

18th July 2022

Learned counsel present. Mr. Noor Zaman, District
alongwith Mr. Sajid Khan, Range Officer for respondents
present.

Learned counsel for the appellant sought
adjournment to further prepare the case. Adjourned. To
come up for arguments on 19.09.2022 before D.B at
camp court Abbottabad.



(Salah Ud Din)
Member(Judicial)



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

19.09.2022

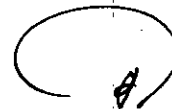
Appellant present through counsel.

Kabir Ullah Khattak, Additional Advocate General
alongwith Sajid Khan, Range Forest Officer for respondents
present.

Former requested for adjournment as he has not
made preparation of the brief. Adjourned. To come up for
arguments on 14.11.2022 before D.B at Camp Court,
Abbottabad.



(Fareeha Paul)
Member (E)
Camp Court, A/Abad

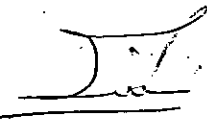


(Rozina Rehman)
Member (J)
Camp Court, A/Abad

S.A No. 3991/2021

11.10.2021

Appellant in person present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Rafique Ullah, DFO for the respondents present and sought time for submission of written reply/comments. Respondents are directed to furnish reply/comments within 10 days in office. In case the respondents fail to submit reply/comments within stipulated time from today, they shall have to seek extension of time through written application citing sufficient reasons. Otherwise, their right for submission of reply/comments shall be deemed as struck off. To come up for arguments before the D.B on 14.02.2022 at Camp Court Abbottabad.


(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD


CHAIRMAN
CAMP COURT ABBOTTABAD

14.02.2022

Due to retirement of Chairman, case is adjourned to 13.06.2022 for the same as before.



Reader


13.06.2022

Counsel for the appellant present.

Noor Zaman Khan Khattak, learned District Attorney alongwith Sajid Khan Range Officer for the respondents present.

Representative of respondents submitted written reply/comments, placed on file. Copy of the same was handed over to learned counsel for appellant who requested for adjournment. Adjourned. To come up for rejoinder, if any, and arguments on 18.07.2022 before D.B at Camp Court, Abbottabad.


(Fareeha Paul)
Member (E)
Camp Court, A/Abad


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

16.07.2021

Appellant present in person. Preliminary arguments heard.

In term of normal procedure, the Service Appeal seems to be time-barred but in view of particular legal position to be discussed herein-after, the bar of limitation for the time-being is immaterial. In wake of COVID, 19, the Government of Khyber Pakhtunkhwa for the first time declared Public Health Emergency in March, 2020 for three months which was extended from time to time for further term and presently it has been extended by the Government vide Notification No. SOG/HD/1-102/Covid-19/2020/3062, dated 30.06.2021 for the period from 01.07.2021 to 30.09.2021. The case of the appellant falls within the period of emergency. In view of Section 30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020, the limitation period provided under any law shall remain frozen. This appeal having been filed after promulgation of the said Act, is not affected by bar of limitation. Excluding the case of appellant from rigors of limitation, his appeal is fit for full hearing. Keeping the question of limitation relating to filing of instant appeal intact for determination during full hearing, this appeal, subject to all just and legal objections including objection of limitation 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 for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 11.10.2021 before the D.B, at camp court Abbottabad.

Appellant Deposited
Security & Process Fee

16/7/21



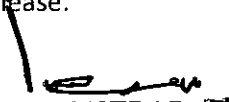

Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 3991/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1	2	3		
1-	24/03/2021	<p>The appeal of Mr. Abdul Ghani presented today by Mr. Muhammad Arshad Khan Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p>	3-6-21	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16-7-21</u>. Notices be issued to appellant/ counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR CAMP AT ABBOTTABAD

Service Appeal No. 3991 /2021

Abdul Ghani son of Khani Zaman, Forester, Havelian Watershed Range,
Daur Division Abbottabad.

...APPELLANT

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Forestry
Environmental & Wildlife Department, Peshawar & others.

....RESPONDENTS

SERVICE APPEAL

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1.	Appeal alongwith affidavit	1 to 10	
2.	Copy of letter dated 07.06.2018	11 to 12	"A"
3.	Copy of charge sheet and reply to the charge sheet	13 to 20	"B" & "C"
4.	Copy of letter dated 03.05.2019	21	"D"
5.	Copies of show cause and notice	22 to 23	"E" & "F"
6.	Copy of office order No. 14, dated 19.03.2020	24 to 26	"G"
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Abdul Ghani
...APPELLANT

Dated: 22/3 /2021

Through

Muhammad Arshad Khan Tanoli
(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR CAMP AT ABBOTTABAD

Service Appeal No. _____/2021

Abdul Ghani son of Khani Zaman, Forester, Havelian Watershed Range,
Daur Division Abbottabad.

...APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Forestry
Environmental & Wildlife Department, Peshawar.
2. Chief Conservator of Forest Peshawar.
3. Conservator of Forest Water Shed, Management Circle,
Abbottabad.
4. Divisional Forest Officer, Daur Forest Division, Abbottabad
5. Budget & Accounts Office Environmental Department,
Government of Khyber Pakhtunkhwa, Peshawar.
6. Range Forest Officer, Sherwan, Abbottabad.

...RESPONDENTS

**APPEAL UNDER ARTICLE 212 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973 READ WITH SECTION 4 OF
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
ACT, 1974 AGAINST THE IMPUGNED OFFICE
ORDER NO. 15 DATED 19.03.2020, WHEREBY THE
RESPONDENT NO. 3 IMPOSED ONE AND HALF OF
THE TOTAL RECOVERABLE AMOUNT AS
RS. 544,584/-, IS ILLEGAL, UNLAWFUL, AGAINST
THE LAW, RULES POLICY ON THE SUBJECT,
AGAINST THE FACTS AND CIRCUMSTANCES OF**

THE CASE AND THE SAID ACTS OF RESPONDENTS ARE INEFFECTIVE UPON THE RIGHTS OF THE APPELLANT.

PRAYER:- ON ACCEPTANCE OF INSTANT APPEAL, THE IMPUGNED OFFICE ORDER NO. 15 DATED 19/03/2020 AS PASSED BY RESPONDENT NO. 3 MAY GRACIOUSLY BE DECLARED AS NULL AND VOID AND MAY KINDLY BE SET-ASIDE. ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED IN FAVOUR OF APPELLANT.

Respectfully Sheweth;-

This appeal mainly proceeds on bellow stated factual and legal grounds.

1. That the appellant was appointed as Forest Guard in the respondents department and served the department with best of his ability.
2. That D.F.O Duar Water Shed Division Abbottabad/ respondent No. 4 inspected Billion

Tree Afore-plantation Project (BTAP) plantation area carried out during the monsoon and Spring 2016, and monsoon 2017 in Sherwan, Water Shed Range on 9, 10 and 25.04.2018.

3. That during inspection of the above said area some irregularities were found. Due to the said reason, the respondent No. 4, reported the matter to respondent No. 3 that none of these activities have been carried out in professional manner.
4. That on receipt of the said report from the respondent No. 4 the respondent No. 3, constituted an inquiry committee, who initiated proceedings vide letter No. 8309 dated 07.06.2018. Copy of letter dated 07.06.2018 is annexed as Annexure "A".
5. That thereafter the appellant was charge sheeted and memo of allegations was also served upon the appellant. The appellant submitted his reply to the charge sheet. Copy of charge sheet and reply to the charge sheet is annexed as Annexure "B" & "C".
6. That after hearing the appellant, the inquiry committee submitted his findings to the respondent No. 3 vide letter No. 1051/BWS dated 03.05.2019.

Copy of letter dated 03.05.2019 is annexed as Annexure "D".

7. That on receipt of the said inquiry report, the appellant was served with the show cause notice. In response of the said show cause notice, the appellant submitted his reply. Copies of show cause and notice and reply thereof are annexed as Annexure "E" & "F".
8. That the inquiry committee assessed the loss and recommended amount of Rs. 1089167/- to be recoverable from the officials involved in the matter. In the light of report of so-called inquiry committee, the respondent No. 3 recommended imposed one and half of the total recoverable amount worth Rs. 544,584/- (Rs. Five lacs forty four thousand five hundred and eighty four) on present appellant vide impugned office order No. 15, dated 19.03.2020. Copy of office order No. 15, dated 19.03.2020 is annexed as Annexure "G".
9. That due to the pandemic of COVID-19, the offices were remained closed and the appellant could not file departmental appeal against the impugned office order No. 15, dated 19.03.2020

when the office of respondents again open for official work, the appellant submitted his departmental appeal which has been rejected vide No. 5599 dated 11/01/2021 vide covering letter No. 1322-251-B/14 dated 22/01/2021 received by the appellant on 25/02/2021. Copy of departmental appeal and rejection order dated 11/01/2021 are attached as Annexure "H".

10. That faced with the above said situation, the appellant seeks indulgence of this Honourable Tribunal for setting aside the impugned letters, inter-alia on the following grounds;

GROUND:-

- a. That the impugned office order No. 15 is violative of the principal of natural justice. The appellant has not been treated in accordance with law and the rules on the subject. Hence the impugned order is liable to be set aside.
- b. That the impugned order dated 19.03.2020 passed by the respondent No. 3 is illegal, unlawful, without lawful authority, misuse of powers, not vested in it, against the facts

and grounds realities, hence is liable to be set-aside.

- c. That no proper inquiry has been conducted. The appellant has not been provided any opportunity to defend charges leveled against him. It was an one sided decision made by the respondent No. 3 and being a nullity in the eye of law can't hold field and is liable to be set aside.
- d. That the contention of the appellant has neither been considered nor opportunity of providing relevant record has been granted to the appellant, hence, the impugned order dated 19.03.2020 is liable to be set aside.
- e. That service record of the appellant is neat and clean and no complaint from public is available on record which could be made basis for initiating enquiry.
- f. That the impugned order is also liable to be set-aside on the ground that the plantation under the project was carried out as per directions issued by the officers In-charge, after plantation the said officers of the

department i.e. DFOs and ROFs verified the percentage of success in the said area which is on record. Moreover, the respondents forcibly took signatures on the Muster-roll in respect of the area which has not been planted nor falls within the territory of the appellant.

g. That there is no Chowkidar to look-after the area of plantation (mentioned in the impugned order) due to the reason that the respondent department has not pay the salaries to the said chowkidars which are allocated to look-after the said area therefore they did not rendered their services. Therefore in absence of the said chowkidars free grazing of animals fire hazard in the plantation side were noticed by the respondents.

h. That even otherwise, the appellant is innocent and even if the so called charges leveled against appellant or deemed correct, the punishment awarded for those charges is

very harsh and unjustified. Hence the impugned order is liable to be set aside.

- i. That the impugned order is against the law, fact and the principles laid down by the Honourable Superior Courts.
- j. That appellant would like to be heard in person.
- k. That other grounds will be urged at the time of arguments with prior permission of this Honourable Court.

It is therefore, most humbly prayed that on acceptance of instant appeal, the impugned office order No. 15 dated 19/03/2020 as passed by respondent No. 3 may graciously be declared as null and void and may kindly be set-aside. Any other relief which this Honourable tribunal deems fit and proper in the circumstances of the case may also be granted in favour of appellant.

Arshad
...APPELLANT

Dated: 22/3 /2021

Through

Muhammad Arshad Khan Tanoli
(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

VERIFICATION:-

Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

Arshad
...APPELLANT

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR CAMP AT ABBOTTABAD

Service Appeal No. _____/2021

Abdul Ghani son of Khani Zaman, Forester, Havelian Watershed Range,
 Daur Division Abbottabad.

...APPELLANT

VERSUS

Government of -Khyber Pakhtunkhwa, through Secretary Forestry
 Environmental & Wildlife Department, Peshawar & others.

....RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, *Abdul Ghani son of Khani Zaman, Forester, Havelian Watershed Range, Daur Division Abbottabad*, do hereby solemnly affirm and declare that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.



19/8/21

Abdul Ghani
DEPONENT

Annex - A

1. Mr. Hazrat Mir Divisional Forest Officer Buner
Watershed Division

(Chairman)

2. Mr. Ghafoor Khan Range Officer Chamla
Watershed Range

(Member)

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

The accused and a well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the inquiry committee.

(JAVED ARSHED)
CONSERVATOR OF FORESTS/PD
WATERSHED MANAGEMENT CIRCLE
ABBOTTABAD

No. 8309-12, dated Abbottabad the 7/6/2018

Copy forwarded to:-

1. Mr. Hazrat Mir Divisional Forest Officer Buner Watershed Division
2. Mr. Ghafoor Khan Rnge Officer Chamla Watershed Range

For injformatio9n and necessary action. Enquiry file from page 01 to 16 is enclosed herewith. They are directed to immediately finalize the proceeding within stipulated period of (30) thirty days against Mr. Abdul Ghani Forest Guard.

3. Divisional Forest Officer Daur Watershed Division for information and necessary action with reference to his letter No.1963/DWS dated 11/05/2018. He is directed to depute well conversant representative/prosecutor as and when called by the enquiry committee and also provide the relevant record on demand of enquiry committee.

4. Mr. Abdul Ghani Forest Guard for information. He is directed to submit his reply to the inquiry Committee within 7 days after issue of this memo and also appear before the Inquiry Committee as and when called for the purpose of inquiry proceedings.

(JAVED ARSHED)
CONSERVATOR OF FORESTS/PD
WATERSHED MANAGEMENT CIRCLE
ABBOTTABAD

Attested

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Muhammad Afzal
Advocate High
Office No. 33 AD
Abbottabad

Q

DISCIPLINARY ACTION

I, Javed Arshad Conservator of Forests/PD Watershed Management Circle as competent authority, am of the opinion that Mr. Abdul Ghani Forest Guard (BPS-8) of Sherwan Watershed Range has rendered himself liable to be proceeded against, as he has committed the following acts/omissions, within the meaning of rule-3 of the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011.

Statement of Allegations

Being Incharge of Tootni Afforestation area which was planted under Billion Tree Afforestation Project as per detail below. The Divisional Forest Officer Daur Watershed Division Abbottabad had inspected the afforestation site falling in the jurisdiction of accused official on 10.4.2018 and has come up with the conclusion that this plantation has not been carried out in a professional manner. The planting and maintenance was showing a pathetic condition besides, reflecting highly irresponsible attitude of official as being Incharge of said plantation area. The detail report to this effect had already been sent to your Range Officer vide DFO Daur Watershed letter No.1804-08/DWS dated 17/04/2018 (Copy annexed as Annexure-A). During the course of inspection some serious nature of irregularities were noticed by the DFO Daur Watershed which are produced below.

S. No	Name of Afforestation Area	Planting Season	Area Charged (Hac)	Survival Status Assessed During Field Inspection	No. of Chowkidar Deployed on the Area
1	Tootani	2016	31	20-25 %	01

1. No replacement works were carried out despite the instructions and directions of the DFO Daur Watershed Division, during visits, meetings held with field staff as well as through official letters communicated time to time.
2. The survival percentage of the above area is hopelessly below the required level of satisfaction and the amount charged against the above area is misappropriated which needs to be recovered and remitted in Govt. treasury, as the work carried out in the above area is substandard

For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry committee, consisting of the following is constituted under rule-10(1)(a) of the ibid rules:-

Muhammad Arshad
Advocate
 Office No. 33/A-1
 Daur Watershed

Javed Arshad
Conservator of Forests

Ghani

Annex- B

CHARGE SHEET

I, Javed Arshad Conservator of Forests/PD Watershed Management Circle Abbottabad as competent authority, hereby charged you Mr. Abdul Ghani Forest Guard Incharge Tootni Afforestation areas.

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That you, while posted as Incharge Forest Guard Afforestation area as noted above of Watershed Range Sherwan committed the following irregularities:

Being Incharge you have been planted Telhar Afforestation area 81 hectors which was planted under Billion Tree Afforestation Project . The Divisional Forest Officer Daur Watershed Division Abbottabad had inspected the afforestation site falling under your jurisdiction on 12.7.2018 and report submitted by Incharge Range Officer Sherwan Watershed Range vide No.14 dated 8.8.2018, the DFO Daur Watershed Division come up with the conclusion that this plantation has not been carried out in a professional manner. The planting and maintenance was showing a feeble condition besides, reflecting highly irresponsible attitude of you as being Incharge of said plantation area in planting as well maintenance activities.

Being Incharge of Kain area you have misappropriated the cost of 3.60 hac. The special monitoring team measured the above area and found that the it has been charged as 24 hac. instead of 20hac which has survival percentage of 32.67% and become in worst condition.

1. As per report of Special monitoring team shared with DFO Daur Watershed Division Abbottabad the difference between charged and actual area is 55 hac.out of 81hac. which seems that the amount of 55 hac. has been misappropriated by the Incharge Forest Guard.
2. No replacement works were carried out despite the instructions and directions of the DFO Daur Watershed Division, during visits, various meeting to this contest was held and clear cut instructions regarding safety and rehabilitation of plantation were issued by concerned but miseries are still intact and no improvement had been noticed.
3. The survival percentage of Talhar area is 25.27% same is badly below and unsatisfied and apparently seems that the amount charged against the above area on account of plantation and watch and ward was misappropriated which needs to be recovered and remitted in Govt. treasury.
4. No boundary pillars was erected on the site due to which the site identification is not possible.
5. Pit to pit spacing found more then 10x10 which is not according to standard of PC-I resultantly the charge amount against the plantation seem fake and bogus.

Attested
lllll

Conservator of Forests
Watershed Management Circle
Abbottabad
12-33-ADP

P-14

6. No sign board was installed on site which is necessary according to PC-I and directives regarding this issue has also been issued time to time.
7. Plantation journals was not updated and maintained according to the requirements.
8. Site selection was made on gossips and nothing has been done as per requirements.
9. No additional sowing was carried out and in this regards directions of higher ups was neglected badly.
10. No BTAP writing was seen on site which shows your utter negligence and disinterest in Govt. Works.
11. Watch Ward charged apparently bogus as non of progress has been traced out on site.
12. The survival percentage is seem so less and undesirable.

By reason of the above, you appear to be guilty of In-Efficiency, Mis-Conduct and Corruption under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules 2011 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the rules ibid.

You are therefore required to submit written defense within seven days of the receipt of this Charge Sheet to the Inquiry Officer/Inquiry Committee as the case may be.

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

Intimate whether you desire to be heard in person.

A statement of allegations is enclosed.

(JAVED ARSHAD)
CONSERVATOR OF FORESTS/PD
WATERSHED MANAGEMENT CIRCLE
ABBOTTABAD

Attested
lllll
Muhammad Arshad
Advocate High Court
Office No. 33
Dist. Bar Association

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DISCIPLINARY ACTION

I, Javed Arshad Conservator of Forests/PD Watershed Management Circle as competent authority, am of the opinion that Mr. Abdul Ghani Forest Guard of Sherwan Watershed Range has rendered himself liable to be proceeded against, as he has committed the following acts/omissions, within the meaning of rule-3 of the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011.

Statement of Allegations

Being Incharge you have been planted Talhar Afforestation area 81 hectares which was planted under Billion Tree Afforestation Project. The Divisional Forest Officer Daur Watershed Division Abbottabad had inspected the afforestation site falling under your jurisdiction on 12.7.2018 and report submitted by Incharge Range Officer Sherwan Watershed Range vide No.14 dated 3.8.2018, the DFO Daur Watershed Division come up with the conclusion that this plantation has not been carried out in a professional manner. The planting and maintenance was showing a feeble condition besides, reflecting highly irresponsible attitude of you as being Incharge of said plantation area in planting as well maintenance activities.

Being Incharge of Kain area you have misappropriated the cost of 3.60 hac. The special monitoring team measured the above area and found that the it has been charged as 24 hac. instead of 20hac which has survival percentage of 32.67% and become in worst condition.

1. As per report of Special monitoring team shared with DFO Daur Watershed Division Abbottabad the difference between charged and actual area is 55 hac. out of 81hac. which seems that the amount of 55 hac. has been misappropriated by the Incharge Forest Guard.
2. No replacement works were carried out despite the instructions and directions of the DFO Daur Watershed Division, during visits, various meeting to this contest was held and clear cut instructions regarding safety and rehabilitation of plantation were issued by concerned but miseries are still intact and no improvement had been noticed.
3. The survival percentage of Talhar area is 25.27% same is badly below and unsatisfied and apparently seems that the amount charged against the above area on account of plantation and watch and ward was misappropriated which needs to be recovered and remitted in Govt. treasury.
4. No boundary pillars was erected on the site due to which the site identification is not possible.
5. Pit to pit spacing found more than 10x10 which is not according to standard of PC-I resultantly the charge amount against the plantation seem fake and bogus.

Attested
[Signature]
Muhammad Arshad
Advocate High Court
Office No. 33 Adj. Bar
Dist. Bar Abbottabad

6. No sign board was installed on site which is necessary according to PC-I and directives regarding this issue has also been issued time to time.
7. Plantation journals was not updated and maintained according to the requirements.
8. Site selection was made on gossips and nothing has been done as per requirements.
9. No additional sowing was carried out and in this regards directions of higher ups was neglected badly.
10. No BTAP writing was seen on site which shows your utter negligence and disinterest in Govt. Works.
11. Watch Ward charged apparently bogus as non of progress has been traced out on site.

The survival percentage is seem so less and undesirable

For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/inquiry committee, consisting of the following is constituted under rule-10(1)(a) of the ibid rules:-


1. Mr. Jawad Mumtaz Divisional Forest Officer (Chairman)
Kunhar Watershed Division Mansehra
2. Mr. Muhammad Nazir (Deputy Ranger) SDFO, (Member)
Siran Watershed Sub-Division

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

The accused and a well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the inquiry officer/inquiry committee.

(IAVED ARSHAD)
CONSERVATOR OF FORESTS/PD
WATERSHED MANAGEMENT CIRCLE
ABBOTTABAD

Attested


Muhammad Arshad
Advocate High Court
20-20-207 53 A
Abbottabad

P-17

No. 2576-79 JE., dated Abbottabad the 9-11 2018

Copy along with copy of charge sheet forwarded to:-

1. Mr. Jawad Mumtaz Divisional Forest Officer Kunhar Watershed Division Mansehra
2. Muhammad Nazir (Deputy Ranger) SDFO Siran Watershed Sub-Division

For information and necessary action. Enquiry file from page 01 to ___ is enclosed herewith. They are directed to immediately finalize the proceeding within stipulated period of (30) days against Mr. Abdul Ghani Forest Guard.

3. Divisional Forest Officer Daur Watershed Division Abbottabad for information and necessary action with reference to his letter No.716/DWS dated 02/11/2018. He is directed to depute well conversant representative/persecutor as and when called by the enquiry committee and also provide the relevant record as and when demanded by the enquiry committee under intimation to this office.

4. Mr. Abdul Ghani Forest Guard for information. He is directed to expedite his reply (written defense statement) to the Inquiry Officer/Inquiry Committee within 15 (fifteen) days and also appear before the Inquiry Officer/Inquiry Committee as and when called for the purpose of inquiry proceedings.

(JAVED ARSHAD)
CONSERVATOR OF FORESTS/PD
WATERSHED MANAGEMENT CIRCLE
ABBOTTABAD

Arshad
Arshad
Muhammad Arshad
Advocate
Office No. 33
S.D. Gar Area

Annex-C

جواب عالی
P-18

جارج ٹاؤن سٹیٹ بالا وصول کردہ جسٹس 26¹¹/₁₈ کے ضمن میں مندرجہ ذیل گزٹ شدہ
ہیں جو کہ جواب کی خدمت میں جواب کے طور پر عرض کر رہا ہوں -
① پیر تیسواں رقبہ بلا سٹیٹل میں موقع پیرنڈ لو میں نے کام کروایا ہے اور پیر
یہ آج تک اس رقبے کا عرصہ کوئی علم ہے عرصہ اچھی طرح یاد ہے اس وقت
کے P-18 میں ہے اور فار سٹریٹ میں نے عرصہ سے پیرنڈ لو سٹیٹل میں 1889
کر کے بنوائی تھی حالانکہ پیر تیسواں رقبہ و سٹریٹ فار سٹریٹ کے گایا تھا عرصہ کیا گیا کروا
آ رہی ہے اسے کھینچ رہے ہیں - جواب عالی میں نے اس سے قبل بھی ایک ٹوکاں
ٹوکاں بحوالہ جسٹس 1483ء مندرجہ 28²/₁₈ کے حوالے سے اس سے قبل بھی ایک ٹوکاں
جواب دیا تھا میں نے ملاحظہ فرمائیں (گائی الف ہے)

② جواب عالی -

علاوہ ان میں اسی تیسواں رقبہ کو آئی پیر 17ء میں جواب سٹریٹ میں ہے جس کا
اندکزار احمد شاہ 49 انچ رقبہ کو جارج ٹاؤن سٹیٹ دی اور اس پیر انڈیا کری
کیمپ مقصد کر دی انڈیا کری کیمپ نے سٹریٹ دی سٹریٹ ڈیو سٹریٹ آفس
میں موجود ہے -

③ جہاں تک رقبہ کا تعلق ہے تو جواب عالی پیر رقبہ میں نے پیرنڈ لو
میں لگایا ہے جو کہ سٹریٹ 431 ماہ فروری 2017ء میں 28²/₁₈ سٹیٹل جارج ہے -
P.T.O

Attested
Muhammad
Advocate High
Office No. 33 Adj
Sect. Govt. Buildings

اور ماہرین کے جواب میں یہ بھی لکھا گیا ہے کہ اس میں 40-50 فیصد تک اضافہ کیا گیا ہے۔
 کیا اسے لکھا گیا ہے۔ لہذا اس میں 40-50 فیصد تک اضافہ کیا گیا ہے جہاں تک اس کی فیصد
 کا تعلق ہے تو ماہرین نے صرف ایک حکم سے بلاٹ لیا ہے جو کہ Rocky soil میں ہے۔
 باقی ہر قسم کے خاکوں کے لیے یہ فیصد دیا گیا ہے جو کہ ماہرین نے رپورٹ میں 40-50 فیصد تک اضافہ
 کامیابی کے تناسب سے 60 فیصد کے قریب ہے جو کہ ملاحظہ کیا جا سکتا ہے۔

P-19
 جواب عالی

اب جاری شدہ کاغذی جواب میں یہ بھی لکھا گیا ہے۔

1. اس کا جواب پیرا گراف 1 میں دیا گیا ہے۔
2. جواب جن ہر قسم کے خاکوں کا تعلق ہے اس میں یہ لکھا گیا ہے کہ پیرا گراف 1 میں ان ہر قسم کے
 خاکوں میں 40-50 فیصد تک اضافہ کیا گیا ہے۔
3. اور منسلکہ میں ماہرین نے رپورٹ میں لکھا ہے کہ جو کہ Rocky soil میں ہے۔
 ملاحظہ کیا جا سکتا ہے اور اسی ہر قسم کے خاکوں کے بارے میں خط و کتابت جواب DFO میں
 کیا گیا ہے۔
4. اس کا تعلق ہے ساتھ میں ہے جواب میں پیرا گراف 1 میں دیا گیا ہے۔
5. ہر قسم کے خاکوں میں تمام ہر قسم کے خاکوں کی باڈی ٹیکسٹ میں لکھا گیا ہے۔
6. جواب پیرا گراف 1 میں دیا گیا ہے۔
7. ساتھ میں لکھا گیا ہے۔
8. ساتھ میں لکھا گیا ہے۔
9. ایڈیشنل سوشل سروسز کی طرف سے لکھا گیا ہے کہ جو کہ ملاحظہ کیا جا سکتا ہے۔
10. BTP یا اس کے تحت کی PC I میں کوئی Provision نہیں ہے۔

P.T.O

Attested

Muhammad Ali
 Advocate High
 Office No. 33 Adli

11 کسی طرح کوئی واضح اینڈ وائٹ نہیں کی گئی ہے ماسوائے جون سنوں 2018 کے
کے بچے پودہ چلائے ہیں یہ سبیل نہیں کیے گئے

12 جہاں ریفیڈ میں بہت جات کے لئے پودہ چلائے ہیں جون سنوں 2018 میں

مہانے گئے ہیں پھر میں نے پزیر کیا جو کہ پورا ان لگائے ہیں

P-20

اور آرا سی طرح دوبارہ بھی کسی شیخ آفیسر صاحب یا بلالک آفیسر صاحب
نے دلچسپی تو رہی انشاء اللہ 70 فیصد سے بھی زیادہ کامیاب کیا گیا ہے
جواب عالی -

میں آپ ٹریب اور سید صاحبان کے ملازم ہوں جو حقیقت وہ بیان کری
اس سے یہ پودہ کچھ نہیں ہے سائل پر غلط الزام لگائے گئے ہیں
سائل کے ساتھ عدالت دی کرتے ہوئے سائل کو ان الزامات سے بری کیا جائے
جواب کا عین وزارت میں ہے -

العارض

سائل عبد القیوم صاحب
An-e-ham' Fe
12/12/018
شیروان د/س/پ/ب/ب

Alesha

Muhammad
Advocate High
Office No. 23 Ad

Annex- D

5-14
Jale

Phone # 0939-555588	DIVISIONAL FOREST OFFICER BUNER WATERSHED DIVISION SWARI	
No. _____ /BWS, dated 03 10/5/2018		

To

The Conservator of Forests/PD
Watershed Management Circle
Abbottabad

P-21

Subject: DISCIPLINARY PROCEEDING.

Memo: Reference your letter No. 5721/E-F dated 26/03/2019.

Enclosed please find herewith the inquiry report being revised in the light of monitoring report and comments of DFO Daur Watershed Division in respect of the following accused officials for further necessary action, please.

S.No.	Name of the official	Inquiry files pages
1.	Mr. Khurshid Khan Deputy Ranger	Page No. 01 to 135
2.	Mr. Gulzar Ahmed Forest Guard	Page No. 01 to 67
3.	Mr. Ishtaq Ahmed Forest Guard	Page No. 01 to 31
4.	Mr. Dost Muhammad Khan Forest Guard	Page No. 01 to 29
5.	Mr. Abdul Ghani Forest Guard	Page No. 01 to 25
6.	Mr. Manzoor Hussain Forest Guard	Page No. 01 to 29

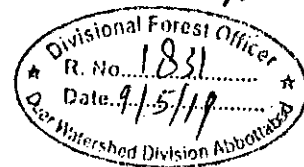
Divisional Forest Officer
Buner Watershed Division
Swari

No. 1052 /BWS,

Copy forwarded to the Divisional Forest Officer, Daur Watershed Division Abbottabad for information with reference to his letter No.1872/B-14 dated 19/03/2019.

Divisional Forest Officer
Buner Watershed Division
Swari

E.C




Attested

DFO

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C

5. Abdul Ghani Forest Guard:-

Maintenance of plantation at Talhar was the basic responsibility of the accused Forest Guard. His reply is not convincing and therefore charge of in-efficiency is proved against him. The accused failed to maintain the plantation at Talhar and toothni. He is recommended for minor penalty.

<i>Divisional Forest Officer</i>		<i>DAUR WATERSHED DIVISION ABBOTTABAD Phone # 0992-9310305</i>
No. <i>1483</i> /B-14		Dated <i>28/2/2018</i>

Mr. Abdul Ghani Forest Guard
C/o RO Sherwan.

Annex - E

Subject: SHOW CAUSE NOTICE THEREOF.

P. 22

I, Taimur Ilyas, Divisional Forest Officer, Daur Watershed Division, Abbottabad as competent authority under the Khyber Pakhtunkhwa Government Servants (Efficiency and discipline) Rules, 2011, do hereby serve you as follows:

i) That consequent upon the completion of inquiry conducted against you by the inquiry committee for which you were given opportunity of hearing vide communication No. 1790-99/DWS dated 23.6.2017.

ii) On going through the findings and recommendations of the inquiry committee, the material on record and other connected papers including your defense before the inquiry officer/inquiry committee.

I am satisfied that you have committed the following acts/omissions specified in Section-3 of the said Rules:

Misconduct
Corruption
inefficiency

1. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the minor penalty under rule-4 of the said rules.

2. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

3. If no reply to this notice is received within 15 days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

4. A copy of the findings of the inquiry committee is enclosed.

Annex
Divisional Forest Officer
Daur Watershed Division,
Abbottabad

No. _____ /DWS.,

Copy forwarded to the Conservator of Forests Watershed Management Circle, Abbottabad for favour of information please.

Divisional Forest Officer
Daur Watershed Division,
Abbottabad.

Attested

[Signature]

[Signature]

[Signature]

[Signature]

خدمت جناب حضرت میر صاحب ڈوڑھڑل فارسیٹ آفسیئر ہونمیر ڈوڑھڑل (انوائسری ہنگوئی)
 عنوان :- چارج ٹیٹ بحوالہ حبشی نمبر ۱۸۰۹۸-۱۷۹۰ مجریہ ۲۳/۵/۱۷ از دفتر جناب ڈوڑھڑل
 فارسیٹ آفسیئر صاحب ڈوڑھڑل فارسیٹ آفسیئر آباد

P-23 جناب عالی! Annex - F

گذشتہ سائل پر تھانے کے الزامات درست ہیں اور وہ ایسی صفائی میں مندرجہ ذیل صورتوں میں پیش خدمت کرنا چاہتا ہے۔

۱) ٹوٹنی رقبہ دوست محمد فارسیٹ ڈوڑھڑل نے لگایا (2016 میں) اور بعد میں چارج لے لیا گیا (رقبہ کی مشترکہ اور مضبوط لکھی جائیں)۔ کام میں نے نہیں کر دیا لہذا ذمہ داری پوری
 2) تیلیار کا رقبہ وسیم احمد فارسیٹ ڈوڑھڑل نے لگایا اور بعد میں چارج میرے حوالہ لیا (ڈوڑھڑل ملا فظم فرمایا جائے)۔ یہ رقبہ جات ایک ڈوسرے سے لگتا ہے اس میں سے زائد فاصلہ
 میرے ہیں۔ ڈوڑھڑل کے علاوہ پیدلے راستہ بھی ہے۔ گھلا ایب انسان روزانہ دونوں رقبہ جات کو ایک وقت میں نہیں دیکھ سکتا۔ کام میں نے نہیں کر دیا لہذا مجھے ذمہ داری کا نہیں پوچھا جا
 3) علاوہ ازیں سائل پوری رینج میں جی بی این پیمائش کا کام بھی کرنا ہے اور اس کیلئے یہ رقبہ میر جا کر پیمائش کرنا پڑتی ہے۔

4) چیمینٹ والے جن سائل کا میں رقبہ میں کام کروا رہا تھا اور چیمینٹ والے رقبہ میں ہیرف پوکیدار تھا البتہ وہ رقبہ بڑا سونے کی وجہ سے دور تھا۔ سید بس مجھے دیا ہی نہیں گیا کہ میں پوکیدار کو دینا البتہ کچھ دیا ہے اور اپنے طور پر اور پوکیدار فنل شدہ کھڈہ جات میں بجائی کرنا پڑتا ہے۔ یہی وجہ ہے کہ رقبہ کامیاب ہے۔

۵) پوکیدار سرسریاں عمائد اور شاقب کی ہیں اور باوہ گاؤں میں جب تک ٹریٹری طور پر کوئی چارج لگے نہیں دیا گیا۔ جب میرا چارج ہی نہیں تھا تو اسکی ذمہ داری مجھ پر کیسے ڈالی جاسکتی ہے جناب والا!

مجھے دیگر ایڈکاروں کی جگہ پر لگا کر چارج ٹیٹ دی گئی ہے جو سر اسر زیادتی ہے۔ اسڈیٹا کے سائل کو بت لگا ہونے کی وجہ سے ہری الفدہ فرار دیا جائے۔ نیز سائل کو زبانی بھی سنا جائے اور سوال جواب کا موقع دیا جائے۔ جناب کی گزارش ملوگی۔

العارض
 عبدالغنی فارسیٹ ڈوڑھڑل
 ڈوڑھڑل فارسیٹ آفسیئر آباد

Attested
 Muhammad Advocate
 33 Ad

Annex-G

OFFICE ORDER NO. 14 DATED ABBOTTABAD THE 19/03/2020, ISSUED BY SAGHEER AHMED MALIK CONSERVATOR OF FORESTS WATERSHED MANAGEMENT CIRCLE ABBOTTABAD.

READ WITH

P-24

Whereas:-

1. DFO Daur watershed letter No. 1804-08 dated 17.4.2018 and No. 1868/DWS dated 26.4.2018.
2. Office order No. 42 dated 17.4.2018 issued by Divisional Forest Officer Daur Watershed for the constitution of checking committee.
3. Charge sheet issued to accused Mr. Abdul Ghani Forest Guard vide Conservator of Forests Watershed Management Circle Abbottabad letter No. 8309-12/E, dated 7.6.2018.
4. Reply of the accused in response to the charge sheet dated 9.7.2018.
5. Enquiry report submitted by the enquiry officer vide DFO Buner Watershed Division Swari letter No. 261/BWS dated 4.10.2018.
6. Show cause notice bearing No. 664/E-F dated 24.7.2019 served upon to the accused official vide Conservator of Forests Watershed Management Circle Abbottabad
7. Reply furnished to the accused in response to the show cause notice dated nil received on 18.9.2019.
8. Personal hearing dated 18/03/2020.

BRIEF HISTORY OF THE CASE.

Whereas:- Divisional Forest Officer Daur Watershed Division Abbottabad inspected BTAP plantation areas carried out during the monsoon and spring 2016 and monsoon 2017 in Sherwan Watershed Range on 9, 10 and 25.4.2018. During inspection of the area some serious nature of irregularities were detected. Due to the reason the DFO Daur Watershed Division reported to Conservator of Forests Watershed Management Circle Abbottabad that none of these activities have been carried out in professional manner. Besides this free grazing of animals, fire hazard in the plantation sites were noticed. According to record the Chowkidars were also hired for watch and ward of the plantation areas but no protection seen on spot due which it seems that the bogus Chowkidars were hired.

PROCEEDING.

Whereas:- On receipt of the report from the Divisional Forest Officer Daur Watershed Division Abbottabad to scrutinizing the conduct of the Incharge Range Forest Officers, Foresters and Forest Guards a committee comprising upon Mr. Hazrat Mir Divisional Forest Officer Buner and Mr. Ghafoor Khan Range Forest Officer was constituted vide letter No. 8293-96/E dated 7.6.2018. Charge sheet and memo of allegation was served upon to the accused official. The accused official submitted his report to the enquiry committee vide his letter dated nil. On receipt of reply to the charge sheet the enquiry committee called the accused official for personal hearing vide letter No. 174-79/BWS, dated 30.8.2018 and heard in person on 3.09.2018 and also provided the opportunity for cross examination. After detailed enquiry the enquiry committee submitted his finding to the Conservator of Forests Watershed Management Circle Abbottabad vide letter No. 1051/BWS dated 03.5.2019. On receipt of enquiry report a show cause notice bearing No.664/E-F dated 24.7.2019 served upon to the accused official. In response

Attested

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P-25

to the said show cause noticed he submitted his reply dated 11.09.2019. The accused official was also heard in person on 18/03/2020.

DISCUSSION.

Whereas:- Divisional Forest Officer Daur Watershed Division Abbottabad personally inspected the plantation site which were carried out under Billion Tree Afforestation Project (BATP) by the staff under the supervision of Range Forest Officer Sherwan but the areas were less than the charged in the Muster roll. The detail of the areas where plantations were carried out and not according to the payment paid to the laborers and Chowkidars and mentioned in the charge sheet are as under:-

Status as per charge sheet;

Name of area	Area charged (Ha)	Survival %	No. of Chowkidar deployed on the area
Tootani	31	20-25	1

On the above short coming the enquiry committee conducted detailed enquiry about the less plantation, free grazing, fire hazard and engagement of bogus Chowkidars hired for the areas. After perusal of the reply to the charge sheet, personal hearing, cross examined and kept in view the monitoring report of the area prepared by the monitoring team wherein irregularity mentioned is tabulated as under:

Status as per latest monitoring report.

Name of area	Area charge d (Ha)	Area measur ed (Ha)	Diff; (Ha)	5% concess ion	Net diff:	Amount	Survival %	No. of Chowkidar deployed on the area
Tootani	31	30.5	0.5	1.55	0	0	56-61	1 (5/2019)

On the above facts the enquiry committee submitted his finding that:-

One third of the expenditure incurred on the maintenance for three months (2.02.2018 to 4.2.2018 i.e. 11625/- should be recovered from accused. In addition 1/3rd of the cost of 08 hac i.e. 53300/- as mentioned in the inquiry report of Khurshid Ahmed Deputy Ranger under charge No.1 should also be recovered on equal basis from the accused official and Dost Muhammad Forest Guard under whose supervision the initial work had been carried out. Besides, the accused has also carried out sowing over 36 hac at Todo Maria which was lather on replaced by plantation. The accused Abdul Ghani is also responsible for complete failure of 36 hac sowing area. Therefore 1/3rd of the initial cost on 36 hac should also be recovered from Abdul Ghani Forest Guard.

Whereas:- Beside above all the areas have been checked with the paid vouchers it has been observed that some activities have been done by the Forest Guard After issuance of charge sheet. Therefore the original position according to Muster roll and amount charged are as under:-

Attested

Muhamm

Muhamm
 Advocate
 Office No- 33 A
 23 Dec 2020

②

Status as per vouchers;

#	Name of area	Area charged	Area measured by the monitoring team	Diff;	5% error allowance according to the provision of PC-I (+)	Net diff;	Amount recoverable	Remarks
1	Tootani	31 hac	30.5	0.5	1.55	0	0	8hac area has been completed by the Fg
2	Todo Maira	64	60.15	3.85	3.25	0	0	The area has been completed by the Fg

In the light of above exposition I, Sagheer Ahmed Malik in the capacity of authority under section 2 c of Efficiency and Discipline rules 2011 exonerate Mr. Abdul Ghani Forest Guard from the charges leveled against him in the best interest of state.

sd/-
 (Sagheer Ahmed Malik)
 Conservator of Forests
 Watershed Management Circle
 Abbottabad

Memorandum;-

Copy for information and necessary action forwarded to the:-

1. Chief Conservator of Forests Northern Forest Region-II Abbottabad for favour of information.
2. Divisional Forest Officer Daur Watershed Division Abbottabad for information.
3. Divisional Forest Officer Buner Watershed Division Swari for information.
4. Mr. Abdul Ghani Forest Guard C/O Divisional Forest Officer Daur Watershed Division Abbottabad for information.
5. Office order file.

[Signature]
 Conservator of Forests
 Watershed Management Circle
 Abbottabad

Attested
[Signature]
 Muhammad Aslam
 Advocate High
 Office No 33 Adj.
 Dist Bar Abbottabad

پوساطت :- DFO صاحب دوڑ واٹر شیڈ وٹرن ایبٹ آباد

عنوان :- بحوالہ آفس آرڈر 18 مورخہ ایبٹ آباد 19-03-2020

کنرویلر واٹر شیڈ سرکل ایبٹ آباد

P-27

جناب والا! لگوائی پوداجات کی تفصیل درج ذیل ہے۔

نمبر شمار	نام رقبہ	رقبہ چارج شدہ	رقبہ پیمائش شدہ	رقبہ میں کمی	Comunation PCI : 5%	کمی رقبہ	رقم ریکوری
1	تلہار	181 ایکڑ	25.98	55.02	4.05	50.97	1007167/-
2	سندوگی	130 ایکڑ	24.35	6.65	1.50	4.15	85000/-

مذکورہ بالا کاپی منسلک ہذا ہے۔

علاجہ :- نہایت مودبانہ گزارشات مندرجہ ذیل پیش خدمت ہیں۔

1- رقبہ تلہاریہ محمد وسیم فارسٹ گارڈ نے لگوایا تھا، مختیار عالم پودے لا کر دیتا رہا اور ساتھ پوداجات اور کام کی حالت اور مزدوران کی تعداد چیک کرتا رہا اسی طرح ریج آفیسر صاحب بھی اپنے پروگرام کے مطابق اس کا کام چیک کرتا رہا، لہذا جملہ کام مذکورہ بالا اہلکاران نے کرایا اور یہی ذمہ دار ہیں اس کام کی نذید چیک آپ کرنا مقصود ہو تو دفتر ریج سے چارج رپورٹس مسٹرول چیک کی جاسکتی ہیں۔

2- کام مکمل ہوا مسٹرول Sanetions کرنے کا وقت آیا تو وسیم گارڈ ان کو نہ مل سکا مجھے RO صاحب نے اپنے دفتر طلب کیا اور کہا کہ یہ مسٹرول تیار ہے صرف نیچے دستخط کر دو تا کہ مسٹرول کو منظوری کے لئے بھیجا جاسکے

Attested
MAM

Muhammad Arif
Advocate High
Office No. 33 Adli
Distt. Sar Abbott

میں انکاری ہو میں نے کہا میں نے نہ کام کیا اور نہ ہی مجھے علم ہے کہ یہ رقبہ کہاں ہے میں دستخط نہیں کر سکتا اس بات پر بلاک آفیسر مختیار عالم اور شبیر احمد صاحب RO مجھ پر برہم ہوئے اور کہا کہ میں RO ہوں میں تمہیں حکم دیتا ہوں کہ دستخط کر دو چارج بھی آپ کو اس ہی رقبہ کا دے دوں گا بس ماتحت کیا کر سکتا ہے میں نے دستخط کر دیئے یہ میرا

جرم ہے۔ P-28

3۔ سندوگلی رقبہ اس رقبہ کا انچارج خان افسر فارطگار ڈٹھا۔ جملہ رقبہ خان افسر نے لگایا مختیار عالم نے پودا جات پہنچائے اور شبیر احمد RO صاحب دونوں وقتاً فوقتاً چیک کرتے رہے ان ہی کی ذمہ داری تھی کہ رقبہ میں جو بھی کمی پیشی ہوئی یہ ہی لوگ ذمہ دار ہیں اور جواب دے سکتے ہیں۔ مسٹرول بابت سندوگلی اور چارج رپورٹ طلب کر کے ریکارڈ چیک کیا جاسکتا ہے کہ ذمہ دار کون ہیں۔ عالیجاہ سائل ایک غریب ملازم ہے جب کوئی مشکل آتی ہے تو میرا نام دے دیا جاتا ہے حالانکہ میں بے قصور ہوں مجھے بری الزمہ قرار دے کر ریکوری سے معاف فرمایا جائے۔

عین نوازش ہوگی۔

المرقوم: 2020-2021

عبدالغنی فارست گارڈ آفیسر

شیروان واٹر شیڈ رینج

Received by

Hand

on 29/04/2020

Attested

lllll

Muhammad
Advocate His
Office No: 33 Adia
Distt Bar Abhoi

AZHAR ALI KAH
CHIEF CONSERVATOR OF FORESTS
Northern Forest Region-II



Civil Line Forest Offices Abbottabad
☎ 0992-9310410
Fax 0992-9310343
E-mail: ccfnorth@gmail.com

No. 5598 /GE dated Abbottabad the 11 / 1 /2021

909

Conservator of Forests
Watershed Management Circle
Abbottabad

Annex- A. 29

Subject APPEAL ON OFFICE ORDER NO.12,15,17 & 18 DATED 19.3.2020
ISSUED BY CONSERVATOR OF FORESTS WATERSHED
MANAGEMENT CIRCLE ABBOTTABAD.

Memo: Ref: your letter No.2895/E, dated 30/11/2020.

The following Forest Guard were called and heard in person on 4/1/2021 in the office of undersigned.

During personal hearing they could not provide any cogent proof in support of their appeal, hence the appeals preferred by them are hereby rejected in the best interest of Govt. exchequer

- 1- Mr. Gulzar Ahmad Shah Forest Guard (File page 1 to 117)
- 2- Mr. Ishtiq Ahmad Forest Guard (File page 1 to 109) *2 P 01-1067*
- 3- Mr. Dost Muhammad Forest Guard (file page 1 to 95)
- 4- Mr. Abdul Ghani Forest Guard (file page 1 to 103)

The enquiry files received with your above cited letter are returned herewith in original for record and further necessary action in your office.

Chief Conservator of Forests
Northern Forest Region-II
Abbottabad

Encl: As Above

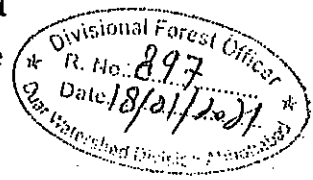
Esab

No. 3775 /E dated Abbottabad the 13 /01/2021.


Copy in continuation of CCF-II office letter No. 5166-67/E dated 29.12.2020 and this office letter No. 3578/E dated 01.01.2021 forwarded to Divisional Forest Officer, Dair Watershed Division Abbottabad for information and further necessary action. He is directed to **recover the amount of penalty from official concerned** and remit into Govt. treasury and intimate the outcome to this office for necessary action and record.

Conservator of Forests
Watershed Management Circle
Abbottabad

Acollz



18-01-21
Alleshad
Muhammad Arshad
Advocate
Office No. 33
Dair, Abbottabad

<p>(AZHAR ALI KHAN) CHIEF CONSERVATOR OF FORESTS NORTHERN FOREST REGION-II ABBOTTABAD</p>		<p>Civil Line Forest Offices Abbottabad ☎ 0992-9310410 Fax 0992-9310343 E-mail: ccfnorth@gmail.com</p>
<p>No. <u>5162-65</u> /E dated Abbottabad the <u>21/12/2020</u></p>		

P-30

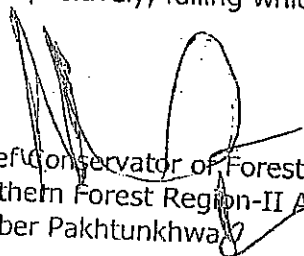
1. Mr. Guizar Ahmad Shah Forest Guard/BO
2. Mr. Ishtiaq Ahmad Forest Guard
3. Mr. Dost Muhammad Forest Guard
4. Abdul Ghani Forest Guard
c/o Divisional Forest Officer
Daur Watershed Division Abbottabad

Subject: APPEAL ON OFFICE ORDERS NO. 12, 15, 17 & 18 DATED 19.3.2020 ISSUED BY CONSERVATOR OF FORESTS WATERSHED MANAGEMENT CIRCLE ABBOTTABAD

Memo Reference your appeals, on the subject dated 3.7.2020, 13.7.2020, 30.6.2020 and 29.6.2020 respectively.

You are requested to appear before the undersigned for personal hearing with reference to your appeals on 21/01/2021 at 11.00 am in the office of undersigned most positively, failing which your appeals will be decided exparte.

Encl: As above


Chief Conservator of Forests
Northern Forest Region-II Abbottabad
Khyber Pakhtunkhwa

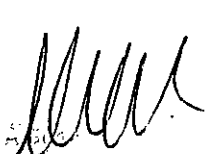
No. /E

Copy forwarded to the:

1. Conservator of Forests Watershed Management Circle Abbottabad for information w/r to his letter No. 2895/E dated 30.11.2020.
2. Divisional Forest Officer Daur Watershed Division Abbottabad for information and necessary action. He is directed to deliver attached letters to the officials/appellants concerned under proper receipt well before the date of hearing and send the acknowledgement receipts for record of this office.

Chief Conservator of Forests
Northern Forest Region-II Abbottabad
Khyber Pakhtunkhwa

Attested


Muhammad Advocate
Office No: 33 Adj
Distt Bar Abbott



Divisional Forest Officer
Daur Watershed Division
Abbottabad

Civil Line Forest Offices Abbottabad, Khyber Pakhtunkhwa

Tel. +92-0992-9310305 Fax. +92-0992-9310303

Email: dfodaur4343@yahoo.com



No. 1222-257 B-14

Dated Abbottabad the 22 /01/2021

To,

1. Mr. Gulzar Ahmed Shah Forest Guard
2. Abdul Ghani Forest Guard
3. Mr. Ishtiaq Ahmed Ex- Forest Guard
4. Mr. Dost Muhammad Ex-Forest Guard

P-31

Subject:

APPEAL OF OFFICE ORDER NO. 12.15.17 &18 DATED 19.03.2020 ISSUED BY CONSERVATOR OF FORESTS WATERSHED MANAGEMENT CIRCLE ABBOTTABAD

Memo:

Enclosed find herewith copy of Conservator of Watershed Management Circle letter No.3775/E dated 13/01/2021, which is self explanatory.

All of you are directed to deposit the recovery amount to Govt: treasury and furnish copy of challan to this office for further necessary action.

Divisional Forest Officer
Daur Watershed Division
Abbottabad

25-2-2021
A. Khan
25-2-2021

Attested

Ullah

کورٹ فیس

وکالت نامہ

Service Tribunal ICPK Peshawar
 Abdul Ghani Govt of ICPK
 Appellant
 نوعیت مقدمہ: Service Appeal

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے اسے پیروی و جواب دہی کل کارروائی متعلقہ آن مقام
 M. Arshad Khan Tanoli Adv Hc AFD

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا نیز وکیل صاحب
 موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و اپنے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء
 وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور
 کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار
 بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور
 قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔
 نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف
 پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف
 مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالاش بصیغہ مفلسی کے دائر کرنے اور اس کے
 پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم: 22
 2022

بمقام: Abbottabad

Accept
 M. Arshad Khan Tanoli
 Adv Hc AFD

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

APPEAL No..... of 20

3991

21

Abdul Ghani

Appellant/Petitioner

Versus

Through Secy: Forest KP/ RESPONDENT(S)
Abdul Ghani

Zorran

Notice to Appellant/Petitioner

Abdul Ghani s/o Khan

Forest Peshawar watershed
Range Daur Division A. Abad

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on..... at.....

16-7-2021 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

Abdul Ghani

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

APPEAL No.....*3991*..... of 20 *21*

Abdul Ghani

Appellant/Petitioner

Versus

Through Secy. For Sr. A. Bond
RESPONDENT(S)

Timali

Notice to Appellant/Petitioner

Counsel

Mohammad Ar Shafiq Khan
Advocate High Court
Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on *16-7-2021* at *9:00 AM*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Peshawar

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

713

Appeal No. 3091 of 20 21

Muhammad Ghani Appellant/Petitioner
 Versus

Through Secy. Forest Dept. Pesh. Respondent
 Respondent No. 3

Notice to: —

Conservator of Forest Water Shed
Management Circle Shekhattabad

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11-10-2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 28/10

Day of July 20 21

at Camp Court A Head

[Signature]
 Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

TB

No.

Appeal No. 3991 of 20 21

Abdul Ghani Appellant/Petitioner

Versus

through Secy. Forest Dept. Pesh. Respondent

Respondent No. 4

Divisional Forest Officer, Dera Forest
Division Moolatabad

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

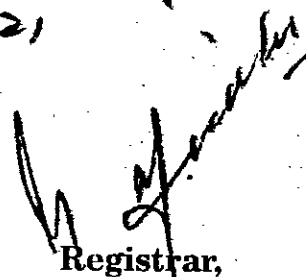
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition ✓

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 28th.....

Day of July.....20 21

at Camp Court A. Head



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

TB

No.

Appeal No. 3991 of 20 21

Medul Ghani

Appellant/Petitioner

Versus
Through Secy. Forest Dept Pesh.

Respondent

Respondent No. 6

Range Forest Officer Sherwan
Abotalead

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellent/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

28/7

Given under my hand and the seal of this Court, at Peshawar this.....
Day of..... July 20 21

at Camp Court A. Mead

Registrar

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

TB

Appeal No. 3991 of 20 21

Abdul Ghani Appellant/Petitioner

Versus

Through Secy: Forest Dept Respondent

Chief Conservator of Forest K.P.P.
Peshawar.
Respondent No. 2

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11/10/2021 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No. dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 28/10

Day of July 2021

at Camp Court A. Aled
[Signature]
9/9/21

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High-Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

TB

No.

Appeal No. 3991 of 20 21

Muhammad Ghani Appellant/Petitioner

Versus

Through Secy, Forest Pesh. Respondent

Respondent No. 1

Notice to: —

Govt. of KPK Through Secy, Forest Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11-10-2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 28th

Day of July 20 21

at Camp Court A. Alad

[Signature]
9/9/21

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

TB

No.

received
Su:
109-09-21

Appeal No. 3991 of 20 21

Madad Ghani Appellant/Petitioner

Versus

through Secy: Forest & Pk Pesh:
Respondent

Respondent No.

Budget & Account office Environment
Deptt: Govt: of KP Peshawar

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 28th

Day of July 2021

at Camp Court A Road

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

- Note:
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 2. Always quote Case No. While making any correspondence.