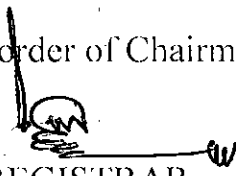


# FORM OF ORDER SHEET

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

Case No.- 1914/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/12/2022	<p>The appeal of Mr. Muhammad Saeed resubmitted today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before touring Single Bench at Swat on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Muhammad Saeed son of Sadbar Khan Forest Guard Dargai Forest sub Division, Dargai District Malakand received today i.e. on 18.11.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Index of the appeal may be prepared according to rules.
- 2- Check list is not attached with the appeal.
- 3- Appeal has not been flagged/arked with annexures marks.
- 4- Annexures of the appeal may be attested.
- 5- Affidavit may be got attested by the Oath Commissioner.
- 6- Annexures-A, B, F & G of the appeal are missing.
- 7- Copy of departmental appeal against the impugned seniority list is not attached with the appeal, annexure-1 is an application for grant of seniority from his initial appointment but not a departmental appeal because impugned seniority list was notified on 06/07/2022 and the alleged departmental appeal was made on 04/7/2022 much before circulating the impugned seniority list meaning thereby that there is no departmental appeal against the impugned seniority list.
- 8- Twelve more copies/sets of the appeal along with annexures i.e complete in all respect may also be submitted with the appeal.

No 3258 /S.T.  
 Dt. 21/11/2022

REGISTRAR  
 SERVICE TRIBUNAL  
 KHYBER PAKHTUNKHWA  
 PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

In response to objection 1-6, objections has properly been removed.

In response to objection No. 7, Date of Seniority Dist. mentioned in the

as 06/7/22 while the correct date of Seniority Dist. against which the applicant filed departmental appeal filed on 04/7/22, hence resubmitted.

In response to objection No. 8, 12 paper copies has been attached with the Annex Appeal.

M. Saeed

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

SERVICE APPEAL No. 1914 /2022

**MUHAMMAD SAEED VS FOREST DEPTT:**

**I N D E X**

<b>S.NO.</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
1.	Memo of appeal with Affidavit	.....	1-4
2.	Copy of CNIC	A	5
3.	Copy of appointment order	B	6-7
4.	Copy of termination order	C	8
5.	Copy of order	D	9
6.	Copy of transfer order dated 30-01-2012	E	10
7.	Copy of order dated 21-02-2018	F	11
8.	Copy of Seniority list	G	12-13
9.	Copy of departmental appeal	H	14
10.	Vakalatnama		15

  
**APPELLANT**

Through:

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**  
**SUPREME COURT OF PAKISTAN**

-1-

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

SERVICE APPEAL NO. 1914 /2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1971

Dated: 18-11-2022

Mr. Muhammad Saeed S/o Sadbar Khan Forest Guard, Dargai Forest Sub  
Division, Dargai District Malakand.....**APPELLANT**

**VERSUS**

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary to Government of Khyber Pakhtunkhwa Forest Department, Peshawar.
- 3- The Chief Conservator of forest, Khyber Pakhtunkhwa, Peshawar.
- 4- The conservator of Forest, Malakand Circle Swat.
- 5- The Divisional forest Officer, Malakand at Batkhela.
- 6- Khurshid Ahmed S/o Qazi Saleh Muhammad, Forest Guard, Dargai Forest Sub Division, Dargai District Malakand.
- 7- Zain Ul Abideen S/o Sultan Mehmood, Forest Guard, Batkhela Forest Sub Division, Batkhela District Malakand.
- 8- Javid Akhtar S/o Akhtar Muhammad, Forest Guard, Batkhela Forest Sub Division, Batkhela District Malakand.
- 9- Naseer Hassan Mian S/o Said Akbar Mian, Forest Guard, Batkhela Forest Sub Division, Batkhela District Malakand.
- 10- Said Muhammad S/o Ghulam Muhammad, Forest Guard, Dargai Forest Sub Division, Dargai District Malakand.

Filed to-day  
18/11/22

.....**RESPONDENTS**

**SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SENIORITY LIST NOTIFIED BY THE RESPONDENTS VIDE LETTER DATED 01/17/2022 VIDE WHICH THE SENIORS OF THE APPELLANT WERE MADE SENIOR TO THE APPELLANT WHILE THE APPELLANT WAS PLACED AT S.NO.10 OF THE SENIORITY LIST AND INACTION OF THE RESPONDENTS BY NOT CONSIDERING THE APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINTY DAYS .ANY OTHER REMEDY WHICH THIS AUGUST SERVICE TRIBUNAL DEEMS FIT THAT MAY ALSO BE AWARDED IN FAVOR OF THE APPELLANT.**

-2-

**R/SHEWETH:**

**Brief facts giving rise to the instant service appeal are as under:-**

**1- That the appellant is bonafide resident of District Malakand and a law abiding citizen of Pakistan. Copy of CNIC is attached as Annexure.....A.**

**2- That appellant is serving as Forest Guard in Dargal forest sub Division Dargal District Malakand.**

**3- That prior to the present posting, on 08-10-1992 the appellant was appointed as Forest Guard in the Social Forestry Project Swat. Copy of appointment order is attached as Annexure.....B.**

**4- That later on, in the year 1998 the appellant was declared surplus and was terminated from service. Copy of termination order is attached as Annexure.....C.**

**5- That in the year 2010 the in compliance with the order and judgment of the Hon'able Service Tribunal Khyber Pakhtunkhwa and advice of the Conservator Forestry Planning and Monitoring Circle Peshawar, the appellant was reinstated in service , however, his intervening period was treated as extra ordinary leave without pay. Copy of order is attached as Annexure.....D.**

**6- That in the year 2012 the appellant was transferred from the working Plan Unit-III Peshawar to Demarcation Forest division Swat. Copy of transfer order dated 30-01-2012 is attached as Annexure.....E.**

**7- That subsequently the appellant has been transferred from the Demarcation Forest Division Swat to Malakand Forest Division Batkela. Copy of order dated 21-02-2018 is attached as Annexure.....F.**

**8- That since appointment, the appellant is serving with zeal and devotion and to the entire satisfaction of the superiors and no complaint has ever been noticed.**

9- That the respondents has issued a seniority list of the Forest guards S.No.10 of the seniority while juniors to the appellant have been made senior to the appellant. Copy of seniority listed dated 01/07/2022 is attached as annexure.....G.

10- That being aggrieved from the impugned order of the respondents the appellant preferred a departmental appeal, however, no response has been received within the statutory period of ninety days. Copy of departmental appeal is attached as Annexure.....H

11- That the petitioner after being highly aggrieved for the inaction of the respondents having no other adequate remedy files the instant appeal on the grounds interalia as under:-

**GRUNDS:**

A- That the inaction of the respondent department is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside to the extent of serial No.6.

B- That appellant has not been treated in accordance with law and rules by the respondent department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.

C- That the inaction of the respondent department is based on discrimination, favoritism and nepotism, hence not tenable in the eye of law.

D- That despite the fact the appellant is most senior in the seniority list, even then the appellant has been discriminated which is against service rules.

E- That non placing of name of the appellant at the right and due place of the seniority is tantamount to disparity and discrimination under the Constitution of the Islamic Republic of Pakistan, 1973.

F- The action and inaction of the respondents is against the Section 17 of the Appointment, Transfer and Promotion Rules, 1989 and Section 8 of the Civil Servants Act, 1973.

G- That petitioner seeks permission to advance other grounds and proofs at the time of hearing.


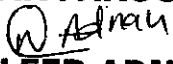
It is therefore, most humbly prayed that on acceptance of this appeal the impugned Seniority List dated 01-07-2022 may kindly be rectified/modified to the extent of appellant and Private respondents by placing the appellant at the right position of the Seniority List. Any other remedy which this august service Tribunal deems fit that may also be awarded in favor of the appellant.

Dated. 03/11/22

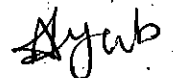
  
**APPELLANT**  
**MUHAMMAD SAEED**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE SUPREME COURT**

  
**UMAR FAROOQ**  
  
**WALEED ADNAN**

&

  
**M. AYUB**  
**ADVOCATES**

**AFFIDAVIT**

I Muhammad Saeed S/o Sadbar Khan Forest Guard, Dargai Forest Sub Division, Dargai District Malakand, do hereby solemnly affirm that the contents of this Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.


  
**DEPONENT**

"A" - 5 -

حکومت پاکستان  
قومی شناختی کارڈ  
15401-0702611-7

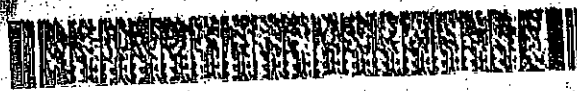

نام: محمد سعید  
پتو: لاہور  
والد کا نام: صدر خان  
تعلقہ: کوئٹہ

عثمان یوسف مین  
تاریخ پیدائش: 08/07/1969



15401-0702611-7  
117800677-40

04/11/2029  
04/11/2019





"B" 23 10/10/92 -6-

OFFICE ORDER NO. 33 DATED SAIDU SHARIF THE: 08 TH OCTOBER, 1992  
ISSUED BY DR. NASIM JAVED DFO/PROJECT DIRECTOR SOCIAL FORESTRY  
PROJECT MALAKAND DIR AT SAIDU SHARIF.

Consequent upon the recommendation of Departmental Selection Committee constituted vide Project Director Malakand Social Forestry Project office order No. 24 dated 20/9/1992, the following persons are hereby appointed as Forest Guards against the existing vacancies in Malakand Social Forestry Project in B.P.S. No. 2 (945-32-1425), with usual allowances as admissible under the rules.

1. Mr. Jafar Akram s/o Noor Hawas Khan of Agra Mkd: Agency.
2. Mohammad Saeed s/o Sadbar Khan of Pitao Mkd: Agency
3. Hidayatullah s/o Fazal Rahman of Malakand Agency
4. Mohammad Irshad s/o Abdur Rashid of Sakhakot Mkd: Agency
5. Shamsul Nahab s/o Zarawar Khan of Khar Mkd: Agency.
6. Aurangzeb s/o Ahmad Khan of Jaban Mkd: Agency.
7. Noor Mohammad s/o Ahmad Khan, of Jalala Malakand Agency.

The appointments are subject to the following conditions:

The posts are purely temporary and shall be liable to termination on the expiry of the project period. Their services can also be terminated at any time during the project period with one month's notice or on the payment of one month's salary in lieu of the notice. If the incumbent intends to resign, he shall serve the department with one month's notice or remit an amount equal to his one month's salary.

He shall remain on probation for a period of two years further extendable by one year during which his services can be terminated if he failed to perform his duties to the satisfaction of the appointing authority.

He shall be governed by such rules and regulations as are applicable to the class of service to which he belongs.

He shall produce the following documents:

- 1) Medical fitness certificate from the Civil Surgeon of Civil Hospital Bathkela.
- 2) Domicile certificate.
- 3) Character certificate from two responsible persons not being the relatives of the candidates duly countersigned by the Political Agent Malakand Agency.
- 4) He will have to join the duty at his own cost.

BETTER COPY: 6

OFFICE ORDER NO.33 DATED SAIDU SHARIF TE 08<sup>TH</sup> OCTOBER, 1992 ISSUED BY DR. NASIN JAVED DFO/PROJECT DIRECTOR SOCIAL FORESTRY PROJECT MALAKAND DIR AT SAIDU SHARIF.

Consequent upon the recommendation of Departmental Selection Committee constituted vide order No.24 dated 20/09/1992, the following persons are hereby appointed as Forestry Guards against the existing vacancies in Malakand Social Forestry Project in B.P.S No.2 (945-32-1425) with usual allowance as admissible under the rules.

1. Mr. Jafar Akram s/o Noor Hawas Khan of Agra Malakand Agency.
2. Muhammad Saeed s/o Sadbar Khan of Pitao Malakand Agency.
3. Hidayatullah s/o Fazal Rahsan of Malakand Agency.
4. Muhammad Irshad s/o Abdur Rashid of Sakhakot Malakand Agency.
5. Shamsul Wahab s/o Zarawar Khan of Khar Malakand Agency.
6. Aurangzeb s/o Ahmad Khan of Jaban Malakand Agency.
7. Noor Muhammad s/o Ahmad Khan, of Jalala Malakand Agency.

The appointments are subject to the following conditions:

The posts are purely temporary and shall be liable to termination on the expiry of the project period. Their services can also be terminated at any time during the project period with one month's notice or on the payment of one month's salary in lieu of the notice. If the incumbent intends to resign. He shall serve the department with one month's notice or remit an amount equal to one month's salary.

He shall remain on probation for a period of two years further extendable by one year during which his services can be terminated if he failed to perform his duties to the satisfaction of the appointing authority.

He shall be governed by such rules and regulations as are applicable to the class of service to which he belongs.

He shall produce the following documents.

1. Medical fitness certificate from the Civil Surgeon of Civil Hospital Batkhela.
2. Domicile certificate.
3. Character certificate from two responsible persons not being the relatives of the candidates duly countersigned by the Political Agent Malakand Agency.
4. He shall have to join duty at his own cost.

-7-

If he fails to accept the offer and report the arrival for duty within ten days of the receipt of this letter, the offer shall stand cancelled.


Sd/-  
(Dr. Nasim Javed)  
DFO/Project Director  
Social Forestry Project Mkd: Dir  
Saidu Sharif

No. 1102-9 /SF,

Copy forwarded to the:

- 1) Chief Conservator of Forests, (North) at Peshawar for favour of information.
- 2) Conservator of Forests, Malakand Circle Mingora for favour of information.
- 3) All concerned for information and necessary action.
- 4) Head Clerk/Divisional Accountant for information and necessary action.

Personal files for record.

  
(Dr. Nasim Javed)  
DFO/Project Director  
Social Forestry Project Mkd: Dir  
Saidu Sharif.

- 8 -      C      2

OFFICE OF THE DIVISIONAL FOREST OFFICER, SOCIAL FORESTRY DIVISION,  
MALAKAND.

To: Mr. Muhammad Ali Khan

No: 457 /MSF, dated Bathkela, 23.12.1997 1998.

Subject: SERVICE TERMINATION ORDER

Ref: this office letter No. 457 dated 30.12.1997.

.....

It is regretted that your services already declared surplus as per Briding Period PC-I of the Social Forestry Project for the year 1997-98, are hereby terminated with effect from 31.1.1998 (A.N.).

.....

Divisional Forest Officer,  
Social Forestry Division,  
Malakand.

NO: /MSF,

Copy in continuation of this office letter endst: No. 457 dated 30.12.1997 is forwarded to:

1. The Chief Conservator of Forests, Social Forestry, NWFP Peshawar for favour of information please.
2. The PD/Conservator of Forests, Malakand Social Forestry Circle, at Saidu-Sharif for favour of information please
3. Personal file for record
4. Divisional Head Clerk, for information and necessary action.

Divisional Forest Officer,  
Social Forestry Division,  
Malakand at Bathkela.

**BETTER COPY:**

**OFFICE OF THE DIVISIONAL FOREST OFFICER, SOCIAL FORESTRY SERVICES  
MALAKANDS.**

To

Mr. Muhammad Saeed,

No1: 457/MSF,

Dated Batkhela, 28.1.1998.

Subject:

SERVICE TERMINATION ORDER

Ref: this office letter No.339/Mst dated 30.12.1997

It is regretted that your services already declared surplus as per Briding Period PC-I at the Social Forestry Project for the year 1997-98, are hereby terminated with effect from 31.1.1998 (A.N).

**Divisional Forest Officer,  
Social Forestry Division,  
Malakand**

# "D" -9-

OFFICE ORDER NO. 3 DATED PESHAWAR 24/02/2011  
ISSUED BY QAZI SHABIR AHMAD DIVISIONAL FOREST OFFICER WORKING  
PLAN UNIT-III PESHAWAR.

\*\*\*\*

As per decision made by the Service Tribunal Peshawar in appeal No.443 dated 4.02.2010, under section 4 of the Service Tribunal Act 1974, and as advised by Conservator of Forests Forestry Planning & Monitoring Circle Peshawar vide his letter No. 2677/E dated 21.2.2011, Mr. Muhammad Saeed Ex - Forest Guard of defunct Malakand Social Forestry Project is hereby adjusted against the vacant post of Forest Guard with effect from the date of arrival for duty.

The intervening period from the date of his termination till his arrival for duty is hereby treated as extra ordinary leave without pay.

Sd/-

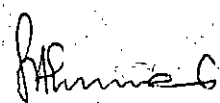
( QAZI SHABIR AHMAD )  
Divisional Forest Officer  
Working Plan unit-III,  
Peshawar.

No. 242-44/WP-III

Dated 24/02/2011.

Copy forwarded to the

1. Chief Conservator of Forests Khyber Pakhtunkhwa Peshawar for favour of information please.
2. Conservator of Forest Forestry Planning & Monitoring Circle Peshawar for information with reference to his letter No.2677/E dated 21.02.2011.
3. ✓ Muhammad Saeed S/O Sadbar Khan Ex- Forest Guard Malakand Social Forestry Batkhela.

  
Divisional Forest Officer  
Working Plan unit-III,  
Peshawar.

UE  
 -10-

In order to adjust in their home districts to their home districts the following posting/transfer amongst the Forest Guards is hereby ordered in the interest of public service with immediate effect:

S. No.	Name of Forest Guard	From	To
1	Mr. Anwar Zeb	Working Plan Unit-IV Abbottabad	Demarcation Forest Division Swat Shagal
2	Mr. Aalam Khan	Demarcation Forest Division Swat Shagal	Working Plan Unit-IV Abbottabad
3	Mr. Jabbar	Working Plan Unit-III Peshawar	Demarcation Forest Division Swat Shagal
4	Mr. Anwar Zeb	Demarcation Forest Division Swat Shagal	Working Plan Unit-III Peshawar
5	Mr. Muhammad Saeed	Working Plan Unit-III Peshawar	Demarcation Forest Division Swat Shagal
6	Mr. Nowsharwan	Demarcation Forest Division Swat Shagal	Working Plan Unit-III Peshawar

Note: The Forest Guard listed at Sl. No. 2 substitute of Sl. No. 1 will work in Working Plan Unit-III at Peshawar on detailment basis and will draw his salary from Working Plan Unit-IV Abbottabad.

Sd/-  
 (Haidar Ali Khan)  
 Chief Conservator of Forests-I  
 Khyber Pakhtunkhwa Peshawar

No. 263-65

Copy forwarded for information and necessary action to this:

1. CF P/234 Circle Peshawar.
2. CF Muzand East Circle Swat.
3. Regional Accountant Head Office Peshawar.

*[Signature]*  
 Chief Conservator of Forests-I  
 Khyber Pakhtunkhwa Peshawar

*[Signature]*

No. 2292-99

Date the Peshawar 2/12/2012

Copy forwarded to Divisional Forest Officer Working Plan Unit-III Peshawar & Working Plan Unit-IV Abbottabad for information & necessary action.

*[Signature]*  
 Conservator of Forests  
 Forestry Planning & Monitoring Circle  
 Peshawar

No. 230-92

WP-III Dated Peshawar the 10/12/2012

Copy for information and necessary action forwarded to

1. DFO Working Plan Unit-VI Swat
2. Mr. Behrobar Forest Guard WP-III Peshawar
3. Muhammad Saeed Forest Guard C/O DFO WP-VI Swat

*[Signature]*  
 Divisional Forest Officer  
 Working Plan Unit-III  
 Peshawar

**BETTER COPY:**

**OFFICE ORDER NO. 107 DATED PESHAWAR THE 30/1/2012 ISSUED BY MR. HAMZA ALI KHAN CHIEF CONSERVATOR OF FORESTS KHYBER PAKHTUNKHWA PESHAWAR**

The following posting/transfers amongst the Forest Guards is hereby ordered in the interest of public service with immediate effect:-

SNO	Name of Forest Guards	From	To
1	Mr. Anwar Zeb	Working Plan Unit-IV Abbottabad	Demarcation Forest Division Swat Shagai
2	Mr. Aslam Khan	Demarcation Forest Division Swat Shagai	Working Plan Unit-IV Abbottabad
4	Mr. Alamzeb	Demarcation Forest Division Swat Shagai	Working Plan Unit-III, Peshawar
5	Mr. Muhammad Saeed	Working Plan Unit-III Peshawar	Demarcation Forest Division Swat Shagai
6	Mr. Nowsherwan	Demarcation Forest Division Swat Shagai	Working Plan Unit-III Peshawar

**NOTE:**

The Forest Guard listed at Sr.No.2 substitute of Sr.No.1 will work in Working Plan Unit-III at Peshawar on detainment basis and will draw his salary from Working Plan Unit-IV Abbottabad.

**Sd/-**

**(Haider Ali Khan)  
Chief Conservator of Forests-1  
Khyber Pakhtunkhwa Peshawar**

**No.2663-65/E**

**No.2798-99/E**

**Dated: 08/02.2012**

**Conservator of Forests  
Forestry Planning &  
Monitoring Circle Peshawar**

**No.230-32 dated 10/02/2012**

**Divisional Forest Officer  
Working Plan Unit-III Peshawar**



115

-11-

OFFICE ORDER NO. 68 DATED SAIDU SHARIF THE: 21 /02/2018 BY MR. MUHAMMAD YOUSAF KHAN, CONSERVATOR OF FORESTS, MALAKAND CIRCLE EAST, SHAGAI SAIDU SHARIF SWAT.

Mr. Mohammad Saeed Forest Guard is hereby transferred from Demarcation Forest Division to Malakand Forest Division in the interest of public service with immediate effect.

SD/-  
(MUHAMMAD YOUSAF KHAN)  
CONSERVATOR OF FORESTS,  
MALAKAND CIRCLE EAST,

No. 8960-61 /E,

Copy forwarded to the:-

1. Divisional Forest Officer Demarcation Forest Division, Swat.
2. Divisional Forest Officer Malakand Forest Division, Batkhela.

For information and necessary action.

CONSERVATOR OF FORESTS,  
MALAKAND CIRCLE EAST,  
SAIDU SHARIF SWAT.

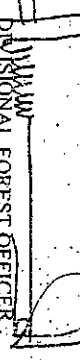
1650-12-11

FINAL SENIORITY LIST OF FOREST GUARDS IN RESPECT OF MALAKAND FOREST DIVISION AS STOOD ON 17/2012

Ann. B

S.#	Name of Forest Guard.	Father's Name	Distt. Demo.	Edu: Quali:	Tech: Quali:	Date of Birth	Date of entry into Govt. Service.	Date of Appointment/ Adjusted.	BPS	Remarks
1	Muhammad Younas	Rafiqullah	do	B.A	23rd F/Guard training course	11.02.1963	25.01.1988	01.07.2006	08	Appointed as F/Guard under Mkd. Social Forestry Project vide DFO Swat o/o No. 25, dt: 20.01.1988 i. Terminated on 31.01.1998, appointed on contract basis and adjusted in MSFP on 17.7.1999. ii. Terminated on 30.06.2000 adjusted in FSP on 20.01.2001. Adjusted on regular post on 01.7.2005 on SNE Post.
2	Muhammad Hanayun	Hazrat Din	District Malakand	F.A	35th F/Guard training course	20.03.1971	12.05.1990	06.04.2007	08	Appointed as F/Guard under Mkd. Social Forestry Project vide P/D MSFP o/o No. 13, dt: 09.05.1990. i. Terminated on 31.01.1998. Adjusted in FSP on 05.06.2004. ii. Terminated on 30.06.2006. Appointment on contract basis vide DFO Mkd. O/O No. 67 dated 05.04.2007. Regularized from the date of initial appointment vide DFO Malakand O/O No. 6 dated 2.01.2010.
3	Muhammad Hussain	Khadai Muhammad	Malakand	Matric	67th F/Guard training course	01.03.1970	26.07.1992	06.04.2007	08	Appointed as F/Guard under Mkd. Social Forestry Project vide P/D MSFP o/o No. 08, dt: 25.07.1992. i. Terminated on 31.01.1998. Appointment as F/G on contract basis vide DFO Mkd. O/O No. 72, dated 05.04.2007.
4	Khurshaid Ahmad	Qazi Saleh Muhammad	do	Matric	62nd F/Guard training course	26.11.1969	06.04.2007	06.04.2007	08	Appointed as F/Guard on contract basis vide DFO Mkd. o/o No. 75, dt: 05.04.2007 and upgraded in BPS. 8 vide DFO O/O No. 24 dated 20.01.2016.
5	Zainul Abideen	Sultan Mahmood	do	B.A	66th F/Guard training course	04.02.1980	06.04.2007	06.04.2007	08	Appointed as F/Guard on contract basis vide DFO Mkd. o/o No. 73, dt: 05.04.2007 and upgraded in BPS. 8 vide DFO O/O No. 24 dated 20.01.2016.
6	Javid Akhtar	Akhtar Muhammad	do	do	71st F/Guard training course	05.04.1983	06.04.2007	06.04.2007	08	Appointed as F/Guard on contract basis vide DFO Mkd. o/o No. 71, dt: 05.04.2007 and upgraded in BPS. 8 vide DFO O/O No. 24 dated 20.01.2016.
7	Nasir Hassan Miran	Said Akbar Miran	do	F.A	39th F/Guard training course	03.04.1970	09.05.1998	07.04.2007	08	Appointed as F/Guard vide P/O MSFP O/O No. 14 dated 9.5.1990. Terminated on 31.01.1998. Appointment as F/G on contract basis vide DFO Mkd. O/O No. 74, dated 05.04.2007 and upgraded in BPS. 8 vide DFO O/O No. 24 dated 20.01.2016.
8	Said Muhammad	Ghulam Muhammad	do	M.A	Untrained	14.04.1975	07.04.2007	07.04.2007	08	Appointed as F/Guard on contract basis vide DFO Mkd. o/o No. 69, dt: 05.04.2007 and upgraded in BPS. 8 vide DFO O/O No. 24 dated 20.01.2016.

9	Zafar Akram	Noor Hameed	Distric Malakand	F.A	Untrained	01.01.1971	29.10.1992	30.03.2009	08	Appointed as F/G under M&S Social Forestry Project vide O/O No. 33, dated 8.10.1992, terminated on 31.01.1998, re-joined in service on regular basis vide DFO Mid O/O No. 78, dated 30.3.2009. Terminated from Service vide O/O No. 18(Q), dated 31.01.2017. After decision/judgment of KPK Service Tribunal dated 02.01.2017 in Service Appeal No. 602/2013, the services of the Forest Guard is hereby re-instatement and regularized vide DFO Malakand O/O No. 27 dated 22.02.2017.
10	Muhammad Saeed	Sadhar Khan	-do-	BSc	Untrained	8.8.1969	31.10.1992	31.10.1992	08	Appointment as F/Guard in Malakand Social Forestry Project. Now transferred from Demarcation Forest Office vide CF Malakand office order No. 20 dated 14.3.2018 and reported arrival in this Division on 15.3.2018.
11	Hidayatullah	Fazal Rehman	-do-	BA	3 <sup>rd</sup> F/Guard training course	09.02.1963	08.10.1992	28.10.1992	08	Appointed as Forest Guard vide DFO/Project Director office order No. 33 dated 10.1.1992, terminated on 31.1.1998. Now transferred to this Division and reported arrival on 2.4.2018.
12	Gaahar Rehman	Bakht Zamin	-do-	MBA	Un-trained	1.1.1987	18.2.2016	18.2.2016	08	Appointment as Forest Guard under SFS vide DFO Malakand office order no. 26 dated 17.2.2016
13	Tahir Aziz	Abdul Aziz	-do-	BS(Hon) Forestry	-do-	19.1.1987	18.2.2016	18.2.2016	08	Appointment as Forest Guard under SFS vide DFO Malakand office order no. 26 dated 17.2.2016
14	Fahad Ali	Muhtd. Saleem	-do-	BS(Hon) Forestry	-do-	20.1.1993	18.2.2016	18.2.2016	08	Appointment as Forest Guard under SFS vide DFO Malakand office order no. 26 dated 17.2.2016
15	Ashfaq Hussain	Zafar Hussain	-do-	MA	-do-	10.4.1993	18.2.2016	18.2.2016	08	Appointment as Forest Guard under SFS vide DFO Malakand office order no. 26 dated 17.2.2016
16	Hassan	Rahman Shah	-do-	BA	-do-	19.8.1993	18.2.2016	18.2.2016	08	Appointment as Forest Guard under SFS vide DFO Malakand office order no. 26 dated 17.2.2016
17	Bilal Ahmad	Shah Room	Malakand	Maatric	Untrained	10.04.1998	17.08.2018	17.08.2018	08	Appointment as Forest Guard against deceased quota vide DFO Malakand office order No. 01 dated 15.8.2018
18	Gul Badshah	Khan Badshah	Malakand	Maatric	Trained	1.6.1989	7.2.1990	7.2.1990	08	Transferred from Upper Dir Forest Division vide CUPF-III office order No. 09 dated 16.12.2021 and reported arrival for duty in Malakand Forest Division on 1.1.2021
19	Muhammad Raheem	Gujar	Malakand	Maatric	Trained	12.1.1968	11.11.1989	11.11.1989	08	Transferred from Nowshera Forest Division vide CCF-III office order No. 165 dated 2.6.2021 and reported arrival in Malakand Forest Division on 10.6.2021
20	Gaiser Havel	Muhammad Ayub	Malakand	F/S (DAE)	Un-trained	10.5.1998	19.11.2021	19.11.2021	08	Transferred from Swat Forest Division vide CF Malakand East Forest Circle office order No. 11 dated 29.11.2021 and reported arrival in Malakand Forest Division on 30.11.2021

  
 DIVISIONAL FOREST OFFICER  
 MALAKAND FOREST DIVISION  
 BARKHELA

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کریٹ ہناب ڈویژنل فارسٹ آفیسر صاحب ملائند فارسٹ ڈویژن ایٹ بیٹ ضلع  
 بساقت ہناب سب ڈویژنل فارسٹ آفیسر صاحب درگی فارسٹ سب ڈویژن (33)

موضوع: - 14- اپیل بابت سینارٹی ایٹ آف فارسٹ گارڈ

ہناب عالی: - مسائل حسب ذیل عرض رساں ہے۔

یہ کہ مسائل گارڈ پیمانہ و تحصیل درگی ضلع ملائند کا اہلی باشندہ ہے۔  
 یہ کہ مسائل سوشل فارسٹری پراجیکٹ سوات ڈیپارٹمنٹ آفس آرڈر نمبر 33 مورخہ 1992-10-08  
 کو بحیثیت فارسٹ گارڈ مقرر ہوا۔ (کاپی لف ہے)

یہ کہ مسائل کو سوشل فارسٹری پراجیکٹ کی بحوالہ (33) نمبر  
 سرپس قرار دیکر Terminate کیا گیا۔ (کاپی لف ہے) No: 459/MSF مورخہ 1998-1-28

یہ کہ مسائل کو معزز عدالت سروس ٹریبونل پشاور کے اپیل نمبر 344 مورخہ 2010-2-04  
 کے فیصلے پر ہناب کزن ڈیپٹی فارسٹ آفیسر پلاننگ اینڈ مینجمنٹ سیکرٹری پشاور کے مشورے  
 پر (No: 2677/E مورخہ 2011-2-21) کو ڈویژنل فارسٹ آفیسر ورکنگ پلان یونٹ III  
 پشاور دوبارہ نوامی پر بحال کیا گیا۔ اور مسائل کی درمیانی مدت کو Extra ordinary  
 Leave without pay کنسڈر کیا گیا ہے۔ (کاپی لف ہے)

یہ کہ مسائل کا تبادلہ از ورکنگ پلان یونٹ III پشاور سے آفس آرڈر نمبر 107 مورخہ 2012-1-30  
 پر ڈیپٹی کزن ڈیپٹی فارسٹری غیر مختار خواہ لٹ اور ڈیمارکیشن Demarcation فارسٹ ڈویژن سوات کیا گیا ہے


یہ کہ مسائل کا تبادلہ Demarcation فارسٹ ڈویژن سوات سے بحوالہ آفس آرڈر نمبر 20  
 مورخہ 2018-3-14 کنسڈر کیا گیا۔ ملائند فارسٹ سیکرٹری ایٹ سوات سے ملائند فارسٹ  
 ڈویژن بیٹ ضلع کیا گیا ہے۔ اور بحال اپنی ڈیوٹی احسن طریقے سے ادا کر رہا ہے۔  
 ہناب عالی: - ملائند فارسٹ ڈویژن سوات (Parent Division) ہے۔ تمام حقائق کو مدنظر رکھ کر  
 مسائل کو ابتدائی مقرر تاریخ سے سینارٹی پر بحال کروا کر مشکور فرمائیں۔

عین خواہش ہے۔

No: 84 dt: 4-7-2022

آپ کا تابع نوجوان محمد سعید ولد عبدالرحمن  
 فارسٹ گارڈ درگی فارسٹ سب ڈویژن درگی

Forwarded to DFO MKd for  
 favour of information & n/action  
 please.

  
 Sub-Divisional Forest Officer  
 District Forest Sub-Division

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

APPEAL NO: \_\_\_\_\_ OF 20\_\_

M. Saeed

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Forest

(RESPONDENT)  
(DEFENDANT)


I/We Appellant

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.


Dated. \_\_\_\_/\_\_\_\_/2022

  
**CLIENT**

**ACCEPTED**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE SUPREME COURT**  
(BC-10-0853)  
(15401-0705985-5)

  
**UMAR FAROOQ MOHMAND**

  
**WALEED ADNAN**

&

  
**MUHAMMAD AYUB**  
**ADVOCATES**

**OFFICE:**  
Flat No. (TF) 291\*-292 3<sup>rd</sup> Floor,  
Deans Trade Centre, Peshawar Cantt.  
(0311-9314232)