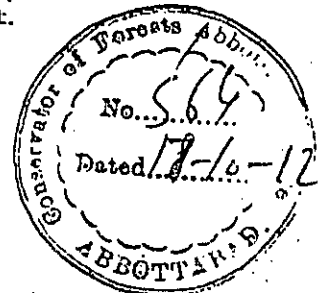
- 1) PS to Secretary Environment Department.
- 2) Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
- 3) Chief Conservator of Forests, Northern Forest Region-II, Abbottabad.
- 4) Chief Conservator of Forests, Malakand Forest Region-III, Mingora at Saidu Sharif, Swat.
- 5) All Conservators of Forests, Khyber Pakhtunkhwa C/O CCF-I; with the direction that tentative seniority lists of their respective circles may be issued by calling thereby objections within one month's time period, if found no objection from any official(s), then final seniority lists may be issued accordingly.
- 6) All Directors Integrated Specialized Units, Forest Department.
- 7) Master file.
- 8) Officer order file.

No. 207 /E dated Abbottabad the 16 /10/2012.  
Copy for information and immediate necessary action to the:

1. Conservator of Forests, Lower Hazara Forest Circle Abbottabad.
2. Conservator of Forests, Upper Hazara Forest Circle Mansehra.
3. Conservator of Forests, Watershed Management Circle Abbottabad.

Please do the following:

- i. Circulate the above notification amongst all the DFOs of your respective circle.
- ii. Call the concerned Foresters and direct them to withdraw their appeals, who have preferred appeals in various courts.
- iii. Prepare synopsis of all concerned for promotion.



*[Signature]*  
Chief Conservator of Forests  
Northern Forest Region-II Abbottabad  
Khyber Pakhtunkhwa

LA  
A  
immediate

attested  
18

(P.T.O)

CF  
17/10/12

**TENTATIVE SENIORITY LIST OF FORESTERS IN RESPECT OF LOWER HAZARA FOREST CIRCLE, ABBOTTABAD  
AS IT STOOD ON 31-12-2011**

S. #	Name of Forester	Qualification	Home District	Any test passed	Date of Birth	Date of appointment in		Cadre	Remarks
						Govt. Service	Present grade		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.	Mr. Sarfraz Khan S/O Muhammad Ashraf	Matric	Haripur	Trained	01-05-1954	11-11-1975	02-08-1977	A'Abad Circle	Appointed as Deputy Ranger on acting charge basis w.e.f. 28-4-2008
2	Mr. Javed Sultan	B.A	Abbottabad	-do-	01-06-1952	10-08-1977	10-08-1977	-do-	BS-09, 11-05-1998
3	Mr. Masood-ur-Rehman S/O Jamadali	Matric	Manshehra	-do-	20-06-1954	26-10-1977	26-10-1977	-do-	Appointed as Deputy Ranger on acting charge basis w.e.f. 28-04-2008
4	Muhammad Farooq	B.A	Manshehra	-do-	02-07-1956	19-08-1978	19-08-1978	-do-	Appointed as Deputy Ranger on acting charge basis w.e.f. 28-04-2008
5	Muhammad Iqbal S/O Gohar Rehman	MA	Manshehra	-do-	19-06-1954	26-08-1978	26-08-1978	Watershed Circle	Appointed as Deputy Ranger on acting charge basis w.e.f. 18-12-2009
6	Mr. Sultan Mehmood	B.A	Manshehra	-do-	08-04-1958	26-08-1978	26-08-1978	-do-	Appointed as Deputy Ranger on acting charge basis w.e.f. 18-12-2009
7	Muhammad Haafif	M.A	Manshehra	-do-	01-02-1955	28-08-1978	28-08-1978	A'Abad Circle	Appointed as Deputy Ranger on acting charge basis w.e.f. 18-12-2009
8	Muhammad Pervaz	Matric	Manshehra	-do-	03-04-1959	03-03-1979	03-03-1979	-do-	BS-09, 02-12-1997
9	Mr. Nisar Ahmad S/O Sanaullah Khan	M.A	Manshehra	-do-	11-05-1959	18-09-1979	18-09-1979	-do-	BS-09, 25-09-1997
10	Muhammad Gulfam	Matric	Manshehra	-do-	24-03-1959	22-09-1979	22-09-1979	-do-	BS-09, 25-09-1997
11	Mr. Nisar Ahmad S/O Muhammad Raza	F.A	Manshehra	-do-	06-04-1961	24-03-1981	24-03-1981	-do-	BS-09, 22-06-2010
12	Mr. Tariq Javed	Matric	Abbottabad	-do-	18-04-1956	06-06-1981	06-06-1981	-do-	BS-09, 22-06-2010
13	Muhammad Iqbal S/O Haji Muhammad Yousif	Matric	Manshehra	-do-	01-04-1953	12-11-1975	01-11-1981	-do-	BS-09, 22-06-2010
14	Mr. Abid Hussain	B.A	Manshehra	-do-	15-04-1961	23-11-1981	23-11-1981	W/Shed Circle	BS-09, 22-06-2010
15	Mr. Abdul Rashid S/O Safiullah	Matric	Haripur	-do-	15-07-1952	07-05-1973	28-05-1983	W/Shed Circle	BS-09, 22-06-2010
16	Muhammad Shafiqat	B.A	Haripur	-do-	01-01-1960	01-10-1983	01-10-1983	W/Plan Circle	BS-09, 22-06-2010
17	Mr. Baidar Bakht	Matric	Manshehra	-do-	08-01-1953	15-01-1979	01-10-1984	A'Abad Circle	BS-09, 22-06-2010
18	Muhammad Riasat S/O Mir Akbar	F.A	Abbottabad	-do-	15-06-1963	01-01-1984	01-01-1984	-do-	BS-09, 22-06-2010
19	Muhammad Anwar S/O Muhammad Roshan	Matric	Manshehra	-do-	01-05-1958	27-08-1981	30-09-1985	-do-	BS-09, 22-06-2010
20	Muhammad Javed S/O Mohib-ur-Rehman	F.A	Manshehra	-do-	15-04-1963	30-09-1985	30-09-1985	-do-	BS-09, 22-06-2010
21	Muhammad Riasat S/O Abdul Qayyum	Matric	Abbottabad	-do-	25-03-1966	01-10-1986	01-10-1986	-do-	BS-09, 22-06-2010

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1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
22	Muhammad Anwar-II S/O Fazal-ur-Rehman	F.A	Abbottabad	Trained	15-06-1966	01-10-1986	01-10-1986	A'Abad Circle	BS-09, 22-06-2010
23	Mian Tahir Hussain Shah	B.A	Mansehra	-do-	05-02-1963	23-11-1986	23-11-1986	-do-	BS-09, 22-06-2010
24	Sardar Mehmood	Matric	Mansehra	-do-	15-03-1954	03-05-1975	11-12-1986	-do-	BS-09, 22-06-2010
25	Mr. Nacem Gohar	F.A	Abbottabad	-do-	14-12-1963	01-10-1988	01-10-1988	-do-	BS-09, 22-06-2010
26	Mr. Bashir Ahmad	M.A	Mansehra	-do-	11-03-1965	01-10-1988	01-10-1988	W/Plan Circle	BS-09, 22-06-2010
27	Mr. Amjad Khan	F.A	Mansehra	-do-	06-05-1968	01-10-1988	01-10-1988	-do-	BS-09, 22-06-2010
28	Muhammad Fiaz	Matric	Mansehra	-do-	10-03-1961	12-03-1979	28-09-1989	-do-	BS-09, 22-06-2010
29	Syed Ibrar Hussain Shah	Matric	Mansehra	-do-	12-02-1965	01-10-1989	01-10-1989	-do-	BS-09, 22-06-2010
30	Mr. Sajid Khan	B.A	Abbottabad	-do-	13-06-1970	02-11-1989	02-11-1989	W/Plan Circle	BS-09, 22-06-2010
31	Muhammad Asif	F.A	Abbottabad	-do-	17-11-1967	01-11-1989	04-11-1989	-do-	BS-09, 22-06-2010
32	Mr. Mashal Khan	Matric	Mansehra	-do-	18-05-1952	28-05-1973	16-12-1989	A'Abad Circle	BS-09, 22-06-2010
33	Muhammad Luqman	F.A	Haripur	-do-	03-05-1970	23-05-1990	23-05-1990	-do-	BS-09, 22-06-2010
34	Mr. Gul Zaman	Matric	Mansehra	-do-	19-01-1959	21-04-1979	21-09-1992	-do-	BS-09, 22-06-2010
35	Mr. Kamran Khan	B.Sc (Forestry)	Abbottabad	-do-	01-05-1970	01-10-1992	01-10-1992	Watershed Circle	Appointed as Deputy Ranger on acting charge basis w.e.f. 28-04-2008
36	Muhammad Bashir S/O Arsala Khan	Matric	Mansehra	-do-	02-01-1957	20-11-1976	28-02-1993	A,Abad Circle	BS-09, 22-06-2010
37	Mr. Shad Muhammad	Matric	Mansehra	Un-trained	06-05-1956	28-04-1975	07-04-1997	-do-	BS-09, 22-06-2010
38	Syed Farooq Shah	Matric	Abbottabad	Trained	06-02-1956	17-11-1973	26-04-2002	W/Plan Circle	BS-09, 22-06-2010
39	Muhammad Daud	Matric	Abbottabad	-do-	02-04-1953	26-07-1975	26-04-2002	A,Abad Circle	BS-09, 22-06-2010
40	Syed Sultan Shah	Matric	Mansehra	Un-trained	03-07-1952	31-03-1975	16-07-2002	-do-	BS-09, 22-06-2010
41	Muhammad Sadiq	Matric	Haripur	Trained	15-03-1957	17-11-1975	16-07-2002	-do-	BS-09, 22-06-2010
42	Muhammad Iqbal S/O Mir Muhammad	Matric	Mansehra	-do-	05-07-1956	24-04-1976	16-07-2002	-do-	BS-09, 22-06-2010
43	Mr. Arif Hussain S/O Khushal Khan	Matric	Mansehra	-do-	16-06-1954	20-11-1976	16-07-2002	-do-	BS-09, 22-06-2010
44	Mr. Raza Muhammad	Matric	Abbottabad	-do-	01-08-1966	09-01-1990	19-07-2004	-do-	BS-09, 22-06-2010
45	Mr. Zulfikar Khan	Matric	Abbottabad	-do-	14-04-1969	17-02-1991	02-12-2004	-do-	BS-09, 22-06-2010
46	Mr. Afrasiab	Matric	Abbottabad	-do-	01-01-1959	08-04-1976	11-02-2005	-do-	BS-09, 22-06-2010
47	Muhammad Amraiz	Matric	Abbottabad	-do-	10-06-1957	14-04-1976	11-02-2005	-do-	BS-09, 22-06-2010
48	Muhammad Ajab S/O Gulzar Ahmad	F.A	Abbottabad	-do-	11-04-1953	26-07-1975	15-02-2005	-do-	BS-09, 22-06-2010
49	Muhammad Ramzan	Under Matric	Abbottabad	-do-	21-09-1954	26-07-1975	15-02-2005	-do-	BS-09, 22-06-2010
50	Mr. Mian Khan	Middle	Abbottabad	-do-	08-06-1953	19-02-1976	15-02-2005	-do-	BS-09, 22-06-2010
51	Muhammad Yousaf S/O Sher Ahmad	Matric	Abbottabad	-do-	16-06-1952	24-03-1976	15-02-2005	-do-	BS-09, 22-06-2010
52	Muhammad Younis S/O Ahmad Khan	Matric	Mansehra	-do-	15-04-1958	11-07-1975	12-04-2006	-do-	BS-09, 22-06-2010
53	Mr. Iltaf Hussain	Matric	Mansehra	Un-Trained	12-05-1953	03-05-1976	12-04-2006	-do-	BS-09, 22-06-2010

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1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
54	Mr. Taj Muhammad S/O Haji Abdul Khanan	Matric	Manshra	Trained	09-09-1958	20-11-1976	12-04-2006	A'Abad Circle	BS-09, 22-06-2010
55	Muhammad Ramzan S/O Kala Khan	Matric	Abbottabad	Un-trained	30-09-1952	24-11-1976	19-08-2006	-do-	BS-09, 22-06-2010
56	Muhammad Naseem	Matric	Manshra	-do-	01-04-1956	10-07-1977	25-09-2007	-do-	BS-09, 22-06-2010
57	Mr. Rustam Khan	Under Matric	Abbottabad	-do-	15-09-1958	18-12-1976	27-09-2007	-do-	BS-09, 22-06-2010
58	Muhammad Imtiaz	Under Matric	Haripur	-do-	20-04-1960	18-12-1976	27-09-2007	-do-	BS-09, 22-06-2010
59	Syed Ihtaf Hussain Shah	Matric	Manshra	-do-	21-06-1959	26-06-1977	18-01-2008	-do-	BS-09, 22-06-2010
60	Mr. Uzair	Matric	Haripur	-do-	01-01-1988	20-03-2008	20-03-2008	-do-	BS-09, 22-06-2010
61	Muhammad Saeed	Middle	Abbottabad	-do-	18-07-1952	21-12-1976	18-07-2008	-do-	BS-09, 22-06-2010
62	Mr. Wajid Ali Shah	Middle	Haripur	-do-	12-12-1953	28-12-1976	18-07-2008	-do-	BS-09, 22-06-2010
63	Mr. Mir Afzal	Matric	Manshra	-do-	09-04-1955	24-05-1974	14-02-2009	-do-	BS-09, 22-06-2010
64	Mr. Zakir Hussain	Matric	Manshra	-do-	15-06-1952	22-06-1974	14-02-2009	-do-	BS-09, 22-06-2010
65	Muhammad Saeed	Under Matric	Manshra	-do-	07-07-1957	10-07-1977	13-05-2009	-do-	BS-09, 22-06-2010
66	Muhammad Arif	Matric	Manshra	-do-	25-12-1957	10-07-1977	15-09-2009	-do-	BS-09, 22-06-2010
67	Mr. Zahoor Ahmad	B.Sc	Abbottabad	-do-	25-4-1963	3-11-2010	3-11-2010	-do-	BS-09, 22-06-2010
68	Mr. Waqir Ahmad.	F.Sc	Manshra.	-do-	18-6-1981	13-5-2011	13-5-2011	-do-	BS-9 Contractual Employees
69	Mr. Taj Muhammad	F.A	Abbottabad	Trained	25-12-1957	27-4-1977	28-5-2011	-do-	BS-9
70	Mr. Saeed Akhtar	Matric	Abbottabad	Un-trained	12-4-1975	24-3-2007	15-11-2011	-do-	BS-9
71	Muhammad Ancees	F.Sc	Manshra	-do-	15-6-1991	14-12-2011	14-12-2011	-do-	BS-9
72	Mr. Liaqat Ali s/o Abdul Jabbar	Matric	Manshra	-do-	24-5-1956	22-8-1977	14-01-2012	-do-	BS-9

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

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(Annex: C)

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**TENTATIVE SENIORITY LIST OF FORESTERS IN RESPECT OF LOWER HAZARA FOREST CIRCLE, ABBOTTABAD  
AS IT STOOD ON 31-10-2012**

S. #	Name of Forester.	Qualification	Home District	Any test passed	Date of Birth	Date of appointment in		Cadre Place of initial appointment	Remarks
						Govt. Service	Present grade		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1	Muhammad Farooq	B.A	Mansehra	Trained	02-07-1956	19-08-1978	28-04-2008	Hazara Forestry Pre-investment Project Mansehra	Appointed as Deputy Ranger on acting charge basis w.e.f 28-04-2008
2	Mr. Gul Zaman	Matric	Mansehra	-do-	19-01-1959	21-04-1979	28-04-2008	-do-	Appointed as Deputy Ranger on acting charge basis w.e.f 28-04-2008
3	Muhammad Hanif	M.A	Mansehra	-do-	01-02-1955	28-08-1978	18-12-2009	-do-	Appointed as Deputy Ranger on acting charge basis w.e.f 18-12-2009
4	Muhammad pervaiz S/O Ali Gohar	Matric	Mansehra	-do-	03-04-1959	03-03-1979	03-03-1979	Hazara Forestry Pre-investment Project Mansehra	BS-09, 22-06-2010
5	Taj Muhammad	Matric C. Com	Abbottabad	-do-	15-09-1955	06-04-1976	08-03-1979	Hazara Forestry Pre-investment Project Mansehra	BS-09, 22-06-2010
6	Mr. Nisar Ahmad S/o Sanaulah Khan	M.A	Mansehra	-do-	01-05-1959	18-09-1979	18-09-1979	Hazara Forestry Pre-investment Project Mansehra	BS-09, 25-09-1997
7	Muhammad Gulfam	Matric	Mansehra	-do-	24-03-1959	22-09-1979	22-09-1979	-do-	BS-09, 25-09-1997
8	Mr. Nisar Ahmad S/O Muhammad Raza	F.A	Mansehra	-do-	06-04-1961	24-03-1981	24-03-1981	Hazara Forestry Cooperative Division	BS-09, 22-06-2010
9	Mr. Tariq Jayed	Matric	Abbottabad	-do-	18-04-1956	06-06-1981	06-06-1981	-do-	BS-09, 22-06-2010
10	Khurshid Khan	B.A	Abbottabad	-do-	02-12-1963	05-12-1981	05-12-1981	Hazara Forestry Cooperative Division Mansehra	BS-09, 22-06-2010
11	Mr. Baidar Bakht	Matric	Mansehra	-do-	08-01-1953	15-01-1979	01-10-1984	Siran Forest Division	BS-09, 22-06-2010
12	Muhammad Riasat S/O Mir Akbar	F.A	Abbottabad	-do-	15-06-1963	01-10-1984	01-10-1984	Haripur Forest Division	
13	Mr. Aurangzeb S/O Aziz-ur- Rehman	Matric	Mansehra	-do-	06-09-1960	02-06-1979	29-10-1984	Kaghan Forest Division	BS-09, 22-06-2012
14	Muhammad Anwar S/O Muhammad Roshan	Matric	Mansehra	-do-	01-05-1958	27-08-1981	30-09-1985	Kaghan Forest Division	BS-09, 22-06-2010

attested  
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reference to his letter

17	Mohib-ur-Rehman	F.A	Mansehra	Trained	15-04-1963	30-09-1985	30-09-1985		
18	Mian Tahir Hussain Shah	B.A	Mansehra	-do-	05-02-1963	23-11-1986	23-11-1986	Kaghan Forest Division	BS-09, 22-06-2010
19	Sardar Mehmood	Matric	Mansehra	-do-	15-03-1954	03-05-1975	11-12-1986	Siran Forest Division	BS-09, 22-06-2010
20	Muhammad Fiaz	Matric	Mansehra	-do-	10-03-1961	12-03-1979	28-09-1989	Kaghan Forest Division	BS-09, 22-06-2010
21	Muhammad Luqman	F.A	Haripur	-do-	03-05-1970	23-05-1990		Hazara Forestry Pre-Investment Project Mansehra	BS-09, 22-06-2010
22	Mr. Abdur Rasheed	Matric	Abbottabad	-do-	07-01-1959	23-08-1977	23-05-1990	Haripur Forest Division	BS-09, 22-06-2010
23	Muhammad Bashir S/O Arsala Khan	Matric	Mansehra	-do-	02-01-1957	20-11-1976	01-07-1990	Patrol Squad Division	BS-09, 22-06-2010
24	Mr. Masood-ur-Rehman S/O Fazal-ur-Rehman	F.A	Mansehra	-do-	25-04-1960	27-04-1976	28-02-1993	Hazara Timber Extraction Division A'Abad	BS-09, 22-06-2010
25	Mr. Shad Muhammad	Matric	Mansehra	Un-trained	06-05-1956	28-04-1975	18-01-1997	Siran Forest Division	BS-09, 22-06-2010
26	Syed Farooq Shah	Matric	Abbottabad	Trained	06-02-1956	17-11-1973	07-04-1997	Kaghan Forest Division	BS-09, 22-06-2010
27	Muhammad Daud	Matric	Abbottabad	Un-trained	02-04-1953	26-07-1975	26-04-2002	Galis Forest Division	BS-09, 22-06-2010
28	Muhammad Sadiq	Matric	Haripur	Trained	15-03-1957	17-11-1975	26-04-2002	Galis Forest Division	BS-09, 22-06-2010
29	Muhammad Iqbal S/O Mir Muhammad	Matric	Mansehra	-do-	05-07-1956	24-04-1976	16-07-2002	Haripur Forest Division	BS-09, 22-06-2010
30	Mr. Arif Hussain S/O Khushal Khan	Matric	Mansehra	-do-	16-06-1954	20-11-1976	16-07-2002	Kaghan Forest Division	BS-09, 22-06-2010
31	Mr. Raza Muhammad	Matric	Abbottabad	-do-	01-08-1966	09-01-1990	16-07-2002	Hazara Timber Extraction Division Abbottabad	BS-09, 22-06-2010
32	Mr. Afrasiab	Matric	Abbottabad	-do-	01-01-1959	08-04-1976	19-07-2004	Patrol Squad Division	BS-09, 22-06-2010
33	Muhammad Ajab S/O Gulzar Ahmad	F.A	Abbottabad	-do-	11-04-1953	26-07-1975	11-02-2005	Haripur Forest Division	BS-09, 22-06-2010
34	Muhammad Ramzan	Under Matric	Abbottabad	Trained	21-09-1954	26-07-1975	15-02-2005	Galis Forest Division	BS-09, 22-06-2010
35	Mr. Mian Khan	Middle	Abbottabad	Un-trained	08-06-1953	19-02-1976	15-02-2005	Galis Forest Division	BS-09, 22-06-2010
36	Muhammad Younis S/O Ahmad Khan	Matric	Mansehra	Trained	15-04-1958	11-07-1975	12-04-2006	Siran Forest Division	BS-09, 22-06-2010
37	Mr. Iltaf Hussain	Matric	Mansehra	Un-Trained	12-05-1953	03-05-1976	12-04-2006	-do-	BS-09, 22-06-2010
38	Mr. Taj Muhammad S/O Haji Abdul Khan	Matric	Mansehra	Trained	09-09-1958	20-11-1976	12-04-2006	Hazara Timber Extraction Division A'Abad	BS-09, 22-06-2010
39	Muhammad Naseem	Matric	Mansehra	Un-trained	01-04-1956	10-07-1977	25-09-2007	Kaghan Forest Division	BS-09, 22-06-2010
40	Muhammad Imtiaz	Under Matric	Haripur	-do-	20-04-1960	18-12-1976	27-09-2007	Haripur Forest Division	BS-09, 22-06-2010
41	Syed Iltaf Hussain Shah	Matric	Mansehra	-do-	21-06-1959	26-06-1977	18-01-2008	Hazara Timber Extraction Division Abbottabad	BS-09, 22-06-2010
42	Mr. Uzair	Matric	Haripur	Un-trained	01-01-1988	20-03-2008	20-03-2008	Haripur Forest Division	BS-09, 22-06-2010
43	Mr. Wajid Ali Shah	Middle	Haripur	-do-	12-12-1953	28-12-1976	13-07-2008	Haripur Forest Division	BS-09, 22-06-2010
44	Mr. Mir Afzal	Matric	Mansehra	-do-	09-04-1955	24-05-1974	14-02-2009	Siran Forest Division	BS-09, 22-06-2010

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43	Muhammad Saeed	Matric	Mansehra	Trained	07-07-1957	10-07-1977	13-05-2009	Kaghan Forest Division	BS-09, 22-06-2010
44	Muhammad Arif	Matric	Mansehra	Un-trained	25-12-1957	10-07-1977	29-08-2009	Kaghan Forest Division	BS-09, 22-06-2010
45	Mr. Zahoor Ahmad	B.Sc	Abbottabad	-do-	25-4-1968	3-11-2010	3-11-2010	Siran Forest Division	BS-09, 22-06-2010
46	Mr. Waqar Ahmad	F.Sc	Mansehra	Trained	18-6-1981	13-5-2011	13-5-2011	Kaghan Forest Division	BS-09, 22-06-2010
47	Mr. Taj Muhammad	F.A	Abbottabad	Trained	25-12-1957	27-4-1977	28-5-2011	Haripur Forest Division	BS-09, 22-06-2010
48	Mr. Saeed Akhtar	Matric	Abbottabad	Un-trained	12-4-1975	24-3-2007	15-11-2011	Galis Forest Division	BS-09, 22-06-2010
49	Muhammad Anees	F.Sc	Mansehra	-do-	15-6-1991	14-12-2011	14-12-2011	Kaghan Forest Division	BS-09, 22-06-2010

*[Signature]*  
 Conservator of Forests  
 Lower Hazara Forest Circle  
 Abbottabad

*attested*  
*[Signature]*

To

The Conservator of Forests,  
Lower Hazara Forest Circle  
Abbottabad

THROUGH

PROPER CHANEEL

Subject:

APPEAL AGAINST SENIORITY OF FORESTERS CIRCULATED  
BY CONSERVATOR OF FORESTS LOWER HAZARA  
ABBOTTABAD WHEREBY THE NAME OF APPLANT HAS NOT  
BEEN INCORPORATED IN THE SENIORITY LIST

**FACTS OF THE CASE**

It is submitted that I was appointed as Forester in Working Plan Circle vide DFO Working Plan Forest Division Unit V Abbottabad office order No. 3 dated 3/11/1982

1. That the appellant joined service as Forester in Working Plan Unit V Abbottabad on 1.10.1983
2. That the appellant was transferred from Working Plan Unit V Abbottabad to Watershed Project in the interest of public service and posted in Soka Nullah Division against the existing vacancy vide Chief Conservator of Forests vide office order No. 138 dated 8.5.1985
3. That a seniority list of Foresters has been circulated by the Conservator, Lower Hazara Forest Circle vide his No. 2385-92/B&A dated 28.11.2012, wherein the name of appellant has not been incorporated.
4. Previously seniority lists as circulated by the Conservator, Lower Hazara Forest Circle indicates and specified the name of the appellant during the year 2010 at S No. 32, 2011 at S.No. 12
5. It is worth mentioning that the name of appellant has been shown at S.No. 12 in the seniority list of Foresters as stood on 31.12.2011 circulated by the Conservator of Forests, Lower Hazara Forest Circle
6. All the previous cases of promotion from Foresters to the rank of Deputy Rangers were made as per seniority circulated by the Conservator of Forests Lower Hazara Forest Circle on the basis of integrated seniority list.
7. It is also bring into your kind notice that almost in all the territorial Forest Divisions majority of the officials were initially appointed in Pre-investment Project and upon the expiry of the aforementioned projects their services were re-adjusted/absorbed against the vacant position in various territorial Divisions. It is also pertinent to add that there are few cases of promotion of foresters who were initially recruited in pre-investment project and were promoted to the rank of Deputy Ranger as under:

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- a- Muhammad Ayub S/o Said Akbar
- b- Shah Hussain S/O Mir Muhammad Shah
- c- Ali Zaman S/O Ali Akbar
- d- Farhad Sajid S/O Lal Khan
- e- Banaras Khan S/O Mirdad Khan
- f- Arif Sultan S/O Ghulam Nabi
- g- Younas Shah S/Y Syed Barkat Shah
- h- Muhammad Iqbal S/O Muhammad Jalal Khan
- i- Manzoor Ahmed S/O Jan Muhammad
- j- Muhammad Ajab S/O Muhammad Miskeen

8. Keeping in view the current seniority lists it is quite evident that all the previous cases of promotion to the posts of foresters and Deputy Rangers based on the integrated seniority lists, so far entertained are also unjustified.
9. In view of the current seniority list the officials are referred to their initial place of appointment for claiming seniority thus leaving the junior most appointment in a particular division to super-cede the appellant as per newly issued seniority list and thus directly affected/influenced the right of the appellant.

#### GROUND


1. The appellant was transferred from Working Plan Unit -V Abbottabad to Galis Forest Division in the interest of public service, therefore his seniority will not be disturbed.
2. As per section of 8 of civil servant Act, 1973 the seniority will have determined on the bases of length of service, thus the appellant is entitled for seniority.
3. That the rights of the appellant to consider for seniority as the lien of the appellant stand transferred to Lower Hazara Forest Circle as per fundamental rule-14 and the appellant serving in Lower Hazara Forest Circle more then 5 years:
4. As per para-6 page 441 of the ESTA CODE 2007 seniority on transfer from one office to another, seniority in the office to which he is transferred should count his seniority in the new office from the date of his transfer to that office.

In view of the aforesaid facts, it is humbly prayed that may kindly be correct the impugned seniority list and the name of the appellant be shown its place please.

*sdl*  
 Muhammad Shafqat  
 Forester  
 Haripur Forest Division  
 Haripur

Copy in advance forwarded to the Chief Conservator of Forests Northern Forest Region-II, Khyber Pakhtunkhwa Abbottabad for favour of consideration, please

*attested*  
*18/7*

<p>OFFICE OF THE CONSERVATOR OF FORESTS LOWER HAZARA FOREST CIRCLE ABBOTTABAD</p>		<p>No. <u>3537</u> /GE, Dated <u>18/1</u> /2012</p>
---	--	---

The Divisional Forest Officer  
Haripur Forest Division, Haripur



Subject APPEAL AGAINST SENIORITY OF FORESTERS  
CIRCULATED BY CONSERVATOR OF FORESTS LOWER  
HAZARA FOREST CIRCLE ABBOTTABAD WHEREBY THE  
NAME OF APPELLANTS HAS NOT BEEN INCORPORATED  
IN THE SENIORITY LIST

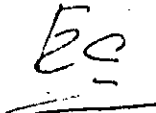
Reference Your office letter No. 2113/GE dated 13-01-2013

Consequent upon the issuance of Notification No. SO (Estt) Evt / 1-4 / 2K11 / 1629-50, dated 05-10-2012 by the Government of Khyber Pakhtunkhwa Environment Department the refixation of seniority of Foresters and Deputy Rangers is to be done in the respective Circles on the basis of their initial appointments.

In view of the above no ambiguity is left in fixation of the seniority of the applicant namely Muhammad Shafqat, Forester in the Forestry Planning and Monitoring Circle which is the Circle of his initial appointment.

Please inform the applicant accordingly.

  
Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad 

  
22/01/13  
DB  
22/1

attested  


No. 2163 /GE dated Haripur the 24 /1/2013.

Copy forwarded to Muhammad Shafqat Forester C/O SDFO Haripur for information .

  
DIVISIONAL FOREST OFFICER  
HARIPUR FOREST DIVISION  
HARIPUR

attested  


BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No. 344 Muhammad Shafqat Forester

**APPELLANT**

**VERSUS**

1. The Secretary Environment govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forests Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forest Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

**RESPONDENTS**

Parawise comments on behalf of respondents

Respectively Sheweth:

Preliminary Objections

1. The appeal is not maintainable in the present form
2. The appellants have no locus standi
3. The appellant is legally stopped by his own conduct to bring the present appeal.

**FACTS**


Parawise comments are as under:

1. In reply to para-1 it is submitted that the appellant is currently holding the post of Forester under the Administrative control of respondent No. 04 i.e. Conservator of Forests, Lower Hazara Forest Circle, but was recruited in Working Plan Circle and later-on transferred to Lower Hazara Forest Circle, Abbottabad, which was further disintegrated into two Forest Circles i.e. Lower Hazara Forest Circle and Upper Hazara Forest Circle.
2. In reply to para-2 it is submitted that the purpose of better Administration / Management the Forest department is divided into Regions, Circles, Divisions and further sub-Territorial units vulnerable to further revisions as per need basis under the law and official procedure. The post of Forester is inter-transferable between the Forest Circles. Therefore the phrase of the appellant i.e.  
" The appellant was permanently adjusted in Lower Hazara Forest Circle" is portrayed in a contorted sense / manner, as far the handling of this promotion in the specific Forest Circle is concerned. The longer stay of a Forester in any Forest Circle never gives him the right of any specific privileges over the others in contradiction to the law & procedure.
3. The seniority lists framed at that times were as per rules and law and the contents therein were correct.

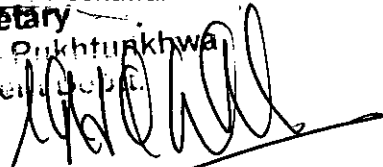
4. Para No-4 is incorrect hence denied. After the constitution of new Forest Circles/ bifurcation of existing Forest Circles by the Govt. for better Administration/Management. The immediate problem that arised was of formation of fresh seniority lists of Foresters and other filed staff. In order to settle the huge quantum of current as well as impending queries of the affected field staff, a unanimous decision was taken at the departmental level, to fix the seniority of the field staff in their respective circles, on the basis of their initial appointment. It is pertinent to mention here that the decision was taken in consultation and request of the President of the Union of Forest Guard, Forester and Deputy Rangers, vide his application / letter **No. Nil dated 07-5-2011 & dated 17-01-2011 (attached)** addressed to the Secretary Environment Govt: of Khyber Pakhtunkhwa, Peshawar, therefore the Notification No. SO (Estt)/I-4/2K11/1629-50 dated 5.10.2012 was issued by the Govt. for the reconstitution/ revision of the circles for fixing the seniority of the Foresters and Deputy Rangers in the respective Circle on the basis of their initial appointments which has helped the department in curtailing the higher quantum of impending litigations. The Notification has never violated the principles laid down in the Section 8 & 9 of the Khyber Pakhtunkhwa Civil Servants Act 1973. Rather it has fortified the essence of the Khyber Pakhtunkhwa Civil Servants Act 1973, in general and section 8 & 9 of the Act in specific.
5. True as till 5.10.2012 a common integrated seniority list used to be issued by the Conservator of Forest Lower Hazara Forest Circle for all the incumbents of the posts in various Forest Circles of Hazara Region.
6. After the issuance of the Notification **No. SO(Estt) Evt/I-4)2K11/1629-50 dated 5.10.2012 (attached)**, the seniority lists are prepared circle wise for their initially appointed staff irrespective of their contemporary place of postings. Therefore the appellat name was not shown in the seniority list as it stood on 31.10.2012 issued by the CF Lower Hazara Forest Circle. In this regard lists of the Foresters who have been initially appointed in Forestry Planning and Monitoring Circle Peshawar have already been sent to the respective Conservator of Forests vide this office letter No. 708-10/GE dated 28.11.2012 for inclusion in the seniority list of his Circle in the light of above Notification. **(Letter along with Seniority list attached)**
7. Consequent upon the issuance of Notification by the Govt. Environment Department KPK dated 5/10/2012, the request of the appellat/departamental appeal for inclusion of his name in the seniority list of Lower Hazara Forest Circle, could not be entertained, rather his seniority was fixed in the FP & M Circle without any pre-judice. CF Lower Hazara office **letter No. 3537/GE dated 18/1/2013 is annexed herewith.**
8. Para No. 8 is incorrect hence denied. The posts of Deputy Forest Rangers are indeed part of the hierarchy FP & M Circle, but promotion of Foresters to the post of Deputy Rangers is made on the availability of vacant post, besides other promotion criteria to be considered by the departmental promotion committee. The length of service has never been the mandatory condition for promotion, rather it is the comparison of the length of service of the incumbents of the post that matters the most. As per the seniority position of the appellat and the availability of vacant higher post in his parent circle besides other criterias, will enable him for consideration for promotion by the DPC. The promotion is strictly made by the Department, in accordance with the rules and regulations.


9. Para No. 9 is also incorrect hence denied. The Notification dated 5/10/2012 is issued in the best interest of the state aiming at the curtailment of litigations made by the larger community. The pray of the appellant is arbitrary and against the interest of the state. The policies are devised by the Government, keeping in view the larger interest of the community rather than benefiting the personal gains of few persons.
10. Para No. 10 is also incorrect. Notifications are issued by Govt. from time to time in order to keep the Act rejuvenated with changing needs, better administrative control and less problems to be created, in the best interest of the state.


Hence the so called Notification is legal and implemented immediately with letter and spirit. Therefore any order passed keeping the essence of the Notification intact may be declared legal and consequently the appeal may be dismissed with cost.

  
Secretary Environment  
Government of Khyber Pakhtunkhwa  
Peshawar

~~Secretary  
Govt of Khyber Pakhtunkhwa  
Environment Deptt.~~

  
Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad

  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar

  
Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

APPEAL NO. 344 of 2013

Muhammad Shafqat Forester

APPELLANTS

VERSUS

1. The Secretary Environment Govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forest Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forests Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

RESPONDENTS

COUNTER AFFIDAVIT

The undersigned do hereby solemnly affirms and declare on oath that the contents of our written reply in the appeal are correct to the best of my knowledge and record, nothing has been concealed from the honorable Tribunal.

  
Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal no. 241, 300, 304, 308 and 344 of 2013 Muhammad Riasat & 04 Others

APPELLANT

VERSUS

1. The Secretary Environment govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forests Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forest Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

RESPONDENTS

Parawise comments on behalf of respondents

Respectively Sheweth:

Preliminary Objections

1. The appeal is not maintainable in the present form
2. The appellants have no locus standi
3. The appellant is legally stopped by his own conduct to bring the present appeal.

*Attested -*  
  
Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad

FACTS

Parawise comments are as under:

1. *in reply to para 1 it is submitted that the*  
The appellant is currently holding the post of Forester under the Administrative control of respondent No. 04 i.e. Conservator of Forests, Lower Hazara Forest Circle, but was recruited in Working Plan Circle and later on transferred to Lower Hazara Forest Circle, Abbottabad, which was further disintegrated into two Foresters Circle i.e. Lower Hazara Forest Circle and Upper Hazara Forest Circle.

*para 2 is incorrect.*  
2. For the purpose of better Administration / Management the Forest department is divided into Regions, Circles, Divisions and further sub-Territorial units vulnerable to further revisions as per need basis under the law and official procedure. The post of Forester is inter-transferable between the Forest Circles. Therefore the phrase of the appellant i.e.

"The appellant was permanently adjusted in Lower Hazara Forest Circle" is portrayed in a contorted sense / manner, as far the handling of this promotion in the specific Forest Circle is concerned. The longer stay of a Forester in any Forest Circle never gives him the right of any specific privileges over the others in contradiction to the law & procedure.

3. The seniority lists framed at that times were as per rules and law and the contents therein were correct.

4. *para 4 is incorrect hence denied.*  
After the constitution of new Forest Circle/bifurcation of existing Forest Circles by the Govt. for better Administration/Management. The immediate problem that arised was of formation of fresh seniority lists of Foresters and other filed staff. In order to settle the huge quantum of current as well as impending queries of the affected field staff, a unanimous decision was taken at the departmental level, to fix the seniority of the field staff in their respective circles, on the basis of their initial appointment. It is pertinent to mention here that the decision was taken in consultation and request of the president of the Union of Forest Guard and Forester and Deputy Rangers, vide his application / letter No. Nil dated 07-5-2011 & dated 17-01-2011 (Attached) addressed to the Secretary Environment Govt. of Khyber Pakhtunkhwa, Peshawar, therefore, the notification No. SO (Estt)/I-4/2K11 dated 5.10.2012 was issued by the Govt. for the reconstitution/ revision of the circles for fixing the seniority of the Forester and Deputy Rangers in the respective Circle on the basis of their initial appointments which has helped the department in curtailing the higher quantum of impending litigations. The notification has never violated the principles laid down in the Section 8 & 9 of the Khyber Pakhtunkhwa civil servants Act 1973. Rather it has

fortified the essence of the K.P Civil Servants Act 1973, in general and section 8 & 9 of the Act in specific.

5. True as till 5.10.2012 a common integrated seniority list used to be issued by the Conservator of Forest Lower Hazara Forest Circle for all the incumbents of the posts in various Forest Circles of Hazara Region.
6. After the issuance of the notification No. <sup>30/11</sup> (Estt) Env/VI-4)2K 11 dated 5.10.2012, the seniority lists are prepared circle wise for their initially appointed staff irrespective of their contemporary place of postings. Therefore the appellant name was not shown in the seniority list issued on 31.10.2012 by the CF Lower Hazara Forest Circle. Rather it was shown on the seniority list issued by Conservator of Forests, Forestry Planning & Monitoring Circle (CF FP& M) dated \_\_\_\_\_ in the appropriate place as per his seniority. *(notification and seniority list attached)*
7. Consequent upon the issuance of notification by the govt. environment Department KPK dated 5/10/2012, the request of the appellant/departmental appeal for inclusion of his name in the seniority list of lower Hazara Forest Circle, could not be entertained, rather his seniority was fixed in the FP & M Circle without any pre-judice. CF Lower Hazara office letter No. 3260/GE dated 4/1/2013 is annexed herewith.
8. *Para No 6 is incorrect hence denied.*  
The posts of Deputy Forest Rangers are indeed part of the hierarchy FP & M. Circle, but promotion of Foresters to the post of Deputy Rangers is made on the availability of vacant post, besides other promotion criteria to be considered by the departmental promotion committee. The length of service has never been the mandatory condition for promotion, rather it is the comparison of the length of service of the incumbents of the post that matters the most. As per the seniority position of the appellant and the availability of vacant higher post in his parent circle besides other criterias, will enable him for consideration for promotion by the DPC. The promotion is strictly made by the Department, in accordance with the rules and regulations.
9. *Para No 9 is also incorrect hence denied.*  
The notification dated 5/10/2012 is issued in the best interest of the state aiming at the curtailment of litigations made by the larger community. The pray of the appellant is arbitrary and against the interest of the state. The policies are devised by the Government, keeping in view the larger interest of the community rather than benefiting the personal gains of few persons.
10. *Para No 10 is also incorrect.*  
Notification are issued by govt. from time to time in order to keep the Act rejuvenated with changing needs, better administrative control and less problems to be created, in the best interest of the state.

~~Acts are erected by the legislative bodies which are amended by notifications by the Govt. after seeking proper approvals. Hence the so called notification is legal and implemented immediately with letter and spirit. Therefore any order passed keeping the essence of the notification intact may be declared legal and consequently the appeal may be set aside.~~ *dismissed with cost*

Secretary Environment  
Government of Khyber Pakhtunkhwa  
Peshawar

Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar

*Attidant*

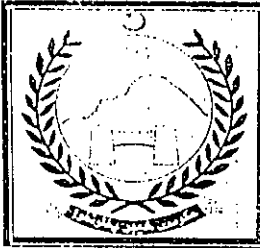
Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

*Stated on oath that all the content of  
what para wise contents are true and  
correct and nothing has been concealed*

*vetted  
subject to all  
amendments*

*11/11/13  
8/10/13*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

NO.SO(Estt)Envt/1-4/2K11/1450/we

Dated Pesh: 7<sup>th</sup> May, 2011

To

✓ The Chief Conservator of Forests,  
Khyber Pakhtunkhwa.

SUBJECT: APPLICATION

I am directed to refer to the subject cited above and to enclose herewith a copy of an application which is self-explanatory (alongwith its enclosure) submitted by Haji Muhammad Zeb, President Forest Guards/Foresters and Deputy Rangers Association Khyber Pakhtunkhwa, for necessary action as per remarks of the Secretary Environment which are reproduced below :-

"For considering both the circles separately as per new administrative arrangement and rules/policy."

Encl: as above

*Mutahir Shah*  
(MUTAHIR SHAH)  
SECTION OFFICER (ESTT)

Endst:No.and date even.

Copy is forwarded to PS to Secretary Environment Department.

*Attested*

SECTION OFFICER (ESTT)

*[Signature]*  
Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad



F/GUARDS FORESTERS & D/RANGERS  
ASSOCIATION N.W.F.P. REGED

47

Haji Muhammad Zeb Khan (L.L.B)  
Central President

Res: 0945-761174  
Cell: 0300-5824716  
0345-9065554

1863  
7/5/2011

Zeb House Zeb Abad  
Chakdra P.O.Chakdra  
Tehsil Adenzai  
District Dir (L)

Ref: \_\_\_\_\_

Date: 07-05-2011

۷/۵/۲۰۱۱  
۵۰۷

ضاب سیکرٹری صاحبنا حوالیات صوبہ خیبر پختون خوا ایشیا

ضاب عالی! گزارش ہے کہ  
حکومت خیبرکلات KPP میں سیاسی ناجائز دباؤ کے تحت "میرٹ کوٹ" کے آرڈر میں مخصوص جوئرز فارسٹرز کو  
ڈپٹی ریجنل کے عہدوں پر ناجائز پروموشن کروانے کیلئے انتہائی عجبت میں مورخ 10 مئی 2011 کو DPC  
کی اجلاس منعقد کروانے کیلئے ضاب CCF صاحب کے دفتر سے احکامات جاری کی جا چکی ہے۔ جو کہ  
خلاف قواعد، خلاف قانون اور خلاف ضابطہ ہے۔ کیونکہ!

1۔ حکومت KPP حکیمہ حوالیات کے لیٹر نمبر NO-SO(ESTT)ENV/1-4/B/2K9 مورخ 17 جنوری 2011  
156/we

(مقل شامل ہے) "ANNEXED A" کے ہدایات کے مطابق نہ تو والد لٹ و لیٹ سٹریٹ اور والد لٹ والی  
کے ساتھ میراگ ایک سیارٹی لیٹ اور ایک ایگ پروموشن کو یقینی بنانے کیلئے کوئی اقدامات کئے ہیں۔  
مذکورہ دونوں سرکلز کے ساتھ کہ سیارٹی لیٹ پر مشتمل پروموشن زیر غور لیا جا رہا ہے۔ جو نہ صرف  
میں ایک انتظامی بحران پیدا کرنے کی کوشش ہے۔ بلکہ حکیمانہ فادات کے برعکس، ظلم اور نا انصافی

2۔ ضاب والا کی سربراہی میں مورخ 11-03-30 کو SSRC کے اجلاس ہو چکی ہے۔ جس کی  
منیش دستخط شدہ جاری ہوا ہے۔ جسے روٹن میں "میرٹ کوٹ" کے آرڈر میں (5) متواتر  
AC-85 لینے والوں کی مخصوص پروموشن کی کوئی پروموشن موجود نہیں ہے۔ لیکن 10-5-11 میں  
ایسے لوگوں کو پروموشن دے جانے کی کوشش کی جا رہی ہے۔ جو کہ خلاف قواعد ہے۔

3۔ DPC کے اہم ممبر SO.(ESTT) صاحب کو حسب قواعد کوئی ڈرنگ پیپر ارسال نہیں کیا  
جو کہ خلاف پروڈر ہے۔

مذکورہ بالا حقائق کے پیش نظر استدعا ہے۔ کہ حکیمانہ فادات، ملذ میں جسکلات کو انصافی  
کو یقینی بنانے کیلئے 11-05-10 کو ہونی والی ڈپٹی ریجنل کے پروموشن کیلئے DPC کی اجلاس  
تاکہ والد لٹ والی اور لیٹ سرکلز کے ایگ ایگ پروموشن اور سیارٹی / منیش پر قانون کے مطابق  
یقینی بنایا جاسکے۔

am ccf for  
with the card  
admission

۵۰ (E)  
09/05/11

حاجی محمد یحییٰ مرکزی صدر ایسوسی ایشن صوبہ خیبر پختون خوا

Attested

Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abdullah



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

NO.SO(Estt)Envt/I-4/B/2K9  
Dated Pesh: 17<sup>th</sup> January, 2011

156/wc

425

To

The Chief Conservator of Forests,  
Khyber Pakhtunkhwa.

**SUBJECT: APPLICATION FOR CONSIDERATION OF DEPUTY RANGERS  
PROMOTION FROM CONCERNED FOREST CIRCLES.**

I am directed to refer to the subject cited above and to enclose herewith a copy of an application (self-explanatory) submitted by Haji Muhammad Zeb Khan, President, F/Guards Foresters & D/Rangers Association, with the direction that necessary action in the matter may be taken in view of the new administrative arrangement so that in-justice question may not arise.

For file as usual

*Mutahir Shah*  
(MUTAHIR SHAH)  
SECTION OFFICER (ESTT)

Endst:No.and date even.

Copy is forwarded to PS to Secretary Environment Department.

*Attested*

SECTION OFFICER (ESTT)

*[Signature]*  
Divisional Forest Officer  
Patrol Squad Lower Dirra Circle  
Abbottabad



F/GUARDS FORESTERS & D/RANGERS  
ASSOCIATION N.W.F.P, REGED

Khaj Muhammad Zeb Khan (L.L.D.)  
Central President

Mos: 0945-761174  
Cell: 0300-5824716  
0345-9065554

Zeb House Zeb Abi  
Chakdra P.O. Chak  
Tehsil Adenzai  
District Dir (L)

Ref: \_\_\_\_\_

Date: 17-01-2011

جناب سیکرٹری، جسٹس ناچولیات صوبہ خیبر پختونخوا

جناب عالی! گزارش ہے کہ

ڈیپٹی ریجنل مینجمنٹ کے ذیلی آفیسروں پر پروٹیشن کروانے کیلئے جناب CCF جناب KPP کے دفتر سے DPC کی میٹنگ یکم جنوری 2011 کو طلب کیا گیا ہے۔ جس کے لیے ڈیپٹی مالاکنڈ فورسٹری کے دفتر سے درخواستیں اور ایڈیشنل مالاکنڈ فورسٹری کے بجائے مالاکنڈ فورسٹری کے دفتر سے درخواستیں لیٹ اور ڈیپٹی مالاکنڈ فورسٹری سے ایک ڈرنگ پیپر طلب کرنے کے بجائے مالاکنڈ فورسٹری کے دفتر سے درخواستیں لیٹ اور جس کے نتیجے میں ڈیپٹی مالاکنڈ فورسٹری کے دفتر سے درخواستیں لیٹیں گے۔ جنہوں نے باقاعدگی سے آغاز کیا ہے۔ مالاکنڈ فورسٹری کے دفتر سے درخواستیں لیٹیں گے۔ اور ہر سیکل کے سیکرٹری لیٹ کے مطابق ہر سیکل سے فارسٹروں کو ڈیپٹی ریجنل مینجمنٹ کے دفتر سے درخواستیں لیٹیں گے۔

کہنا اور رہا ہے کہ

محکمہ جنگلات کے متعلقہ اعلیٰ حکام کو ہدایات دی جاتی ہیں۔ کہ وہ ڈیپٹی مالاکنڈ فورسٹری کے دفتر سے درخواستیں لیٹیں اور ڈرنگ پیپر طلب کرنے کے لیے درخواستیں لیٹیں۔ تاکہ کسی دلائل کی حق تلفی نہ ہو۔ کیونکہ دیگر دلائل میں کو حق تلفی سے بچانے کیلئے عدالت جانے سے بھی گریز نہیں کریں گے۔

الکھار خٹک

ساجی محمد ریاض مرکزی صدر ایسوسی ایشن KPP

Pl with CCF for...  
for new administrative...  
arrangement.

AS/SO(E)

17/1

Pl put on file  
Assd.

17/1/2011

Attested

Divisional Forest Officer  
Patrol Squad Lower Range Circle  
Abbottabad



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

Dated Pesh 5<sup>th</sup> Oct, 2012

**NOTIFICATION**

No. SO(Estt)Envvt/I-4/2k11. In supersession of this department Notification No. SO(Estt)Envvt/I-4/2k11/6475 dated 2/1/2012, the Competent Authority, in exercise of the powers vested vide Item 1-6 Part-I of defunct West Pakistan Manual Volume-II, is pleased to order reconstitution/revision of the following Circles for the purpose of initial appointment of Foresters and Deputy Rangers and promotion of Foresters to the rank of Deputy Rangers, in each circle, on the basis of circle-wise seniority lists of the Foresters, with immediate effect.

#	Name of Circles constituted	Name of Circle
1-	Upper Hazara Circle	Upper Hazara Circle
2-	Lower Hazara Circle	Lower Hazara Circle
3-	Malakand West Circle	Malakand West Circle
4-	Malakand East Circle	Malakand East Circle
5-	FATA Circle	FATA Circle
6-	Southern Circle	Southern Circle
7-	Watershed Management Circle	Watershed Management Circle
8-	Forestry Planning & Monitoring Circle	Forestry Planning & Monitoring Circle

The seniority of the Foresters and Deputy Rangers shall be determined and fixed in the respective Circles on the basis of their initial appointment.

SECRETARY TO GOVT: OF  
KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT.

Dated Pesh: 5<sup>th</sup> Oct, 2012

Endst: No. SO(Estt)Envvt/I-4/2k11/ 1629-50

Copy is forwarded for information to:-


- 1) PS to Secretary Environment Department.
- 2) Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
- 3) Chief Conservator of Forests, Northern Forest Region-II, Abbottabad.
- 4) Chief Conservator of Forests, Malakand Forest Region-III, Mingora at Saidu Sharif, Swat.
- 5) All Conservators of Forests, Khyber Pakhtunkhwa C/O CCF-I, with the direction that tentative seniority lists of their respective circles may be issued by calling thereby objections within one months time period, if found no objection from any official(s), then final seniority lists may be issued accordingly.
- 6) All Directors Integrated Specialized Units, Forest Department.
- 7) Master file.
- 8) Officer order file.

Attested

(ASHFAQ KHAN)  
SECTION OFFICER (ESTT)

Divisional Forest Officer  
Patrol Squad, Lower Hazara Circle  
Abbottabad



<p align="center"><b>OFFICE OF THE CONSERVATOR OF FORESTS LOWER HAZARA FOREST CIRCLE ABBOTTABAD</b></p>		<p>No. <u>708-10</u> /GE, Dated <u>28/11/2012</u></p>
---	---	---

- 1- The Conservator of Forests  
Watershed Management Project Abbottabad.
- 2- The Conservator of Forests  
Forestry Planning & Monitoring Circle, Peshawar.
- 3- Principal  
Sarhad Forest School, Abbottabad  
at Thai.

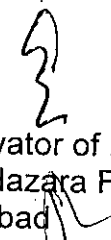

Subject **SENIORITY LIST OF DEPUTY RANGERS / FORESTERS**

Memo

The detail of Deputy Rangers /Foresters with full particulars, who are appointees of your Circles and presently serving in this Circle is enclosed herewith on the prescribed proforma for inclusion in the seniority list of your respective Circle on the basis of their initial appointment in the light of Government of Khyber Pakhtunkhwa Notification No. SO (Estt) Env/1-4/2K11/1629-50, dated 05-10-2012. The Conservator of Forests, Forestry Planning and Monitoring Circle is requested to also supply the names of Deputy Rangers / Foresters, who are appointees of this Circle and presently serving in his Circle at an early date for further necessary action.

Encl. As above

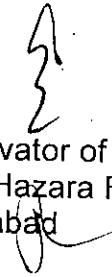

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

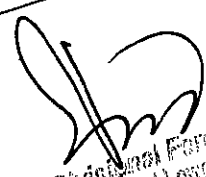
No. 711 /GE

Copy forwarded to the Chief Conservator of Forests, Northern Forest Region-II Abbottabad Khyber Pakhtunkhwa for favour of information please.

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

*Attested*



Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad

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**NAME / SENIORITY LIST OF FORESTERS OF WORKING PLAN CIRCLE PRESENTLY SERVING IN LOWER HAZARA FOREST CIRCLE ABBOTTABAD**

S. #	Name of Forester	Qualification	Home District	Any test passed	Date of Birth	Date of appointment in		Cadre	Remarks
						Govt. Service	Present grade		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.	Muhammad Shafqat ✓	B.A	Haripur	Trained	01-01-1960	01-10-1983	01-10-1983	Upper Tanawal Working Plan Division Abbottabad	BS-09, dated 22-06-2012
2.	Muhammad Riasat S/O Abdul Qayyum ✓	Matric	Abbottabad	-do-	25-03-1966	01-10-1986	01-10-1986	Working Plan Unit No. VI, Abbottabad	-do-
3.	Muhammad Anwar-II S/O Fazal-ur-Rehman ✓	F.A	Abbottabad	Trained	15-06-1966	01-10-1986	01-10-1986	Working Plan Unit No. VI, Abbottabad	-do-
4.	Mr. Bashir Ahmad	M.A	Mansehra	-do-	11-03-1965	01-10-1988	01-10-1988	Working Plan Unit No. IV, Abbottabad	-do-
5.	Mr. Amjad Khan	FA	Mansehra	-do-	06-05-1968	01-10-1988	01-10-1988	Working Plan Circle	-do-
6.	Syed Ibrar Hussain Shah ✓	Matric	Mansehra	-do-	12-02-1965	01-10-1989	01-10-1989	-do-	-do-
7.	Mr. Zulifqar Khan	Matric	Abbottabad	-do-	14-04-1969	17-02-1991	01-09-2004	-do-	-do-

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

*OK*

*Attested*

*[Signature]*  
Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad

OFFICE OF THE  
CONSERVATOR OF FORESTS  
LOWER HAZARA FOREST CIRCLE  
ABBOTTABAD



No. 3537 /GE,

Dated 18/1 /2012

The Divisional Forest Officer  
Haripur Forest Division, Haripur

Subject **APPEAL AGAINST SENIORITY OF FORESTERS  
CIRCULATED BY CONSERVATOR OF FORESTS LOWER  
HAZARA FOREST CIRCLE ABBOTTABAD WHEREBY THE  
NAME OF APPELLANTS HAS NOT BEEN INCORPORATED  
IN THE SENIORITY LIST**

Reference Your office letter No. 2113/GE dated 13-01-2013

(P-249) (P-443)  
Consequent upon the issuance of Notification No. SO (Estt) Env't / 1-4 / 2K11 / 1629-50, dated 05-10-2012 by the Government of Khyber Pakhtunkhwa Environment Department the refixation of seniority of Foresters and Deputy Rangers is to be done in the respective Circles on the basis of their initial appointments.

In view of the above no ambiguity is left in fixation of the seniority of the applicant namely Muhammad Shafqat, Forester in the Forestry Planning and Monitoring Circle which is the Circle of his initial appointment.

Please inform the applicant accordingly.

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

Attested

Patrol

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No. 344 Muhammad Shafqat Forester

**APPELLANT**

**VERSUS**

1. The Secretary Environment govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forests Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forest Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

**RESPONDENTS**

Parawise comments on behalf of respondents

Respectively Sheweth:

Preliminary Objections

1. The appeal is not maintainable in the present form
2. The appellants have no locus standi
3. The appellant is legally stopped by his own conduct to bring the present appeal.

**FACTS**


Parawise comments are as under:

1. In reply to para-1 it is submitted that the appellant is currently holding the post of Forester under the Administrative control of respondent No. 04 i.e. Conservator of Forests, Lower Hazara Forest Circle, but was recruited in Working Plan Circle and later-on transferred to Lower Hazara Forest Circle, Abbottabad, which was further disintegrated into two Forest Circles i.e. Lower Hazara Forest Circle and Upper Hazara Forest Circle.
2. In reply to para-2 it is submitted that the purpose of better Administration / Management the Forest department is divided into Regions, Circles, Divisions and further sub-Territorial units vulnerable to further revisions as per need basis under the law and official procedure. The post of Forester is inter-transferable between the Forest Circles. Therefore the phrase of the appellant i.e.  
" The appellant was permanently adjusted in Lower Hazara Forest Circle" is portrayed in a contorted sense / manner, as far the handling of this promotion in the specific Forest Circle is concerned. The longer stay of a Forester in any Forest Circle never gives him the right of any specific privileges over the others in contradiction to the law & procedure.
3. The seniority lists framed at that times were as per rules and law and the contents therein were correct.

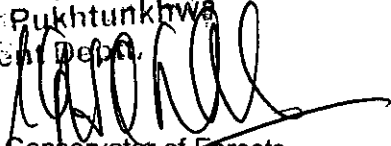
- 4 Para No-4 is incorrect hence denied. After the constitution of new Forest Circles/ bifurcation of existing Forest Circles by the Govt. for better Administration/Management. The immediate problem that arised was of formation of fresh seniority lists of Foresters and other filed staff. In order to settle the huge quantum of current as well as impending queries of the affected field staff, a unanimous decision was taken at the departmental level, to fix the seniority of the field staff in their respective circles, on the basis of their initial appointment. It is pertinent to mention here that the decision was taken in consultation and request of the President of the Union of Forest Guard, Forester and Deputy Rangers, vide his application / letter **No. Nil dated 07-5-2011 & dated 17-01-2011 (attached)** addressed to the Secretary Environment Govt: of Khyber Pakhtunkhwa, Peshawar, therefore the Notification No. SO (Estt)/I-4/2K11/1629-50 dated 5.10.2012 was issued by the Govt. for the reconstitution/ revision of the circles for fixing the seniority of the Foresters and Deputy Rangers in the respective Circle on the basis of their initial appointments which has helped the department in curtailing the higher quantum of impending litigations. The Notification has never violated the principles laid down in the Section 8 & 9 of the Khyber Pakhtunkhwa Civil Servants Act 1973. Rather it has fortified the essence of the Khyber Pakhtunkhwa Civil Servants Act 1973, in general and section 8 & 9 of the Act in specific.
5. True as till 5.10.2012 a common integrated seniority list used to be issued by the Conservator of Forest Lower Hazara Forest Circle for all the incumbents of the posts in various Forest Circles of Hazara Region.
6. After the issuance of the Notification **No. SO(Estt) Env/I-4)2K11/1629-50 dated 5.10.2012 (attached)**, the seniority lists are prepared circle wise for their initially appointed staff irrespective of their contemporary place of postings. Therefore the appellant name was not shown in the seniority list as it stood on 31.10.2012 issued by the CF Lower Hazara Forest Circle. In this regard lists of the Foresters who have been initially appointed in Forestry Planning and Monitoring Circle Peshawar have already been sent to the respective Conservator of Forests vide this office letter No. 708-10/GE dated 28.11.2012 for inclusion in the seniority list of his Circle in the light of above Notification. (**Letter along with Seniority list attached**)
7. Consequent upon the issuance of Notification by the Govt. Environment Department KPK dated 5/10/2012, the request of the appellant/departmental appeal for inclusion of his name in the seniority list of Lower Hazara Forest Circle, could not be entertained, rather his seniority was fixed in the FP & M Circle without any pre-judice. CF Lower Hazara office **letter No. 3537/GE dated 18/11/2013 is annexed herewith.**
8. Para No. 8 is incorrect hence denied. The posts of Deputy Forest Rangers are indeed part of the hierarchy FP & M Circle, but promotion of Foresters to the post of Deputy Rangers is made on the availability of vacant post, besides other promotion criteria to be considered by the departmental promotion committee. The length of service has never been the mandatory condition for promotion, rather it is the comparison of the length of service of the incumbents of the post that matters the most. As per the seniority position of the appellant and the availability of vacant higher post in his parent circle besides other criterias, will enable him for consideration for promotion by the DPC. The promotion is strictly made by the Department, in accordance with the rules and regulations.


9. Para No. 9 is also incorrect hence denied. The Notification dated 5/10/2012 is issued in the best interest of the state aiming at the curtailment of litigations made by the larger community. The pray of the appellant is arbitrary and against the interest of the state. The policies are devised by the Government, keeping in view the larger interest of the community rather than benefiting the personal gains of few persons.
10. Para No. 10 is also incorrect. Notifications are issued by Govt. from time to time in order to keep the Act rejuvenated with changing needs, better administrative control and less problems to be created, in the best interest of the state.


Hence the so called Notification is legal and implemented immediately with letter and spirit. Therefore any order passed keeping the essence of the Notification intact may be declared legal and consequently the appeal may be dismissed with cost.

  
Secretary Environment  
Government of Khyber Pakhtunkhwa  
Peshawar

~~Secretary  
Govt of Khyber Pakhtunkhwa  
Environment Deptt.~~

  
Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad

  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar

  
Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

APPEAL NO. 344 of 2013

Muhammad Shafqat Forester

APPELLANTS

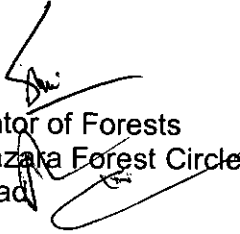
VERSUS

1. The Secretary Environment Govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forest Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forests Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

RESPONDENTS

COUNTER AFFIDAVIT

The undersigned do hereby solemnly affirms and declare on oath that the contents of our written reply in the appeal are correct to the best of my knowledge and record, nothing has been concealed from the honorable Tribunal.

  
Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal no. 241, 300, 304, 308 and 344 of 2013 Muhammad Riasat & 04 Others

APPELLANT

VERSUS

1. The Secretary Environment govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forests Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forest Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

RESPONDENTS

Parawise comments on behalf of respondents

Respectively Sheweth:

Preliminary Objections

1. The appeal is not maintainable in the present form
2. The appellants have no locus standi
3. The appellant is legally stopped by his own conduct to bring the present appeal.

*Altosteel*  
  
Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad

FACTS

Parawise comments are as under:

1. *in reply to para 1 it is submitted that the*  
The appellant is currently holding the post of Forester under the Administrative control of respondent No. 04 i.e. Conservator of Forests, Lower Hazara Forest Circle, but was recruited in Working Plan Circle and later on transferred to Lower Hazara Forest Circle, Abbottabad, which was further disintegrated into two Foresters Circle i.e. Lower Hazara Forest Circle and Upper Hazara Forest Circle.

*in reply to para 2  
it is submitted that*

2. *para 2 is incorrect.*  
For the purpose of better Administration / Management the Forest department is divided into Regions, Circles, Divisions and further sub-Territorial units vulnerable to further revisions as per need basis under the law and official procedure. The post of Forester is inter-transferable between the Forest Circles. Therefore the phrase of the appellant i.e.

"The appellant was permanently adjusted in Lower Hazara Forest Circle" is portrayed in a contorted sense / manner, as far the handling of this promotion in the specific Forest Circle is concerned. The longer stay of a Forester in any Forest Circle never gives him the right of any specific privileges over the others in contradiction to the law & procedure.

3. The seniority lists framed at that times were as per rules and law and the contents therein were correct.

4. *para 4 is incorrect hence denied.*  
After the constitution of new Forest Circle/bifurcation of existing Forest Circles by the Govt. for better Administration/Management. The immediate problem that arised was of formation of fresh seniority lists of Foresters and other field staff. In order to settle the huge quantum of current as well as impending queries of the affected field staff, a unanimous decision was taken at the departmental level, to fix the seniority of the field staff in their respective circles, on the basis of their initial appointment. It is pertinent to mention here that the decision was taken in consultation and request of the president of the Union of Forest Guard and Forester and Deputy Rangers, vide his application / letter No. Nil dated 07-5-2011 & dated 17-01-2011 (Attached) addressed to the Secretary Environment Govt: of Khyber Pakhtunkhwa, Peshawar, therefore the notification No. SO (Estt)/I-4/2K11 dated 5.10.2012 was issued by the Govt. for the reconstitution/ revision of the circles for fixing the seniority of the Forester and Deputy Rangers in the respective Circle on the basis of their initial appointments which has helped the department in curtailing the higher quantum of impending litigations. The notification has never violated the principles laid down in the Section 8 & 9 of the Khyber Pakhtunkhwa civil servants Act 1973. Rather it has



fortified the essence of the K.P Civil Servants Act 1973, in general and section 8 & 9 of the Act in specific.

5. True as till 5.10.2012 a common integrated seniority list used to be issued by the Conservator of Forest Lower Hazara Forest Circle for all the incumbents of the posts in various Forest Circles of Hazara Region.
6. After the issuance of the notification No. <sup>303/14</sup> (Estt) Env/1-472K 11 dated 5.10.2012, the seniority lists are prepared circle wise for their initially appointed staff irrespective of their contemporary place of postings. Therefore the appellant name was not shown in the seniority list issued on 31.10.2012 by the CF Lower Hazara Forest Circle. Rather it was shown on the seniority list issued by Conservator of Forests, Forestry Planning & Monitoring Circle (CF FP& M) dated \_\_\_\_\_ in the appropriate place as per his seniority. *(notification ad seniority list attached)*
7. Consequent upon the issuance of notification by the govt. environment Department KPK dated 5/10/2012, the request of the appellant/departmental appeal for inclusion of his name in the seniority list of lower Hazara Forest Circle, could not be entertained, rather his seniority was fixed in the FP & M Circle without any pre-judice. CF Lower Hazara office letter No. 3260/GE dated 4/1/2013 is annexed herewith.
8. *Para No 8 is incorrect hence denied.*  
The posts of Deputy Forest Rangers are indeed part of the hierarchy FP & M Circle, but promotion of Foresters to the post of Deputy Rangers is made on the availability of vacant post, besides other promotion criteria to be considered by the departmental promotion committee. The length of service has never been the mandatory condition for promotion, rather it is the comparison of the length of service of the incumbents of the post that matters the most. As per the seniority position of the appellant and the availability of vacant higher post in his parent circle besides other criterias, will enable him for consideration for promotion by the DPC. The promotion is strictly made by the Department, in accordance with the rules and regulations.
9. *Para No 9 is also incorrect hence denied.*  
The notification dated 5/10/2012 is issued in the best interest of the state aiming at the curtailment of litigations made by the larger community. The pray of the appellant is arbitrary and against the interest of the state. The policies are devised by the Government, keeping in view the larger interest of the community rather than benefiting the personal gains of few persons.
10. *Para No 10 is also incorrect.*  
Notification are issued by govt. from time to time in order to keep the Act rejuvenated with changing needs, better administrative control and less problems to be created, in the best interest of the state.

~~Acts are erected by the legislative bodies which are amended by notifications by the Govt. after seeking proper approvals. Hence the so called notification is legal and implemented immediately with letter and spirit. Therefore any order passed keeping the essence of the notification intact may be declared legal and consequently the appeal may be set aside dismissed with cost.~~

Secretary Environment  
Government of Khyber Pakhtunkhwa  
Peshawar

Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar

*Altsteb*

Affidavit  
*[Signature]*


Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

*[Signature]*

*Stated on affidavit that all the content of  
what para wise contents are true and  
correct and nothing has been concealed*

*vetted  
subject to all  
amendments  
[Signature]  
8/10/13*

	<p>GOVERNMENT OF KHYBER PAKHTUNKHWA ENVIRONMENT DEPARTMENT NO.SO(Estt)Envt/1-4/2K11/1450/we Dated Pesh: 7<sup>th</sup> May, 2011</p>
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To

✓ The Chief Conservator of Forests,  
Khyber Pakhtunkhwa.

SUBJECT: APPLICATION

I am directed to refer to the subject cited above and to enclose herewith a copy of an application which is self-explanatory (alongwith its enclosure) submitted by Haji Muhammad Zeb, President Forest Guards/Foresters and Deputy Rangers Association Khyber Pakhtunkhwa, for necessary action as per remarks of the Secretary Environment which are reproduced below :-

"For considering both the circles separately as per new administrative arrangement and rules/policy."

Encl: as above

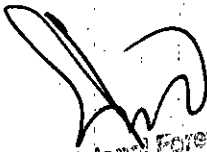
  
(MUTAHIR SHAH)  
SECTION OFFICER (ESTT)

Endst:No.and date even.

Copy is forwarded to PS to Secretary Environment Department.

Attested -

SECTION OFFICER (ESTT)

  
Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad



F/GUARDS FORESTERS & D/RANGERS  
ASSOCIATION N.W.F.P, REGED

47

Haji Muhammad Zeb Khan (L.L.B)  
Central President

Res: 0945-761174  
Cell: 0300-5824716  
0345-9065554

1663  
7/5/2011

Zeh House Zeh Abad  
Chakdra P.O.Chakdra  
Tehsil Adenzai  
District Dir (L)

Ref: \_\_\_\_\_

Date: 07-05-2011

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۲۰۱۱  
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جناب سیکرٹری صاحبہ صاحبیات صوبہ خیبر پختون خوا ایشیا

جناب عالی! گزارش ہے کہ ایک خبر کلات KPP میں سیاسی نا جائزہ دباؤ کے تحت "میرٹ کوٹ" کے آڈ میں جنھوں جو نیر فارم ٹرک ڈیپٹی ریجنل کے عہدوں پر نا جائزہ پروٹ کرانے کیلئے انتہائی محنت میں درجہ 10 مئی 2011 کو DPC کی اجلاس منعقد کرانے کیلئے جناب CCF صاحب کے دفتر سے احکامات جاری کی جا چکی ہے۔ جو کہ خلاف قواعد، خلاف قانون اور خلاف ضابطہ ہے۔ کیونکہ

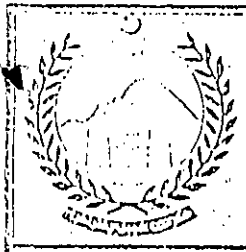
- 1۔ حکومت KPP حکیمہ اجولیات کے لیٹر نمبر NO-SO(ESTT)ENV/11-4/B/2KA  
156/102 کے ہدایات کے مطابق نہ تو والڈ لٹریٹ اور فالڈ لٹریٹ کے سرٹیفیکٹ اور ڈرائنگ کے ساتھ پیرانگ ایک سیارٹی لیٹ اور انک پروٹوشن کو لیتینی بنانے کیلئے کوئی اقدامات لئے ہیں۔ مذکورہ دونوں سرٹیفیکٹ پر مشتمل سیارٹی لیٹ پر مشتمل پروٹوشن زیر غور لیا جا رہا ہے۔ جو نمبر 11 میں ایک استغاثی بحران پیدا کرنے کی کوشش ہے۔ بلکہ حکمانہ مفادات کے برعکس، ظلم اور نا انصافی ہے۔
- 2۔ جناب والا کی سربراہی میں درجہ 11-03-30 کو SSRC کے اجلاس ہو چکی ہے۔ جس کی منیش دستخط شدہ جاری ہوا ہے۔ جسے روٹھی میں "میرٹ کوٹ" کے آڈ میں (5) متواتر AC.Rs لینے والوں کی جنھوں پروٹوشن کی کوئی پروٹوشن موجود نہیں ہے۔ لیکن 10-5-11 میں ایسے لوگوں کو پروٹوشن لے جانے کی کوشش کی جا رہی ہے۔ جو کہ خلاف قواعد ہے۔
- 3۔ DPC کے اہم نمبر SO.(ESTT) صاحب کو حسب قواعد کوئی ڈرائنگ سپرزا ارسال نہیں کی گئی۔ جو کہ خلاف پروڈر ہے۔

مذکورہ بالا حقائق کے پیش نظر استدعا ہے۔ کہ حکمانہ مفادات، ملذمین خبرگلات کو انصافی کو لیتینی بنانے کیلئے 11-05-10 کو ہونی والی ڈیپٹی ریجنل کے پروٹوشن کیلئے DPC کی اجلاس تاکہ فالڈ لٹریٹ اور ڈرائنگ کے ایک ایک پروٹوشن اور سیارٹی / منیش پر قانون کے مطابق یقینی بنایا جاسکے۔

حاجی محمد زب خان مرکزی صدر ایسوسی ایشن صوبہ خیبر پختون خوا  
15/5/11  
15/5/11

Attested -

Divisional Forest Officer  
Patrol Squad Lower Kurura Circle  
Abbottabad



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

NO.SO(Estt)Envt/I-4/B/2K9  
Dated Pesh: 17<sup>th</sup> January, 2011

156/wc

475

To

The Chief Conservator of Forests,  
Khyber Pakhtunkhwa.

**SUBJECT: APPLICATION FOR CONSIDERATION OF DEPUTY RANGERS  
PROMOTION FROM CONCERNED FOREST CIRCLES.**

I am directed to refer to the subject cited above and to enclose herewith a copy of an application (self-explanatory) submitted by Haji Muhammad Zeb Khan, President, F/Guards Foresters & D/Rangers Association, with the direction that necessary action in the matter may be taken in view of the new administrative arrangement so that in-justice question may not arise.

*Encl: 13 n.s.c.c.*

*Mutahir Shah*  
(MUTAHIR SHAH)  
SECTION OFFICER (ESTT)

Encl: No. and date even.

Copy is forwarded to PS to Secretary Environment Department.

*Attested*

SECTION OFFICER (ESTT)

*[Signature]*  
Divisional Forest Officer  
Patrol Guard Lower Hazara Circle  
Abbottabad





GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

Dated Pesh 5<sup>th</sup> Oct., 2012

**NOTIFICATION**

No.SO(Estt)Envt/I-4/2k11: In supersession of this department Notification No.SO(Estt)Envt/I-4/2k11/6475 dated 2/1/2012, the Competent Authority, in exercise of the powers vested vide Item 1-6 Part-I of defunct West Pakistan Manual Volume-II, is pleased to order reconstitution/revision of the following Circles for the purpose of initial appointment of Foresters and Deputy Rangers and promotion of Foresters to the rank of Deputy Rangers, in each circle, on the basis of circle-wise seniority lists of the Foresters, with immediate effect.

#	Name of Circles constituted	Name of Circle
1-	Upper Hazara Circle	Upper Hazara Circle
2-	Lower Hazara Circle	Lower Hazara Circle
3-	Malakand West Circle	Malakand West Circle
4-	Malakand East Circle	Malakand East Circle
5-	FATA Circle	FATA Circle
6-	Southern Circle	Southern Circle
7-	Watershed Management Circle	Watershed Management Circle
8-	Forestry Planning & Monitoring Circle	Forestry Planning & Monitoring Circle

The seniority of the Foresters and Deputy Rangers shall be determined and fixed in the respective Circles on the basis of their initial appointment.

SECRETARY TO GOVT. OF  
KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT.

Dated Pesh: 5<sup>th</sup> Oct., 2012

Endst: No. SO(Estt)Envt/I-4/2k11/ 1629-50


Copy is forwarded for information to:-

- 1) PS to Secretary Environment Department.
- 2) Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
- 3) Chief Conservator of Forests, Northern Forest Region-II, Abbottabad.
- 4) Chief Conservator of Forests, Malakand Forest Region-III, Mingora at Saldu Sharif, Swat.
- 5) All Conservators of Forests, Khyber Pakhtunkhwa C/O CCF-I, with the direction that tentative seniority lists of their respective circles may be issued by calling thereby objections within one months time period, if found no objection from any official(s), then final seniority lists may be issued accordingly.
- 6) All Directors Integrated Specialized Units, Forest Department.
- 7) Master file.
- 8) Officer order file.

(ASHFAQ KHAN)  
SECTION OFFICER (ESTT)

Attested  
Divisional Forest Officer  
Patrol Specialized Units Circle  
Abbottabad

23

<p>OFFICE OF THE CONSERVATOR OF FORESTS LOWER HAZARA FOREST CIRCLE ABBOTTABAD</p>		<p>No. <u>708-10</u> /GE, Dated <u>28/11/2012</u></p>
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- 1- The Conservator of Forests  
Watershed Management Project Abbottabad.
- 2- The Conservator of Forests  
Forestry Planning & Monitoring Circle, Peshawar.
- 3- Principal  
Sarhad Forest School, Abbottabad  
at Thai.

Subject **SENIORITY LIST OF DEPUTY RANGERS / FORESTERS**

Memo


The detail of Deputy Rangers /Foresters with full particulars, who are appointees of your Circles and presently serving in this Circle is enclosed herewith on the prescribed proforma for inclusion in the seniority list of your respective Circle on the basis of their initial appointment in the light of Government of Khyber Pakhtunkhwa Notification No. SO (Estt) Evt/1-4/2K11/1629-50, dated 05-10-2012. The Conservator of Forests, Forestry Planning and Monitoring Circle is requested to also supply the names of Deputy Rangers / Foresters, who are appointees of this Circle and presently serving in his Circle at an early date for further necessary action.

Encl. As above

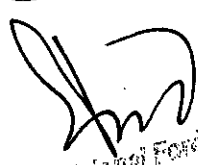
  
 Conservator of Forests  
 Lower Hazara Forest Circle  
 Abbottabad

No. 711 /GE

Copy forwarded to the Chief Conservator of Forests, Northern Forest Region-II Abbottabad Khyber Pakhtunkhwa for favour of information please.

  
 Conservator of Forests  
 Lower Hazara Forest Circle  
 Abbottabad

Attested

  
 Divisional Forest Officer  
 Patrol Squad Lower Hazara Circle  
 Abbottabad

**NAME / SENIORITY LIST OF FORESTERS OF WORKING PLAN CIRCLE PRESENTLY SERVING IN LOWER HAZARA FOREST CIRCLE ABBOTTABAD**

S. #	Name of Forester	Qualification	Home District	Any test passed	Date of Birth	Date of appointment in		Cadre	Remarks
						Govt. Service	Present grade		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.	Muhammad Shafqat ✓	B.A	Haripur	Trained	01-01-1960	01-10-1983	01-10-1983	Upper Tanawal Working Plan Division Abbottabad	BS-09, dated 22-06-2012
2.	Muhammad Riasat S/O Abdul Qayyum ✓	Matric	Abbottabad	-do-	25-03-1966	01-10-1986	01-10-1986	Working Plan Unit No. VI, Abbottabad	-do-
3.	Muhammad Anwar-II S/O Fazal-ur-Rehman ✓	F.A	Abbottabad	Trained	15-06-1966	01-10-1986	01-10-1986	Working Plan Unit No. VI, Abbottabad	-do-
4.	Mr. Bashir Ahmad	M.A	Mansehra	-do-	11-03-1965	01-10-1988	01-10-1988	Working Plan Unit No. IV, Abbottabad	-do-
5.	Mr. Amjad Khan	FA	Mansehra	-do-	06-05-1968	01-10-1988	01-10-1988	Working Plan Circle	-do-
6.	Syed Ibrar Hussain Shah	Matric	Mansehra	-do-	12-02-1965	01-10-1989	01-10-1989	-do-	-do-
7.	Mr. Zulifqar Khan	Matric	Abbottabad	-do-	14-04-1969	17-02-1991	01-09-2004	-do-	-do-

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

*Handwritten signature*

*Attested*

*Handwritten signature*

Divisional Forest Officer  
Patrol Supt Lower Hazara Circle  
Abbottabad



OFFICE OF THE  
CONSERVATOR OF FORESTS  
LOWER HAZARA FOREST CIRCLE  
ABBOTTABAD



No. 3537 /GE,

Dated 18/1/2012

The Divisional Forest Officer  
Haripur Forest Division, Haripur

Subject **APPEAL AGAINST SENIORITY OF FORESTERS  
CIRCULATED BY CONSERVATOR OF FORESTS LOWER  
HAZARA FOREST CIRCLE ABBOTTABAD WHEREBY THE  
NAME OF APPELLANTS HAS NOT BEEN INCORPORATED  
IN THE SENIORITY LIST**

Reference Your office letter No. 2113/GE dated 13-01-2013 (P-443)

(P-249)  
Consequent upon the issuance of Notification No. SO (Estt) Env't / 1-4 / 2K11 / 1629-50, dated 05-10-2012 by the Government of Khyber Pakhtunkhwa Environment Department the refixation of seniority of Foresters and Deputy Rangers is to be done in the respective Circles on the basis of their initial appointments.

In view of the above no ambiguity is left in fixation of the seniority of the applicant namely Muhammad Shafqat, Forester in the Forestry Planning and Monitoring Circle which is the Circle of his initial appointment.

Please inform the applicant accordingly.

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

Attested

E. P.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No. 344 Muhammad Shafqat Forester

**APPELLANT**

**VERSUS**

1. The Secretary Environment govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forests Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forest Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

**RESPONDENTS**

Parawise comments on behalf of respondents

Respectively Sheweth:

Preliminary Objections

1. The appeal is not maintainable in the present form
2. The appellants have no locus standi
3. The appellant is legally stopped by his own conduct to bring the present appeal.

**FACTS**

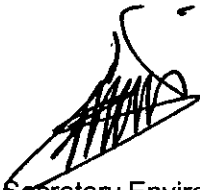
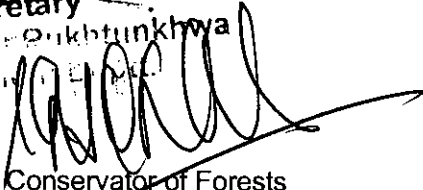
Parawise comments are as under:



1. In reply to para-1 it is submitted that the appellant is currently holding the post of Forester under the Administrative control of respondent No. 04 i.e. Conservator of Forests, Lower Hazara Forest Circle, but was recruited in Working Plan Circle and later-on transferred to Lower Hazara Forest Circle, Abbottabad, which was further disintegrated into two Forest Circles i.e. Lower Hazara Forest Circle and Upper Hazara Forest Circle.
2. In reply to para-2 it is submitted that the purpose of better Administration / Management the Forest department is divided into Regions, Circles, Divisions and further sub-Territorial units vulnerable to further revisions as per need basis under the law and official procedure. The post of Forester is inter-transferable between the Forest Circles. Therefore the phrase of the appellant i.e.  
" The appellant was permanently adjusted in Lower Hazara Forest Circle" is portrayed in a contorted sense / manner, as far the handling of this promotion in the specific Forest Circle is concerned. The longer stay of a Forester in any Forest Circle never gives him the right of any specific privileges over the others in contradiction to the law & procedure.
3. The seniority lists framed at that times were as per rules and law and the contents therein were correct.

4. Para No-4 is incorrect hence denied. After the constitution of new Forest Circles/ bifurcation of existing Forest Circles by the Govt. for better Administration/Management. The immediate problem that arised was of formation of fresh seniority lists of Foresters and other filed staff. In order to settle the huge quantum of current as well as impending queries of the affected field staff, a unanimous decision was taken at the departmental level, to fix the seniority of the field staff in their respective circles, on the basis of their initial appointment. It is pertinent to mention here that the decision was taken in consultation and request of the President of the Union of Forest Guard, Forester and Deputy Rangers, vide his application / letter **No. Nil dated 07-5-2011 & dated 17-01-2011 (attached)** addressed to the Secretary Environment Govt: of Khyber Pakhtunkhwa, Peshawar, therefore the Notification No. SO (Estt)/I-4/2K11/1629-50 dated 5.10.2012 was issued by the Govt. for the reconstitution/ revision of the circles for fixing the seniority of the Foresters and Deputy Rangers in the respective Circle on the basis of their initial appointments which has helped the department in curtailing the higher quantum of impending litigations. The Notification has never violated the principles laid down in the Section 8 & 9 of the Khyber Pakhtunkhwa Civil Servants Act 1973. Rather it has fortified the essence of the Khyber Pakhtunkhwa Civil Servants Act 1973, in general and section 8 & 9 of the Act in specific.
5. True as till 5.10.2012 a common integrated seniority list used to be issued by the Conservator of Forest Lower Hazara Forest Circle for all the incumbents of the posts in various Forest Circles of Hazara Region.
6. After the issuance of the Notification **No. SO(Estt) Evt/I-4)2K11/1629-50 dated 5.10.2012 (attached)**, the seniority lists are prepared circle wise for their initially appointed staff irrespective of their contemporary place of postings. Therefore the appellat name was not shown in the seniority list as it stood on 31.10.2012 issued by the CF Lower Hazara Forest Circle. In this regard lists of the Foresters who have been initially appointed in Forestry Planning and Monitoring Circle Peshawar have already been sent to the respective Conservator of Forests vide this office letter No. 708-10/GE dated 28.11.2012 for inclusion in the seniority list of his Circle in the light of above Notification. **(Letter along with Seniority list attached)**
7. Consequent upon the issuance of Notification by the Govt. Environment Department KPK dated 5/10/2012, the request of the appellant/departmental appeal for inclusion of his name in the seniority list of Lower Hazara Forest Circle, could not be entertained, rather his seniority was fixed in the FP & M Circle without any pre-judice. CF Lower Hazara office **letter No. 3537/GE dated 18/1/2013 is annexed herewith.**
8. Para No. 8 is incorrect hence denied. The posts of Deputy Forest Rangers are indeed part of the hierarchy FP & M Circle, but promotion of Foresters to the post of Deputy Rangers is made on the availability of vacant post, besides other promotion criteria to be considered by the departmental promotion committee. The length of service has never been the mandatory condition for promotion, rather it is the comparison of the length of service of the incumbents of the post that matters the most. As per the seniority position of the appellat and the availability of vacant higher post in his parent circle besides other criterias, will enable him for consideration for promotion by the DPC. The promotion is strictly made by the Department, in accordance with the rules and regulations.

9. Para No. 9 is also incorrect hence denied. The Notification dated 5/10/2012 is issued in the best interest of the state aiming at the curtailment of litigations made by the larger community. The pray of the appellant is arbitrary and against the interest of the state. The policies are devised by the Government, keeping in view the larger interest of the community rather than benefiting the personal gains of few persons.
10. Para No. 10 is also incorrect. Notifications are issued by Govt. from time to time in order to keep the Act rejuvenated with changing needs, better administrative control and less problems to be created, in the best interest of the state.

Hence the so called Notification is legal and implemented immediately with letter and spirit. Therefore any order passed keeping the essence of the Notification intact may be declared legal and consequently the appeal may be dismissed with cost.

  
Secretary Environment  
Government of Khyber Pakhtunkhwa  
Peshawar  
~~Secretary  
Govt of Khyber Pakhtunkhwa  
Environment~~  
  
Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad *Dr*

  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar  
  
Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

APPEAL NO. 344 of 2013

Muhammad Shafqat Forester

APPELLANTS

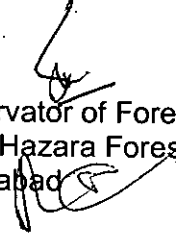
VERSUS

1. The Secretary Environment Govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forest Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forests Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

RESPONDENTS

COUNTER AFFIDAVIT

The undersigned do hereby solemnly affirms and declare on oath that the contents of our written reply in the appeal are correct to the best of my knowledge and record, nothing has been concealed from the honorable Tribunal.

  
Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal no. 241, 300, 304, 308 and 344 of 2013 Muhammad Riasat & 04 Others

APPELLANT

VERSUS

1. The Secretary Environment govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forests Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forest Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

RESPONDENTS

Parawise comments on behalf of respondents

Respectively Sheweth:

Preliminary Objections

1. The appeal is not maintainable in the present form
2. The appellants have no locus standi
3. The appellant is legally stopped by his own conduct to bring the present appeal.

*Attested -*  
  
Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad

FACTS

Parawise comments are as under:

- in reply to para 1 it is submitted that the*
1. The appellant is currently holding the post of Forester under the Administrative control of respondent No. 04 i.e. Conservator of Forests, Lower Hazara Forest Circle, but was recruited in Working Plan Circle and later on transferred to Lower Hazara Forest Circle, Abbottabad, which was further disintegrated into two Foresters Circle i.e. Lower Hazara Forest Circle and Upper Hazara Forest Circle.

*para 2 is incorrect*

2. For the purpose of better Administration / Management the Forest department is divided into Regions, Circles, Divisions and further sub-Territorial units vulnerable to further revisions as per need basis under the law and official procedure. The post of Forester is inter-transferable between the Forest Circles. Therefore the phrase of the appellant i.e.

"The appellant was permanently adjusted in Lower Hazara Forest Circle" is portrayed in a contorted sense / manner, as far the handling of this promotion in the specific Forest Circle is concerned. The longer stay of a Forester in any Forest Circle never gives him the right of any specific privileges over the others in contradiction to the law & procedure.

3. The seniority lists framed at that times were as per rules and law and the contents therein were correct.

- para no 4 is incorrect hence denied*
4. After the constitution of new Forest Circle/bifurcation of existing Forest Circles by the Govt. for better Administration/Management. The immediate problem that arised was of formation of fresh seniority lists of Foresters and other filed staff. In order to settle the huge quantum of current as well as impending queries of the affected field staff, a unanimous decision was taken at the departmental level, to fix the seniority of the field staff in their respective circles, on the basis of their initial appointment. It is pertinent to mention here that the decision was taken in consultation and request of the president of the Union of Forest Guard and Forester and Deputy Rangers, vide his application / letter No. Nil dated 07-5-2011 & dated 17-01-2011 (Attached) addressed to the Secretary Environment Govt. of Khyber Pakhtunkhwa, Peshawar, therefore the notification No. SO (Estt)/1-4/2K11 dated 5.10.2012 was issued by the Govt. for, the reconstitution/ revision of the circles for fixing the seniority of the Forester and Deputy Rangers in the respective Circle on the basis of their initial appointments which has helped the department in curtailing the higher quantum of impending litigations. The notification has never violated the principles laid down in the Section 8 & 9 of the Khyber Pakhtunkhwa civil servants Act 1973. Rather it has

fortified the essence of the K.P Civil Servants Act 1973, in general and section 8 & 9 of the Act in specific.

5. True as till 5.10.2012 a common integrated seniority list used to be issued by the Conservator of Forest Lower Hazara Forest Circle for all the incumbents of the posts in various Forest Circles of Hazara Region.
6. After the issuance of the notification No. <sup>30/11</sup> (Estt) Env/VI-4/2K 11 dated 5.10.2012, the seniority lists are prepared circle wise for their initially appointed staff irrespective of their contemporary place of postings. Therefore the appellant name was not shown in the seniority list issued on 31.10.2012 by the CF Lower Hazara Forest Circle. Rather it was shown on the seniority list issued by Conservator of Forests, Forestry Planning & Monitoring Circle (CF FP& M) dated \_\_\_\_\_ in the appropriate place as per his seniority. *(notification ad seniority list attached)*
7. Consequent upon the issuance of notification by the govt. environment Department KPK dated 5/10/2012, the request of the appellant/departmental appeal for inclusion of his name in the seniority list of lower Hazara Forest Circle, could not be entertained, rather his seniority was fixed in the FP & M Circle without any pre-judice. CF Lower Hazara office letter No. 3260/GE dated 4/1/2013 is annexed herewith.
8. *Para No 6 is incorrect hence denied.*  
The posts of Deputy Forest Rangers are indeed part of the hierarchy FP & M Circle, but promotion of Foresters to the post of Deputy Rangers is made on the availability of vacant post, besides other promotion criteria to be considered by the departmental promotion committee. The length of service has never been the mandatory condition for promotion, rather it is the comparison of the length of service of the incumbents of the post that matters the most. As per the seniority position of the appellant and the availability of vacant higher post in his parent circle besides other criterias, will enable him for consideration for promotion by the DPC. The promotion is strictly made by the Department, in accordance with the rules and regulations.
9. *Para No 9 is also incorrect hence denied.*  
The notification dated 5/10/2012 is issued in the best interest of the state aiming at the curtailment of litigations made by the larger community. The pray of the appellant is arbitrary and against the interest of the state. The policies are devised by the Government, keeping in view the larger interest of the community rather than benefiting the personal gains of few persons.
10. *Para No 10 is also incorrect.*  
Notification are issued by govt. from time to time in order to keep the Act rejuvenated with changing needs, better administrative control and less problems to be created, in the best interest of the state.

~~Acts are erected by the legislative bodies which are amended by notifications by the Govt. after seeking proper approvals. Hence the so called notification is legal and implemented immediately with letter and spirit. Therefore any order passed keeping the essence of the notification intact may be declared legal and consequently the appeal may be set aside~~ *dismissed with cost*

Secretary Environment  
Government of Khyber Pakhtunkhwa  
Peshawar

Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar

Affidavit  
*[Signature]*

Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

*Altogether*  
*[Signature]*  
Divisional Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

*Stated on oath that all the content of  
what para wise comments are true and  
correct and nothing has been concealed*

*vetted  
subject to all  
amendments  
[Signature]  
8/10/13*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

NO.SO(Estt)Envt/1-4/2K11/1450/wc

Dated Pesh: 7<sup>th</sup> May, 2011

To

✓  
The Chief Conservator of Forests,  
Khyber Pakhtunkhwa.

SUBJECT: APPLICATION

I am directed to refer to the subject cited above and to enclose herewith a copy of an application which is self-explanatory (alongwith its enclosure) submitted by Haji Muhammad Zeb, President Forest Guards/Foresters and Deputy Rangers Association Khyber Pakhtunkhwa, for necessary action as per remarks of the Secretary Environment which are reproduced below :-

"For considering both the circles separately as per new administrative arrangement and rules/policy."

Encl: as above

*Mutahir Shah*  
(MUTAHIR SHAH)  
SECTION OFFICER (ESTT)

Endst:No.and date even.

Copy is forwarded to PS to Secretary Environment Department.

*Attested*

SECTION OFFICER (ESTT)

*[Signature]*  
District Forest Officer  
Patrol Squad Lower Kurram Circle  
Abbottabad





F/GUARDS FORESTERS & D/RANGERS  
ASSOCIATION N.W.F.P, REGED

47

Haji Muhammad Zeb Khan (L.L.B)  
Central President

Res: 0945-761174  
Cell: 0300-5824716  
0345-9065554

1663  
7/5/2011

Zeb House Zeb Abad  
Chakdra P.O.Chakdra  
Tehsil Adenzai  
District Dir (L)

Ref: \_\_\_\_\_

Date: 07-05-2011

607  
7/5/2011

ضاب سیکرٹری صاحبہ صاحبہ خلیات صوبہ خیبر پختون خوا پشاور

ضاب عالی! گزارش ہے کہ

حکومت KPP میں سیاسی ناجائز دباؤ کے تحت "میرٹ کوٹ" کے آرڈر میں مخصوص جوئرز فار سٹریٹ کو ڈیپٹی ریجنل کے عملوں پر ناجائز بیروٹ کروانے کیلئے انتہائی عجلت میں درج 10 مئی 2011 کو DPC کی اجلاس منعقد کروانے کیلئے ضاب CCF صاحبہ کے دفتر سے احکامات جاری کی جا چکی ہے۔ جو کہ خلاف قواعد، خلاف قانون اور خلاف ضابطہ ہے۔ کیونکہ

1۔ حکومت KPP حکیمہ ماجولیات کے لیٹر نمبر NO-SO(ESTT)ENV/11-4/B/2K9  
156/we درج 17 جنوری 2011

(نقل مشاغل ہے) "ANNEXED A" کے ہدایات کے مطابق نہ تو والد لٹریٹ و لٹریٹ سٹریٹ اور والد لٹریٹ لٹریٹ کے سٹیج پر ایک ایک سیارٹی لٹریٹ اور ایک ایک بیروٹس کو یقینی بنانے کیلئے کوئی اقدامات کئے ہیں۔ مذکورہ دونوں سٹیج کے مشترکہ سیارٹی لٹریٹ پر مشترکہ بیروٹس زیر غور لیا جا رہا ہے۔ جو نہ صرف میں ایک انتہائی بحران پیدا کرنے کی کوشش ہے۔ بلکہ حکیمانہ مفادات کے برعکس، ظلم اور نا انصافی ہے۔

2۔ ضاب والا کی سربراہی میں درج 11-03-30 کو SSRC کے اجلاس ہو چکی ہے۔ جس کی منیش دستخط شدہ جاری ہوا ہے۔ جسے روٹس میں "میرٹ کوٹ" کے آرڈر میں (5) متواتر AC.Rs لینے والوں کی مخصوص بیروٹس کی کوئی پوزیشن موجود نہیں ہے۔ لیکن 10-5-11 میں ایسے لوگوں کو بیروٹس کئے جانے کی کوشش کی جا رہی ہے۔ جو کہ خلاف قواعد ہے۔

3۔ DPC کے اہم نمبر SO.(ESTT) صاحبہ کو حسب قواعد کوئی ڈرائنگ میسرز ارسال نہیں کی گئی جو کہ خلاف قواعد ہے۔

مذکورہ بالا حقائق کے پیش نظر استدعا ہے۔ کہ حکیمانہ مفادات، ملذذ میں خبرگلات کو انصافی کو یقینی بنانے کیلئے 11-05-10 کو ہونی والی ڈیپٹی ریجنل کے بیروٹس کیلئے DPC کی اجلاس تاکہ والد لٹریٹ اور لٹریٹ سٹیج کے ایک ایک بیروٹس اور سیارٹی / منیش پر قانون کے مطابق یقینی بنایا جائے۔

am ccf for  
11/05/11  
15

حاجی حمزہ رفیقان مرکزی صدر ایسوسی ایشن صوبہ خیبر پختون خوا

Attested -

Divisional Forest Officer  
Patrol Supad Asim Puzia Circle  
Adenzai

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

NO.SO(Estt)Envt/I-4/B/2K9  
Dated Pesh: 17<sup>th</sup> January, 2011

156/wc

425

Chief Conservator of Forests,  
Peshawar, Pkhtunkhwa.

NOTIFICATION FOR CONSIDERATION OF DEPUTY RANGERS  
PROMOTION FROM CONCERNED FOREST CIRCLES.


I am directed to refer to the subject cited above and to enclose herewith a copy of an application (self-explanatory) submitted by Haji Muhammad Zeb Khan, President, F/Guards Foresters & D/Rangers Association, with the direction that necessary action in the matter may be taken in view of the new administrative arrangement so that in-justice question may not arise.


Ends as above

  
(MUTAHIR SHAH)  
SECTION OFFICER (ESTT)

Endst:No.and date even.

Copy is forwarded to PS to Secretary Environment Department.

  
SECTION OFFICER (ESTT)

  
Divisional Forest Officer  
Patrol Equipped Forest Circle  
Peshawar





GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

Dated Pesh 5<sup>th</sup> Oct., 2012

**NOTIFICATION**

No.SO(Estt)Envt/I-4/2k11: In supersession of this department Notification No.SO(Estt)Envt/I-4/2k11/6475 dated 2/1/2012, the Competent Authority, in exercise of the powers vested vide Item 1-6 Part-I of defunct West Pakistan Manual Volume-II, is pleased to order reconstitution/revision of the following Circles for the purpose of initial appointment of Foresters and Deputy Rangers and promotion of Foresters to the rank of Deputy Rangers, in each circle, on the basis of circle-wise seniority lists of the Foresters, with immediate effect.

#	Name of Circles constituted	Name of Circle
1-	Upper Hazara Circle	Upper Hazara Circle
2-	Lower Hazara Circle	Lower Hazara Circle
3-	Malakand West Circle	Malakand West Circle
4-	Malakand East Circle	Malakand East Circle
5-	FATA Circle	FATA Circle
6-	Southern Circle	Southern Circle
7-	Watershed Management Circle	Watershed Management Circle
8-	Forestry Planning & Monitoring Circle	Forestry Planning & Monitoring Circle

The seniority of the Foresters and Deputy Rangers shall be determined and fixed in the respective Circles on the basis of their initial appointment.

SECRETARY TO GOVT. OF  
KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT.

Dated Pesh: 5<sup>th</sup> Oct., 2012

Endst: No. SO(Estt)Envt/I-4/2k11/

1629-50

Copy is forwarded for information to:-

- 1) PS to Secretary Environment Department.
- 2) Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
- 3) Chief Conservator of Forests, Northern Forest Region-II, Abbottabad.
- 4) Chief Conservator of Forests, Malakand Forest Region-III, Mingora-at Saidu Sharif, Swat.
- 5) All Conservators of Forests, Khyber Pakhtunkhwa C/O CCF-I, with the direction that tentative seniority lists of their respective circles may be issued by calling thereby objections within one months time period, if found no objection from any official(s), then final seniority lists may be issued accordingly.
- 6) All Directors Integrated Specialized Units, Forest Department.
- 7) Master file.
- 8) Officer order file.

*Altstedt*

(ASHFAQ KHAN)  
SECTION OFFICER (ESTT)

Divisional Forest Officer  
Patrol Section

OFFICE OF THE  
CONSERVATOR OF FORESTS  
LOWER HAZARA FOREST CIRCLE  
ABBOTTABAD



No. 708-10 /GE,

Dated 28 / 11 / 2012

- 1- The Conservator of Forests  
Watershed Management Project Abbottabad.
- 2- The Conservator of Forests  
Forestry Planning & Monitoring Circle, Peshawar.
- 3- Principal  
Sarhad Forest School, Abbottabad  
at Thai.

Subject SENIORITY LIST OF DEPUTY RANGERS / FORESTERS

Memo

The detail of Deputy Rangers /Foresters with full particulars, who are appointees of your Circles and presently serving in this Circle is enclosed herewith on the prescribed proforma for inclusion in the seniority list of your respective Circle on the basis of their initial appointment in the light of Government of Khyber Pakhtunkhwa Notification No. SQ (Estt) Env/1-4/2K11/1629-50, dated 05-10-2012. The Conservator of Forests, Forestry Planning and Monitoring Circle is requested to also supply the names of Deputy Rangers / Foresters, who are appointees of this Circle and presently serving in his Circle at an early date for further necessary action.

Encl. As above

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

No. 711 /GE

Copy forwarded to the Chief Conservator of Forests, Northern Forest Region-II Abbottabad Khyber Pakhtunkhwa for favour of information please.

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad


Divisional Forest Officer  
Patrol Super Lower Hazara Circle  
Abbottabad

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**NAME / SENIORITY LIST OF FORESTERS OF WORKING PLAN CIRCLE PRESENTLY SERVING IN LOWER HAZARA FOREST CIRCLE ABBOTTABAD**

S. #	Name of Forester	Qualification	Home District	Any test passed	Date of Birth	Date of appointment in		Cadre	Remarks
						Govt. Service	Present grade		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.	Muhammad Shafqat ✓	B.A	Haripur	Trained	01-01-1960	01-10-1983	01-10-1983	Upper Tanawal Working Plan Division Abbottabad	BS-09, dated 22-06-2012
2.	Muhammad Riasat S/O Abdul Qayyum ✓	Matric	Abbottabad	-do-	25-03-1966	01-10-1986	01-10-1986	Working Plan Unit No. VI, Abbottabad	-do-
3	Muhammad Anwar-II S/O Fazal-ur-Rehman ✓	F.A	Abbottabad	Trained	15-06-1966	01-10-1986	01-10-1986	Working Plan Unit No. VI, Abbottabad	-do-
4.	Mr. Bashir Ahmad	M.A	Mansehra	-do-	11-03-1965	01-10-1988	01-10-1988	Working Plan Unit No. IV, Abbottabad	-do-
5.	Mr. Amjad Khan	FA	Mansehra	-do-	06-05-1968	01-10-1988	01-10-1988	Working Plan Circle	-do-
6.	Syed Ibrar Hussain Shah	Matric	Mansehra	-do-	12-02-1965	01-10-1989	01-10-1989	-do-	-do-
7.	Mr. Zulifqar Khan	Matric	Abbottabad	-do-	14-04-1969	17-02-1991	01-09-2004	-do-	-do-

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

Attested -  
  
Divisional Forest Officer  
Patrol Circle Lower Hazara Circle  
Abbottabad

OFFICE OF THE  
CONSERVATOR OF FORESTS  
LOWER HAZARA FOREST CIRCLE  
ABBOTTABAD



No. 3537 /GE,

Dated 18/11 /2012

The Divisional Forest Officer  
Haripur Forest Division, Haripur

Subject **APPEAL AGAINST SENIORITY OF FORESTERS  
CIRCULATED BY CONSERVATOR OF FORESTS LOWER  
HAZARA FOREST CIRCLE ABBOTTABAD WHEREBY THE  
NAME OF APPELLANTS HAS NOT BEEN INCORPORATED  
IN THE SENIORITY LIST**

Reference Your office letter No. 2113/GE dated 13-01-2013 (P443)

(P-249)  
Consequent upon the issuance of Notification No. SO (Estt) Evt / 1-4 / 2K11 / 1629-50, dated 05-10-2012 by the Government of Khyber Pakhtunkhwa Environment Department the refixation of seniority of Foresters and Deputy Rangers is to be done in the respective Circles on the basis of their initial appointments.

In view of the above no ambiguity is left in fixation of the seniority of the applicant namely Muhammad Shafqat, Forester in the Forestry Planning and Monitoring Circle which is the Circle of his initial appointment.

Please inform the applicant accordingly.

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

Attested -

Divisional Forest Officer  
Haripur Forest Division

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No. 344 Muhammad Shafqat Forester

**APPELLANT**

**VERSUS**

1. The Secretary Environment govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forests Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forest Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

**RESPONDENTS**

Parawise comments on behalf of respondents

Respectively Sheweth:

Preliminary Objections

1. The appeal is not maintainable in the present form
2. The appellants have no locus standi
3. The appellant is legally stopped by his own conduct to bring the present appeal.

**FACTS**

Parawise comments are as under:

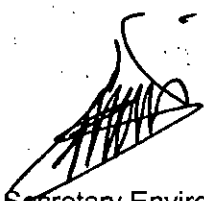
1. In reply to para-1 it is submitted that the appellant is currently holding the post of Forester under the Administrative control of respondent No. 04 i.e. Conservator of Forests, Lower Hazara Forest Circle, but was recruited in Working Plan Circle and later-on transferred to Lower Hazara Forest Circle, Abbottabad, which was further disintegrated into two Forest Circles i.e. Lower Hazara Forest Circle and Upper Hazara Forest Circle.
2. In reply to para-2 it is submitted that the purpose of better Administration / Management the Forest department is divided into Regions, Circles, Divisions and further sub-Territorial units vulnerable to further revisions as per need basis under the law and official procedure. The post of Forester is inter -transferable between the Forest Circles. Therefore the phrase of the appellant i.e.  
" The appellant was permanently adjusted in Lower Hazara Forest Circle" is portrayed in a contorted sense / manner, as far the handling of this promotion in the specific Forest Circle is concerned. The longer stay of a Forester in any Forest Circle never gives him the right of any specific privileges over the others in contradiction to the law & procedure.
3. The seniority lists framed at that times were as per rules and law and the contents therein were correct.



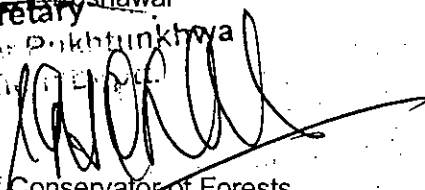
4. Para No-4 is incorrect hence denied. After the constitution of new Forest Circles/ bifurcation of existing Forest Circles by the Govt. for better Administration/Management. The immediate problem that arised was of formation of fresh seniority lists of Foresters and other filed staff. In order to settle the huge quantum of current as well as impending queries of the affected field staff, a unanimous decision was taken at the departmental level, to fix the seniority of the field staff in their respective circles, on the basis of their initial appointment. It is pertinent to mention here that the decision was taken in consultation and request of the President of the Union of Forest Guard, Forester and Deputy Rangers, vide his application / letter **No. Nil dated 07-5-2011 & dated 17-01-2011 (attached)** addressed to the Secretary Environment Govt: of Khyber Pakhtunkhwa, Peshawar, therefore the Notification No. SO (Estt)/I-4/2K11/1629-50 dated 5.10.2012 was issued by the Govt. for the reconstitution/ revision of the circles for fixing the seniority of the Foresters and Deputy Rangers in the respective Circle on the basis of their initial appointments which has helped the department in curtailing the higher quantum of impending litigations. The Notification has never violated the principles laid down in the Section 8 & 9 of the Khyber Pakhtunkhwa Civil Servants Act 1973. Rather it has fortified the essence of the Khyber Pakhtunkhwa Civil Servants Act 1973, in general and section 8 & 9 of the Act in specific.
5. True as till 5.10.2012 a common integrated seniority list used to be issued by the Conservator of Forest Lower Hazara Forest Circle for all the incumbents of the posts in various Forest Circles of Hazara Region.
6. After the issuance of the Notification **No. SO(Estt) Env/I-4)2K11/1629-50 dated 5.10.2012 (attached)**, the seniority lists are prepared circle wise for their initially appointed staff irrespective of their contemporary place of postings. Therefore the appellat name was not shown in the seniority list as it stood on 31.10.2012 issued by the CF Lower Hazara Forest Circle. In this regard lists of the Foresters who have been initially appointed in Forestry Planning and Monitoring Circle Peshawar have already been sent to the respective Conservator of Forests vide this office letter No. 708-10/GE dated 28.11.2012 for inclusion in the seniority list of his Circle in the light of above Notification. **(Letter along with Seniority list attached)**
7. Consequent upon the issuance of Notification by the Govt. Environment Department KPK dated 5/10/2012, the request of the appellat/departmental appeal for inclusion of his name in the seniority list of Lower Hazara Forest Circle, could not be entertained, rather his seniority was fixed in the FP & M Circle without any pre-judice. CF Lower Hazara office **letter No. 3537/GE dated 18/1/2013 is annexed herewith.**
8. Para No. 8 is incorrect hence denied. The posts of Deputy Forest Rangers are indeed part of the hierarchy FP & M Circle, but promotion of Foresters to the post of Deputy Rangers is made on the availability of vacant post, besides other promotion criteria to be considered by the departmental promotion committee. The length of service has never been the mandatory condition for promotion, rather it is the comparison of the length of service of the incumbents of the post that matters the most. As per the seniority position of the appellat and the availability of vacant higher post in his parent circle besides other criterias, will enable him for consideration for promotion by the DPC. The promotion is strictly made by the Department, in accordance with the rules and regulations.


9. Para No. 9 is also incorrect hence denied. The Notification dated 5/10/2012 is issued in the best interest of the state aiming at the curtailment of litigations made by the larger community. The pray of the appellant is arbitrary and against the interest of the state. The policies are devised by the Government, keeping in view the larger interest of the community rather than benefiting the personal gains of few persons.
10. Para No: 10 is also incorrect. Notifications are issued by Govt. from time to time in order to keep the Act rejuvenated with changing needs, better administrative control and less problems to be created, in the best interest of the state.

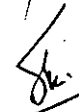
Hence the so called Notification is legal and implemented immediately with letter and spirit. Therefore any order passed keeping the essence of the Notification intact may be declared legal and consequently the appeal may be dismissed with cost.

  
Secretary Environment  
Government of Khyber Pakhtunkhwa  
Peshawar

~~Secretary  
Govt of Khyber Pakhtunkhwa  
Environment~~

  
Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad

  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar

  
Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

APPEAL NO. 344 of 2013

Muhammad Shafqat Forester

APPELLANTS

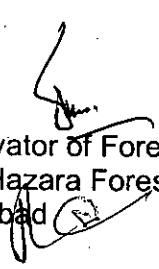
VERSUS

1. The Secretary Environment Govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forest Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forests Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad

RESPONDENTS

COUNTER AFFIDAVIT

The undersigned do hereby solemnly affirms and declare on oath that the contents of our written reply in the appeal are correct to the best of my knowledge and record, nothing has been concealed from the honorable Tribunal.

  
Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal no. 241, 300, 304, 308 and 344 of 2013 Muhammad Riasat & 04 Others

APPELLANT

VERSUS

1. The Secretary Environment govt. of Khyber Pakhtunkhwa, Peshawar
2. Chief Conservator of Forests Central Southern Forest Region-I, Peshawar
3. Chief Conservator of Forest Northern Forest Region-II Abbottabad
4. Conservator of Forests Lower Hazara Forest Circle Abbottabad


RESPONDENTS

Parawise comments on behalf of respondents

Respectively Sheweth:

Preliminary Objections

1. The appeal is not maintainable in the present form
2. The appellants have no locus standi
3. The appellant is legally stopped by his own conduct to bring the present appeal.

*Attested -*  
  
Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad

FACTS

Parawise comments are as under:

1. *in reply to para 1 it is submitted that the*  
The appellant is currently holding the post of Forester under the Administrative control of respondent No. 04 i.e. Conservator of Forests, Lower Hazara Forest Circle, but was recruited in Working Plan Circle and later on transferred to Lower Hazara Forest Circle, Abbottabad, which was further disintegrated into two Foresters Circle i.e. Lower Hazara Forest Circle and Upper Hazara Forest Circle.

*in reply to para 2 it is submitted that*

*para 2 is incorrect.*  
For the purpose of better Administration / Management the Forest department is divided into Regions, Circles, Divisions and further sub-Territorial units vulnerable to further revisions as per need basis under the law and official procedure. The post of Forester is inter-transferable between the Forest Circles. Therefore the phrase of the appellant i.e.

"The appellant was permanently adjusted in Lower Hazara Forest Circle" is portrayed in a contorted sense / manner, as far the handling of this promotion in the specific Forest Circle is concerned. The longer stay of a Forester in any Forest Circle never gives him the right of any specific privileges over the others in contradiction to the law & procedure.

3. The seniority lists framed at that times were as per rules and law and the contents therein were correct.

4. *para 4 is incorrect hence denied.*  
After the constitution of new Forest Circle/bifurcation of existing Forest Circles by the Govt. for better Administration/Management. The immediate problem that arised was of formation of fresh seniority lists of Foresters and other filed staff. In order to settle the huge quantum of current as well as impending queries of the affected field staff, a unanimous decision was taken at the departmental level, to fix the seniority of the field staff in their respective circles, on the basis of their initial appointment. It is pertinent to mention here that the decision was taken in consultation and request of the president of the Union of Forest Guard and Forester, and Deputy Rangers, vide his application / letter No. Nil dated 07-5-2011 & dated 17-01-2011 (Attached) addressed to the Secretary Environment Govt. of Khyber Pakhtunkhwa, Peshawar, therefore, the notification No. SO (Estt)/I-4/2K11 dated 5.10.2012 was issued by the Govt. for, the reconstitution/ revision of the circles for fixing the seniority of the Forester and Deputy Rangers in the respective Circle on the basis of their initial appointments which has helped the department in curtailing the higher quantum of impending litigations. The notification has never violated the principles laid down in the Section 8 & 9 of the Khyber Pakhtunkhwa civil servants Act 1973. Rather it has

fortified the essence of the K.P Civil Servants Act 1973, in general and section 8 & 9 of the Act in specific.

5. True as till 5.10.2012 a common integrated seniority list used to be issued by the Conservator of Forest Lower Hazara Forest Circle for all the incumbents of the posts in various Forest Circles of Hazara Region.
6. After the issuance of the notification No. <sup>30/11</sup> (Estt) Env/1-472K 11 dated 5.10.2012, the seniority lists are prepared circle wise for their initially appointed staff irrespective of their contemporary place of postings. Therefore the appellant name was not shown in the seniority list issued on 31.10.2012 by the CF Lower Hazara Forest Circle. Rather it was shown on the seniority list issued by Conservator of Forests, Forestry Planning & Monitoring Circle (CF FP& M) dated \_\_\_\_\_ in the appropriate place as per his seniority. *(notification ad seniority list attached)*
7. Consequent upon the issuance of notification by the govt. environment Department KPK dated 5/10/2012, the request of the appellant/departmental appeal for inclusion of his name in the seniority list of lower Hazara Forest Circle, could not be entertained, rather his seniority was fixed in the FP & M Circle without any pre-judice. CF Lower Hazara office letter No. 3260/GE dated 4/1/2013 is annexed herewith.
8. *Para No 6 is incorrect hence denied.*  
The posts of Deputy Forest Rangers are indeed part of the hierarchy FP & M Circle, but promotion of Foresters to the post of Deputy Rangers is made on the availability of vacant post, besides other promotion criteria to be considered by the departmental promotion committee. The length of service has never been the mandatory condition for promotion, rather it is the comparison of the length of service of the incumbents of the post that matters the most. As per the seniority position of the appellant and the availability of vacant higher post in his parent circle besides other criterias, will enable him for consideration for promotion by the DPC. The promotion is strictly made by the Department, in accordance with the rules and regulations.
9. *Para No 9 is also incorrect hence denied.*  
The notification dated 5/10/2012 is issued in the best interest of the state aiming at the curtailment of litigations made by the larger community. The pray of the appellant is arbitrary and against the interest of the state. The policies are devised by the Government, keeping in view the larger interest of the community rather than benefiting the personal gains of few persons.
10. *Para No 10 is also incorrect.*  
Notification are issued by govt. from time to time in order to keep the Act rejuvenated with changing needs, better administrative control and less problems to be created, in the best interest of the state.

~~Acts are erected by the legislative bodies which are amended by notifications by the Govt. after seeking proper approvals. Hence the so called notification is legal and implemented immediately with letter and spirit. Therefore any order passed keeping the essence of the notification intact may be declared legal and consequently the appeal may be set aside~~ *dismissed with cost*

Secretary Environment  
Government of Khyber Pakhtunkhwa  
Peshawar

Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar

*Attested*  
*[Signature]*

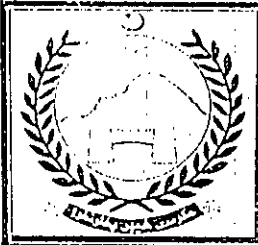
*Affidavit*  
*[Signature]*

Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

*Stated on affidavit that all the content of what para wise comments are true and correct and nothing has been concealed*

*vetted*  
*subject to all*  
*on cause*  
*[Signature]*  
*8/8/13*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

NO.SO(Estt)Env/1-4/2K11/1450/we

Dated Pesh: 7<sup>th</sup> May, 2011

To

✓ The Chief Conservator of Forests,  
Khyber Pakhtunkhwa.

SUBJECT: APPLICATION

I am directed to refer to the subject cited above and to enclose herewith a copy of an application which is self-explanatory (alongwith its enclosure) submitted by Haji Muhammad Zeb, President Forest Guards/Foresters and Deputy Rangers Association Khyber Pakhtunhwa, for necessary action as per remarks of the Secretary Environment which are reproduced below :-

"For considering both the circles separately as per new administrative arrangement and rules/policy."

Encl: as above

*Mutahir Shah*  
(MUTAHIR SHAH)  
SECTION OFFICER (ESTT)

Endst:No.and date even.

Copy is forwarded to PS to Secretary Environment Department.

*Attested*  
*[Signature]*  
SECTION OFFICER (ESTT)

Divisional Forest Officer  
Patrol Squad Lower Khyber Circle  
Attock



F/GUARDS FORESTERS & D/RANGERS  
ASSOCIATION N.W.F.P. REGED

Haji Muhammad Zeb Khan (L.L.B)  
Central President  
Res: 0945-761174  
Cell: 0300-5824716  
0345-9065554

1663  
7/5/2011

Zeb House Zeb Abad  
Chakdra P.O. Chakdra  
Tehsil Adenzai  
District Dir (L)

Ref: \_\_\_\_\_

Date: 07-05-2011

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۷۵۷

ضاب سیکرٹری صاحبہ صاحبہ جو خیریتوں خواہتار

ضاب عالی! گزارش ہے کہ  
حکومت خیگلات KPP میں سیاسی ناجائز دباؤ کے تحت "میرٹ کوٹ" کے آرڈر میں مخصوص جوینر فارسٹرز کو  
ڈپٹی ریجنل کے عہدوں پر ناجائز پروموشن کروانے کیلئے انتہائی عجلت میں مورخہ 10 مئی 2011 کو DPC  
کی اجلاس منعقد کروانے کیلئے ضاب CCF صاحبہ کے دفتر سے احکامات جاری کی جا چکی ہے۔ جو کہ  
خلاف قواعد، خلاف قانون اور خلاف ضابطہ ہے۔ کیونکہ!

1- حکومت KPP حکیمہ ماجولیات کے لیٹر نمبر NO-50 (ESTT) ENV/11-4/B/2009 مورخہ 17 جنوری 2011  
156/w2

(مقل شامل ہے) "ANNEXED A" کے ہدایات کے مطابق نہ تو والدین ڈیلیٹ سٹریٹ اور والدین ڈیلیٹ  
کے سٹیج پر ایک ایک سیارٹی لیٹ اور ایک ایک پروموشن کو یقینی بنانے کیلئے کوئی اقدامات کئے ہیں۔  
مذکورہ دونوں سٹیج کے مشورے سیارٹی لیٹ پر مشورے پروموشن زیر غور لیا جا رہا ہے۔ جو مشورے  
میں ایک انتظامی بحران پیدا کرنے کی کوشش ہے۔ بلکہ حکیمانہ مفادات کے برعکس، ظلم اور نا انصافی

2- ضاب والا کی سربراہی میں مورخہ 11-03-30 کو SSRC کے اجلاس ہو چکی ہے۔ جس کی  
منیش دستخط شدہ جاری ہوا ہے۔ جسے روٹنی میں "میرٹ کوٹ" کے آرڈر میں (5) متواتر NT  
AC.Rs لینے والوں کی مخصوص پروموشن کی کوئی پروموشن موجود نہیں ہے۔ لیکن 10-5-11 میں  
ایسے لوگوں کو پروموشن دے جانے کی کوشش کی جا رہی ہے۔ جو کہ خلاف قواعد ہے۔

3- DPC کے اہم نمبر SO (ESTT) صاحبہ کو حسب قواعد کوئی ڈرائنگ پیپر ارسال نہیں کی  
جو کہ خلاف پروڈر ہے۔

مذکورہ بالا حقائق کے پیش نظر استدعا ہے۔ کہ حکیمانہ مفادات، ملذذ میں جسگلات کو انصافی  
کو یقینی بنانے کیلئے 11-05-10 کو ہونی والی ڈپٹی ریجنل کے پروموشن کیلئے DPC کی اجلاس  
تاکہ والدین ڈیلیٹ اور ڈیلیٹ سٹیج کے ایک ایک پروموشن اور سیارٹی / منیش پر قانون کے مطابق  
یقینی بنایا جاسکے۔

امام عارف  
مذکورہ بالا حقائق  
میں سے کسی ایک  
کو بھیجنا  
۰۹/۰۵/۱۱

حاجی محمد زب خان مرکزی صدر ایس ایس ایس صوبہ خیریتوں خواہتار

Attested

Divisional Forest Officer  
Patrol Squad Lower Horze Circle  
Muzaffargarh









GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

Dated Pesh 5<sup>th</sup> Oct., 2012

**NOTIFICATION**

No. SO(Estt)Env/I-4/2k11. In supersession of this department Notification No. SO(Estt)Env/I-4/2k11/6475 dated 2/1/2012, the Competent Authority, in exercise of the powers vested vide Item 1-6 Part-I of defunct West Pakistan Manual Volume-II, is pleased to order reconstitution/revision of the following Circles for the purpose of initial appointment of Foresters and Deputy Rangers and promotion of Foresters to the rank of Deputy Rangers, in each circle, on the basis of circle-wise seniority lists of the Foresters, with immediate effect.

#	Name of Circles constituted	Name of Circle
1-	Upper Hazara Circle	Upper Hazara Circle
2-	Lower Hazara Circle	Lower Hazara Circle
3-	Malakand West Circle	Malakand West Circle
4-	Malakand East Circle	Malakand East Circle
5-	FATA Circle	FATA Circle
6-	Southern Circle	Southern Circle
7-	Watershed Management Circle	Watershed Management Circle
8-	Forestry Planning & Monitoring Circle	Forestry Planning & Monitoring Circle

The seniority of the Foresters and Deputy Rangers shall be determined and fixed in the respective Circles on the basis of their initial appointment.

SECRETARY TO GOVT: OF  
KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT.

Dated Pesh: 5<sup>th</sup> Oct., 2012

Encls: No. SO(Estt)Env/I-4/2k11/ 1629-50

Copy is forwarded for information to:-

- 1) PS to Secretary Environment Department.
- 2) Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
- 3) Chief Conservator of Forests, Northern Forest Region-II, Abbottabad.
- 4) Chief Conservator of Forests, Malakand Forest Region-III, Mingora at Saidu Sharif, Swat.
- 5) All Conservators of Forests, Khyber Pakhtunkhwa C/O CCF-I, with the direction that tentative seniority lists of their respective circles may be issued by calling thereby objections within one months time period, if found no objection from any official(s), then final seniority lists may be issued accordingly.
- 6) All Directors Integrated Specialized Units, Forest Department.
- 7) Master file.
- 8) Officer order file.

(ASHFAQ KHAN)  
SECTION OFFICER (ESTT)

Division of Forests  
Patrol Squad Lower Hazara Circle  
Abbottabad

OFFICE OF THE  
CONSERVATOR OF FORESTS  
LOWER HAZARA FOREST CIRCLE  
ABBOTTABAD



No. 708-10 /GE,

Dated 28/11/2012

- 1- The Conservator of Forests  
Watershed Management Project Abbottabad.
- 2- The Conservator of Forests  
Forestry Planning & Monitoring Circle, Peshawar.
- 3- Principal  
Sarhad Forest School, Abbottabad  
at Thai.

Subject SENIORITY LIST OF DEPUTY RANGERS / FORESTERS

Memo

The detail of Deputy Rangers /Foresters with full particulars, who are appointees of your Circles and presently serving in this Circle is enclosed herewith on the prescribed proforma for inclusion in the seniority list of your respective Circle on the basis of their initial appointment in the light of Government of Khyber Pakhtunkhwa Notification No. SO (Estt) Env/1-4/2K11/1629-50, dated 05-10-2012. The Conservator of Forests, Forestry Planning and Monitoring Circle is requested to also supply the names of Deputy Rangers / Foresters, who are appointees of this Circle and presently serving in his Circle at an early date for further necessary action.

Encl. As above

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

No. 711 /GE

Copy forwarded to the Chief Conservator of Forests, Northern Forest Region-II Abbottabad Khyber Pakhtunkhwa for favour of information please.

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

Attested  
Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad

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**NAME / SENIORITY LIST OF FORESTERS OF WORKING PLAN CIRCLE PRESENTLY SERVING IN LOWER HAZARA FOREST CIRCLE ABBOTTABAD**

S. #	Name of Forester	Qualification	Home District	Any test passed	Date of Birth	Date of appointment in		Cadre	Remarks
						Govt. Service	Present grade		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.	Muhammad Shafqat ✓	B.A	Haripur	Trained	01-01-1960	01-10-1983	01-10-1983	Upper Tanawal Working Plan Division Abbottabad	BS-09, dated 22-06-2012
2.	Muhammad Riasat S/O Abdul Qayyum ✓	Matric	Abbottabad	-do-	25-03-1966	01-10-1986	01-10-1986	Working Plan Unit No. VI, Abbottabad	-do-
3	Muhammad Anwar-II S/O Fazal-ur-Rehman ✓	F.A	Abbottabad	Trained	15-06-1966	01-10-1986	01-10-1986	Working Plan Unit No. VI, Abbottabad	-do-
4.	Mr. Bashir Ahmad	M.A	Mansehra	-do-	11-03-1965	01-10-1988	01-10-1988	Working Plan Unit No. IV, Abbottabad	-do-
5.	Mr. Amjad Khan	FA	Mansehra	-do-	06-05-1968	01-10-1988	01-10-1988	Working Plan Circle	-do-
6.	Syed Ibrar Hussain Shah	Matric	Mansehra	-do-	12-02-1965	01-10-1989	01-10-1989	-do-	-do-
7.	Mr. Zulifqar Khan	Matric	Abbottabad	-do-	14-04-1969	17-02-1991	01-09-2004	-do-	-do-

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

Attested  
Divisional Forest Officer  
Patrol Squad Lower Hazara Circle  
Abbottabad

OFFICE OF THE  
CONSERVATOR OF FORESTS  
LOWER HAZARA FOREST CIRCLE  
ABBOTTABAD



No. 3537 /GE,

Dated 18/11 /2012

The Divisional Forest Officer  
Haripur Forest Division, Haripur

Subject **APPEAL AGAINST SENIORITY OF FORESTERS  
CIRCULATED BY CONSERVATOR OF FORESTS LOWER  
HAZARA FOREST CIRCLE ABBOTTABAD WHEREBY THE  
NAME OF APPELLANTS HAS NOT BEEN INCORPORATED  
IN THE SENIORITY LIST**

Reference Your office letter No. 2113/GE dated 13-01-2013 (P-443)

(P-249)  
Consequent upon the issuance of Notification No. SO (Estt) Env / 1-4 / 2K11 / 1629-50, dated 05-10-2012 by the Government of Khyber Pakhtunkhwa Environment Department the refixation of seniority of Foresters and Deputy Rangers is to be done in the respective Circles on the basis of their initial appointments.

In view of the above no ambiguity is left in fixation of the seniority of the applicant namely Muhammad Shafqat, Forester in the Forestry Planning and Monitoring Circle which is the Circle of his initial appointment.

Please inform the applicant accordingly.

Conservator of Forests  
Lower Hazara Forest Circle  
Abbottabad

Attested

Dist. P. O.

18/11/12