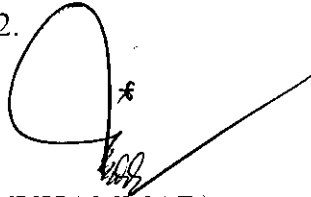


05.07.2022

Syed Noman Ali Bukhari, Advocate for the appellant present.  
Mr. Muhammad Adeel Butt, Additional Advocate General for the  
respondents present.

Learned counsel for the appellant requested for adjournment  
on the ground that he has not made preparation for arguments.  
Adjourned. To come up for arguments before the D.B on  
12.10.2022.



(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

12<sup>th</sup> Oct. 2022

1. None present for the appellant. Mr. Muhammad  
Adeel Butt, Additional Advocate General for  
respondents present.

2. Called several times till last hours of the court  
but neither appellant nor his counsel is present. In view  
of the above, the instant appeal is dismissed in default.

3. *Pronounced in open court in Peshawar and  
given under our hands and seal of the Tribunal on this  
12<sup>th</sup> day of October, 2022.*



(Farzana Paul)  
Member(F)



(Kalim Arshad Khan)  
Chairman

08.02.2021

Due to pandemic of Covid-19, the case is adjourned to

05.05.2021 for the same.

5.5.2021

*Due to COVID-19, the case is adjourned to 3.9.2021 for the same.*

Reader

03.09.2021

Syed Noman Ali Bukhari, Advocate, for the appellant present. Mr. Mehtab Gul, Law Officer alongwith Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Para-wise comments on behalf of respondent No. 5 submitted, copy of which handed over to learned counsel for the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments before the D.B on 08.12.2021.

(ATIQU-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

08.12.2021

Syed Noman Ali Bukhari, Advocate, for the appellant present. Mr. Noor Zaman Khattak, District Attorney for the respondents present:

The Worthy Chairman is on leave, therefore, the bench is incomplete. Adjourned. To come up for arguments on 29.03.2022 before the D.B.

(Salah-ud-Din)  
Member (J)

29-3-2022


*Proper DB not available the case is adjourned to come up for the same as before on 5-7-2022*

Reader

13-5 .2020


Due to COVID19, the case is adjourned to

5/8 /2020 for the same as before.

  
Reader

05.08.2020

Due to summer vacation case to come up for the same on  
06.10.2020 before D.B.


  
Reader


06.10.2020

Appellant present in person.

Zara Tajwar learned Deputy District Attorney for  
respondents present.

Lawyers are on general strike, therefore, the case is  
adjourned to 25.11.2020 for arguments, before D.B.

  
(Atiq ur Rehman Wazir)  
Member (E)

  
(Rozina Rehman)  
Member (J)

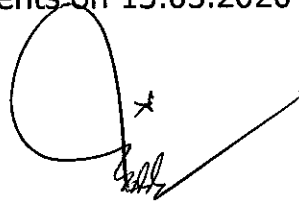
25.11.2020

Due to non-availability of D.B, the case is adjourned to  
08.02.2021 for the same as before.

  
Reader

13.03.2020

Counsel for the appellant present. Mr. Muhammad Jan, DDA alongwith Mr. Rashid Hussain, AD for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 13.05.2020 before D.B.

A handwritten signature consisting of a large, stylized loop followed by a horizontal line extending to the right.

Member

A handwritten signature consisting of the letters 'MA' in a stylized, bold font.

Member

19.09.2019

Junior to counsel for the appellant and Addl. AG alongwith Rashid A.D and Abdul Latif AD for the respondents present.

Respondents have failed to submit written reply/comments despite last opportunity granted to them. The appeal is posted to D.B for arguments on 28.11.2019. ~~before~~

Chairman

28.11.2019

Due to general strike of the Pakistan Bar Council, the case is adjourned. To come up on 23.01.2020 before D.B.

Member

Member

23.01.2020

Due to general strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Rashid Hussain, Assistant Director for the respondents present. Representative of the department submitted para-wise comments on behalf of respondents No. 1 to 5. The same is placed on record. Adjourned to 13.03.2020 for further proceeding/arguments before D.B.

(Hussain Shah)  
Member

(M. Amin/Khan Kundi)  
Member

06.05.2019

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Written reply on behalf of respondents not submitted. Learned Additional AG requested for further adjournment. Adjourned to 26.06.2019 for written reply/comments before S.B.



(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

26.06.2019

Learned counsel for the appellant present. Written reply not submitted. Farhan Ahmad Superintendent (for respondent No.2) and Shahid Iqbal (for respondent No.5) absent. Respondents as well as the absent representatives be put to notice with direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on 21.08.2019 before S.B.

  
Member

21.08.2019

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith M/S Raza Muhammad Superintendent on behalf of respondent No. 2 & 3 and Kiffayat Ullah Assistant on behalf of respondent 5 present. Written reply not submitted. Representative of the respondents seeks time to furnish written reply/comments. Last opportunity is granted. Adjourned. To come up for written reply/comments on 19.09.2019 before S.B.



(Hussain Shah)  
Member

15.01.2019

Counsel for the appellant present.

Contends that the appointment order of appellant dated 29.10.2015 did not indicate any condition of his re-appointment upon completion of training. On the other hand, on 13.06.2018 another notification was issued, whereby, the appellant was once again appointed as Sub Divisional Forest Officer (BS-17) in Forest Department but with no retrospective effect. The said act of respondents resulted in jeopardizing the seniority and other service benefits of the appellant, it was added.

In view of the averments of learned counsel, the appeal in hand is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 21.03.2019 before S.B.

  
Chairman

21.03.2019

Appellant in person present. Security and process fee have not been deposited. Appellant is directed to deposit security and process fee within 7 days, thereafter, notice be issued to the respondents for written reply/comments on 06.05.2019 before S.B.

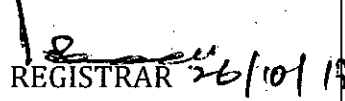
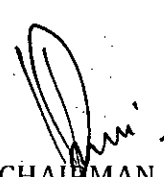
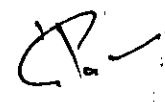
  
Appellant Deposited  
Security & Process Fee

  
Member

Form- A  
FORM OF ORDER SHEET

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

Case No. 1344/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/10/2018	<p>The appeal of Mr. Usman Khan presented today by Sye Noman Ali Bukhari Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 26/10/18</p>
2-	17-11-2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>28-11-18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	28.11.2018	<p>Learned counsel for the appellant present. Adjournment requested. Adjourn. To come up for preliminary hearing on 15.01.2019 before S.B.</p> <p style="text-align: right;"> Member</p>



**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 1344 /2018

Muhammad Usman

V/S

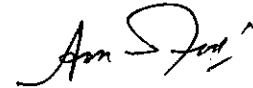
Environment Deptt:

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S.NO.	Documents	Annexure	Page No.
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2.	Copy of order dated 09.05.2011	---A---	05
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4.	Copy of Judgment	---C---	16-27
5.	Copy of order 19.10.2015	---D---	28-29
6.	Copy of arrival report	---E---	30
7.	Copy of order 17.11.2015	---F---	31
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**APPELLANT**

THROUGH:



(M. ASIF YOUSAFZAI)

ADVOCATE SUPREME COURT,



(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT.



(S. NOMAN ALI BUKHARI)

ADVOCATE PESHAWAR

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 1344 /2018

Muhammad Usman SDFO (BPS-17),  
Haripur Forest Division.

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. 1576  
Dated 26/10/18

(Appellant)

**VERSUS**

1. The Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Secretary Forest Environment & Wildlife Department, KPK, Peshawar.
3. THE Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
4. The Director General, Pakistan Forest Institute Peshawar.
5. The Public Service Commission through its Chairman Khyber Pakhtunkhwa, Peshawar.

(Respondents)

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**APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER 13.06.2018 WHEREBY THE APPELLANT WAS RE-APPOINTED ON THE SAME POST OF SUB DIVISION OF FOREST OFFICER (BPS-17) WHO WAS ALREADY APPOINTED ON THE POST OF SUB DIVISION FOREST OFFICER (BPS-17) VIDE ORDER DATED 29.10.2015 ON THE RECOMMENDATION OF KPK PUBLIC SERVICE COMMISSION AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD 90 DAYS.**

**PRAYER:**

**THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 13.06.2018 MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO RESTORE THE APPOINTMENT ORDER DATED 19.10.2015**

**OF THE APPELLANT WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST SERVICE TRIBUNAL DEEMS FIT AND PROPER MAY ALSO BE AWARDED IN THE FAVOUR OF THE APPELLANT.**

**RESPECTFULLY SHEWETH:**

**FACTS:**

1. That the appellant was initially appointed as Forest Ranger BPS-16 vide order dated 09.05.2011. **(Copy of order dated 09.05.2011 is attached as Annexure-A)**
2. That 18 posts of Sub Division Forest Officer (BPS-17) were advertised through KPK, Public Service Commission on 05.04.2015 and the appellant being eligible applied for the same post. **(Copy of advertisement is attached as Annexure-B)**
3. That the appellant appeared in the test and interview for the post of SDFO, however the appellant was not appointed due to reason that the 18 posts was reduced to 10 posts, therefore the appellant along with the others filed writ petition No. 2749/2015 for appointment, which was decided on 11.02.2015 in which the Honorable Court directed that reduction of posts from 18 to 10 is struck down being void and consequentially appointment shall be made against the remaining 08 posts of SDFO in advertisement and appointment/recruitment against 08 posts of SDFO be made of existing made merit position of candidates prepared by KPK Public Service Commission and no fresh process shall be carried out for the purpose. **(Copy of Judgment dated 11.02.2015 is attached as Annexure-C)**
4. That on the basis of judgment of Honorable Peshawar High Court Peshawar, the appellant was appointed as SDFO (BPS-17) along with other officials on the recommendation of KPK, Public Service Commission vide order dated 19.10.2015 and in the pursuance of said order the appellant submitted arrival report on 19.10.2015. **(Copies of order dated 19.10.2015 and arrival are attached as Annexure-D & E)**
5. That the appellant along with other candidates were selected/attached for Field Training vide order dated 17.11.2015. **(Copy of order dated 17.11.2015 is attached as Annexure-F)**

6. That the appellant was re-appointed on same post of Sub Divisional Forest Officer (BPS-17) for which he was already recommended by Public Service Commission in the year 2015. **(Copy of order dated 13.06.2018 is attached as Annexure-G)**
7. That being aggrieved from the said notification dated 13.06.2018, the appellant filed departmental appeal on 11.07.2018 for restoration of his appointment notification dated 19.10.2015 which was not responded within the statutory period of 90 days. **(Copy of departmental appeal is attached as Annexure-H)**
8. That the appellant now comes to this august Service Tribunal on the following grounds amongst the others.

#### **GROUND:**

- A) That the order dated 13.06.2018 and not taking action on the departmental appeal of the appellant are against the law fact norms of justice and material on record therefore not tenable is liable to be set aside.
- B) That the appellant was appointed as SDFO (BS-17) vide order dated 19.10.2015 on the recommendation of Public Service Commission on the direction of Honorable Peshawar High Court, Peshawar then how is it possible to re-appoint the appellant on the same post vide order dated 13.06.2018.
- C) That as the appellant was appointed as SDFO (BS-17) vide order dated 19.10.2015 then under what capacity the respondents issued order dated 13.06.2018 to re-appoint the appellant on the same post for which already recommended in the year 2015 by KPK Public Service Commission.
- D) That the illegal order of the re-appointment of the appellant i.e 13.06.2018 is also mentioned in the seniority list which will affect the promotion of the appellant and future prospects service carrier of the appellant. **(Copy of seniority list is attached as Annexure-I)**
- E) That reappointing order dated 13.06.2018 is the result of arbitrary use of executive powers which is not permissible under the law and also

the appellant was condemned unheard while passing such adverse order.

- F) That the condition of field training and Master degree were the requirement as given in the advertisement, therefore, fulfilling such requirement, the appellant's date of appointment cannot be changed/alterd unilaterally by adversely affecting the service rights of the appellant.
- G) That the appellant has not been treated in accordance with law and rules and was wrongly re-appointed vide order dated 13.06.2018.
- H) That the appellant seeks permission to advance other grounds & proof at the time of hearing.

It is, therefore most humbly prayed that on acceptance of this appeal prayed for.

*USMAN*

APPELLANT  
MUHAMMAD USMAN

THROUGH:

*M. Asif Yousafzad*

(M.ASIF YOUSAFZAD)  
ADVOCATE SUPREME COURT,

*Taimur Ali Khan*  
(TAIMUR ALI KHAN)  
ADVOCATE HIGH COURT,

*S. Noman Ali Bukhari*  
(S. NOMAN ALI BUKHARI)  
ADVOCATE PESHAWAR,

*Asad Mahmood*  
&  
ASAD MAHMOOD  
ADVOCATE HIGH COURT



Government of Pakistan  
Ministry of Environment  
Pakistan Forest Institute, Peshawar



Ph: +92-91-9216123, Fax: +92-91-9216203

Dated 9-8-2011

TO BE PUBLISHED IN THE NEXT ISSUE OF GAZETTE OF PAKISTAN PART-III

NOTIFICATION

No. 856 F.II (Per)-Estt. In continuation of offer of appointment, issued vide No. F.2 (5)/2006 Admn-III(PFI), dated 17<sup>th</sup> January, 2007 and vide No. F.2(5)/2006 Admn-III(PFI), dated 12<sup>th</sup> March 2008, read with Section Officer, Ministry of Environment's letter No.F.2 (5)/2006-A-III (PFI), dated 20<sup>th</sup> April 2011, and consequent upon the successful completion of B.Sc in Forestry (2007-2009) course at the Pakistan Forest Institute (PFI), Peshawar, the following stipendiary candidate are hereby appointed as Forest Ranger in BS-16 (pay scale of Rs. 6060-470-20160), with usual allowances, w.e.f. 25-11-2010.

- |   |   |
|---|---|
| 1) Hafiz Muhammad Sufyan Babar<br>S/o Muhammad Ashraf | H.No. 5 St. No. 4,<br>Iqbal Nagar, Rahim Yar Khan |
| 2) ✓ Muhammad Usman<br>S/o Bakhtiar Ali               | Canal Bank Road, Kuladehr,<br>Chursadda           |

Syed Said Badshah Bukhari  
Director General  
Pakistan Forest Institute

To  
The Manager  
Printing Corporation of Pakistan Press  
University Road,  
Karachi -5

No. 857 F.II (Per)-Estt.

Dated 9-8-2011

A copy is forwarded to:

1. The Section Officer (Admn-III) Environment Division, Islamabad, with reference to MoE Memorandum No. F.2 (5)/2006-Admn-III (PFI), dated 17-01-2007, 12-03-2008 and 20-04-2011.
2. The Accountant General, Pakistan Revenues Sub-Office, Peshawar.
3. The Director, Forestry Research Division, PFI, Peshawar.
4. The Administrative Officer (B&A) PFI, Peshawar.
5. Above named officers.

Director General  
Pakistan Forest Institute

B 6

KHYBER PAKHTUNKHWA PUBLIC SERVICE  
COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.kppsc.gov.pk

Tele: Nos. 091-9214131, 9213563, 9213750, 9212897

Dated: 05.04.2013

**ADVERTISEMENT No. 02 / 2013.**

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa / F.A.T.A by 10.05.2013 (candidates applying from abroad by 24.05.2013). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected.

<b><u>AGRICULTURE, LIVESTOCK &amp; COOPERATIVE DEPARTMENT</u></b>	
1.	<p><b>ELEVEN (11) POSTS OF RESEARCH OFFICER IN LIVESTOCK &amp; DAIRY DEVELOPMENT DEPARTMENT (RESEARCH WING).</b></p> <p><b>QUALIFICATION:</b> Doctor of Veterinary Medicine (DVM) or equivalent qualification in Veterinary Sciences recognized by Pakistan Veterinary Medical Council.</p> <p><b>AGE LIMIT:</b> 22 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> Three to Merit, One each to Zone-1 &amp; 2, Two each to Zone-3,4 &amp; 5</p>
2.	<p><b>ONE (01) POST OF FEMALE RESEARCH OFFICER IN LIVESTOCK &amp; DAIRY DEVELOPMENT DEPARTMENT (RESEARCH WING).</b></p> <p><b>QUALIFICATION:</b> Doctor of Veterinary Medicine (DVM) or equivalent qualification in Veterinary Sciences recognized by Pakistan Veterinary Medical Council.</p> <p><b>AGE LIMIT:</b> 22 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Female.</p> <p><b>ALLOCATION:</b> Merit.</p>
3.	<p><b>TWO (02) POSTS OF ASSISTANT AGRICULTURE ENGINEER IN AGRICULTURE ENGINEERING DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> Degree in Agricultural Engineering from a recognized university.</p> <p><b>AGE LIMIT:</b> 21 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> One each to Merit &amp; Zone-1.</p>
<b><u>COMMUNICATION AND WORKS DEPTT:</u></b>	
4.	<p><b>THIRTEEN (13) LEFT OVER POSTS OF JUNIOR SCALE STENOGRAPHER</b></p> <p><b>QUALIFICATION:</b> (i) Intermediate or equivalent from a recognized board. (ii) A speed of 60 words per minute in Shorthand in English and 35 words per minute in Typewriting in English and knowledge of computer in using MS Word and MS</p>

5.	<p><b>TWO (02) LEFT OVER POSTS OF FEMALE JUNIOR SCALE STENOGRAPHER</b></p> <p><b>QUALIFICATION:</b> (i) Intermediate or equivalent from a recognized board. (ii) A speed of 60 words per minute in English Shorthand and 35 words per minute in English Typewriting and knowledge of computer in using MS Word and MS Excel</p> <p><b>AGE LIMIT:</b> 18 to 30 years. <b>PAY SCALE:</b> BPS-14 <b>ELIGIBILITY:</b> Female. <b>ALLOCATION:</b> Merit.</p>
<b>ELEMENTARY &amp; SECONDARY EDUCATION DEPTT:</b>	
6.	<p><b>ONE (01) POST OF STATISTICAL OFFICER</b></p> <p><b>QUALIFICATION:</b> Master degree in Economics, Statistics or Business Administration, Public Administration or Commerce from a recognized university.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Zone-I.</p>
7.	<p><b>FIVE (05) POSTS OF ASSISTANT PROGRAMMER</b></p> <p><b>QUALIFICATION:</b> Master Degree or equivalent qualification computer science/ IT.</p> <p><b>AGE LIMIT:</b> 21 to 30 years. <b>PAY SCALE:</b> BPS-16 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> One each to Merit, Zone-2,3, 4 &amp; 5.</p>
8.	<p><b>FOUR (04) POSTS OF COMPUTER OPERATOR</b></p> <p><b>QUALIFICATION:</b> Second Class Bachelor Degree from a recognized university with one year diploma in information Technology from a recognized Board of Technical Education or its equivalent.</p> <p><b>AGE LIMIT:</b> 18 to 28 years. <b>PAY SCALE:</b> BPS-12 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> One each to Zone-1, 2, 3 and 4.</p>
<b>ENVIRONMENT DEPARTMENT</b>	
9.	<p><b>EIGHTEEN (18) POSTS OF MALE SUB DIVISIONAL FOREST OFFICER IN THE OFFICE OF CHIEF CONSERVATOR OF FORESTS</b></p> <p><b>QUALIFICATION</b> (a) Master's Degree in Forestry from a recognized University/ Institute. OR (b) (i) Second Class Bachelor's Degree in Forestry from a recognized University / Institute. OR (ii) Second Class Bachelor's Degree in Agriculture or other Science subjects (any two of subjects i.e., Mathematics, Physics, Chemistry, Biology, Zoology, Botany) from a recognized University / Institute, if no suitable candidate having qualification mentioned in (a) &amp; (b) (i) above is available.</p> <p>Preference shall be given to those having qualification prescribed first as (a)</p> <p>Note: Appointment of candidates selected for the posts by the Public Service Commission shall be made subject to the following conditions: -</p> <p>i) The selected candidates shall undergo and successfully complete the training at the Pakistan Forest Institute leading to Master's Degree in Forestry. Those already having Master's Degree in Forestry from PFI shall be exempted from such training.</p> <p>ii) The selected candidates shall execute a bond with the Forest Department to the effect that on successful completion of the training they shall serve the Government for at least five years and in default shall refund all the expenses incurred in connection with their training and education.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Male <b>ALLOCATION:</b> Four to Merit, Three each to Zone-1, 2, 4 and 5 and Two to Zone-3.</p>



16.	<p><b>SIXTEEN (16) POSTS OF COMPUTER OPERATOR / DEO IN ESTABLISHMENT DEPARTMENT</b></p> <p><u>QUALIFICATION</u> 2<sup>nd</sup> Class Bachelor Degree from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education or its equivalent.</p> <p><u>AGE LIMIT:</u> 18 to 32 years. <u>PAY SCALE:</u> BPS-12 <u>ELIGIBILITY:</u> Both Sexes <u>ALLOCATION:</u> Four to Zone-1 and Three each to Zone-2, 3, 4 and 5.</p>
17.	<p><b>TWO (02) POSTS OF FEMALE COMPUTER OPERATOR / DEO IN ESTABLISHMENT DEPARTMENT</b></p> <p><u>QUALIFICATION</u> 2<sup>nd</sup> Class Bachelor Degree from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education or its equivalent.</p> <p><u>AGE LIMIT:</u> 18 to 32 years. <u>PAY SCALE:</u> BPS-12 <u>ELIGIBILITY:</u> Female <u>ALLOCATION:</u> Open Merit.</p>
18.	<p><b>EIGHTEEN (18) (LEFT OVER) POSTS OF FEMALE JUNIOR SCALE STENOGRAPHER IN ESTABLISHMENT DEPARTMENT</b></p> <p><u>QUALIFICATION</u> (i) Intermediate or equivalent qualification from a recognized Board and (ii) A Speed of 50 words per minute in English Shorthand and 35 words per minute in English Typewriting and knowledge of Computer in using MS Word and MS Excel.</p> <p><u>AGE LIMIT:</u> 18 to 30 years. <u>PAY SCALE:</u> BPS-14 <u>ELIGIBILITY:</u> Female <u>ALLOCATION:</u> Open Merit.</p>
19.	<p><b>ONE (01) LEFT OVER POST OF JUNIOR SCALE STENOGRAPHER IN DIRECTORATE OF ANTI CORRUPTION</b></p> <p><u>QUALIFICATION</u> (i) F.A. Or equivalent qualification from a recognized Board. (ii) A Speed of 80 words per minute in shorthand in English and 40 words per minute in Typing.</p> <p><u>AGE LIMIT:</u> 18 to 30 years. <u>PAY SCALE:</u> BPS-14 <u>ELIGIBILITY:</u> Male <u>ALLOCATION:</u> Zone-1.</p>
20.	<p><b>THREE (03) POSTS OF RESEARCH OFFICER IN PROVINCIAL INSPECTION TEAM</b></p> <p><u>QUALIFICATION</u> Master Degree in Social Sciences, Public Administration from a recognized University.</p> <p><u>AGE LIMIT:</u> 21 to 32 years. <u>PAY SCALE:</u> BPS-17 <u>ELIGIBILITY:</u> Both Sexes <u>ALLOCATION:</u> One each to Merit, Zone-1 and 2.</p>
21.	<p><b>THREE (03) LEFT OVER POSTS OF COMPUTER OPERATOR IN PROVINCIAL INSPECTION TEAM</b></p> <p><u>QUALIFICATION</u> Second Class Bachelor's Degree from a recognized University with one year Diploma in Information Technology from Board of Technical Education OR its equivalent.</p> <p><u>AGE LIMIT:</u> 21 to 32 years. <u>PAY SCALE:</u> BPS-12 <u>ELIGIBILITY:</u> Male <u>ALLOCATION:</u> One each to Zone-2, 3 and 4.</p>

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10.	<p><b>ONE (01) POST OF ASSISTANT DIRECTOR NON-TIMBER FOREST PRODUCT (NTFP) IN THE DIRECTORATE OF NTFP FORESTS</b></p> <p><u>QUALIFICATION</u> (a) M.Sc (Hons) Agriculture with specialization in Entomology or Horticulture or Plant Pathology from recognized University, OR (b) M.Sc Forestry in Second Division from a recognized University.</p> <p><u>AGE LIMIT:</u> 21 to 32 years. <u>PAY SCALE:</u> BPS-17 <u>ELIGIBILITY:</u> Male <u>ALLOCATION:</u> Zone-3.</p>
11.	<p><b>TWO (02) POSTS OF FEMALE COMMUNITY DEVELOPMENT OFFICER IN THE OFFICE OF CHIEF CONSERVATOR OF FORESTS</b></p> <p><u>QUALIFICATION</u> Master in Rural Development or Sociology or Social Work or Anthropology or Agriculture Extension or Mass Communication..</p> <p><u>AGE LIMIT:</u> 21 to 30 years. <u>PAY SCALE:</u> BPS-16 <u>ELIGIBILITY:</u> Female <u>ALLOCATION:</u> One each to Zone-1 and 5.</p>
12.	<p><b>ONE (01) POST OF MONITORING INSPECTOR IN ENVIRONMENTAL PROTECTION AGENCY (E.P.A)</b></p> <p><u>QUALIFICATION</u> Bachelors Degree with Bio-Chemistry, Chemistry, Statistics, Economics, Botany, Agriculture, Forestry and Mathematics as one of the subjects with one year experience in data collection/ laboratory work in Government / Semi Government organization.</p> <p><u>AGE LIMIT:</u> 21 to 32 years. <u>PAY SCALE:</u> BPS-11 <u>ELIGIBILITY:</u> Both Sexes <u>ALLOCATION:</u> Zone-5.</p>
13.	<p><b>ONE (01) POST OF JUNIOR ANALYST IN ENVIRONMENTAL PROTECTION AGENCY (E.P.A)</b></p> <p><u>QUALIFICATION</u> B.Sc with chemistry as one of the basic subjects from recognized university; and ; Three years experience in Analytical Laboratory Work preferably with regard to National Environmental Quality Standards/ parameter testing.</p> <p><u>AGE LIMIT:</u> 21 to 35 years. <u>PAY SCALE:</u> BPS-11 <u>ELIGIBILITY:</u> Both Sexes <u>ALLOCATION:</u> Zone-3.</p>
<b>ESTABLISHMENT DEPARTMENT</b>	
14.	<p><b>ONE (01) POST OF FEMALE ASSISTANT DIRECTOR I.T. / PROGRAMMER/ LAN ADMINISTRATOR/ WEB ADMINISTRATOR/ DATA PROCESSING OFFICER/ DEPUTY DATA BASE ADMINISTRATOR IN ESTABLISHMENT DEPARTMENT</b></p> <p><u>QUALIFICATION</u> Second Class Master Degree or equivalent qualification in Computer Science from a recognized University.</p> <p><u>AGE LIMIT:</u> 22 to 35 years. <u>PAY SCALE:</u> BPS-17. <u>ELIGIBILITY:</u> Female <u>ALLOCATION:</u> Open Merit.</p>
15.	<p><b>ONE (01) POST OF ASSISTANT PROGRAMMER IN ESTABLISHMENT DEPARTMENT</b></p> <p><u>QUALIFICATION</u> (i) Second Class Master Degree or equivalent qualification in Computer Science or (ii) First Class Bachelors Degree or equivalent qualification in Computer Science with two years experience in Programming or</p>

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(10)

## HEALTH DEPARTMENT

22. ONE HUNDRED AND FIFTY FIVE (155) POSTS (LEFT OVER) OF DISTRICT SPECIALIST, 10 FOR MEDICINE, 27 FOR GYNAE, 04 FOR PAEDIATRICS, 20 FOR PATHOLOGY, 19 FOR RADIOLOGY, 22 FOR ANAESTHESIA, 05 FOR CARDIOLOGY, 06 FOR OTHOPAEDIC, 06 FOR OPHTHALMOLOGY, 06 FOR ENT, 13 FOR PSYCHIATRY, 02 FOR NEURO SURGERY, 12 FOR NEPHROLOGY & 03 FOR PAEDIATRICS SURGERY

**QUALIFICATION:** (A) Post graduate degree/ fellowship in the specialty from a recognized university/ institute with at least one year's experience in the relevant specialty before or after post graduation; or (B) Diploma in the specialty from a recognized institute with at least three years service after diploma in the relevant specialty. (C) Registration of Pakistan Medical and Dental Council (PM&DC) for post graduate qualification.

Note: candidates with the qualification at (b) shall be considered only when no suitable candidate with the qualification at (a) above is available.

**AGE LIMIT:** 22 to 40 years. **PAY SCALE:** BPS-18 **ELIGIBILITY:** Both Sexes.

**ALLOCATION:** Merit.

23. THREE (03) LEFTOVER POSTS OF MEDICAL OFFICERS IN KHALIFA GUL NAWAZ TEACHING HOSPITAL BANNU, HEALTH DEPARTMENT

**QUALIFICATION:** (A) MBBS or equivalent qualification from recognized university. (b) Completion of House Job Training. (c) Valid and Permanent PM & DC registration.

**AGE LIMIT:** 22 to 35 years **PAY SCALE:** BPS-17 **ELIGIBILITY:** Both Sexes

**ALLOCATION:** Three to Zone-5.

24. TWENTY FOUR (24) LEFTOVER POSTS OF MALE NURSE IN HEALTH DEPARTMENT

**QUALIFICATION:** Registered Male Nurse with Pakistan Nursing Council

**AGE LIMIT:** 18 to 30 years **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male

**ALLOCATION:** Eight to Zone-1, Nine to Zone-4 and Seven to Zone-5.

25. THREE (03) POSTS OF HOSTEL ASSISTANT IN BANNU MEDICAL COLLEGE, BANNU HEALTH DEPARTMENT

**QUALIFICATION:** Bachelor Degree from a recognized University.

**AGE LIMIT:** 20 to 30 years **PAY SCALE:** BPS-11 **ELIGIBILITY:** Both Sexes

**ALLOCATION:** One each to Zone-1, 2 and 3.

## HIGHER EDUCATION DEPARTMENT

26. TWO (02) LEFT OVER POSTS OF FEMALE ASSOCIATE PROFESSOR IN URDU

**QUALIFICATION:** (i) Ph.D or equivalent qualification in the relevant subject with nine years teaching/ research experience in a recognized College/ University or Professional experience in the relevant field in a national or international organization and distinguished research publication as a principal author in a standard journal recognized by the University/ Higher Education Commission; OR (ii) M.Phil in the relevant subject with eleven years teaching/ research experience in a recognized College/ University or Professional experience in the

	<p>(iii) Second Class Master Degree in the relevant subject from recognized University with 12 years experience of teaching and / or research in a recognized College/ University.</p> <p><u>AGE LIMIT:</u> 30 to 45 years. <u>PAY SCALE:</u> BPS-19 <u>ELIGIBILITY:</u> Female. <u>ALLOCATION:</u> Merit</p>
27.	<p><b>ONE (01) LEFT OVER POSTS OF FEMALE ASSOCIATE PROFESSOR IN HISTORY CUM CIVICS</b></p> <p><u>QUALIFICATION:</u> (i) Ph.D or equivalent qualification in the relevant subject with nine years teaching/ research experience in a recognized College/ University or Professional experience in the relevant field in a national or international organization and distinguished research publication as a principal author in a standard journal recognized by the University/ Higher Education Commission; OR (ii) M.Phil in the relevant subject with eleven years teaching/ research experience in a recognized College/ University or Professional experience in the relevant field in a national or international organization and distinguished research work at least 04 research publications as a principal author in a standard journal recognized by the University/ Higher Education Commission; OR (iii) Second Class Master Degree in the relevant subject from recognized University with 12 years experience of teaching and / or research in a recognized College/ University.</p> <p><u>AGE LIMIT:</u> 30 to 45 years. <u>PAY SCALE:</u> BPS-19 <u>ELIGIBILITY:</u> Female. <u>ALLOCATION:</u> Merit</p>
28.	<p><b>THIRTY ONE (31) POSTS OF MALE OFFICE ASSISTANT IN DIRECTORATE OF HIGHER EDUCATION</b></p> <p><u>QUALIFICATION:</u> Degree from recognized university.</p> <p><u>AGE LIMIT:</u> 18 to 30 years. <u>PAY SCALE:</u> BPS-14 <u>ELIGIBILITY:</u> Male. <u>ALLOCATION:</u> Seven each to Zone-1,2,3 and Five each to Zone-4 &amp; 5.</p>
29.	<p><b>FOUR (04) POSTS OF FEMALE OFFICE ASSISTANT IN DIRECTORATE OF HIGHER EDUCATION</b></p> <p><u>QUALIFICATION:</u> Degree from recognized university.</p> <p><u>AGE LIMIT:</u> 18 to 30 years. <u>PAY SCALE:</u> BPS-14 <u>ELIGIBILITY:</u> Female. <u>ALLOCATION:</u> Open Merit.</p>
30.	<p><b>TWO (02) LEFTOVER POSTS OF FEMALE LIBRARIAN IN HIGHER EDUCATION DEPARTMENT</b></p> <p><u>QUALIFICATION:</u> At least 2<sup>nd</sup> class Master Degree in relevant subject from a recognized university.</p> <p><u>AGE LIMIT:</u> 21 to 35 years. <u>PAY SCALE:</u> BPS-17 <u>ELIGIBILITY:</u> Female. <u>ALLOCATION:</u> Zone-5.</p>
31.	<p><b>TWO (02) POSTS OF COMPUTER OPERATOR IN DIRECTORATE OF ARCHIVES &amp; LIBRARIES</b></p> <p><u>QUALIFICATION:</u> (i) Intermediate (2<sup>nd</sup> class) or equivalent from a recognized board. (ii) One year Diploma in Computer Science or Information Technology from recognized board.</p> <p><u>AGE LIMIT:</u> 18 to 32 years. <u>PAY SCALE:</u> BPS-12 <u>ELIGIBILITY:</u> Both Sexes. <u>ALLOCATION:</u> One each to Zone-1 and Zone-5.</p>

38.	<p><b>ONE (01) POST OF CARTOGRAPHER</b></p> <p><b>QUALIFICATION:</b> Intermediate with Certificate or Diploma in Cartographer from a recognized Board, with two years experience in Auto CAD/ Geographical Information System Software.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-11 <b>ELIGIBILITY:</b> Male <b>ALLOCATION:</b> Zone-1.</p>
39.	<p><b>ONE (01) POST OF JUNIOR LABORATORY TECHNICIAN IN DIRECTORATE GENERAL MINES AND MINERALS</b></p> <p><b>QUALIFICATION:</b> Secondary School; Certificate from a recognized Board with Diploma in Chemical / Mechanical or Electrical Technology from a recognized Technical Board with at least five years experience in relevant field.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-11 <b>ELIGIBILITY:</b> Male <b>ALLOCATION:</b> Zone-1.</p>
<b>PLANNING AND DEVELOPMENT DEPARTMENT</b>	
40.	<p><b>ONE (01) POST OF CHIEF OF SECTION IN PLANNING AND DEVELOPMENT DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (i) (a) Master's degree from a recognized University or Equivalent qualification in any or the fields namely Economics, Development, Agriculture Science, Health, Industrial Economics, Educational Planning and management, Geography, Sociology, Social Work, Public Administration, Physical Planning, Statistics, Business Administration, Geology, Commerce, Computer Science, Political Science, Environmental Management, Environmental Engineering, forestry, Fisheries, Wildlife, Range Science, Watershed Management, Ecology, chemistry, Physics, Botany, Zoology, Mathematics, International Relation, Development Studies; or (b) B.Sc B.E. Degree form a recognized University in Civil Engineering or Electrical Engineering or Architecture or Urban and Regional Planning or City and Regional planning or Town Planning; or (c) MBBS from a recognized Medical Institute / University with 12 years experience of work and / or research relating to Development Economics, Public Finance, Project Management or other fields of planning and Development of Engineering, Environmental Management, Environmental Engineering, Forestry, Fisheries, Agriculture science, Wildlife, Range Science, Watershed Management, Ecology, Agriculture, Chemistry, Bio Chemistry, Physics, Botany, Zoology or (ii) M.Phil or equivalent qualification form a recognized University in any of the Subject mentioned at 1 (a) with seven years experience in the relevant field/ subject mentioned at 1 (b) above; or (iii) Ph.D from a recognized University in any of the subjects mentioned at 1 (a) with one year experience in the relevant field/ subject mentioned at 1 (b) above.</p> <p><b>Note:</b> - (a) In the advertisement No. 2/2012, S.No.46, some omissions as indicated below at (b) occurred. The candidates who have already applied for the post in response to our advertisement No. 02/ 2012 S.No. No.46 need not to apply afresh. Other terms and conditions of the aforesaid advertisement remain the same. (b) The subjects of Physical Planning, Statistics, Business Administration which also formed the prescribed qualifications for the post of Chief of Section were omitted due to typing mistake and as such the candidate with aforesaid qualification and experience may also apply now for the post.</p> <p><b>AGE LIMIT:</b> 30 to 45 years. <b>PAY SCALE:</b> BPS-19 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>

**ATTESTED**

<b>HOME AND TRIBAL AFFAIRS DEPARTMENT</b>	
32.	<p><b>ONE (01) POST OF PAROLE / PROBATION OFFICER IN DIRECTORATE OF RECLAMATION AND PROBATION</b></p> <p><u>QUALIFICATION:</u> 2<sup>nd</sup> Class Master Degree in Social Work/ Sociology or equivalent qualification.</p> <p><u>AGE LIMIT:</u> 21 to 30 years. <u>PAY SCALE:</u> BPS-16 <u>ELIGIBILITY:</u> Male.</p> <p><u>ALLOCATION:</u> Zone-2.</p>
33.	<p><b>ONE (01) LEFT OVER POST OF JUNIOR SCALE STENOGRAPHER IN DIRECTORATE OF PRISONS</b></p> <p><u>QUALIFICATION</u> (I) Intermediate or equivalent qualification from a recognized Board and (ii) A Speed of 60 words per minute in English Shorthand and 35 words per minute in English Typewriting and knowledge of Computer in using MS Word and MS Excel</p> <p><u>AGE LIMIT:</u> 18 to 30 years. <u>PAY SCALE:</u> BPS-14 <u>ELIGIBILITY:</u> Both Sexes</p> <p><u>ALLOCATION:</u> Zone-3.</p>
<b>IRRIGATION DEPARTMENT</b>	
34.	<p><b>THREE (03) POSTS OF SENIOR SCALE STENOGRAPHER</b></p> <p><u>QUALIFICATION</u> (i) Bachelor's Degree or equivalent qualification from a recognized University and (ii) A Speed of 80 words per minute in Shorthand in English and 40 words per minute in English Typing.</p> <p><u>AGE LIMIT:</u> 18 to 30 years. <u>PAY SCALE:</u> BPS-16 <u>ELIGIBILITY:</u> Both Sexes</p> <p><u>ALLOCATION:</u> One each to Merit, Zone-1 and 2.</p>
35.	<p><b>ONE (01) LEFT OVER POST OF JUNIOR SCALE STENOGRAPHER</b></p> <p><u>QUALIFICATION</u> (I) Intermediate or equivalent qualification from a recognized Board and (ii) A Speed of 60 words per minute in English Shorthand and 35 words per minute in English Typing and knowledge of Computer in using MS Word and MS Excel</p> <p><u>AGE LIMIT:</u> 18 to 30 years. <u>PAY SCALE:</u> BPS-14 <u>ELIGIBILITY:</u> Both Sexes</p> <p><u>ALLOCATION:</u> Zone-3.</p>
<b>LAW, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS DEPARTMENT</b>	
36.	<p><b>ONE (01) POST OF LIBRARIAN IN LAW DEPARTMENT</b></p> <p><u>QUALIFICATION</u> Second Class Master's Degree in Library Science from a recognized University.</p> <p><u>AGE LIMIT:</u> 21 to 32 years. <u>PAY SCALE:</u> BPS-17 <u>ELIGIBILITY:</u> Both Sexes</p> <p><u>ALLOCATION:</u> Merit.</p>
<b>MINES AND MINERAL DEVELOPMENT DEPARTMENT</b>	
37.	<p><b>ONE (01) POST OF RESCUE APPRATUS TECHNICIAN</b></p> <p><u>QUALIFICATION:</u> Three years Diploma in Mechanical Technology from</p>

**PROVINCIAL PUBLIC SAFETY & POLICE COMPLAINTS COMMISSION**

41. ONE (01) LEFTOVER POST OF FEMALE COMPUTER OPERATOR (FEMALE QUOTA)

QUALIFICATION: 2<sup>nd</sup> Class Graduation with one year diploma in IT from Board of Technical Education or its equivalent.

AGE LIMIT: 21 to 35 years. PAY SCALE: BPS-12 ELIGIBILITY: Female.

ALLOCATION: Merit.

**SPORTS, TOURISM AND ARCHAEOLOGY DEPTT:**

42. TWO (02) LEFTOVER POSTS OF JUNIOR SCALE STENOGRAPHER IN SPORTS, TOURISM, ARCHAEOLOGY & MUSEUMS DEPARTMENT

QUALIFICATION: i) Intermediate or equivalent qualification from a recognized board with three months duration certificate in Computer basics and ii) A speed of 50 words per minutes in shorthand and 35 words per minute in typing.

AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-12 ELIGIBILITY: Male.

ALLOCATION: One each to Zone-4 & 5.

**ZAKAT, USHER, SOCIAL WELFARE & WOMEN DEVELOPMENT DEPARTMENT**

43. TWO (02) LEFTOVER POSTS OF PRINCIPAL

QUALIFICATION: (a) 2<sup>nd</sup> Class Master Degree in Social Work, Sociology, Anthropology, Psychology from recognized university and; (b) Teaching Diploma for the Deaf from a recognized Institute OR Second class Master degree in special Education from a recognized university. OR (a) Second Class Bachelor Degree (Arts/Science) from a recognized university (b) Bachelors in Education from a recognized university; and (c) Teaching diploma for the Deaf from a recognized institute.

AGE LIMIT: 21 to 35 years. PAY SCALE: BPS-17 ELIGIBILITY: Both Sexes.

ALLOCATION: One each to Zone-1 & Zone-2.

**CORRIGENDUM**

A. The posts of Excise and Taxation Officer (BPS-17) in Excise & Taxation Department which were advertised in Commission's Advt. No.05/2012 may be read as three instead of two posts with zonal allocation as "One each to Zone-4, Zone-5 & Merit.

B. The posts of Associate Professor Paeds (BPS-19) in Bacha Khan Medical College Mardan, Associate Professor Anatomy (BPS-19) in Bannu Medical College Bannu and Assistant Professor Neuro Surgery (BPS-18) in Bannu Medical College, Bannu, advertised in Commission's Advertisement No.04/2012 at Serial No.10, 19 and 20 respectively are stand withdrawn on the request of the Establishment and Administration Department Khyber Pakhtunkhwa.

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## GENERAL CONDITIONS

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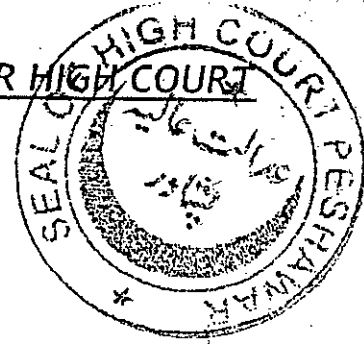
- (i) Age shall be reckoned on **10.05.2013**. Maximum age limit as prescribed in the recruitment rules shall be relaxed upto 10 years for Disabled persons and Govt Servants who have completed 2 years continuous service and upto 3 years for candidates belonging to backward areas specified in the appendix attached to the NWFP Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 2008. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt: Servants, general or disabled candidates, whichever is relevant and applicable to them. Employees or ex-employees of development projects of the Government of Khyber Pakhtunkhwa and employees or ex-employees of development projects of the Federal Government under the administrative control of the Government of Khyber Pakhtunkhwa shall also be entitled to age relation equal to the period served in the projects, subject to a maximum limit of ten years provided that this age relaxation shall not be available in conjunction with any other provisions of the age relaxation rules.
- (ii) Only the qualification possessed on the closing date of the advertisement fixed for the incountry candidates shall be taken into consideration.
- (iii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted, however, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective institution. The candidates shall produce original degrees / certificates before their selection. Detail Marks Certificates for all the examinations shall necessarily be required and these should be attached with the application forms.
- (iv) Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (v) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK OF PAKISTAN. Application Fee is Rs.285/- (Rupees Two Hundred Eighty Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs.15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall not be accepted which shall be rejected. Candidates can also apply online through the Commission's website ([www.nwfppsc.gov.pk](http://www.nwfppsc.gov.pk)). However the application fee needs to be deposited in State Banks of Pakistan or a National Bank of Pakistan Branch under head of account No. C02101- Organs of State-Examination Fee of KP PSC through Challan on or before the closing date. The same alongwith attested copies of all the documents need to be submitted to the Commission within 10 days.
- (vi) Applications must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.
- (vii) Applicants married to Foreigners are considered only on production of the Govt: Relaxation Orders.
- (viii) No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
- (ix) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (x) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (xi) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xii) In case the number of applications of candidates is disproportionately higher than the number of posts, short listing will be made in anyone of the following manner: -
  - (a) Written Test in the Subject.
  - (b) General Knowledge or Psychological General Ability Test.
  - (c) Academic and/or Professional record as the Commission may decide.



BEFORE THE HONOURABLE PESHAWAR HIGH COURT

PESHAWAR

W.P. NO. 2749-P/12014



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1. Shoaib Ahmad Anees son of Faiz Muhammad resident of house no. 104, near GGS No.1, Muryali, Mohallah Balochan Wala, Muryali D.I. Khan.
2. Kamran Khan son of Muhammad Ayub Khan resident of village Kotka, Shah Alam, P.O. Ghorli Wala, Tehsil & district Bannu.
3. Kaleem Mehmood Son of Muhammad Dost resident of Mohallah Khonacham Baligram Saidu Sharif Swat.
4. Waqar Ahmad Son of M. P. J. Khan resident of District Dir.

(PETITIONER)

VERSUS

1. Chairman KPK Public Services Commission Fort Road, Peshawar.
2. Secretary KPK Public Services Commission Fort Road, Peshawar.
3. Government of KPK through Secretary Environment Department Peshawar.
4. Chief Conservator of Forests, KPK, office of Chief Conservators of Forests, Shami Road, Peshawar.
5. Amin Ul Islam Son of Noor Abbas Din resident of Karak.
6. Arsalan Tariq son of Malik Muhammad Tariq resident of D.I. Khan.
7. Arshad Ali Khan son of Bahram and resident of Bunner.
8. Ayaz Ali Shah son of Nazir Ali Shah resident of Mansehra.
9. Ibrar Ahmad son of Abdul Rashid resident of Mansehra.
10. Imdad Ud Din Son of Samand Khan resident of Swat.
11. Muhammad Rashid Son of Fida Muhammad resident of Charsadda.

ATTESTED  
EXAMINER  
Peshawar High Court

20 FEB 2015

ATTESTED

JUDGMENT SHEET  
IN THE PESHAWAR HIGH COURT, PESHAWAR  
JUDICIAL DEPARTMENT

W.P. No. 2749 of 2015 with  
27/2015

JUDGMENT

Date of hearing 11/02/2015

Petitioner Shoaib Ahmad Anees etc by Utasim ud Din  
Khattak Advocate  
Respondent Chairman K.P.K by M/S Ijaz Ishtiaq Sabi  
Farrukh Rundi's Rizwan Ullah Advocates  
Syed Raizer Ali Shah Ates

NISAR HUSSAIN KHAN, J:- By this single judgment

recorded in W.P.No.2949-P/2014, we intend to decide connected  
W.P.No.2986-P/2014 titled Faizan Mahmood Vs Govt. of KPK etc.,  
as identical questions of law and facts are involved therein.

2. Shoaib Ahmad Anees and 3 others have filed  
W.P.No.2949-P/2014 for issuance of an appropriate writ with the  
following prayer:-

"It is therefore, most humbly prayed that on

acceptance of this writ petition :

- (a) the non-selection/recommendation of the  
petitioners for the post of Sub Divisional Forest

Ishaq Shah PS WP#2949/2014 (Justices Nisar Hussain Khan & Muhammad Daud Khan)  
ATTESTED  
EXAMINER  
Peshawar High Court  
20 FEB 2015

ATTESTED

Officer BPS-17, not giving preference to the petitioners over those of B.Sc who do not possesses M.Sc degrees in Forestry from Pakistan Forest Institute by respondents be declared as against law, illegal, unlawful without lawful authority and ineffective upon the rights of the petitioners;

- (b) and respondents be directed to fill the posts of SDFOs from amongst the candidates/petitioners who possesses the M.Sc degrees in forestry from Pakistan Forest Institute as per the advertisement No.02/2013;
- (c) and reduction of the number of posts from 18 to 10 without any corrigendum from any concerned department may also be declared as illegal, null and void in the eyes of law, without lawful authority and that too after conclusion after whole recommendation and selection process;
- (d) and the petitioners be given first priority as the petitioners possesses master degree in Forestry form PFI over those candidates, who do not possess M.Sc degree in forestry and are illegality and unlawfully recommended and selected by respondents."

While petitioner Faizan Mahmood has filed W.P.No.2986-P/2014

for issuance of an appropriate writ with the following prayer:-

"On acceptance of this writ petition an appropriate writ may please be issued declaring the petitioner as fit and eligible for the post of SDFO (BS-17) in Forest Department, the petitioner having remained successful in the selection process has got every right to be recommended to the Govt. for appointment, similarly preferring the respondent No.6 over the petitioner allegedly for his qualification in category B-I of the note appended to the advertisement is illegal, unlawful, without lawful authority and of no legal effect, the petitioner who was having higher merit cannot be superseded by a candidate who was much below in the merit, as such to that extent the recommendations so made is liable to be struck down, any other remedy deemed proper may also be allowed."

3. Facts as averred in W.P.No.2949-P/2014 are that respondents advertised 18 posts of male Sub Divisional Forest Officers in the office of Chief Conservator of Forest providing

Ishaq Shah PS WP#2949/2014 (Justices Nisar Hussain Khan & Muhammad Daud Khan)

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ATTESTED

prescribed qualification for the advertised posts. Petitioners in this petition contended that since they were possessing higher qualification of M.Sc, so were entitled to be given preferential treatment as provided in the advertisement and the candidates of B.Sc Forestry have wrongly been recommended for appointment. They are also aggrieved of reduction of the advertised posts from 18 to 10 which had badly affected their prospective selection for the advertised posts.

4. While stance of Faizan Mahmood, petitioner in W.P.No.2986-P/2014 is that he is holding qualification of B.Sc.(Honours) in Agriculture and qualifies the requirement of advertisement. He was at S.No.2 of the merit list prepared after test and interview but has wrongly been discarded from consideration and recommendation for appointment under misconception of the respondents that he is not eligible in view of the note attached to the advertisement.

5. We have given our anxious considerations to the respective arguments of the learned counsel for the parties and the learned AAG for official respondents and analyzed the same with their valuable assistance.

ATTESTED  
 EXAMINER  
 22 FEB 2015

ATTESTED

6. Khyber Pakhtunkhwa Public Service Commission, vide advertisement No.2/2013 dated 5.4.2013, beside others, advertised 18 posts of male Sub Divisional Forest Officers in the office of Chief Conservator of Forest. The eligibility criteria proscribed in the advertisement, for ready reference and better elucidation of the issue involve, is reproduced below :-

**"QUALIFICATION:** (a) Master's Degree in Forestry from a recognized University/Institute, or (b) (i) Second Class Bachelor's Degree in Forestry from a recognized University/Institute OR (ii) Second Class bachelor's degree in Agriculture or other Science subjects (any two of the subjects i.e. Mathematics, Physics, Chemistry, Biology, Zoology, Botany from a recognized University / Institute, if no suitable candidate having qualification mentioned in (a) & (b) (i) above is available."

7. The stance of petitioners in W.P.No.2949-P/2014 is that they are holding Master Degree in Forestry so in terms of the advertisement, they are entitled for preferential treatment and consequential appointment against candidates of Bachelor Degree in Forestry. At the same time in the same advertisement, it

ATTESTED

is also provided for clarification that the candidates having Second Class Bachelor Degree in Agriculture or other Science subjects shall be considered if no suitable candidates having qualification mentioned in (a) & (b) (i) is available. This phrase conspicuously conveys that candidates having Master and Bachelor Degrees in Forestry shall compete inter se. With regard to preference to category (a) having Master Degree in Forestry, it can easily be deduced that when both B.Sc and M.Sc. stand equal at the merit level, the candidates of M.Sc Forestry is to be given preference. There is no such stipulation for M.Sc and B.Sc Forestry Degrees as is provided for Bachelor Degree in Agriculture and other sciences because it has not been provided that in case of non-availability of M.Sc Forestry candidates, the candidates having B.Sc Forestry shall be considered as is the case with the candidates of Bachelor Degree in other Sciences. Thus it can safely be concluded that Bachelor Degree holders of Forestry are equally entitled to compete with the M.Sc. Forestry and in case they stand higher on merits, they would be entitled to appointment and cannot be ignored or discarded for appointment by giving preference to the M.Sc (Forestry Degree) though they

ATTESTED

stand lower on merit. To this extent, claim of the petitioners is not tenable.

8. Perusal of record reveals that during the selection process and at the time of compilation of the result and the merit list, some candidates of B.Sc (Forestry) secured higher marks than candidates of M.Sc Forestry and stood at higher pedestal in the merit list. The KPK Public Service Commission in view of the stipulation of the advertisement sought clarification from the concerned Environment Department with regard to the note appended at the bottom of the service rules. According to their concept ambiguity was created by the phrase "Preference will be given to those having qualification prescribed first". On this query of the Commission, a meeting under the Chairmanship of Deputy Secretary, Environment Department, KPK was held wherein issue was thoroughly discussed and it was unanimously decided that holders of first qualification i.e. Master Degree in Forestry cannot be accorded preference if they have obtained less marks than holders of qualification at (b)(i) i.e. Bachelor Degree (Forestry). This decision of the Committee was conveyed to the Commission which was acted upon accordingly.

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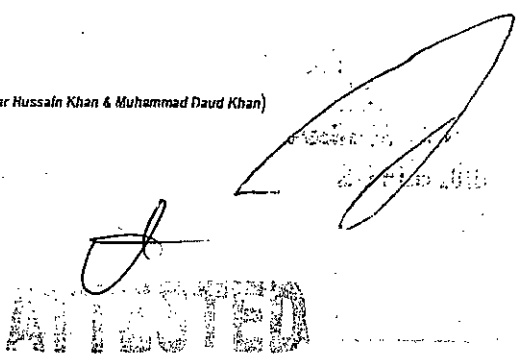
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9. In view of this decision, the Commission recommended candidates standing higher on the merit for 10 posts of Sub Divisional Forest Officers who have not only been appointed but have submitted their arrival reports as well. Thus, their appointments were in accordance with law and rules on the subject which cannot be called in question.

10. So far as reduction of advertised posts from 18 to 10 is concerned, that is not supported by any reason. Initially 18 posts on the requisition of Department have been advertised by the KPK Public Service Commission. The candidates applied for the same, undergone through process of test and interview and their merit was prepared. During the interregnum, correspondence of the Commission with the candidates contains same 18 posts of Sub Divisional Forest Officers (BPS-17) which fact is very much evident from their call letters for interview scheduled for 20.5.2014, 27.5.2014 and 19.5.2014 which are more than one year after the advertisement. It appears that process of test and interview was finalized in May, 2014 which might have been followed by the merit list but in the meanwhile two letters were addressed by Section Officer (Establishment) Environment Department, KPK, on 20<sup>th</sup> June, 2014; one to the Secretary,



A large, stylized handwritten signature is written over a rectangular stamp. The stamp contains the word "ATTACHED" in a bold, blocky font. The signature is written in dark ink and is somewhat cursive.

Establishment Department KPK and the other one to Secretary, KPK Public Service Commission. In the former, it was conveyed that on re-calculation, the posts have been found 10 instead of 18 whereas in latter, it has been conveyed that the strength of posts for recruitment against the posts of SDFOs be treated as 10 instead of 18. It is strange that the process of recruitment remained in progress for one year and the strength of posts remained the same, as was initially advertised, but when whole process was finalized, candidates were short listed, merit list was prepared and recommendations were to be made, all of a sudden, the Department woke up from a deep slumber for recalculation of the posts and reduced the same from 18 to 10, when all decisive steps had already been taken and certain valuable rights had accrued to the candidates. The justification for reduction of posts so advanced is just flimsy which does not appeal to reason, except smacking of something wrong at the bottom. Though recommendations or appointment orders were not issued but substantial development in the recruitment process has raised legitimate expectation of the prospective appointees for their appointment which cannot be taken away unilaterally without any just, sound and reasonable justification. Thus with this backdrop

of the facts, reduction of the posts from 18 to 10 is declared as unwarranted, uncalled for and consequently is struck down which shall be treated as 18 posts as advertised initially in the advertisement.

11. So far as case of Faizan Mahmood petitioner in W.P.No.2986-P/2014 is concerned, he as per stipulation of the advertisement is to be considered if no eligible suitable candidate having qualification of (a) & (b) is available. He might have better standing at the merit list but as per criteria prescribed in the Rules and advertisement, he is to be considered only when the candidates having Master Degree in Forestry or B.Sc Degree in Forestry are not available. In view of this clear and unequivocal provision of the selection criteria, he may only be considered for the said post when no suitable candidate having qualification of Master Degree in Forestry and Bachelor Degree in Forestry is available.

12. Thus for what has been discussed above, both these petitions are disposed of with the following direction:-

- i) Reduction of posts from 18 to 10 is struck down being void and consequently appointment shall be

made against remaining 8 posts of Sub Divisional Forest Officers as advertised in the advertisement.

ii) Candidates having qualification of M.Sc. and B.Sc. Forestry would compete inter se and whosoever came on merit, shall be appointed regardless of higher qualification of M.Sc. Forestry.

iii) The candidates having B.Sc Agriculture or other sciences as per advertisement shall only be considered for appointment when no suitable candidates having qualification of M.Sc Forestry or B.Sc Forestry is available.

iv) Appointment/recruitment against 8 posts of Sub Divisional Forest Officers be made in accordance with the guidelines given above in the light of existing merit position of the candidates prepared by KPK Public Service Commission and no fresh process shall be carried out for the purpose.

*sd/ Nisac Hussain Khan*  
*sd/ M - Dawood Khan*  
JUDGE  
JUDGE

*officer*  
*20/2/15*

Announced on  
11th Feb  
2015



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Pesh: 19<sup>TH</sup> October, 2015

D

**NOTIFICATION**

No.SO(Estt)Env/I-6/PSC/2k14: The Competent Authority, on the recommendation of Khyber Pakhtunkhwa Public Service Commission, is pleased to appoint the following Sub Divisional Forest Officer BS-17 (Rs.16000-1200-40000), in Forest Department, Khyber Pakhtunkhwa, subject to the Terms and Conditions mentioned hereunder:-

#	NAME AND PARENTAGE	DOMICILE/ZONE
1	Mr. Muhammad Usman S/O Bakhtiar Ali	Charsadda/2
2	Mr. Ejaz Ahmad S/O Fazal Khaliq	Malakand/3
3	Mr. Najib Ullah S/O Fazal Mehmood	Shangla/3
4	Mr. Waseem Abbas S/O Ikhtlaq Ali Bangash	Kohat/4
5	Mr. Muhammad Saqib S/O Abdur Rehman	Mansehra/5
6	Mr. Waqar Ahmad S/O Muhammad Pir Jan	Shangla/3
7	Mr. Muhammad Arif S/O Muhammad Nazir	Mohmand Agency/1
8	Mr. Wahdat Zeeshan Anwar S/O Khursheed Anwar	Peshawar/2

**TERMS AND CONTIONS**

- a. They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled to annual increment as per existing policy;
- b. They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, and other laws applicable to the Civil Servants and the rules made there-under;
- c. They shall be on probation initially for a period of one year extendable for further one year;
- d. In case of resign at any time, fourteen days notice shall be necessary or in lieu thereof fourteen days pay shall be forfeited;
- e. They shall produce a medical certificate of fitness from Medical Superintendent, Civil Hospital Peshawar and character certificate from any gazetted officer;
- f. Their retention in service shall be subject to verification of their domicile testimonials and antecedents etc. from the concerned authorities/offices;
- g. Their appointment is liable to be terminated at any time without assigning any reasons before the expiry of the period of probation/extended period of probation, if their performance during this period is not found satisfactory;

P.T.O.

*[Handwritten signature]*  
PESHAWAR

- h. They will join duty at their own expenses as no TA/DA shall be admissible there-for;
- i. Their inter-se-seniority should be determined in the light of the Merit Order drawn by the Khyber Pakhtunkhwa Public Service Commission.

2. If the above Terms and Conditions are acceptable to them, they should submit the arrival report to the Chief Conservator of Forests, Central & Southern Forests Region-I, Peshawar for duty, within 30-days of issuance of this Notification, under intimation to this department.

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

Endst.No.SO(Estt)Env/I-6/PSC/2k14, 3856-68 Dated Pesh: the 19<sup>th</sup> October, 2015

Copy is forwarded to:-

1. PS to Secretary Forestry, Environment & Wildlife Department.
  2. Chief Conservator of Forests, Central & Southern Forests Region-I, Peshawar.
  3. Director Recruitment, Khyber Pakhtunkhwa Public Service Commission w/r to his letter No.SR.IV/060409 dated 29/4/2015.
  4. Director Budget & Accounts Cell, Environment Department.
  5. Mr. Muhammad Usman S/O Bakhtiar Ali, H.No.E-2 Pakistan Forest Institute, Peshawar.
  6. Mr. Ejaz Ahmad S/O Fazal Khaliq, Village and P.O. Thana, District Malakand Mohalla Shaheedan.
  7. Mr. Najib Ullah S/O Fazal Mehmood, M.Sc Hostel Room No.07, Pakistan Forest Institute, Peshawar.
  8. Mr. Waseem Abbas S/O Ikhlaiq Ali Bangsh, C/O FSR&DP, Pakistan Forest Institute, Peshawar.
  9. Mr. Muhammad Saqib S/O Abdur Rehman, Village Gul Dheri P/O Garhi Habibullah, Tehsil Balakot District Mansehra.
  10. Mr. Waqar Ahmad S/O Muhammad Pir Jan, Room No.26 M.Sc Forestry Hostel, Pakistan Forest Institute, Peshawar.
  11. Mr. Muhammad Arif S/O Muhammad Nazir, Room No.44 M.Sc Hostel, Pakistan Forest Institute, Peshawar.
  12. Mr. Wahdat Zeeshan Anwar S/O Kursheed Anwar, H.No.87-B Shami Road Peshawar Cantt:
- Personal file of the officer.  
Master file.  
Merit order file.

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

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To

The Chief Conservator of Forest,  
Central Southern Forest Region I,  
Peshawar.

Subject: Appointment As SDFO - Arrived Report thereof.

R/sic,

In compliance of Government of Khyber Pakhtunkhwa,  
Forestry, Environment and Wildlife Department, Notification No. SO  
(Estt) Env/ I-6/PSC/2K14, Dated 19-10-2015, I submit  
my arrival Report for duty on 19-10-2015, Pls.

Usman  
Mohammad Usman

*A*  
ATTESTED



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GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Peshawar, 17<sup>th</sup> November, 2015

NOTIFICATION

No.SO(Estt)Envt/I-8/2k15: The Competent Authority is pleased to order attachment/field training of the following newly appointed Sub Divisional Forest Officers (BS-17) of Forest Department as per provision of the Forest Manual, in the interest of public service, with effect from the respective dates of their joining :-

#	Name & Designation	From	To	Date of joining
1	Mr. Muhammad Usman S/O Bakhtiar Ali	On arrival for joining Forest Department.	At the disposal of Chief Conservator of Forest, Malakand Forests Region-III, Saidu Sharif Swat, for further attachment	19-10-2015
2	Mr. Najib Ullah S/O Fazal Mehmood	-do-	At the disposal of Chief Conservator of Forest, Northern Forests Region-II, Abbottabad, for further attachment	02-11-2015
3	Mr. Waseem Abbas S/O Ikhtlaq Ali Bangash	-do-	At the disposal of Chief Conservator of Forest, Malakand Forests Region-III, Saidu Sharif Swat for further attachment	06-11-2015
4	Mr. Muhammad Saqib S/O Abdur Rehman	-do-	At the disposal of Chief Conservator of Forest, Malakand Forests Region-III, Saidu Sharif Swat, for further attachment	21-10-2015
5	Mr. Waqar Ahmad S/O Muhammad Pir Jan	-do-	At the disposal of Chief Conservator of Forest, Northern Forests Region-II, Abbottabad, for further attachment	20-10-2015
6	Mr. Muhammad Arif S/O Muhammad Nazir	-do-	At the disposal of Chief Conservator of Forest, Northern Forests Region-II, Abbottabad, for further attachment	19-10-2015
7	Mr. Wahdat Zeeshan Anwar S/O Khursheed Anwar	-do-	At the disposal of Chief Conservator of Forest, Northern Forests Region-II, Abbottabad, for further attachment	19-10-2015

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

Endst: No. SO (Estt)Envt/I-8/2k15/ 675-683 Dated Pesh: 17<sup>th</sup> November, 2015

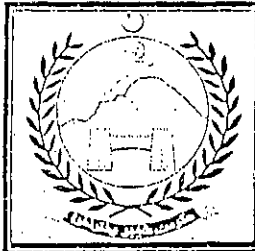
Copy is forwarded to:-

- 1- PS to Secretary Environment Department, Khyber Pakhtunkhwa.
- 2- Chief Conservator of Forests, Central and Southern Forest Region-I, Peshawar.
- 3- Chief Conservator of Forest, Northern Forests Region-II, Abbottabad.
- 4- Chief Conservator of Forest, Malakand Forests Region-III, Swat.
- 5- Director Budget and Accounts Environment Department.
- 6- Officers concerned.
- 7- Personal files of the officers.
- 8- Master file.
- 9- Office order file.

ATTESTED

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





GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

DATED PESH: 13<sup>TH</sup> JUNE, 2018

NOTIFICATION

No.SO(Estt)Envt/I-6/PSC/2k18: The Competent Authority, on the recommendations of Khyber Pakhtunkhwa Public Service Commission and successful completion of training leading to Master's Degree in Forestry, is pleased to appoint the following Sub Divisional Forest Officer (BS-17) (Rs.16000-1200-40000), in Forest Department, Khyber Pakhtunkhwa, subject to the Terms and Conditions mentioned hereunder:-

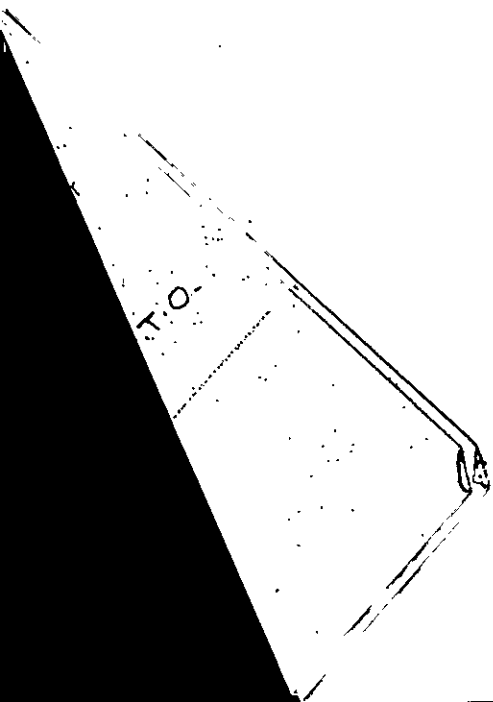
#	NAME AND PARENTAGE	DOMICILE/ZONE
1	Muhammad Usman S/O Bakhtiar Ali	Charsadda/2
2	Mr. Shehryar Khan S/O Zahid-ur-Rehman	Swabi/2
3	Mr. Shakeel Ahmad S/O Mushstaq Ahmad	Mardan/2
4	Mr. Bilal Ahmad S/O Sabir Rehman	Shangla/3
5	Mr. Arnan Ullah Khan S/O Muhammad Ashraf	Mansehra/5

TERMS AND CONTIONS

- (i) They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled to annual increment as per existing policy;
- (ii) They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, and other laws applicable to the Civil Servants and the rules made there-under;
- (iii) They shall be on probation initially for a period of one year extendable for further one year;
- (iv) In case they want to resign at any time, fourteen days notice shall be necessary or in lieu thereof fourteen days pay shall be forfeited;
- (v) They shall produce a medical certificate of fitness from Medical Superintendent, Civil Hospital Peshawar and character certificate from any gazetted officer;
- (vi) Their retention in service shall be subject to verification of their domicile testimonials and antecedents etc. from the concerned authorities/offices;
- (vii) Their appointments shall be liable to be terminated at any time without assigning any reasons before the expiry of the period of probation/extended period of probation, if their performance during this period is not found satisfactory;
- (viii) Their inter-se-seniority shall be determined in the light of the Merit Order drawn by the Khyber Pakhtunkhwa Public Service Commission.

2. If the above Terms and Conditions are acceptable to them, they should submit their arrival reports to the Chief Conservator of Forests, Central & Southern Forests Region-I, Peshawar for duty, within 30-days of issuance of this Notification, under intimation to this department.

ATTEST



To

The Secretary,  
Forestry, Environment And Wildlified Department,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Taimur  
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**THROUGH PROPER CHANNEL**

Subject: APPEAL FOR RESTORATION OF APPOINTMENT NOTIFICATION  
NO.SO(ESTT)ENVT/I-6/PSC/2K14 DATED 19TH OCTOBER 2015 AND  
ASSIGNING SENIORITY AS PER MERIT LIST OF KHYBER  
PAKHTUNKHWA PUBLIC SERVICE COMMISSION.

Respected Sir,

It is submitted that I was selected by Khyber Pakhtunkhwa Public Service commission and appointed as SDFO (BPS\_17) in KP Forest Department vide Notification No SO(Estt)Envt/I-6/PSC.2k14 Dated 19th of October 2015 In the light of decision of Honourable Peshawar High Court(copy attached). Subsequently i joined KP Forest Department as SDFO (BPS-17) on 19/10/2015 and was attached with Chief Conservator of Forests Malakand Forest Region III(Notifications Attached).

Later on I was nominated for Training course at Pakistan Forest Institute leading to Master Degree in Forestry vide Notification No(SO)Estt/FE&WD/1-50(189)/2015 dated 4th January 2015. However my appointment order was withdrawn in another notification for completion of M.Sc Forestry Training Course (2015-2017). Now my appointment letter has been again issued by Environment Department and I was placed junior in the tentative seniority list to my colleagues selected alongwith me in the same advertisement as well as other candidates selected in the later advertisements. Sir, before selection as SDFO I was in Government service and was working as a Forest Ranger at Pakistan Forest Institute Peshawar for more than five years.(permenent service).

Sir, It is further stated that period spent in training is a part of service and it is also mentioned in my appointment letter that Inter-se-seniority shall be determined in the light of Merit Order drawn by Khyber Pakhtunkhwa Public Service Commission but unfortunately merit list of Public Service Commission has not been followed and my name has not been placed according to my merit position (copy attached).

Sir, it is a well settled law that date of joining duty is not criteria for determination of seniority; seniority on initial appointment by way of selection through commission should be reckoned on the basis of merit assigned by the commission.

It is therefore requested that my appointment notification No.So(Estt)ENVT/I-6/PSC/2K14 Dated 19th October 2015 may kindly be restored and please restore the perks and privileges of that advertisement to me. It is further requested to kindly give me seniority as per merit list of KPK Public Service Commission (copy enclosed).

11-07-2018

decision on appeal

USMAN  
Thanking in Anticipation  
Muhammad Usman

ATTESTED

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT**

**NOTIFICATION**

**NO.SO(ESTT)ENVT:II-27/2K9:** In pursuance of Section 8(1) of the Khyber Pakhtunkhwa Civil Servants Act, 1973, read with Rule-17 Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the competent authority is pleased to notify/circulate Final Seniority List of Sub-Divisional Forest Officers (BPS-17) Khyber Pakhtunkhwa Forest Department (as it stood on 31.08.2018) for general information.

**FINAL SENIORITY LIST OF SUB-DIVISIONAL FOREST OFFICERS (BPS-17) KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT STOOD ON 31.08.2018.**

S.#	Name of Officer with academic qualification	Date of Birth and Domicile	Date of first entry into Govt. Service	Regular appointment/ promotion to the present post			Remarks
				Date	BPS	Method of recruitment	
1	2	3	4	5	6	7	8
1.	Mr. Abdul Manan B. Sc. Forestry	13/10/1968 D. I. Khan	12/10/89 F/Ranger	1/7/2006	17	By promotion	Monitoring & Evaluation Officer BTAP.
2.	Mr. Jamsher Khan FA/FS	01/10/1958 Mohmand Agency	23/11/76 Forester	28/6/2012	17	--do--	SDFO Karak
3.	Mr. Asif Ali Shah M. Sc. Forestry	10.02.1983 Chitral	12/9/2013 SDFO	12/9/2013	17	By Initial recruitment	Presently under suspension and attached with FP&M Circle
4.	Mr. Suleman Khan M. Sc Forestry	23.03.1986 Lakki Marwat	12/9/2013 SDFO	12/9/2013	17	--do--	Appointed to the post of DFO (BPS-18) and serving as DFO Unhar Watershed.
5.	Mr. Faiz Ur Rehman M. Sc. Forestry	10.03.1984 Kohistan	12/9/2013 SDFO	12/9/2013	17	--do--	DFO Torghar
6.	Mr. Murad Ali Shah M. Sc. Forestry	25.02.1986 Mardan	12/9/2013 SDFO	12/9/2013	17	--do--	Appointed to the post of DFO (BPS-18) and serving as DFO Agror Tanawal.
7.	Mr. Muhib Ullah M. Sc. Forestry M.Phil Ecology in Wildlife Management	05.04.1985 North W. Agency	12/9/2013 SDFO	12/9/2013	17	--do--	SDFO Hangu
8.	Mr. Jawad Mumtaz Khan M. Sc. Forestry	04.10.1983 Swabi	12/9/2013 SDFO	12/9/2013	17	--do--	Appointed to the post of DFO (BPS-18) and serving as DFO Kunhar Watershed.
9.	Mr. Pervez Manan M. Sc. Forestry	15.04.1984 Malakand Agency	12/9/2013 SDFO	12/9/2013	17	--do--	Appointed to the post of DFO (BPS-18) and serving as DFO Malakand.

31/08/2018

10.	Syed Rizwan Ahmad Kazmi M. Sc. Forestry	20.04.1985 Mansehra	12/9/2013 SDFO	12/9/2013	17	By Initial recruitment	DFO Haripur
11.	Muhammad Amjad M. Sc. Forestry	16.05.1977 Mansehra	12/9/2013 SDFO	12/9/2013	17	--do--	DFO Alpuri
12.	Muhammad Aqcel M. Sc. Forestry	12.03.1985 Abbottabad	12/9/2013 SDFO	12/9/2013	17	--do--	DFO Kohistan Watershed
13.	Mr. Hasnain M. Sc Forestry	12.02.1989 Kurram Agency	12/9/2013 SDFO	12/9/2013	17	--do--	SDFO Lower Siran
14.	Mr. Ejaz Ur Rehman M. Sc Forestry	31.12.1985 Kohistan	12/9/2013 SDFO	12/9/2013	17	--do--	DFO Dir Kohistan
15.	Mr. Aitezaz Mahfuz M. Sc. Forestry	17.06.1987 Peshawar	12/9/2013 SDFO	12/9/2013	17	--do--	SDFO Patrol Squad Southern Circle Peshawar
16.	Mr. Jan e Alam M. Sc. Forestry	06.03.1983 Nowshera	12/9/2013 SDFO	12/9/2013	17	--do--	SDFO Working Plan Unit-III
17.	Mr. Nauman Khan M. Sc. Forestry	17.03.1985 F.R Bannu	12/9/2013 SDFO	12/9/2013	17	--do--	SDFO Working Plan Unit-VI Swat
18.	Muhammad Iqbal Khan M. Sc. Forestry	01.01.1985 D.I. Khan	12/9/2013 SDFO	12/9/2013	17	--do--	DFO Swat.
19.	Mr. Adnan Ali M. Sc Forestry	15/11/1988 Shangla	5/8/2014 SDFO	5/8/2014	17	--do--	SDFO Wari
20.	Mr. Inamullah M. Sc Forestry M.Phil ( Environmental Science)	3/4/1984 North Waziristan Agency	8/5/2008 Research officer	8/5/2008 5/8/2014 SDFO	17	--do--	SDFO Patrak
21.	Mr. Mudassar Hassan M. Sc Forestry	1/1/1989 Kurram Agency	5/8/2014 SDFO	5/8/2014	17	--do--	SDFO Bagnotar
22.	Mr. Bilal Ahmad-I M. Sc Forestry	3/4/1991 Mardan	5/8/2014 SDFO	5/8/2014	17	--do--	SDFO Lakki
23.	Muhammad Waseem M.Sc Forestry	26/11/1991 Malakand	5/8/2014 SDFO	5/8/2014	17	--do--	SDFO Karora
24.	Mr. Abdul Majeed M. Sc Forestry	1/3/1983 Shangla	5/8/2014 SDFO	5/8/2014	17	--do--	SDFO Drosh North
25.	Mr. Amin ul Islam M. Sc Forestry	24.10.1991 Karrak	7.11.2014 SDFO	7.11.2014	17	--do--	SDFO Mansehra
26.	Mr. Saeed Anwar M. Sc Forestry	06.06.1990 South W. Agency	7.11.2014 SDFO	7.11.2014	17	--do--	SDFO AT
27.	Mr. Shah Khalid M. Sc Forestry	09.08.1990 Dir Lower	7.11.2014 SDFO	7.11.2014	17	--do--	SDFO Dunga Gali
28.	Mr. Arshad Ali Khan M. Sc Forestry	12.02.1992 Buner	7.11.2014 SDFO	7.11.2014	17	--do--	SDFO Mardan

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29.	Mr. Ayaz Ali Shah M. Sc Forestry	01.01.1983 Mansehra	7.11.2014 SDFO	7.11.2014	17	By Initial recruitment	SDFO Upper Siran
30.	Mr. Arsalan Tariq M. Sc Forestry	22.02.1992 D.I.Khan	7.11.2014 SDFO	7.11.2014	17	--do--	DFO Kalam.
31.	Mr. Shehryar Dilawar M. Sc Forestry	22.05.1991 Bajaur Agency	7.11.2014 SDFO	7.11.2014	17	--do--	DFO Patrol Squad Mingora
32.	Muhammad Rashid M. Sc Forestry	15.09.1991 Charsadda	7.11.2014 SDFO	7.11.2014	17	--do--	Presently under suspension and attached with DDP office
33.	Mr. Abrar Ahmad M. Sc Forestry	02.01.1987 Mansehra	7.11.2014 SDFO	7.11.2014	17	--do--	SDFO Thandiani
34.	Muhammad Shakeel M.Sc. Forestry	3/11/1980 Bajaur Agency	24/8/2007 Forest Ranger	15/01/2015	17	By promotion	DFO Kohat
35.	Mr. Najib Ullah M. Sc Forestry	13/02/1991 Shangla	19/10/2015 SDFO	19/10/2015	17	By Initial recruitment	SDFO Kalam
36.	Mr. Waqar Ahmad M. Sc Forestry	22/02/1985 Shangla	19/10/2015 SDFO	19/10/2015	17	--do--	SDFO Charsadda
37.	Mr. Wahdat Zeeshan M. Sc Forestry	18/10/89 Peshawar	19/10/2015 SDFO	19/10/2015	17	--do--	SDFO Swabi
38.	Muhammad Arif M. Sc Forestry	Mohmand Agency	19/10/2015 SDFO	19/10/2015	17	--do--	SDFO Balakot
39.	Mr. Waseem Abbas M. Sc Forestry	Kohat	19/10/2015 SDFO	19/10/2015	17	--do--	SDFO Working Plan Unit-II
40.	Muhammad Saqib M. Sc Forestry	Mansehra	19/10/2015 SDFO	19/10/2015	17	--do--	SDFO Komila
41.	Mr. Rafiq Ullah M.Sc Forestry	15/04/1989 Dir	31/05/2016 SDFO	31/05/2016	17	--do--	SDFO Timergara.
42.	Mr. Zahid Muhammad M. Sc Forestry	10/10/1994 South Waziristan	14/12/2017 SDFO	14/12/2017	17	--do--	Under field training
43.	Mr. Saeed Anwar M. Sc Forestry	4/8/1992 Bannu	14/12/2017 SDFO	14/12/2017	17	--do--	Under field training
44.	Muhammad Usman M.Sc Forestry	25/3/1989 Charsadda	13/06/2018 SDFO	13/06/2018	17	--do--	Under field training
45.	Mr. Shehr Yar Khan M.Sc Forestry	03/03/1993 Swabi	13/06/2018 SDFO	13/06/2018	17	--do--	Under field training

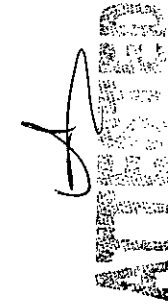
38

46.	Mr. Shakeel Ahmad M.Sc Forestry	25/01/1995 Mardan	13/06/2018 SDFO	13/06/2018	17	By Initial recruitment	Under field training
47.	Mr. Bilal Ahmad-II M.Sc Forestry	04/05/1995 Shangla	13/06/2018 SDFO	13/06/2018	17	--do--	Under field training
48.	Mr. Amanullah M.Sc Forestry	08/02/1995 Mansehra	13/06/2018 SDFO	13/06/2018	17	--do--	Under field training

It is certified:-

1. That the final seniority list has been circulated amongst the Officers.
2. That there is no seniority dispute amongst the Officers.
3. That none of the Officer has pointed/raised any objection pertaining to his seniority.

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



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

EndstNo. SO (Estt)/Envt/I-40/2K13/

Dated Peshawar the, / /2018.

Copy is forwarded to the :-

1. Chief Conservator of Forests-I, Khyber Pakhtunkhwa.
2. Chief Conservator of Forests-II, Khyber Pakhtunkhwa.
3. Chief Conservator of Forests Malakand Forest Region-III Saidu Sharif Swat.
3. Director Budget & Accounts, Environment Department.
4. All Conservator of Forests/Director Integrated Specialized Units in Khyber Pakhtunkhwa C/O CCF Forest Region-I, Peshawar.
5. Office Order file.
6. Master file.

SECTION OFFICER (ESTT)  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY ENVIRONMENT & WILDLIFE DEPARTMENT

**VAKALAT NAMA**

NO. \_\_\_\_\_/20

IN THE COURT OF SERVICE TRIBUNAL PESHAWAR

Muhammad USMAN (Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

ENVIRONMENT DEPT (Respondent)  
(Defendant)

I/We, Muhammad USMAN

Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated \_\_\_\_\_/20

USMAN  
(CLIENT)

Sybil Usman Ali Bilal  
Advocate

ACCEPTED

M. ASIF YOUSAFZAI  
Advocate Supreme Court  
Peshawar.

Taimur Ali Khan  
Advocate  
Asad Mahmood  
Advocate

**OFFICE:**

Room # FR-8, 4<sup>th</sup> Floor,  
Bilour Plaza, Peshawar,  
Cantt: Peshawar  
Cell: (0333-9103240)



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

**Service Appeal No.1344/2018**

**Muhammad Usman SDFO**  
**Patrol Squad Southern Circle Peshawar..... (Appellant)**

**VERSUS**

1. The Chief Secretary, Khyber Pakhtunkhwa  
Civil Secretariat Peshawar.
2. The Secretary Forestry,  
Environment and Wildlife Department Khyber Pakhtunkhwa Peshawar.
3. The Chief Conservator of Forests  
Central Southern Forest Region-I, Peshawar.
4. The Director General,  
Pakistan Forest Institute Peshawar.
5. The Public Service Commission through its Chairman,  
Khyber Pakhtunkhwa Peshawar.....**(Respondents)**

**PARAWISE COMMENTS ON BEHALF OF  
RESPONDENT NO.1 to 5.**

**PRELIMINARY OBJECTIONS.**

1. The appeal is not maintainable in the present form.
2. The Appellant has no locus standi to bring the present appeal.
3. The Appellant is legally estopped by his own conduct to bring the present appeal.
4. The appeal is time barred.

**RESPECTFULLY SHEWETH**

Parawise comments are as under:

1. Pertaining to record, hence no comments.
2. Pertaining to record, hence no comments:
3. Pertaining to record, hence no comments:
4. Incorrect. The Appellant concealed the facts from the Honorable Tribunal. As the facts are that the Appellant was recommended/selected as SDFO (BPS-17) by Khyber Pakhtunkhwa Public Service Commission as per existing Service Rules of Forest Department, method of recruitment to the post of SDFO BPS-17 as prescribed vide Khyber Pakhtunkhwa Forest Department Notification No. SO(Estt)/Envt/1-465/2k5, dated 06.03.2007 (**Annexure-I**) which are reproduced below:-
  - a) Master's Degree in Forestry from a recognized University/Institute or
  - b) Second Class Bachelor's Degree in Forestry from a recognized University/Institute


**Note:** Appointment of candidates selected for the posts by the Public Service Commission shall be made subject to the following conditions:-


- I) The selected candidates shall undergo and successfully complete the training at Pakistan Forest Institute leading to Master's Degree in Forestry. Those already having Master's Degree in Forestry from PFI shall be exempted from such training.
  - II) The selected candidates shall execute a bond with the Forest Department to the effect that on successful completion of the training they shall serve the Government for at least five years and in default shall refund all the expenses incurred in connection with their training and education.
5. Although the Appellant orders of appointment as SDFO including other recommendees were issued by the department. However, on scrutiny of the record, the Appellant did not possess M.Sc Forestry Degree which is must for appointment against the post of SDFO, therefore, his appointment orders were withdrawn for completion of M.Sc Forestry Degree from Pakistan Forest Institute Peshawar and he was declared as stipendiary candidate vide Notification No. SO(Estt)FE&WD/1-50(189)/2015/28-34, dated 29.12.2015 (**Annexure-II**).
  6. Incorrect. The Appellant was appointed as SDFO on first time vide Notification No. SO(Estt)/Env/1-6/PSC/2k18, dated 13.06.2018 (**Annexure-III**). Therefore, plea of the Appellant regarding re-appointment is incorrect. He went to PFI on his own wish/willingness vide his application dated 22.05.2015 (**Annexure-IV**). As stipendiary candidate, he completed M.Sc Forestry Degree on the expenses of Provincial Government. After completion of M.Sc Forestry Degree, he reported back to the department for his appointment, also produced copy of M.Sc Forestry Degree for the year 2018 (**Annexure-V**). Furthermore, although the Appellant was recommended by the Public Service Commission. However his seniority will be determined from the date of his regular appointment to the post of SDFO BPS-17 in terms of Rule 17(2) of the APT Rules, 1989 read with Section-8(3) of the Civil Servant Act, 1973.
  7. Incorrect. The Appellant was treated as per existing Service Rules as mentioned in Para-4 above. The appointment as well as attachment orders/Notifications dated 19.10.2015 and 17.11.2015 respectively have already been withdrawn vide Notification dated 29.12.2015 and communicated to the Appellant. On the said communication, the Appellant joined PFI and studied for a period of two years for leading M.Sc Forestry Degree and after completion of M.Sc Forestry Degree, he became eligible for the post of SDFO BPS-17, therefore, the department issued his appointment orders including four (4) others candidates vide Notification dated 13.06.2018 (**Annexure-III**). He accepted the terms and condition mentioned in his appointment order and submitted arrival report in the department for further orders. In terms of Para-3 of his appointment order he was attached for post college training for one year in field. His departmental appeal was processed and filed, hence not entertainable under the rules.
  8. In view of the above, recommendations of Public Service Commission and leading of degree from PFI is a regular and past practice in the department. The acceptance of appeal of the Appellant will open a Pandora box for the department as there are many candidates available in the department having the same nature, therefore, the honorable court may dismiss the service appeal with cost on the following grounds.


## GROUND:-

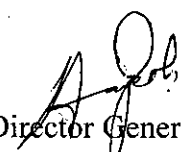
- A. Incorrect. As explained in the para-7 above, all the actions taken in the case of Appellant were according to the relevant law/rules and the departmental appeal having no legal footing/barred by time was processed and filed by the competent authority.
- B. As explanation in Para-6 above.
- C. Incorrect, as explanation in Para-6 & 7 above, hence no comments.
- D. As explanation in Para-6 & 7 above, hence no comments.
- E. Incorrect and misconceived, as explanation in Para-6 & 8 above.
- F. As explained in para-6, 7 & 8 above. Since the Appellant was B.Sc Forestry degree holder, therefore, as per Notified service rules dated 06.03.2007 the selected candidates shall undergo and successfully complete the training at Pakistan Forest Institute Peshawar leading to Master's Degree in Forestry. As the requirement for the post of SDFO is M.Sc Forestry, therefore, after completion of the said training his appointment order was issued.
- G. Incorrect. As explain in para-6 above.
- H. That the respondents would advance any other ground at the time of hearing.

In view of the above ex-position, it is therefore most humbly prayed that on acceptance of this reply, the instant service appeal may kindly be dismissed with costs.

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

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

  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar  
(Respondent No. 03)

  
Director General  
Pakistan Forest Institute Peshawar  
(Respondent No. 04)



# KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 27TH FEBRUARY, 2018.

## GOVERNMENT OF THE NORTH-WEST FRONTIER PROVINCE ENVIRONMENT DEPARTMENT.

### NOTIFICATION

Dated: 6<sup>th</sup> March, 2007.

**NO. SO(Estt)/Env/1-465/2k5/:** In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Environment Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in the Forestry, Fisheries and Wildlife Department Notification No. SO (FT:II)AD/1-465/88/Vol- IV, dated 26/01/1993, the following amendments shall be made, namely:

### AMENDMENT

In the Appendix, under the heading "FOREST WING" in PART-1, PROFESSIONAL POSTS, for the existing entries against S.No.3,4 & 5, the following shall be substituted, in the respective Columns, namely:-

1.	2.	3.	4.	5.
3.	Divisional Forest Officer/Deputy Conservator			By promotion, on the basis of seniority-cum-fitness, from amongst holders of the post of Sub Divisional Forest Officers (BPS-17) who have completed such qualifying service as prescribed by Government and have successfully completed such training or passed such department examination as prescribed by Government for the purpose.
4.	Sub Divisional Forest Officer	Master's Degree in Forestry from a recognized University/Institute; or Second Class Bachelor's Degree in Forestry from a recognized University/ Institute; Or Second Class Bachelor's Degree in Agriculture or other Science subjects from a recognized University.	21 to 32 years	(a) Twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst holders of posts of Forest Rangers having five years service as such; and (b) Eighty percent by initial recruitment.  <b>NOTE:</b> Appointment of candidates selected for the post by the Public Service Commission shall be made subject to the following conditions:- i) The selected candidates shall undergo and successfully complete

				<p>the training at the Pakistan Forest Institute leading to Master's Degree in Forestry. Those already having Master's Degree in Forestry from PFI shall be exempted from such training.</p> <p>ii) The selected candidates shall produce certificate from the Standing Medical Board at Peshawar regarding their physical and mental fitness for performing the duties requires of them.</p> <p>iii) The selected candidates shall execute a bond with the Forest Department to the effect that on successful completion of the training they shall serve the Government for at least five years and in default shall refund all the expenses incurred in connection with their training and education.</p>
5	Forest Ranger (BPS-16)	<p>Bachelor's Degree in Forestry; or Intermediate at least (2<sup>nd</sup> Division) from a recognized Board, with two or more of the following subjects:</p> <p>i. Mathematics</p> <p>ii. Physics</p> <p>iii. Chemistry.</p> <p>iv. Biology.</p> <p>v. Zoology.</p> <p>vi. Botany.</p>	18 to 30 years	<p>(a) <b>Sixty-seven</b> percent by promotion, on the basis of seniority-cum-fitness, from amongst Deputy Rangers having four years service as such; and</p> <p>(b) <b>Thirty-three</b> percent by initial recruitment.</p> <p><b>Note:</b> Appointment of candidates selected for the post by the Public Service Commission shall be made subject to the following conditions:-</p> <p>i) The selected candidates shall undergo and successfully complete the training at the Pakistan Forest Institute leading to Bachelor's Degree in Forestry. Those already having Bachelor's Degree in Forestry from PFI shall be exempted from such training.</p> <p>ii) The selected candidates shall produce certificate from Standing Medical Board at Peshawar regarding their physical and mental fitness for performing the duties required of them.</p> <p>iii) The selected candidates shall execute a bond with the Forest Department to the effect that on successful completion of the</p>

**KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 27<sup>TH</sup> FEBRUARY, 2018 1200**

				training they shall serve the Government for at least five years and in default shall refund all the expenses incurred in connection with their training and education.
--	--	--	--	---

**NOTE:** Preference will be given to those having qualification prescribed first against each at S. No 4 & 5.

**Sd/-xxx  
SECRETARY TO GOVT: OF NWFP  
ENVIERONEMNT DEPARTMENT**

Printed and published by the Manager,  
Staty. Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar.



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Peshawar, 29<sup>th</sup> December, 2015

**NOTIFICATION**

No.SO(Estt)FE&WD/1-50(189)/2015; The Competent Authority is pleased to order withdrawal of Appointment Notification to the extent of Mr. Muhammad Usman S/O Bakhtiar Ali, H.No.E-2 Pakistan Forest Institute, Peshawar, issued vide Notification No.SO(Estt)Env1-6/Envt/2K14/3856-68 dated 19<sup>th</sup> October, 2015; and subsequent attachment Notification dated 17.11.2015, for completing M.Sc Forestry Course 2015-17 as a stipendary candidate of this department, with immediate effect.

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

Endst: No: SO (Estt) FE&WD/1-50(189)/2015: 2834

Dated Pesh: 29<sup>th</sup> December, 2015

Copy is forwarded to:-

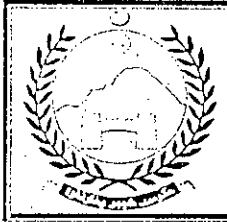
1. PS to Secretary Forestry, Environment & Wildlife Department.
2. Chief Conservator of Forests, Central & Southern Forests Region-I, Peshawar.
3. Director Budget & Accounts Cell, Environment Department.
4. Mr. Muhammad Usman S/O Bakhtiar Ali, H.No.E-2 Pakistan Forest Institute, Peshawar.
5. Personal file of the officer.
6. Master file.
7. Office order file.

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

Recd 600  
12/11/2015

970  
12/11

12/11



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

DATED PESH: 13<sup>TH</sup> JUNE, 2018

**NOTIFICATION**

**No.SO(Estt)Envt/I-6/PSC/2k18:** The Competent Authority, on the recommendations of Khyber Pakhtunkhwa Public Service Commission and successful completion of training leading to Master's Degree in Forestry; is pleased to appoint the following Sub Divisional Forest Officer (BS-17) (Rs.16000-1200-40000), in Forest Department, Khyber Pakhtunkhwa, subject to the Terms and Conditions mentioned hereunder:-

#	NAME AND PARENTAGE	DOMICILE/ZONE
1	Muhammad Usman S/O Bakhtiar Ali	Charsadda/2
2	Mr. Shehryar Khan S/O Zahid-ur-Rehman	Swabi/2
3	Mr. Shakeel Ahmad S/O Mushstaq Ahmad	Mardan/2
4	Mr. Bilal Ahmad S/O Sabir Rehman	Shangla/3
5	Mr. Aman Ullah Khan S/O Muhammad Ashraf	Mansehra/5

**TERMS AND CONTIONS**

- (i) They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled to annual increment as per existing policy;
- (ii) They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, and other laws applicable to the Civil Servants and the rules made there-under;
- (iii) They shall be on probation initially for a period of one year extendable for further one year;
- (iv) In case they want to resign at any time, fourteen days notice shall be necessary or in lieu thereof fourteen days pay shall be forfeited;
- (v) They shall produce a medical certificate of fitness from Medical Superintendent, Civil Hospital Peshawar and character certificate from any gazetted officer;
- (vi) Their retention in service shall be subject to verification of their domicile testimonials and antecedents etc. from the concerneo authorities/offices;
- (vii) Their appointments shall be liable to be terminated at any time without assigning any reasons before the expiry of the period of probation/extended period of probation, if their performance during this period is not found satisfactory;
- (viii) Their inter-se-seniority shall be determined in the light of the Merit Order drawn by the Khyber Pakhtunkhwa Public Service Commission.

2. If the above Terms and Conditions are acceptable to them, they should submit their arrival reports to the Chief Conservator of Forests, Central & Southern Forests Region-I, Peshawar for duty, within 30-days of issuance of this Notification, under intimation to this department.

P.T.O

Sate



3. Consequent upon above, the competent authority is further pleased to order their attachment/field training as noted against each hereunder for a period of one year:-

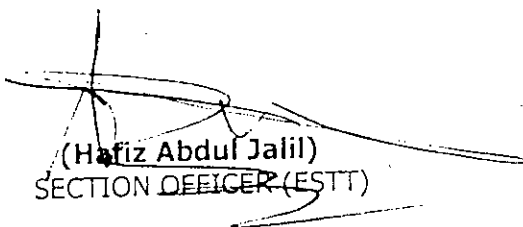
#	Name of SDFOs	From	Place of attachment for field training
1	Muhammad Usman	On arrival for joining Forest Department	Haripur Forest Division
2	Mr. Shehryar Khan	-do-	Kalam Forest Division
3	Mr. Shakeel Ahmad	-do-	Agror Tanawal Forest Division
4	Mr. Bilal Ahmad	-do-	Battagram Forest Division
5	Mr. Aman Ullah Khan	-do-	Galies Forest Division

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

Endst:No.SO(Estt)FE&WD/I-6/PSC/2k18/6093-6/10 Dated Pesh: the 13<sup>th</sup> June, 2018

Copy is forwarded to:-

1. Chief Conservator of Forests, Central & Southern Forests Region-I, Peshawar. He is requested to indicate vacant position of Forest Sub Divisions for adjustment of the above field training officers for the purpose of pay and allowances only.
2. Chief Conservator of Forests, Northern Forests Region-II, Abbottabad.
3. Chief Conservator of Forests, Malakand Forests Region-III, Swat.
4. Director General, Pakistan Forest Institute, Peshawar.
5. Director Recruitment, Khyber Pakhtunkhwa Public Service Commission w/r to his letter No.SR.IV/060409 dated 29/4/2015 and No.PSC/SR.IV/F-18/61812 dated 15/06/2017.
6. Conservator of Forests, Lower/Upper/Malakand East Forest Circles.
7. Divisional Forest Officers, Haripur/Kalam/Agror Tanawal/Battagram/Galies.
8. Director Budget & Accounts Cell, Environment Department.
9. Programmer, B&A Cell; FE&W Department.
10. Mr. Muhammad Usman S/O Bakhtiar Ali, H.No.E-2 Pakistan Forest Institute, Peshawar.
11. Mr. Shehryar Khan S/O Zahid-ur-Rehman Village and post office, Saleem Khan, District & Tehsil Swabi.
12. Mr. Shakeel Ahmad S/O Mushstaq Ahmad Village Sadiq Abad P.O. Fazal Abad, Tehsil Takhtbai, District Mardan.
13. Mr. Bilal Ahmad S/O Sabir Rehman, Tehsil & P.O. Box Alpuri District Shangla.
14. Mr. Aman Ullah Khan S/O Muhammad Ashraf Village Hassari P.O. Garhi Habibullah Tehsil Balakot District Mansehra.
15. PS to Secretary Forestry, Environment & Wildlife Department.
15. Personal file of the officer.
16. Master file.
17. Office order file.

  
(Hafiz Abdul Jalil)  
SECTION OFFICER (ESTT)

To

The Chief Conservator of Forests,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

26

**Subject: Admission in M.SC Forestry Training Course at Pakistan Forest  
Institute Peshawar.**

R/Sir,

It is stated that I have been selected as a Sub Divisional Forest Officer, Khyber Pakhtunkhwa Forest Department by Khyber Pakhtunkhwa Public Service Commission against the qualification mentioned as per 2<sup>nd</sup> option of the service rules of the department. The post against which I have been selected was advertised in Advertisement No: 02/2013 Dated: 5.04.2013.

Sir, it is mentioned in the advertisement that the selected candidates shall undergo and successfully complete M.SC Forestry training at Pakistan Forest Institute Peshawar.

Presently I am serving as a Range Officer (BPS-16) at Pakistan forest Institute Peshawar, Research Division, since 2010. I have submitted my Recommendation letter as a Sub Divisional Forest Officer, which was issued to me by Khyber Pakhtunkhwa public service commission along with my Medical fitness certificate in Forestry, Wildlife and Environment Department.

It is further stated that M.SC forestry training course is in progress at PFI nowadays and if I am nominated in this course I will carry out M.SC in Forestry and will join the Department as soon as possible otherwise I will wait for the next session which will start after an year, and I will waste allot of time waiting for the next session to start.

It is therefore requested to kindly nominate me to the ongoing M.Sc Forestry training course, so that I can carry out M.SC in Forestry.

Thanking in anticipation.

Dated 22-05-2015

6137  
25/5

22/5  
ESH

No. 2359  
25/5/2015

USMAN

Mohammad Usman Khan,  
Range Officer,  
PFI, Peshawar.

To

The Chief Conservator of Forests

Central Southern Forest Region-I

Peshawar

Subject: Arrival Report

R/Sir,

In light of Director Forest Education Division letter No.706/F.ED(5817), dated 15.09.2017, and after completion of my M.Sc Forestry Course at Pakistan Forest Institute Peshawar, I submit my arrival report today on 15.09.2017.

Submitted for favour of further necessary action, please.

Dated: 15.09.2017

USMAN  
Muhammad Usman



GOVERNMENT OF KHYBER PAKHTUNKHWA  
 Forestry, Environment & Wildlife Department  
 Forest Education Division, Pakistan Forest Institute, Peshawar  
 E-mail: dir.fedu.pfi@gmail.com  
 Ph: +92 91 9216127, Fax: +92 91 9221233  
 SAY NO TO CORRUPTION



No. 706 /F.Ed (58)17

Dated: 15<sup>th</sup> September, 2017

*Pl. file  
 Cite 123  
 SDFD*

**COURSE COMPLETION CERTIFICATE.**

It is to certify that **Mr. Muhammad Usman S/O Bakhtiar Ali** is a regular student of M.Sc. Forestry 2015-17 session under university registration No. 2007-F-2142 at Pakistan Forest Institute (PFI), Peshawar. He has completed his course and waiting for 3<sup>rd</sup> term result.

*Jamoon*  
 Director  
 Forest Education Division

*Estt.*  
*Sundeeb*  
*15/9/2017*

595  
 -----  
 15.9.2017

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

Service Appeal No. 1344/2018

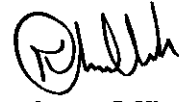
Muhammad Usman.....Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa  
through Chief Secretary & others.....Respondents

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3.	Copy of PSC Advertisement 02/2013	"A"	5
4.	Copy of judgment dated 11.02.2015	"B"	6-16



Senior Law Officer  
Khyber Pakhtunkhwa  
Public Service Commission Peshawar

UMS88643648

16/09/2020

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

Service Appeal No. 1344/2018

Muhammad Usman.....Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa  
through Chief Secretary & others.....Respondents

**PARAWISE COMMENTS ON BEHALF OF (RESPONDENT NO. 5)**

**RESPECTFULLY SHEWETH:**

**PRELIMINARY OBJECTIONS:**

1. That the appellant has got no locus standi or cause of action against the replying respondent.
2. That the appellant is not substantially aggrieved from any act of Public Service Commission, therefore, instant appeal is not maintainable against respondent Commission.
3. That as the appellant has challenged issue of notification of his re-appointment by the appointing authority, therefore, name of the public service commission from the panel of respondents is liable to be struck off.
4. That instant appeal is liable to be dismissed against the replying respondent.
5. That instant appeal is not sustainable in the eyes of law against Public Service Commission.

**ON FACTS:**

1. Pertains to personal record of the appellant. Needs no comments.
2. That the Khyber Pakhtunkhwa Public Service Commission had advertised 18 posts of Sub Division Forest Officer (BPS-17) vide Advertisement No. 02/2013 at serial No. 09 dated: 05-04-2015 with the following qualification.

**QUALIFICATION** (a) Master's Degree in Forestry from a recognized University/ Institute. OR (b) (i) Second Class Bachelor's Degree in Forestry from a recognized University / Institute. OR (ii) Second Class Bachelor's Degree in Agriculture or other Science subjects (any two of subjects i.e., Mathematics, Physics, Chemistry, Biology, Zoology, Botany) from a recognized University / Institute, if no suitable candidate having qualification mentioned in (a) & (b) (i) above is available.

Preference shall be given to those having qualification prescribed first as (a)

**Note:** Appointment of candidates selected for the posts by the Public Service Commission shall be made subject to the following conditions: -

- i) The selected candidates shall undergo and successfully complete the training at the Pakistan Forest Institute leading to Master's Degree in Forestry. Those already having Master's Degree in Forestry from PFI shall be exempted from such training.
- ii) The selected candidates shall execute a bond with the Forest Department to the effect that on successful completion of the training they shall serve the Government for at least five years and in default shall refund all the expenses incurred in connection with their training and education.

**AGE LIMIT:** 21 to 32 years.      **PAY SCALE:** BPS-17

**ELIGIBILITY:** Male

**ALLOCATION:** Four to Merit, Three each to Zone-1, 2, 4 and 5 and Two to Zone-3.

**(Annex-A)**

3. Correct. It is pertinent to mention here that initially recommendation in respect of 10 posts out of 18 were sent to the quarter concerned as number of posts were reduced from 18 to 10. However, later on, the Public Service Commission in pursuance of judgments dated: 11-02-2015 (**Annex-B**) of Honorable Peshawar High Court forwarded further eight (08) recommendations, including the appellant.
4. Correct to the extent of recommendation of the appellant, however, rest of the para does not pertain to replying Respondent No. 05 Public Service Commission.
5. Does not pertain to replying Respondent No. 05 Public Service Commission.
6. Correct to the extent that the appellant was recommended by the Public Service Commission while rest of the para does not pertain to Khyber Pakhtunkhwa Public Service Commission.
7. Does not pertain to replying respondent No. 5 Public Service Commission.
8. As the appellant is not genuinely aggrieved person, by any act of Khyber Pakhtunkhwa Public Service Commission, therefore, may not be allowed to raise further grounds against the respondent Commission.

**GROUND.**

- A. Does not pertain to replying respondent No. 5 Public Service Commission.
- B-C. Correct to the extent of his recommendation, however, rest of the para does not pertain to Public Service Commission.
- D-E. Does not pertain to replying to respondent No. 05 Public Service Commission.
- F. Correct to the extent of the requirement of field training and master degree in the advertisement, while rest of the para does not pertain to Public Service Commission.
- G. Does not pertain to replying respondent No. 05 i.e. Public Service Commission.
- H. As the appellant is not genuinely aggrieved person, by any act of Khyber Pakhtunkhwa Public Service Commission, may not be allowed to raise further ground against Khyber Pakhtunkhwa Public Service Commission.

It is, therefore, respectfully prayed that on acceptance of the submissions made herein above, the instant appeal being not maintainable to the extent of Public Service Commission may kindly be dismissed with costs having no legal footings.




CHAIRMAN  
KHYBER PAKHTUNKHWA  
PUBLIC SERVICE COMMISSION  
PESHAWAR  
(RESPONDENT NO.05)



**AFFIDAVIT**

Stated on oath that the contents of this Para wise comments are true and correct & nothing has been concealed from this Honorable tribunal.

**DEPONENTS**

**CHAIRMAN  
KHYBER PAKHTUNKHWA  
PUBLIC SERVICE COMMISSION  
PESHAWAR  
(RESPONDENT NO.02)**

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Annex-A

**KHYBER PAKHTUNKHWA PUBLIC SERVICE  
COMMISSION**

**2- Fort Road Peshawar Cantt:**

**Website: [www.kppsc.gov.pk](http://www.kppsc.gov.pk)**

**Tele: Nos. 091-9214131, 9213563, 9213750, 9212897**

Dated: **05.04.2013**

**ADVERTISEMENT No. 02 / 2013.**

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of **Khyber Pakhtunkhwa / F.A.T.A** by **10.05.2013** (candidates applying from abroad by **24.05.2013**). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected.

<b>ENVIRONMENT DEPARTMENT</b>	
<b>9.</b>	<p><b>EIGHTEEN (18) POSTS OF MALE SUB DIVISIONAL FOREST OFFICER IN THE OFFICE OF CHIEF CONSERVATOR OF FORESTS</b></p> <p><b>QUALIFICATION</b> (a) Master's Degree in Forestry from a recognized University/ Institute. OR (b) (i) Second Class Bachelor's Degree in Forestry from a recognized University / Institute. OR (ii) Second Class Bachelor's Degree in Agriculture or other Science subjects (any two of subjects i.e., Mathematics, Physics, Chemistry, Biology, Zoology, Botany) from a recognized University / Institute, if no suitable candidate having qualification mentioned in (a) &amp; (b) (i) above is available.</p> <p>Preference shall be given to those having qualification prescribed first as (a)</p> <p><b>Note:</b> Appointment of candidates selected for the posts by the Public Service Commission shall be made subject to the following conditions: -</p> <ol style="list-style-type: none"><li>The selected candidates shall undergo and successfully complete the training at the Pakistan Forest Institute leading to Master's Degree in Forestry. Those already having Master's Degree in Forestry from PFI shall be exempted from such training.</li><li>The selected candidates shall execute a bond with the Forest Department to the effect that on successful completion of the training they shall serve the Government for at least five years and in default shall refund all the expenses incurred in connection with their training and education.</li></ol> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Male <b>ALLOCATION:</b> Four to Merit, Three each to Zone-1, 2, 4 and 5 and Two to Zone-3.</p>

**(SHARIF HUSSAIN)**

**Secretary**

Khyber Pakhtunkhwa  
Public Service Commission  
Peshawar

Annex-B

BEFORE THE HONOURABLE PESHAWAR HIGH COURT

PESHAWAR

W.P. NO. 2749-P / 2014



1. Shoaib Ahmad Anees son of Faiz Muhammad resident of house no. 104, near GGS No.1, Muryali, Mohallah Balochan Wala, Muryali D.I. Khan.
2. Kamran Khan son of Muhammad Ayub Khan resident of village Kotka, Shah Alam, P.O. Ghori Wala, Tehsil & district Bannu.
3. Kaleem Mehmood Son of Muhammad Dost resident of Mohallah Khonacham Baligram Saidu Sharif Swat.
4. Waqar Ahmad Son of M. Peric Khan resident of District Dir.

(PETITIONER)

VERSUS

1. Chairman KPK Public Services Commission Fort Road, Peshawar.
2. Secretary KPK Public Services Commission Fort Road, Peshawar.
3. Government of KPK through Secretary Environment Department Peshawar.
4. Chief Conservator of Forests, KPK, office of Chief Conservators of Forests, Shami Road, Peshawar.
5. Amin Ul Islam Son of Noor Abbas Din resident of Karak.
6. Arsalan Tariq son of Malik Muhammad Tariq resident of D.I. Khan.
7. Arshad Ali Khan son of Bahram and resident of Bunner.
8. Ayaz Ali Shah son of Nazir Ali Shah resident of Mansehra.
9. Ibrar Ahmad son of Abdul Rashid resident of Mansehra.
10. Imdad Ud Din Son of Samand Khan resident of Swat.
11. Muhammad Rashid Son of Fida Muhammad resident of Charsadda.

ATTESTED  
EXAMINER  
Peshawar High Court

20 FEB 2015

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JUDGMENT SHEET  
IN THE PESHAWAR HIGH COURT, PESHAWAR  
JUDICIAL DEPARTMENT

W.P. No. 2749 of ..... 2015 with,  
27/2015

JUDGMENT

Date of hearing 11/02/2015

Petitioner Shoab Ahmad Anees etc by Lateef Ahmad

Respondent Chairman K.P.K by M/s Ejaz Ishaq Sabi,  
Faridullah Kundli, Rizwanullah Advocates  
Syed ..... Ali Shari A-As

NISAR HUSSAIN KHAN, J:- By this single judgment

recorded in W.P.No.2949-P/2014, we intend to decide connected  
W.P.No.2986-P/2014 titled Faizan Mahmood Vs Govt. of KPK etc.,  
as identical questions of law and facts are involved therein.

2. Shoab Ahmad Anees and 3 others have filed  
W.P.No.2949-P/2014 for issuance of an appropriate writ with the  
following prayer:-

"It is therefore, most humbly prayed that on  
acceptance of this writ petition :

- (a) the non-selection/recommendation of the  
petitioners for the post of Sub Divisional Forest

Ishaq Shah PS WPN 2949/2014 (Justice Nisar Hussain Khan & Muhammad Dawud Khan)

ATTESTED  
EXAMINER  
Peshawar High Court  
20 FEB 2015

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Officer BPS-17, not giving preference to the petitioners over those of B.Sc who do not possess M.Sc degrees in Forestry from Pakistan Forest Institute by respondents be declared as against law, illegal, unlawful without lawful authority and ineffective upon the rights of the petitioners;

- (b) and respondents be directed to fill the posts of SDFOs from amongst the candidates/petitioners who possess the M.Sc degrees in forestry from Pakistan Forest Institute as per the advertisement No.02/2013;
- (c) and reduction of the number of posts, from 18 to 10 without any corrigendum from any concerned department may also be declared as illegal, null and void in the eyes of law, without lawful authority and that too after conclusion after whole recommendation and selection process;
- (d) and the petitioners be given first priority as the petitioners possess master degree in Forestry from PFI over those candidates, who do not possess M.Sc degree in forestry and are illegally and unlawfully recommended and selected by respondents."

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While petitioner Falzan Mahmood has filed W.P.No.2986-P/2014

for issuance of an appropriate writ with the following prayer:-

"On acceptance of this writ petition an appropriate writ may please be issued declaring the petitioner as fit and eligible for the post of SDFO (BS-17) in Forest Department, the petitioner having remained successful in the selection process has got every right to be recommended to the Govt. for appointment, similarly preferring the respondent No.6 over the petitioner allegedly for his qualification in category B-1 of the note appended to the advertisement is illegal, unlawful, without lawful authority and of no legal effect, the petitioner who was having higher merit cannot be superseded by a candidate who was much below in the merit, as such to that extent the recommendations so made is liable to be struck down, any other remedy deemed proper may also be allowed."

3. Facts as averred in W.P.No.2949-P/2014 are that respondents advertised 18 posts of male Sub Divisional Forest Officers in the office of Chief Conservator of Forest providing

Ishaq Shah PS W.P.2949/2014 (Justices Nisar Hussain Khan & Muhammad Daud Khan)

ATTESTED

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prescribed qualification for the advertised posts. Petitioners in this petition contended that since they were possessing higher qualification of M.Sc, so were entitled to be given preferential treatment as provided in the advertisement and the candidates of B.Sc Forestry have wrongly been recommended for appointment. They are also aggrieved of reduction of the advertised posts from 18 to 10 which had badly affected their prospective selection for the advertised posts.

4. While stance of Faizan Mahmood, petitioner in W.P.No.2986-P/2014 is that he is holding qualification of B.Sc.(Honours) in Agriculture and qualifies the requirement of advertisement. He was at S.No.2 of the merit list prepared after test and interview but has wrongly been discarded from consideration and recommendation for appointment under misconception of the respondents that he is not eligible in view of the note attached to the advertisement.

5. We have given our anxious considerations to the respective arguments of the learned counsel for the parties and the learned AAG for official respondents and analyzed the same with their valuable assistance.

Ishaq Shah PS WPR2949/2014 (Justices Nisar Hussain Khan & Muhammad Daud Khan)

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6. Khyber Pakhtunkhwa Public Service Commission, vide advertisement No.2/2013 dated 5.4.2013, beside others, advertised 18 posts of male Sub Divisional Forest Officers in the office of Chief Conservator of Forest. The eligibility criteria prescribed in the advertisement, for ready reference and better elucidation of the issue involve, is reproduced below :-

"QUALIFICATION: (a) Master's Degree in Forestry from a recognized University/Institute, or (b) (i) Second Class Bachelor's Degree in Forestry from a recognized University/Institute OR (ii) Second Class bachelor's degree in Agriculture or other Science subjects (any two of the subjects i.e. Mathematics, Physics, Chemistry, Biology, Zoology, Botany from a recognized University / Institute, if no suitable candidate having qualification mentioned in (a) & (b) (i) above is available."

7. The stance of petitioners in W.P.No.2949-P/2014 is that they are holding Master Degree in Forestry so in terms of the advertisement, they are entitled for preferential treatment and consequential appointment against candidates of Bachelor Degree in Forestry. At the same time in the same advertisement, it



is also provided for clarification that the candidates having Second Class Bachelor Degree in Agriculture or other Science subjects shall be considered if no suitable candidates having qualification mentioned in (a) & (b) (i) is available. This phrase conspicuously conveys that candidates having Master and Bachelor Degrees in Forestry shall compete inter se. With regard to preference to category (a) having Master Degree in Forestry, it can easily be deduced that when both B.Sc and M.Sc. stand equal at the merit level, the candidates of M.Sc Forestry is to be given preference. There is no such stipulation for M.Sc and B.Sc Forestry Degrees as is provided for Bachelor Degree in Agriculture and other sciences because it has not been provided that in case of non-availability of M.Sc Forestry candidates, the candidates having B.Sc Forestry shall be considered as is the case with the candidates of Bachelor Degree in other Sciences. Thus it can safely be concluded that Bachelor Degree holders of Forestry are equally entitled to compete with the M.Sc. Forestry and in case they stand higher on merits, they would be entitled to appointment and cannot be ignored or discarded for appointment by giving preference to the M.Sc (Forestry Degree) though they

stand lower on merit. To this extent, claim of the petitioners is not tenable.

8. Perusal of record reveals that during the selection process and at the time of compilation of the result and the merit list, some candidates of B.Sc (Forestry) secured higher marks than candidates of M.Sc Forestry and stood at higher pedestal in the merit list. The KPK Public Service Commission in view of the stipulation of the advertisement, sought clarification from the concerned Environment Department with regard to the note appended at the bottom of the service rules. According to their concept ambiguity was created by the phrase "Preference will be given to those having qualification prescribed first". On this query of the Commission, a meeting under the Chairmanship of Deputy Secretary, Environment Department, KPK was held wherein issue was thoroughly discussed and it was unanimously decided that holders of first qualification i.e. Master Degree in Forestry cannot be accorded preference if they have obtained less marks than holders of qualification at (b)(i) i.e. Bachelor Degree (Forestry). This decision of the Committee was conveyed to the Commission which was acted upon accordingly.

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9. in view of this decision, the Commission recommended candidates standing higher on the merit for 10 posts of Sub Divisional Forest Officers who have not only been appointed but have submitted their arrival reports as well. Thus, their appointments were in accordance with law and rules on the subject which cannot be called in question.

10. So far as reduction of advertised posts from 18 to 10 is concerned, that is not supported by any reason. Initially 18 posts on the requisition of Department have been advertised by the KPK Public Service Commission. The candidates applied for the same, undergone through process of test and interview and their merit was prepared. During the interregnum, correspondence of the Commission with the candidates contains same 18 posts of Sub Divisional Forest Officers (BPS-17) which fact is very much evident from their call letters for interview scheduled for 20.5.2014, 27.5.2014 and 19.5.2014 which are more than one year after the advertisement. It appears that process of test and interview was finalized in May, 2014 which might have been followed by the merit list but in the meanwhile two letters were addressed by Section Officer (Establishment) Environment Department, KPK, on 20<sup>th</sup> June, 2014; one to the Secretary,

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Establishment Department KPK and the other one to Secretary, KPK Public Service Commission. In the former, it was conveyed that on re-calculation, the posts have been found 10 instead of 18 whereas in latter, it has been conveyed that the strength of posts for recruitment against the posts of SDFOs be treated as 10 instead of 18. It is strange that the process of recruitment remained in progress for one year and the strength of posts remained the same, as was initially advertised, but when whole process was finalized, candidates were short listed, merit list was prepared and recommendations were to be made, all of a sudden, the Department woke up from a deep slumber for recalculation of the posts and reduced the same from 18 to 10, when all decisive steps had already been taken and certain valuable rights had accrued to the candidates. The justification for reduction of posts so advanced is just flimsy which does not appeal to reason, except smacking of something wrong at the bottom. Though recommendations or appointment orders were not issued but substantial development in the recruitment process has raised legitimate expectation of the prospective appointees for their appointment which cannot be taken away unilaterally without any just, sound and reasonable justification. Thus with this backdrop

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made against remaining 8 posts of Sub Divisional Forest Officers as advertised in the advertisement.

ii) Candidates having qualification of M.Sc. and B.Sc. Forestry would compete inter se and whosoever came on merit, shall be appointed regardless of higher qualification of M.Sc. Forestry.

iii) The candidates having B.Sc Agriculture or other sciences as per advertisement shall only be considered for appointment when no suitable candidates having qualification of M.Sc Forestry or B.Sc Forestry is available.

iv) Appointment/recruitment against 8 posts of Sub Divisional Forest Officers be made in accordance with the guidelines given above in the light of existing merit position of the candidates prepared by KPK Public Service Commission and no fresh process shall be carried out for the purpose.

*M. Dawood Khan*  
JUDGE  
JUDGE

officer  
20/02/15

Announced on  
11th Feb  
2015

06.10.2020

Appellant present in person.

Zara Tajwar learned Deputy District Attorney for respondents present.

Lawyers are on general strike, therefore, the case is adjourned to 25.11.2020 for arguments, before D.B.

(Atiq ur Rehman Wazir)  
Member (E)

(Rozina Rehman)  
Member (J)

03.09.2021

Syed Noman Ali Bukhari, Advocate, for the appellant present. Mr. Mehtab Gul, Law Officer alongwith Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Para-wise comments on behalf of respondent No. 5 submitted, copy of which handed over to learned counsel for the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments before the D.B on 08.12.2021.

(ATIQU-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

(SALAH-UD-DIN)  
MEMBER (JUDICIAL)