

SEAL  
KPSST  
Peshawar

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.**

**BEFORE:** KALIM ARSHAD KHAN --- CHAIRMAN  
FAREEHA PAUL --- MEMBER(E)

*Service Appeal No.1353/2018*

**Aziz Ur Rehman**, son of Naimat Gul R/O Sarat Khel Karak.  
.....(*Appellant*)

Versus

1. **Chief Conservator Wildlife**, Khyber Pakhtunkhwa Peshawar.
2. **Conservator Wildlife Southern Circle** Peshawar.
3. **Divisional Forest Officer**, Karak Wildlife Karak.
4. **Divisional Accountant**, Karak Wildlife Division.

.....(*Respondents*)

Present:

Aziz Ur Rehman,  
Appellant .....In person.

Mr. Kabirullah Khattak,  
Additional Advocate General .....For respondents.

Date of Institution.....30.10.2018

Dates of Hearing.....13.07.2022

Date of Decision.....13.07.2022

**APPEAL UNDER SECTION 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST  
THE ORDER OF RESPONDENT NO.3 BEARING NO. 03/WL  
(KK) DATED 02.11.2017 WHEREIN THE APPELLANT WAS  
REMOVED FROM SERVICE AND APPEAL OF APPELLANT  
HAS NOT BEEN DECIDED BY RESPONDENTS TILL DATE.**

**JUDGMENT**

**KALIM ARSHAD KHAN CHAIRMAN:** The appellant was  
removed from service on 02.11.2017 due to his absence from duty  
from 02.08.2017 till the date of his removal from service. Against the

removal from service dated 02.11.2017, he filed departmental appeal on 25.11.2017, which, according to him, was not responded within ninety (90) days and he filed this appeal on 30.10.2018. It is contended in the memo and grounds of appeal that after his appointment the appellant had been performing his duty to the entire satisfaction of his superior; that the impugned order was passed without taking into consideration the stance adopted by the appellant that the impugned order was illegal, arbitrary, without jurisdiction and without lawful authority; that the punishment awarded to the appellant was much harsh; that the appellant was not provided opportunity of hearing.

2. On receipt of the appeal and its admission to full hearing, the respondents were summoned, who on putting appearance contested the appeal by filing written reply raising therein numerous legal and factual objections. The defence setup was a total denial of the claim of the appellant.

3. We have heard the appellant in person and his counsel is not available and he had argued himself and learned Additional Advocate General for the respondents.

13/7/22  
4. The appellant himself opted for arguing the appeal as he was unable to produce his counsel and reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned AAG controverted the same by supporting the impugned order(s).

5. This appeal is barred by time. An application for condonation of delay has been filed wherein it was contended that the appellant was engaged in looking after of his ailing wife, who was allegedly suffering from epilepsy and acute backache. The grounds taken in the condonation of delay application are per-se not valid grounds nor the delay of each day has been explained by the appellant. Moreover, even a single prescription regarding the alleged ailment of wife of the appellant could not be annexed with the application for condonation of delay. As against that, while following the procedure prescribed in Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the department had, in the first instance, sent a notice to the appellant on his home address i.e Sarat Khel Tehsil and District Karak through registered post. During the course of arguments, the appellant had urged that the notice was not sent on the accurate address as village Sarat Khel was a big village, and, he could not receive the notice. This contention of the appellant is not well founded because in his own memo of address, given in the heading of appeal, the appellant has given the same address as is mentioned in the impugned order. When the notice was received back un delivered, the department issued letter to the Director Information, Khyber Pakhtunkhwa for publication of notice in two leading newspapers, directing the appellant to resume duties within fifteen (15) days of the publication of the notice but despite that the appellant did not resume the duties. In accordance with Rule-9 above, the department has published notice in two leading newspapers i.e Daily Aaj, Peshawar

*[Handwritten signature]*  
13/7/22

and Urdu Daily Mashriq, Peshawar, therefore, the department has proceeded against the appellant strictly in accordance with the provision of Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, which the appellant could not rebut. Therefore, the appeal being barred by time as well as the bereft of any valid reason is dismissed. Cost shall follow the event. Consign.

**6. Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 13<sup>th</sup> day of July, 2022.**



**(KALIM ARSHAD KHAN)**  
Chairman



**FAREEHA PAUL**  
Member Executive

**ORDER**

13<sup>th</sup> July, 2022

1. Appellant in person present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

2. Vide our detailed judgement of today placed on file (containing 04 pages), the appeal being barred by time as well as the bereft of any valid reason is dismissed. Costs shall follow the event. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 13<sup>th</sup> day of July, 2022.*

P



**(KALIM ARSHAD KHAN)  
CHAIRMAN.**

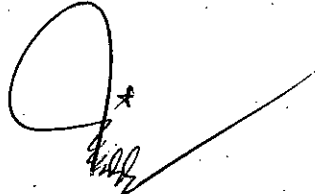


**(FAREEHA PAUL)  
MEMBER(E)**

20<sup>th</sup> April, 2022

counsel for the appellant present. Mr. Kabirullah Khattak,  
Addl. AG for the respondents present.

Request for adjournments were sought since 13.06.2019 when the case was ripped for final arguments. Even today learned counsel for the appellant seeks adjournment. This conduct of the appellant is not good. Last opportunity is granted for arguments on 02.06.2022, failing which the case will be decided on the basis of available record without the arguments.



**(MIAN MUHAMMAD)**  
Member (E)



**Chairman**

2-6-22

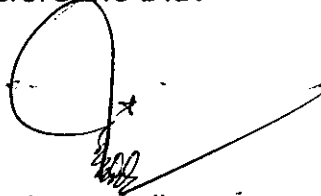
*Proper DB not available the case  
is adjourned to 13-7-22*

*Retard*

07.10.2021

Clerk of learned counsel for the appellant present. Mr. Muhammad Rashid, DDA for respondents present.

Clerk of learned counsel for the appellant submitted an application for adjournment wherein he stated that the learned counsel is busy before the Peshawar High Court, Bannu Bench. Granted. To come up for arguments on 06.01.2022 before the D.B.



(Mian Muhammad)  
Member(E)



Chairman

06.01.2022

Clerk to counsel for the appellant present. Mr. Javed Ullah, Assistant AG for the respondents present.

Clerk to counsel for the appellant requested for adjournment on the ground that his counsel is not available today, due to general strike of the bar. Adjourned. To come up for arguments before the D.B on 20.04.2022.



(Atiq-ur-Rehman Wazir)  
Member(E)



Chairman

S.A No. 1353/2018

Postscript

26.05.2021

The order dated 24.03.2021 was written but could not be signed by the D.B including the then Chairman who due to unforeseen reason could not attend the office in coming days. He died in the meantime and the order sheet was left unsigned. To bring the proceedings of appeal on track, it is become expedient for ex-post facto completion of the order sheet. The unsigned order dated 24.03.2021 is reproduced below which be given effect accordingly:-

"Appellant in person and Addl. AG for the respondents present.

Former requests for adjournment as his learned counsel is engaged today before the Honourable High Court in various cases. Adjourned to 23.06.2021 for hearing before the D.B."

  
(Atiq-ur-Rehman Wazir)  
Member


  
Chairman

23.06.2021

Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested that he has not <sup>made</sup> met preparation for arguments due to some domestic engagements. Adjourned. To come up for arguments before the D.B. on 07.10.2021.

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

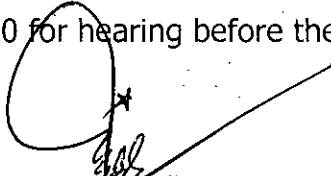
  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)



01.10.2020

Appellant in person and Addl. AG for the respondents present.

Appellant seeks adjournment due to non-availability of his learned counsel. The matter is adjourned to 21.12.2020 for hearing before the D.B.

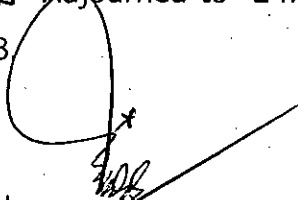
  
(Mian Muhammad)  
Member (Executive)

  
Chairman

21.12.2020

Appellant in person and Addl. AG along with Salahud Din, DFO for the respondents present.

Former requests for adjournment as his learned counsel is unwell today, therefore, cannot assist the Tribunal. ~~today~~ Adjourned to 24.03.2021 for hearing before the D.B.

  
(Mian Muhammad)  
Member(E)

  
Chairman

24.03.2021

Appellant in person and Addl. AG for the respondents present.

Former requests for adjournment as his learned counsel is engaged today before the Honourable High Court in various cases. Adjourned to 23.06.2021 for hearing before the D.B.

(Atiq-ur-Rehman Wazir)  
Member(E)

Chairman

28.02.2020

Appellant in person present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Abdul Samad DFO for the respondents present. Appellant submitted application for adjournment which is placed on file. Adjourn. To come up for arguments on 14.04.2020 before D.B.

  
Member

  
Member

14.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 03.07.2020 before D.B.

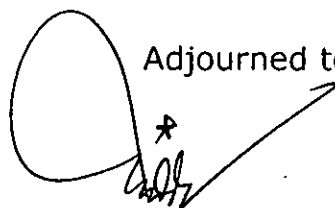
  
Reader

03.07.2020

Appellant in person and Mr. Kabirullah Khattak learned Addl. AG for the respondents present.

Former requests for adjournment on the ground that his counsel is busy before the Hon'ble Peshawar High Court, in many cases today.

Adjourned to 01.10.2020 before D.B.

  
Member

  
Chairman

06.08.2019

Appellant and Mr. Muhammad Jan, DDA alongwith Mr. Muhammad Imran, Head Watcher for respondents present.

Appellant requests for adjournment due to non-availability of his learned counsel.

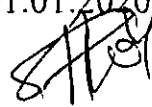
Adjourned to 30.10.2019 before D.B.

  
Member

  
Chairman

30.10.2019


Appellant in person present. Mr. Riaz Khan Painsdakhel learned Assistant Advocate General alongwith Mr. Abdul Samad DFO for the respondents present. Learned counsel for the appellant ~~seeks adjournment~~ that his ~~counsel~~ is not in attendance. Adjourn. To come up for arguments on 01.01.2020 before D.B.

  
Member

  
Member

01.01.2020

Appellant in person present. Mr. Riaz Painsdakhel learned Assistant Advocate General alongwith Mr. Abdul Samad DFO for the respondents present. Appellant requested for the adjournment that his counsel is not available today. Adjourned. To come up for further proceedings on 28.02.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

05.03.2019

Learned counsel for the appellant and Mr. Imran Head  
Watcher for the respondents present. Written reply not  
submitted. Representative of the respondents seeks time to file  
written reply. Granted. To come up for written reply/comments  
on 11.04.2019 before S.B.



(Muhammad Hamid Mughal)  
Member

11.04.2019

Appellant in person and Addl. AG alongwith Abdul  
Samad, DFO for respondents present.

Joint parawise comments on behalf of  
respondents No. 1 to 4 have been submitted which are  
placed on file. To come up for arguments on  
13.06.2019 before a D.B. The appellant may submit  
rejoinder within a fortnight, if so advised.



Chairman

13.06.2019

Appellant in person and Mr. Riaz Ahmad Paindakheil,  
Assistant AG alongwith Abdul Samad, DFO for the  
respondents present. Appellant requested for adjournment on  
the ground that his counsel is busy before the Hon'ble  
Peshawar High Court and cannot attend the Tribunal today.  
Adjourned to 06.08.2019 for rejoinder and arguments before  
D.B.



(Ahmad Hassan)  
Member



(M. Amin Khan Kundi)  
Member

28.11.2018

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Ex-Naib Qasid) has filed the present service appeal against the order dated 02.11.2017 whereby he was awarded major penalty of removal from service on the ground of absence from duty.

Points raised need consideration. Application for condonation of delay is also annexed with the memorandum of appeal. The appeal is admitted for regular hearing subject to all legal objections including the issue of limitation. The appellant is directed to deposit security and process fee within 10 days, thereafter notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 21.01.2019 before S.B

  
Member

21.01.2019

Appellant in person present and requested for time to deposit security and process fee. Request accepted with direction to deposit security and process fee within 3 days. Adjourn. To come up for written reply/comments on 05.03.2019 before S.B

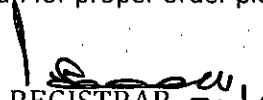

Appellant Deposited  
Security & Process Fee

  
Member

Form- A  
FORM OF ORDER SHEET

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

Case No. 1353/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/10/2018	<p>The appeal of Mr. Aziz-ur-Rehman presented today by Mr. Sajid Rehman Khattak 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 30/10/18</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>

## BEFORE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No. 1353 /2018.

Aziz ur Rehman

..... Appellant

VERSUS

Chief Conservator Wildlife KPK Peshawar etc

..... Respondents

### INDEX

S.No	Description of Documents	Annexure	Pages
1	Grounds of Service Appeal with affidavit		02-06
2	Application for interim relief with affidavit		07-08
3	Application for Condonation of delay with affidavit		09-11
4	Copy of Departmental Appeal to Chief conservator wildlife kpk Peshawar Dated 25/11/2017		12
5	office order dated 2/11/2017		13
6	office order dated 20/11/2014		14
7	Wakalat nama		15

Appellant

Through

**SAJID REHMAN KHATTAK**

Advocate High Court &  
District Courts Kohat.  
0333-5984747

**BEFORE SERVICE TRIBUNAL KPK PESHAWAR.**

Service Appeal No. 1353 /2018

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1582

Dated 30-10-2018

**Aziz Ur Rehman s/o Naimat Gul r/o Sarat Khel Karak.**

.....(Appellant)

**VERSUS**

- ✓1. Chief Conservator Wildlife KPK Peshawar
- ✓2. Conservator Wildlife Southern Circle Peshawar
- ✓3. Divisional Forest Officer Karak Wildlife Karak
4. Divisional Accountant, Karak Wildlife Division

..... (Respondents)

**APPEAL UNDER SECTION 4 OF  
KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT, 1974 AGAINST THE  
ORDER OF RESPONDENT NO 3  
BEARING NO 03/WL (KK) DATED  
02/11/2017 WHEREIN THE  
APPELLANT WAS REMOVED FROM  
SERVICE AND APPEAL OF APPELLANT  
HAS NOT BEEN DECIDED BY  
RESPONDENTS TILL DATE.**

Filed to-day

*[Signature]*  
Registrar

30/10/18.

**Respectfully Sheweth,**

- 1- That the appellant was appointed as Naib Qasid on 20-11-2014 and was performing his duty to the entire satisfaction of his superiors in karak.



- 2- That Respondent No 3 without talking into consideration the stance taken by appellant and ignoring previous record of appellant imposed the major penalty on appellant and removed the appellant from service.( Copy of termination letter is annexed as Annexure "A").
- 3- That appellant feeling aggrieved from the order of Respondent No 3 preferred departmental appeal before Respondent No 2 on 25-11-2017 which appeal is still pending adjudication and till date has not been decided. (Copy of Departmental appeal is annexed as Annexure "B")
- 4- That the appellant filed departmental appeal/mercy petition dated 25-11-2017 where the competent authority assured the appellant by Giving him false consolation that he will be re-instated
- 5- That feeling aggrieved from the above mentioned illegal order the instant appeal is filed inter-alia on the following grounds.

**GROUND:**

- a- That the impugned order is illegal, arbitrary, without jurisdiction and without lawful authority.
- b- That the impugned order is suffering from perversity of reasoning hence not sustainable in the eyes of law and liable to be set aside.
- c- That the impugned order is against the spirit of law.
- d- That the punishment awarded to appellant is very much harsh in nature.

- e- That the impugned order has been passed against the principle of natural justice as has been removed from service without giving him opportunity of being heard.
- f- That the Removal of appellant from service is not only injustice to appellant but also to the family members of appellant as appellant is the only source of earning of his family.
- g- That the appellant has been penalized by Respondent No 3 for ulterior motives with malafide.
- h- That before proceeding on leave appellant for treatment of his wife scampered in the trouble suddenly appeared in his family for which appellant has prior submitted casual/ earned leave application to the divisional forest officer wildlife division karak. Appellant was not informed as whether his application has been approved or rejected.
- i- That being a low paid government employee appellant cannot afford the above mentioned penalty at any case.
- j- That the divisional forest officer wildlife karak has preferred his personnel intention in appellant removal.
- k- That appellant has not been heard in person nor intimated/ acknowledged any notice at his home address.
- l- That further grounds will be agitated at the time of arguments with the permission of this Honourable Court.

It is therefore respectfully prayed that on acceptance of this service appeal the impugned orders dated 02-11-2017 be declared without lawful authority and the appellant may be re-instated with all back benefits.

*Sajid Rehman*  
Appellant

Through  
*Sajid Rehman*  
*AM*  
**SAJID REHMAN KHATTAK**

Advocate High Court &  
District Courts Kohat.  
0333-5984747

6

**BEFORE SERVICE TRIBUNAL KPK PESHAWAR.**

Service Appeal No. \_\_\_\_\_/2018.

Aziz ur Rehman

..... Appellant

**VERSUS**

Chief conservator wildlife kpk Peshawar etc

..... Respondents

**AFFIDAVIT.**

I, Aziz ur Rehman s/o Naimat Gul do hereby solemnly affirm and declare on oath that the contents of the accompanying application are true and correct to the best of my knowledge and belief and nothing has been concealed here in from this Honourable Court.

Identified by:

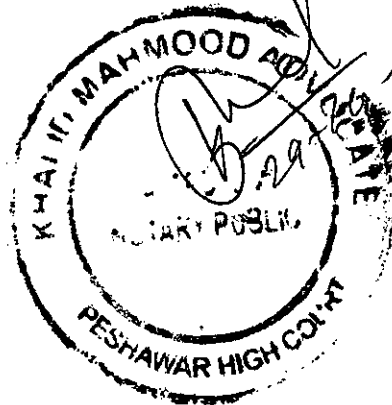


**Sajid Rehman Khattak.**

Advocate High Courts &  
District Courts Kohat.

Deponent.





7

**BEFORE SERVICE TRIBUNAL KPK PESHAWAR.**

Service Appeal No. \_\_\_\_\_/2018.

Aziz ur Rehman

..... Appellant

**VERSUS**

Chief conservator wildlife kpk Peshawar etc

..... Respondents

**APPLICATION FOR INTERIM RELIEF.**

- 1- That the instant application for interim relief is being filed along with the main appeal in which no date of hearing has yet been fixed.
- 2- That the integral part of the appeal may kindly be read as part of this application.
- 3- That the appellant has got a good prima facie case and is hopeful of its success.
- 4- That the balance of convenience lies in a favour of appellant and if he is not granted interim relief he will suffer from irreparable loss.

**It is therefore, respectfully prayed that on acceptance of this application the impugned orders dated and may be suspended till the final decision of this service appeal.**

**Applicant**

**Through**

  
**SAJID REHMAN KHATTAK**

Advocate High Court &  
District Courts Kohat.  
0333-5984747

**BEFORE SERVICE TRIBUNAL KPK PESHAWAR.**

Service Appeal No. \_\_\_\_\_/2018.

**Aziz ur Rehman**

..... **Appellant**

**VERSUS**

**Chief conservator wildlife kpk Peshawar etc**

..... **Respondents**

**AFFIDAVIT.**

**I, Aziz ur Rehman s/o Naimat Gul do hereby solemnly affirm and declare on oath that the contents of the accompanying application are true and correct to the best of my knowledge and belief and nothing has been concealed here in from this Honourable Court.**

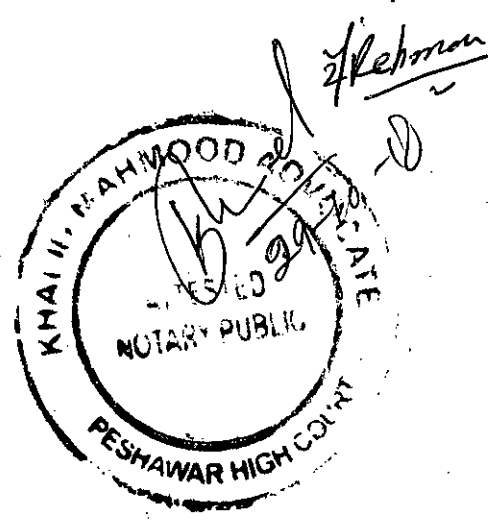
**Deponent.**

**Identified by:**



**Sajid Rehman Khattak.**

Advocate High Courts &  
District Courts Kohat.



**BEFORE SERVICE TRIBUNAL KPK PESHAWAR.**

Service Appeal No. \_\_\_\_\_/2018

**Aziz ur Rehman****..... Appellant****VERSUS****Chief conservator wildlife kpk Peshawar etc****..... Respondents****APPLICATION FOR CONDONATION OF DELAY.****Respectfully Sheweth**

- 1- That the instant application is being filed along with the main appeal in which no date of hearing has yet been fixed.
- 2- That the appellant has got a very good prima facie case as he was appointed as Naib Qasid after fulfilling all the legal and codal formalities.
- 3- That the appellant was removed from service on very flimsy grounds as well as his appeal is pending with adjudication and till date has not been decided.
- 4- That during the question period I was badly engaged in look after and treatment of my spouse who is suffering epilepsy nature disease as well as acute backache. That the appellant was also given false

consolation of reinstatement by the respondent on filing appeal/mercy petition but step back from their wordings and left the appellant helpless.

- 5- That even otherwise no limitation runs against void order.
- 6- That the law favours adjudication of cases on merits and technicality should not be a hindrance in the way of substantial justice.
- 7- That it shall be in the interest of justice to condone the delay and decide the matter on merits.

**It is therefore most humbly prayed that on acceptance of this application the delay, may kindly be condoned in the interest of justice.**

Applicant

*S. Rehman*

Through

*Sajid Rehman Khattak*

**SAJID REHMAN KHATTAK**

Advocate High Court &  
District Courts Kohat.  
0333-5984747



**BEFORE SERVICE TRIBUNAL KPK PESHAWAR.**

Service Appeal No. \_\_\_\_\_/2018.

**Aziz ur Rehman**

..... Appellant

**VERSUS**

**Chief conservator wildlife kpk Peshawar etc**

..... Respondents

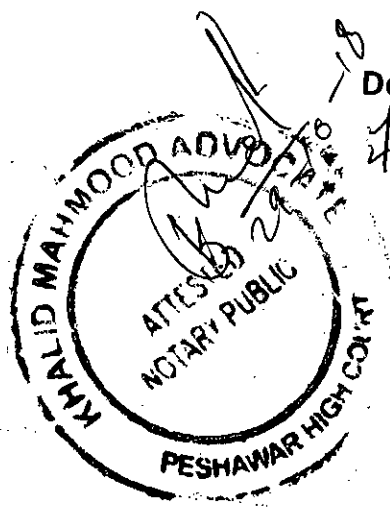
**AFFIDAVIT**

I, Aziz ur Rehman s/o Naimat Gul do hereby solemnly affirm and declare on oath that the contents of the accompanying application are true and correct to the best of my knowledge and belief and nothing has been concealed here in from this Honourable Court.

Identified by:

*Sajid Rehman Khattak*

**Sajid Rehman Khattak.**  
Advocate High Courts &  
District Courts Kohat



Deponent.  
*Aziz ur Rehman*

To

The Chief Conservator Wildlife  
Khyber Pakhtunkhwa Peshawar

Subject

APPEAL AGAINST OFFICE ORDER NO. 03 DATED 02/11/2017 ISSUED  
BY MR. REHMATULLAH KHAN, DIVISIONAL FOREST OFFICER,  
KARRAK WILDLIFE DIVISION KARRAK.

Memo:

It is humbly that I am serving as Naib Qasid and awarded major penalty of removal from service under Section-9 of E&D Rules 2011 by the Divisional Forest Officer Wildlife Division Karak Mr. Rehmatullah Khan. I humbly prayed that kindly refer to above cited order wherein my future life has been collapsed at one hand while my poverty and vulnerability falls to another. Keeping in view the ex-parte decision, I would like to dare an appeal against the decision and hope that your valuable humanity and kindness would do enough to consider my petition favorably and would sympathetically issue orders for my re-instatement in service. At the instant objection against said decision the following grounds are believed to be enough in my defense:

- That during the questioned period I was badly engaged in look after and treatment of my spouse who is suffering with epilepsy nature disease as well as acute backache.
- That before proceeding into her treatment I scampered in the trouble suddenly appeared in my family for which I have prior submitted Casual / Earned leave application to the Divisional Forest Officer Wildlife Division Karrak. I was not informed as whether my application has been approved or rejected.
- That being a low paid government employee I cannot afford the above mentioned major penalty at any case.
- That the Divisional Forest Officer Wildlife Division Karrak has preferred his personnel intentions in my removal.
- That I have not been heard in person nor intimated / acknowledged any notice at my home address.

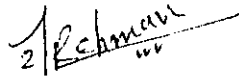
In view of the above, I hope that your kind consideration would do enough for justice in my case and shall suppress the brutal order for my re-instatement in service to secure my future service life. I shall ever pray for your long life and prosperity.

(Photocopy of the office order No.03 dated 2/11/2017 is attached as ready reference)

Thanking you in anticipation.

Dated 25-11-2017

**ATTESTED**

  
Your most obedient servant

Aziz U Rehman S/O Niamat Gul  
Resident of Sarat Khel Tehsil and District  
Karrak.  
(Naib Qasid Wildlife Division Karrak)

(13)

102-11-

OFFICE ORDER NO 03 /WL(KK) DATED KARRAK THE 102-11- 2017  
ISSUED BY MR. REHMAT ULLAH KHAN, DIVISIONAL FOREST OFFICER,  
KARRAK WILDLIFE DIVISION KARRAK

Mr. Aziz Ur Rehman S/O Niamat Gul residence of Sarat Khel Tehsil and District Karrak was appointed as Naib Qasid with effect from 12-12-2014 vide DFO Wildlife Kohat office order No 39/WL(KT) dated 20-11-2014. The official remained posted in Karrak Wildlife Range of Kohat Wildlife Division. However on creation of Karrak Wildlife Division, the said naib Qasid was transferred to Karrak Wildlife Division vide Chief Conservator Wildlife Khyber Pakhtunkhwa Office Order No 24/WL dated 10-8-2017

The said employee however remained willfully absent from his official duty with effect from 2-8-2017 without any permission / approval of the competent authority. Keeping in view his willful absence from his official duties without any intimation/ approval and as provided under the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Disciplinary) Rules 2011, a notice was issued to the official through registered post at his home address i.e. Sarat Khel Tehsil and District Karrak wherein he was directed to justify his willful absence and resume his duty within 15 days vide this office order No 51/WL(KK) dated 31-8-2017. The notice was however received back as undelivered.

Thereafter a letter was sent to Director Information Khyber Pakhtunkhwa for publication of a notice in two leading newspapers issued to the official to justify his willful absence and resume his duties within fifteen days of the publication of said notice vide this office letter No 76/WL(KK) dated 21-9-2017. The notice published in daily news paper Aaj on 8-10-2017.

The official however neither joined / resumed his official duty nor any written response received from his side even after expiry of the stipulated period of fifteen days given in the notice so published in the news paper.

After going through the prescribed procedure and in view of his willful absence from his official duty till date, the undersigned in the capacity of competent authority and in exercise of the powers vested in me under Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules 2011, major penalty of removal from service is hereby awarded to Mr Aziz Ur Rehman, Naib Qasid of Karrak Wildlife Division with effect from the date of his willful absence from his official duties i.e. 02-08-2017.


**ATTESTED**

(Rehmat Ullah Khan)  
Divisional Forest Officer  
Karrak Wildlife Division  
Karrak

No 172 /WL(KK)

Copy forwarded to:-

1. Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar for information.
2. Conservator Wildlife, Southern Circle Peshawar for information
3. Range Officer Wildlife, Karrak for information
4. Divisional Accountant, Karrak Wildlife Division for information & necessary action
- ✓ 5. Mr. Aziz Ur Rehman S/O Niamat Gul resident of Karrak (Ex- Naib Qasid ) for information and necessary action.
6. Personal File of the said Naib Qasid for record.

  
Divisional Forest Officer  
Karrak Wildlife Division  
Karrak

(14)

OFFICE ORDER NO. 39 /WL - KT, DATED KOHAT THE 20-11 /2014, ISSUED BY MR. MOHAMMAD ISRAR, DIVISIONAL FOREST OFFICER, KOHAT WILDLIFE DIVISION, KOHAT.

Consequent upon the recommendations of the Departmental Selection Committee constituted vide this office Order No. 23 dated 22/10/2014 Rule-7 of the Khyber Pakhtunkhwa Civil Servant Appointment, Promotion and Transfer Rules 1989. Mr. Aziz-U-Rehman s/o Naimat Gul r/o Village Sarat Khel Tehsil and District Karak is hereby appointed as Naib Qasid (BPS-01) viz (4800-150-9300) per month plus usual allowances as admissible from time to time under the rules against the regular vacant post in Karak Wildlife Range with immediate effect in the interest of public service.

**The terms & conditions of his appointment is as under:**

- 1- The appointment is purely temporary & can be terminated any time without assigning any reason.
- 2- The probation period of the appointment is one year with effect from the date of his arrival on duty.
- 3- In case of resignation the incumbent shall give one month's notice in advance failing which the pay equal to one month will be forfeited to the government.
- 4- The incumbent shall in addition to pay be entitled to all other regular allowances and facilities being admissible under the rules for the same status and category of the employee as per government rules of Khyber Pakhtunkhwa.
- 5- The appointment is subject to clearance of character certificate from the concerned Police Station & production of Medical Fitness Certificate from the concerned Medical superintendent.
- 6- In case the incumbent has not joined the duty within one month his appointment order will be stand cancelled from the date of issue of this order.
- 7- The incumbent will be posted anywhere in Kohat Wildlife Division and have to obey the orders, otherwise his services will be terminated without completion of other codal formalities.
- 8- In case of any political influence for posting / transfer at favorable station or undue favor which is against the public interest the service of the incumbent will be terminated.

*Sd/-*  
**Mohammad Israr,**  
Divisional Forest Officer  
Kohat Wildlife Division  
Kohat

No. 1990-3 /WL - KT

Copy forwarded to:

- 1- The Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar.
- 2- The Conservator Wildlife Southern Circle Peshawar.
- 3- The Section Officer (Estt) Government of Khayber Pakhtunkhwa Forestry, Environment and Wildlife Department.
- For information and necessary action please.
- 4- The Sub Divisional Wildlife Officer Kohat.
- 5- The All Range Officers Wildlife in Kohat Wildlife Division
- 6- Assistant / Divisional Accountant Wildlife Division Kohat.
- 7- Mr. Aziz-U-Rehman s/o Naimat Gul r/o Village Sarat Khel Tehsil and District Karak
- 8- Concerned file.
- 9- Office Order File.

For information & necessary action.

**ATTESTED**

*[Signature]*  
Divisional Forest Officer  
Kohat Wildlife Division  
Kohat

*Sd/-*  
*For verification & deposit*  
*[Signature]*  
Divisional Forest Officer

بعدالت جناب سر جسٹری جنرل سپریم کورٹ پاکستان

کورٹ فیس

Appellant ۲۰۱۸ء منجانب

مسٹر جسٹری جنرل سپریم کورٹ

بنام چیف جسٹری سپریم کورٹ

عزیز الرحمن

مقدمہ  
علت نمبر  
جرم زبردفعہ  
مورخہ  
تھانہ

## باعث تحریر آئندہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جوابدہی کل کارروائی متعلقہ آس مقام کے لیے سپریم کورٹ کے  
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا اختیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقرر  
ن ثالث و فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرانے اجرا اور وصولی چیک در روپیہ اور عرضی دعویٰ اور  
درخواست ہر قسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور  
منسوخی و نیز دائر کرنے اپیل نگرانی نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل یا جزو کارروائی  
کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا  
اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخلہ منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے  
سبب سے ہوگا اس کے مستحق کیا صاحب موصوف ہوں گے نیز بقایا خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی  
مقام دورہ پر ہو یا حد سے باہر ہو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

۲۰۱۹

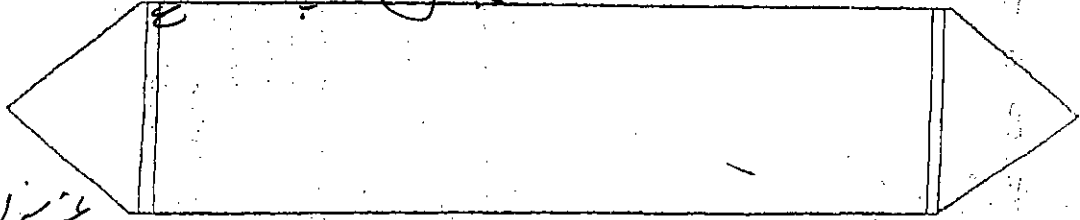
ماہ

المرقوم

Jaidul  
(A.A.)

مقام کہلٹ سپریم کورٹ کے لیے منظور ہے

# بعد الت سروس ٹرانسفر کے لیے



مقام: مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی درج ذیل کارروائی کے متعلق  
 1. مندرجہ عنوان بنام 2. مندرجہ عنوان

موزعہ  
 مقدمہ  
 دعویٰ  
 جرم

## باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی درج ذیل کارروائی کے متعلق  
 آج کے لیے عنوان مندرجہ عنوان

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
 ڈیکل صاحب کو راضی نامہ کرنے و تقرر ثبالت فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور  
 بسورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور مسترد  
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بسورت ضرورت مقدمہ مذکور  
 کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
 ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا اجازت  
 پرداخت منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے رہا ہوگا۔  
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
 مذکور کریں۔ لہذا کالت نامہ لکھ دیا کہ سند ہے۔

المرتوم 28 ماہ نومبر 2018

Accepted & Accepted  
 Advan walat  
 Advan

بمقام  
 کے لئے منظور ہے۔

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**APPEAL NO.1353/2018 MR.AZIZ-UR-REHMAN S/O NIAMAT GUL, NAIB QASID**  
**(BPS-03) OF KARAK WILDLIFE DIVISION V/S GOVT OF PAKHTUNKHWA**  
**THROUGH CHIEF CONSERVATOR KHYBER PAKHTUNKHWA AND OTHERS**

1. Mr.Aziz-ur-rehman S/o Niamat Gul,  
Naib Qasid (BPS-03)  
Karak Wildlife Division, Karak

-----APPELLANT

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar.
2. The Conservator Wildlife Southern Circle, Peshawar
3. The Divisional Forest Officer Wildlife, Karak.
4. The Divisional Accountant, Karak Wildlife Division.

-----RESPONDENTS

**INDEX**

S#	Description of Documents	Annexure	Page No.	No. of pages
1	Affidavit	---	02	01
2	Authority Letter	---	03	01
3	Comments	---	04 to 06	03
4	Order No.98, dated 29-06-2016	A	07	01
5	Order No.06, dated 20/07/2016	B	08	01
6	Order No.91, dated 20-03-2017.	C	09	01
7	Order No.03, dated 02/11/2017	D	10	01
8	Show Cause Notice	E	11	01
9	Notice published in the newspaper (AAJ)	F	12	01
10	Notice published in the newspaper (MASHRIQ)	G	13	01

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**APPEAL NO.1353/2018 MR.AZIZ-UR-REHMAN S/O NIAMAT GUL, NAIB QASID (BPS-03) OF KARAK WILDLIFE DIVISION. V/S GOVT OF PAKHTUNKHWA THROUGH CHIEF CONSERVATOR KHYBER PAKHTUNKHWA AND OTHERS**

1. Mr.Aziz-ur-rehman S/o Niamat Gul,  
Naib Qasid (BPS-03)  
Karak Wildlife Division, Karak

-----Appellant

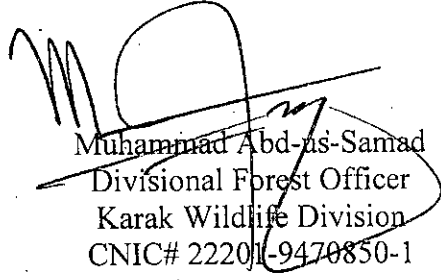
**VERSUS**

1. Government of Khyber Pakhtunkhwa through Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar.
2. The Conservator Wildlife Southern Circle, Peshawar
3. The Divisional Forest Officer Wildlife, Karak.
4. The Divisional Accountant, Karak Wildlife Division.

-----RESPONDENTS

**AFFIDAVIT**

I, Muhammad Abdu-us-Samad, Divisional Forest Officer Wildlife Karak do hereby solemnly affirm and declare on oath that the comments along with its annexure are true and correct to the best of my knowledge.

  
Muhammad Abd-us-Samad  
Divisional Forest Officer  
Karak Wildlife Division  
CNIC# 22201-9470850-1

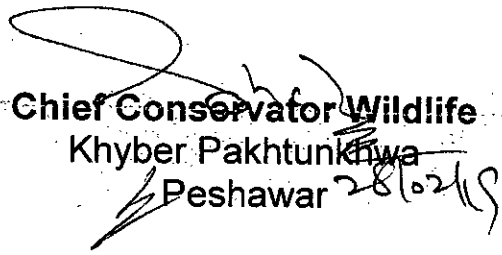


OFFICE OF THE CHIEF CONSERVATOR WILDLIFE  
KHYBER PAKHTUNKHWA PESHAWAR.

No. 6533 /WL (E) Dated Peshawar the 28/02/2019.

**AUTHORITY LETTER**

Divisional Forest Officer Wildlife Karak is hereby authorized to attend the Khyber Pakhtunkhwa Service Tribunal Peshawar in the case of "Writ Petition No.1353 of "Aziz ur Rehman" on behalf of undersigned till final decision is taken in the case by the Khyber Pakhtunkhwa Service Tribunal Peshawar.

  
Chief Conservator Wildlife  
Khyber Pakhtunkhwa  
Peshawar 28/02/19

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

1. Mr. Aziz-ur-rehman S/O Niamat Gul,  
Naib Qasid (BPS-03)  
Karak Wildlife Division, Karak

-----APPELLANT

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar.
2. The Conservator Wildlife Southern Circle, Peshawar
3. The Divisional Forest Officer Wildlife, Karak.
4. The Divisional Accountant, Karak Wildlife Division.

-----RESPONDENTS

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 TO 4 FACTS:  
RESPECTFULLY SHEWETH:**

**Preliminary Objections:**

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

**ON FACTS:**

1. Correct to the extent of appointment but performance of appellant during service was not satisfactory as sufficient explanations for his willful absence from duty were called and also censured on the habitual absentee charges by the competent authority but he did not change his behavior and later on he was removed from service on the same repeated absentee charges after observing all the required codal formalities i.e. notice in the newspaper and charge sheet etc. as per E&D Rules, 2011. The detail of established absent period is as under:-

S#	Absent period	Total days	Action	Annexure
1	27 to 29/06/2016	03 days	Treated as leave without pay for three days vide order No.98, dated 29/06/2016	A
2	16 & 20/05/2016	02 days	Treated as leave without pay for two days and censured vide Order No.06, dated 20/07/2016	B
3	27/10/2016, 23/11/2016 & 26/12/2016	03 days	Treated as leave without pay, censured and reduction of one annual increment vide order No.91, dated 20/03/2017.	C
4	02/08/2017 to 02/11/2017 i.e to the date of removal from service	03 months	Removed from service as per E&D Rules, 2011 due to his repeated willful absence from duty vide Order No.03, dated 02/11/2017.	D

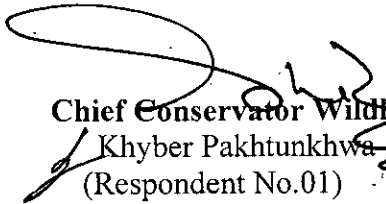
2. Incorrect. The respondent No.3 observed all the required codal formalities as per E&D Rules, 2011 and removed the appellant from service as explained in Para-I. The show cause notice (**Annex-E**) on his home address was sent and notice published in the newspapers (**Annex-F & G**) but not responded by the appellant. Complete detail given in the order No.03, dated 02/11/2017 regarding removal from service of the appellant.
3. The departmental appeal was not maintainable as the charges of willful absence from duty of the appellant has been proved and all the codal formalities in the case were completed, therefore, the action taken by the respondent No.3 against the appellant regarding removal from service is proper as per rule No.9 of E&D Rules, 2011.
4. Incorrect. The competent authority not given any surety to the appellant for his re-instatement in service.
5. The order issued by the respondent No.3 is under the rules and may be upheld on the ground hereunder.

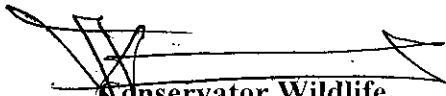
#### **GROUND**

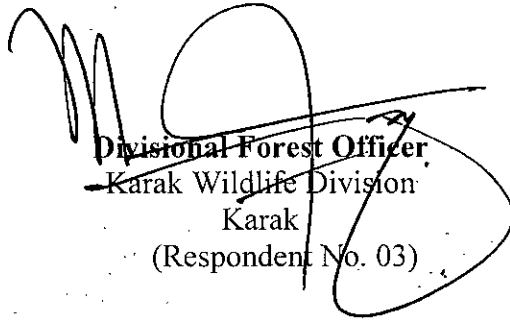
- a) Incorrect. The requisite order issued by the respondent No.3 is according to E&D Rules, 2011 being competent authority in the case.
- b) Incorrect. The order issued by the respondent No.3 is according to the law as explained in ante paras and may be upheld.
- c) Incorrect. The requisite order is according to the law.
- d) Incorrect. The penalties imposed by the respondent No.3 is under rule-4 (b) major penalties and covered rule-9 (procedure in case of willful absence) of E&D Rules, 2011.
- e) Incorrect. Sufficient opportunities were given but the appellant did not change his habit as he was habitual in absentee and did not perform official duty. Proper record is available in office; therefore the removal from service of the appellant is justice with him as per rules.
- f) Incorrect. The removal from service of the appellant is justice with his own conduct as who have to think of his family member during service.
- g) Incorrect. The respondent No.3 has taken proper action in the case as per law.
- h) Incorrect. The appellant has neither sent any application for leave nor telephonic message to any one of his superior. His willful absence was not time rather habitual absentee from time to time during the entire service. The record in this regard is available in office and as explained in para-1. Therefore, respondent No.3 being competent authority compelled and taken disciplinary action as per law.
- i) Incorrect. The non-performance of proper duty for any government servant is not available in any rules as it is the responsibility of the all government servant to perform their duty and follow rules and regulation of the government properly.
- j) Incorrect. No personal grudges of the Respondent No.3 with the appellant has found as the record is very clear in the case as the intention was only on official duty.

- k) Incorrect. Letters for attending this office was issued on home address and notice in this regard has also been issued in the newspaper but not responded by the appellant.
- l) The respondents may be allowed to produce the evidences at the time of hearing in the case.

In view of above the appeal may be dismissed, upheld the requisite removal from service order issued by the respondent No.3.

  
Chief Conservator Wildlife  
Khyber Pakhtunkhwa  
(Respondent No.01)

  
~~Conservator Wildlife~~  
Southern Circle, Peshawar  
(Respondent No. 02)

  
Divisional Forest Officer  
Karak Wildlife Division  
Karak  
(Respondent No. 03)

Annex-A

39

OFFICE ORDER NO. 98 /WL - KT, DATED KOHAT THE 29/6 /2016.  
ISSUED BY MR. REHMATULLAH KHAN, DIVISIONAL FOREST OFFICER, KOHAT  
WILDLIFE DIVISION, KOHAT

As reported by Range Officer Wildlife Karak vide his letter No. 333/WL-KK dated 29/6/2016  
Mr. Aziz U Rehman Naib Qasid of Karak Wildlife Range was found willful absent from duty.  
Therefore he is hereby treated as leave without pay from 27/6/2016 to 29/6/2016 (03 days).

*Ref*  
Rehmatullah Khan  
Divisional Forest Officer  
Kohat Wildlife Division  
Kohat

No. 3125-28 /WL - KT

Copy forwarded to:

- 1- Range Officer Wildlife Karak with reference to his report cited above.
- 2- The Assistant / Divl Accountant for information and necessary action.
- 3- Mr. Azia U Rehman N/Qasid of Karak Wildlife Range C/O RO WL Karak. He is directed to be careful in future as he is already under-going enquiry for the reason of willful absence from duty on 16 & 20/5/2016. He is under probation period and there is not need of any notice. However on humanitarian grounds he is directed to change his behavior otherwise he will be removed from service if found absent even a single day again.
- 4- Concerned file.
- 5- Office Order File.

*✓ R. J. Jale*

*[Signature]*  
Divisional Forest Officer  
Kohat Wildlife Division  
Kohat

*Attested*

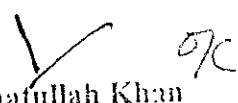
*[Signature]*  
Divisional Forest Officer  
Karak Wildlife Division  
Karak

Annex-B (49)

OFFICE ORDER NO. 06 /WL - KT, DATED KOHAT THE 20/7 2016,  
ISSUED BY MR. REHMATULLAH KHAN, DIVISIONAL FOREST OFFICER, KOHAT  
WILDLIFE DIVISION, KOHAT.

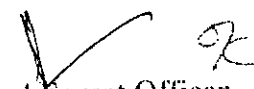
As per recommended by the Enquiry officer (Range Officer Wildlife Karak vide enquiry report received under his letter no. 9/WL-KK dated 18/7/2016) the following punishment is hereby awarded to Mr. Aziz U Rehman Naib Qasid of Karak Wildlife Range Officer.

- i- Leave without pay on 16<sup>th</sup> & 20<sup>th</sup> May 2016 (Two days)
- ii- Censure. He is warned to be careful in future otherwise he can be terminated from service under the rules if failed to improve his efficiency.

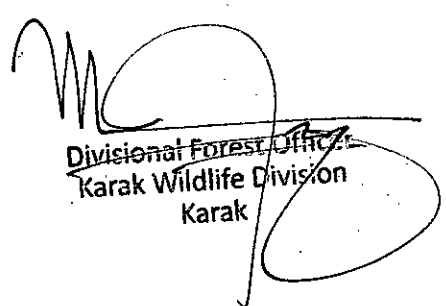
  
Rehmatullah Khan  
Divisional Forest Officer  
Kohat Wildlife Division  
~~AK~~ Kohat

No. 201-05 /WL-KT

- Copy forwarded to
- 1- The Conservator Wildlife Southern Circle Peshawar for kind information and necessary action please.
  - 2- The Range Officer Wildlife Karak. He is directed to keep the above mentioned official under strict observation and take immediate action against him under the rules if any negligence is found on his part.
  - 3- Head clerk / Divl Accountant.
  - 4- Mr. Aziz U Rehman Naib Qasid of Karak Wildlife Range Office. c/o Range Officer Wildlife Karak.
  - 5- Enquiry file.
  - 6- Personal file of the official concerned.
  - 7- Office Order File.

  
Divisional Forest Officer  
Kohat Wildlife Division  
~~AK~~ Kohat

Attested

  
Divisional Forest Officer  
Karak Wildlife Division  
Karak

OFFICE ORDER NO. 91 /WL - KT, DATED KOHAT THE 20/3 /2017, ISSUED BY MR. REHMATULLAH KHAN, DIVISIONAL FOREST OFFICER, KOHAT WILDLIFE DIVISION, KOHAT.

WHEREAS Mr. Aziz U Rehman N/Q of Karak Wildlife Range was proceeded amongst the departmentally under a Show Cause Notice under Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline Rules-2011) Rule-7 as follow:

- i- He has committed willful absence from duty from 27/6/2016 to 29/6/2016 and declared leave without pay vide Office Order No. 98 dated 29/6/2016 by the undersigned.
- ii- As per written report of the Range Officer Wildlife Karak vide his Endst No. 314 dated 1/6/2016 that Mr. Aziz U Rehman Naib Qasid is willful absent from duty on 16/5/2016 & 20/5/2016 and the case was then processed under charge sheet and Disciplinary action vide letter No. 2887/WL-KT dated 7/6/2016 and after enquiry the following punishment was awarded to him vide Order No. 6 dated 20/7/2016:
  - A) Leave without pay on 16<sup>th</sup> & 20<sup>th</sup> May 2016
  - B) Censure. Warning to be careful in future otherwise he will be terminated from service under the rules if failed to improve his efficiency.
- iii- He was again reported willful absent from duty on 27/7/2016 vide Range Officer Wildlife Karak letter No. 18 dated 1/8/2016.
- iv- He has submitted application for casual leave on 23/11/2016 which was considered as leave without pay by the undersigned.

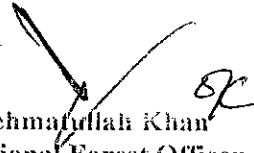
AND WHEREAS the accused official did not bother to improve his efficiency.

AND WHEREAS final show cause notice was served upon the accused official and he in his reply as well as personal hearing could not satisfy the undersigned regarding his alleged innocence.

NOW THEREFORE I Rehmattullah Khan Divisional Forest Officer Wildlife Division Kohat in capacity of competent authority do hereby impose the following penalties upon the accused official Mr. Aziz U Rehman Naib Qasid of Karak Wildlife Range as defined by Section-4 of the Govt of KPK Civil Servants (E&D) Rules 2011 with immediate effect.

**Minor penalties**

- (a) Censure.  
Leave without pay for 27/10/2016, 23/11/2016 & 26/12/2016 (03 days) & warned to be careful and vigilant in future
- (b) Reduction of one annual increment of the time scale.

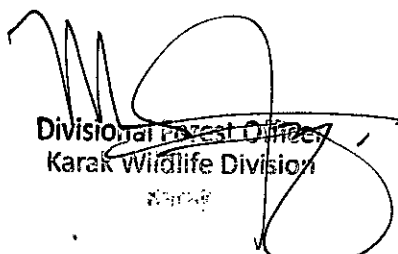
  
 Rehmattullah Khan  
 Divisional Forest Officer  
 Kohat Wildlife Division  
 Kohat

No. 2694-99 /WL - KT

Copy forwarded to:

- 1- The Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar.
- 2- The Conservator Wildlife Southern Circle Peshawar.  
For information and necessary action please.
- 3- The Range Officer Wildlife Karak.
- 4- The Assistant / Divl Accountant.
- 5- Mr. Aziz U Rehman Naib Qasid of Karak Wildlife Range C/O the Range Officer Wildlife Karak.
- 6- Personal file concerned.
- 7- Office Order File.  
For information and necessary action.

*Attested*

  
 Divisional Forest Officer  
 Karak Wildlife Division

  
 Divisional Forest Officer  
 Kohat Wildlife Division  
 Kohat

Annex-D

OFFICE ORDER NO 03 /WL(KK) DATED KARRAK THE 02-11-2017  
ISSUED BY MR. REHMAT ULLAH KHAN, DIVISIONAL FOREST OFFICER,  
KARRAK WILDLIFE DIVISION KARRAK

Mr. Aziz Ur Rehman S/O Niamat Gul residence of Sarat Khel Tehsil and District Karrak was appointed as Naib Qasid with effect from 12-12-2014 vide DFO Wildlife Kohat office order No 39/WL(KT) dated 20-11-2014. The official remained posted in Karrak Wildlife Range of Kohat Wildlife Division. However on creation of Karrak Wildlife Division, the said naib Qasid was transferred to Karrak Wildlife Division vide Chief Conservator Wildlife Khyber Pakhtunkhwa Office Order No 24/WL dated 10-8-2017

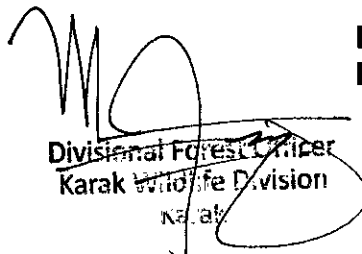
The said employee however remained willfully absent from his official duty with effect from 2-8-2017 without any permission / approval of the competent authority. Keeping in view his willful absence from his official duties without any intimation/ approval and as provided under the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Disciplinary) Rules 2011, a notice was issued to the official through registered post at his home address i.e. Sarat Khel Tehsil and District Karrak wherein he was directed to justify his willful absence and resume his duty within 15 days vide this office order No 51/WL(KK) dated 31-8-2017. The notice was however received back as undelivered.

Thereafter a letter was sent to Director Information Khyber Pakhtunkhwa for publication of a notice in two leading newspapers issued to the official to justify his willful absence and resume his duties within fifteen days of the publication of said notice vide this office letter No 76/WL(KK) dated 21-9-2017. The notice published in daily news paper Aaj on 8-10-2017.

The official however neither joined / resumed his official duty nor any written response received from his side even after expiry of the stipulated period of fifteen days given in the notice so published in the news paper.

After going through the prescribed procedure and in view of his willful absence from his official duty till date, the undersigned in the capacity of competent authority and in exercise of the powers vested in me under Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules 2011, major penalty of removal from service is hereby awarded to Mr Aziz Ur Rehman, Naib Qasid of Karrak Wildlife Division with effect from the date of his willful absence from his official duties i.e. 02-08-2017.

*Attested*

  
Divisional Forest Officer  
Karrak Wildlife Division  
Karrak

(Rehmat Ullah Khan)  
Divisional Forest Officer  
Karrak Wildlife Division  
Karrak

No 172 /WL(KK)

Copy forwarded to:-

1. Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar for information.
2. Conservator Wildlife, Southern Circle Peshawar for information
3. Range Officer Wildlife, Karrak for information
4. Divisional Accountant, Karrak Wildlife Division for information & necessary action
- ✓ 5. Mr. Aziz Ur Rehman S/O Niamat Gul resident of Karrak (Ex- Naib Qasid ) for information and necessary action.
6. Personal File of the said Naib Qasid for record.

  
Divisional Forest Officer  
Karrak Wildlife Division  
Karrak



Annex-E

OFFICE OF THE DIVISIONAL FOREST OFFICER KARAK WILDLIFE DIVISION KARAK

To

Mr. Aziz-u-Rehman Naib Qasid  
Wildlife Division Karak.

No. 51 /WL (KK) dated Karak the 31 / 08 /2017.

SUBJECT: SHOW CAUSE NOTICE

Memo:-

Whereas you Mr. Aziz-u-Rehman Naib Qasid are constantly absent from your Duty w.e.f. 02/08/2017 to date without prior approval / sanction of leave from the competent authority which act on your part is tantamount to misconduct and thus punishable under the Govt: of Khyber Pakhtunkhwa Civil Servants (Efficiency & Disciplinary) Rules-2011.

You are therefore, called upon to show cause as to why a disciplinary action should not be initiated against you under the ibid rules which may also entail your dismissal from service.

Your reply should be reach within seven days positively failing which it shall be presumed that you have nothing to offer in defense and an exparte action shall be taken against you.

  
Divisional Forest Officer  
Karak Wildlife Division  
Karak

Attested

  
Divisional Forest Officer  
Karak Wildlife Division  
Karak

چشمہ لاجپت آپریشن کے دوران ایک وقت شائع ہونے والا کثیر الاشاعت قومی روزنامہ

روزنامہ

پشاور

پاکستان

عبدالواحد یوسفی

جلد 26 نمبر 18 تاریخ 17-20-17/1439ھ

شمارہ 288



## نوٹس غیر حاضری

آپ مسکمی عزیز الرحمن ولد نعمت گل سکنگاؤں سرٹ خیل تحصیل ضلع کرک صاحب قاصد وانلڈ لائف ڈویژن کرک مورسہ 2-8-17 سے اپنی سرکاری ڈیوٹی سے غیر حاضر ہیں آپ کے گھر کے پتہ پر بذریعہ رجسٹری مورسہ 31-8-17 کو شوکارڈ نوٹس دفتری نمبر 51/WL مورسہ 31/8/17 ارسال کیا تھا جس کو آپ نے لینے سے انکار کر دیا آپ کو بذریعہ نوٹس اشتہار بذراطلاع کیا جاتا ہے کہ آپ اشاعت اشتہار کے اندر میں معیاد بندرودن اپنی ڈیوٹی پر حاضر ہو کر غیر حاضری کی وجوہات تحریری طور پر پیش کر دیں بصورت دیگر مروجہ قانون کے مطابق آپ کے خلاف یکطرفہ قانونی کارروائی عمل میں لائے جائیں گی۔

INF(P)5694



ڈویژنل فارسٹ آفیسر کرک  
وانلڈ لائف ڈویژن کرک

Say no to Corruption/DRUGS

www.khyberpakhtunkhwa.gov.pk

Attested

*[Signature]*

Divisional Forest Office  
Karak Wildlife Division  
Karak

**OFFICE OF THE TEHSIL MUNICIPAL ADMINISTRATION DIR**  
**ELECTRONIC TENDER/ELECTRONIC BIDDING NOTICE**  
**SAVING OF ADP# NO. 703, 713, 756, 757 & 5% FMO FOR THE YEAR 2015-16 & 2016-17**

Scaled tenders for the following works to be done/proposed by Mr. Inayat Ullah Khan, Sector Member for Local Government Department, Cyber Pakhtunkhwa and of category of ADP# NO. 703, 713, 756, 757 & 5% FMO for the year 2015-16 & 2016-17, (PK-91) are hereby invited on above basis from the registered government contractors/firms who are enlisted with Local Government (Sector 5 Rural) Directorate of Department of Local Govt. and Urban P&M, Khyber Pakhtunkhwa & renewed their license for the year 2017-2018.

S#	Name of Work	U/Cons Est. in (M/cor)	2% of Money	Date Submission of Tender	Local Bidding Date & Time
<b>GEN OF SA P&amp;M OF ADP # 703 (2015-2017)</b>					
1	Construction of Road of Karak District	330000	6600	26/08/2017 (10:00 AM)	26/08/2017 (02:00 PM)
2	Civil Works in Karak District (Water & Sewerage)	300000	6000	-	-
3	W/ Work in Karak District	770000	15400	-	-
4	Civil Works in Karak District	150000	3000	-	-
5	Transfer of Road Right of Way (ROW)	100000	2000	-	-
6	Civil Works in Karak District	100000	2000	-	-
7	Construction of Road in Karak District (Water & Sewerage)	250000	5000	-	-
8	Water Supply Scheme in Karak District	500000	10000	-	-
<b>GEN OF SA P&amp;M OF ADP # 713 (2015-2017)</b>					
9	Civil Works in Karak District (Water & Sewerage)	100000	2000	-	-
10	Construction of Road in Karak District	500000	10000	-	-
11	Transfer of Road Right of Way (ROW)	500000	10000	-	-
<b>SAVING OF ADP# NO. 756, 757 &amp; 5% FMO (2015-2018)</b>					
12	Civil Works in Karak District (Water & Sewerage)	500000	10000	-	-
13	Civil Works in Karak District (Water & Sewerage)	500000	10000	-	-
14	Construction of Road in Karak District	500000	10000	-	-
15	Construction of Road in Karak District (Water & Sewerage)	500000	10000	-	-
16	Construction of Road in Karak District (Water & Sewerage)	500000	10000	-	-

**TERMS & CONDITIONS\***

\*Bidders must read the conditions of tender and other publications in the same papers by the original registered contractors from Local Council Board with...

7/10  
6/10

**نوٹس غیر حاضری**

آپ کو اطلاع دیا جا رہا ہے کہ فیصلہ شدہ مطلع ہارسہ سٹریٹ ٹیبل سرکار سے 2017-2018 سے نیشنل ایمریٹ سے فیصلہ ہو گیا ہے۔ آپ کو مطلع کیا جا رہا ہے کہ فیصلہ شدہ مطلع ہارسہ سٹریٹ ٹیبل سرکار نے 2766 سرورس 2017-09-05 کو ذریعہ رجسٹرڈ ایک گورنمنٹ کے ذریعہ ایمریٹ کی گائیڈ لائن کے مطابق جاری کیا ہے۔ آپ کو مطلع کیا جا رہا ہے کہ فیصلہ شدہ مطلع ہارسہ سٹریٹ ٹیبل سرکار نے 2766 سرورس 2017-09-05 کو ذریعہ رجسٹرڈ ایک گورنمنٹ کے ذریعہ ایمریٹ کی گائیڈ لائن کے مطابق جاری کیا ہے۔ آپ کو مطلع کیا جا رہا ہے کہ فیصلہ شدہ مطلع ہارسہ سٹریٹ ٹیبل سرکار نے 2766 سرورس 2017-09-05 کو ذریعہ رجسٹرڈ ایک گورنمنٹ کے ذریعہ ایمریٹ کی گائیڈ لائن کے مطابق جاری کیا ہے۔

**فیصلہ شدہ مطلع ہارسہ سٹریٹ ٹیبل سرکار**

INF(P) 5703 Also available on [www.khyberpakhtunkhwa.gov.pk](http://www.khyberpakhtunkhwa.gov.pk)

**نوٹس غیر حاضری**

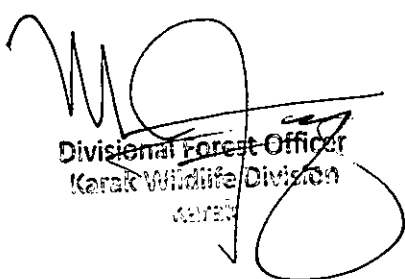
آپ کو اطلاع دیا جا رہا ہے کہ فیصلہ شدہ مطلع ہارسہ سٹریٹ ٹیبل سرکار سے 2017-2018 سے نیشنل ایمریٹ سے فیصلہ ہو گیا ہے۔ آپ کو مطلع کیا جا رہا ہے کہ فیصلہ شدہ مطلع ہارسہ سٹریٹ ٹیبل سرکار نے 2766 سرورس 2017-09-05 کو ذریعہ رجسٹرڈ ایک گورنمنٹ کے ذریعہ ایمریٹ کی گائیڈ لائن کے مطابق جاری کیا ہے۔ آپ کو مطلع کیا جا رہا ہے کہ فیصلہ شدہ مطلع ہارسہ سٹریٹ ٹیبل سرکار نے 2766 سرورس 2017-09-05 کو ذریعہ رجسٹرڈ ایک گورنمنٹ کے ذریعہ ایمریٹ کی گائیڈ لائن کے مطابق جاری کیا ہے۔

**ڈویژنل فارسٹ آفیسر کرک**

**وائٹ لائن ڈویژن کرک**

INF(P) 5694 Also available on [www.khyberpakhtunkhwa.gov.pk](http://www.khyberpakhtunkhwa.gov.pk)

Attested

  
 Divisional Forest Officer  
 Karak Wildlife Division  
 Karak

OFFICE THE CHIEF CONSERVATOR WILDLIFE KHYBER PAKHTUNKHWA  
PESHAWAR

The Conservator Wildlife  
Southern Circle, Peshawar


No. 3097 /WL (E)

dated Peshawar the 4/12/2017

Subject:

APPEAL AGAINST OFFICE ORDER NO. 03 DATED 02-11-2017 ISSUED  
BY MR. REHMATULLAH KHAN, DIVISIONAL FOREST OFFICER  
KARRAK WILDLIFE DIVISION KARRAK

Please find enclosed herewith departmental appeal in respect of  
Mr. Aziz-Ur-Rehman Ex-Naib Qasid of Karak Wildlife Division, on the subject  
regarding his request for the consideration under the rules being competent  
authority

  
Chief Conservator Wildlife  
Khyber Pakhtunkhwa  
Peshawar

No.        /WL (E)

Copy alongwith its enclosures forwarded to Divisional Forest Officer  
Wildlife Karak for information and necessary action with reference to above.

Chief Conservator Wildlife  
Khyber Pakhtunkhwa  
Peshawar

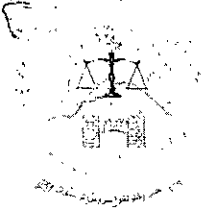
No. 82 /WL (SC)

dated Peshawar the 06-12-2017

Copy alongwith its enclosures forwarded to DFO Wildlife Karak for information  
and necessary action/ submission of his comments in the matter

Conservator Wildlife Southern Circle  
Peshawar

*put with file  
and submit copy  
to Dy  
C O P*



**KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

No: \_\_\_\_\_/ST Dated: \_\_\_\_/\_\_\_\_/2022

Ph:- 091-9212281  
Fax:- 091-9213262

To

Divisional Forest Officer Karak

Subject:- **JUDGMENT IN APPEAL NO. 1353/18 CASE TITLED Mr. AZIZ UR REHMAN VS FOREST & WILDLIFE DEPARTMENT**

I am directed to forward herewith a certified copy of judgment dated 13-07-2022 passed by this Tribunal on the above subject for strict compliance.

**Encl: As above**

**REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.**



**KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

No: \_\_\_\_\_/ST Dated: \_\_\_\_/\_\_\_\_/2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281  
Fax:- 091-9213262

To

Divisional Forest Officer Karak

Subject:- **JUDGMENT IN APPEAL NO. 1353/18 CASE TITLED Mr. AZIZ UR REHMAN VS FOREST & WILDLIFE DEPARTMENT**

I am directed to forward herewith a certified copy of judgment dated 13-07-2022 passed by this Tribunal on the above subject for strict compliance.

**Encl: As above**

**REGISTRAR**  
**KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL**  
**PESHAWAR.**