

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR****Service Appeal No.49/2019**

Date of Institution: 11.01.2019

Date of Decision: 10.12.2020

Mr. Raheem ud Din Forester Gumbas Broze Forest Division Chitral.

... (Appellant)

**VERSUS**

Chief Conservator of Forests, Malakand Forest Region-III, Saidu Sharif Swat and 2 others.

... (Respondents)

Mr. Hamza Amir Gulab  
Advocate

... For Appellant

Mr. Muhammad Jan,  
Deputy District Attorney

... For respondents

MR. HAMID FAROOQ DURRANI

...

**CHAIRMAN**

MR. ATIQ UR REHMAN WAZIR

...

**MEMBER (E)****JUDGMENT: -****Mr. ATIQ UR REHMAN WAZIR:-** Brief facts of the case are that the appellant

Mr. Raheem ud Din was initially inducted as Forest Guard on 27-10-2007, now

serving as Forester having more than 11 years service at his credit. On 05-04-

2017 Show Cause Notice was served upon the appellant on the allegations of

partial failure of a project under his supervision. Show cause notice was issued

under Rule 5 of the (Efficiency &amp; Discipline) Rules, 2011, without conducting an

inquiry. The appellant responded to the Show Cause Notice but the competent

authority imposed minor penalty of stoppage of four increments as well as

recovery of the loss occurred vide impugned order dated 30-08-2018. Appellant

preferred departmental appeal, but of no avail, hence the instant appeal with

prayers that the appellant has been discriminated; hence, the impugned order may be set aside.

2. Written reply/comments were submitted by respondents.

3. Arguments heard and record perused.

4. Learned counsel for the appellant contended that the impugned order has been passed without conducting proper inquiry and affording opportunity to appellant to produce evidence in his favor, thus the respondents violated Article 10 A of the constitution of Pakistan. He further argued that the respondents acted in an arbitrary manner without serving charge sheet and statement of allegations upon the appellant before issuance of the impugned order, thus the respondent has skipped mandatory steps required as per law. That action so taken is nullity in the eyes of law. He further argued that where the allegations/charges/misconduct is of the nature requiring production of evidence to prove the same, then holding of a departmental inquiry is a necessary condition and dispensation therewith cannot be made as such. The learned counsel further contended that imposing minor penalty of stoppage of four increments without cumulative effect mentions no time period, which is violation of Rule 4 (a) (ii) of (Efficiency & Discipline) Rules, 2011, which specifically provides for stoppage of increments, subject to maximum of three years and that too for a specific period. The learned counsel argued that as is evident from the impugned order, recovery of the loss has been calculated on the basis of inquiry conducted against SDFO Asif Ali Shah, which is highly objectionable, unlawful having nullity in the eyes of law. The learned counsel prayed that the impugned order dated 30-08-2018 being discriminatory may be set aside.

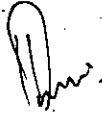
5. Learned Deputy District Attorney appeared on behalf of official respondents opposed the contention of the appellant and stated that the action taken against the appellant was in accordance with law and as per provision contained in (Efficiency & Discipline) Rules, 2011, where the competent authority under Rule 5 (a) of the Rules was competent to dispense with the inquiry. He further added that show cause notice was served upon the appellant, to which he responded, but his reply was not convincing, hence was awarded minor penalty of stoppage of increments and recovery of the loss. The learned Deputy District Attorney prayed that the instant appeal being devoid of merit may be dismissed.

6. We have heard learned counsel for the parties and perused the record. It was observed that during Afforestation drive, partial failure was noticed in a project in Chitral under the umbrella of Billion Tree Tsunami Afforestation Project. Not only the appellant but also another official in the hierarchy was also taken to task. Record reveals that one Mr. Asif Ali Shah, SDFO of the same project was also proceeded against and proper inquiry conducted against him as well as afforded opportunity of defense, but it was not considered necessary in case of the appellant, which is discriminatory. It was also noted that the loss occurred is divided evenly between Forester (the appellant) and SDFO, responsibilities of both however vary, which is also discriminatory. Allegations were of the nature, which required specific proof; hence holding of inquiry could not be dispensed with, in the instant case.

7. In view of the situation, the instant appeal is allowed and the matter is remitted to the respondents with directions to conduct proper inquiry into the case, provide fair opportunity of defense to the appellant as per law and rules

and conclude the proceedings within ninety days keeping in view the above-mentioned observations. No orders as to costs. File be consigned to record room.

ANNOUNCED  
10.12.2020



(HAMID FAROOQ DURRANI)  
CHAIRMAN



(ATIQ UR REHMAN WAZIR)  
MEMBER (E)

10.12.2020

Learned counsel for the appellant and Mr. Muhammad Jan, learned Deputy District Attorney for respondents present.

Vide our detailed judgment of today of this Tribunal placed on file, instant appeal is allowed and the matter is remitted to the respondents with directions to conduct proper inquiry into the case, provide fair opportunity of defense to the appellant as per law and rules and conclude the proceedings within ninety days keeping in view the above-mentioned observations. No orders as to costs. File be consigned to record room.

ANNOUNCED  
10.12.2020



(HAMID FAROOQ DURRANI)  
CHAIRMAN

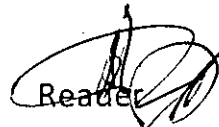


(ATIQ UR REHMAN WAZIR)  
MEMBER (E)

\_\_\_\_\_ .2020

Due to COVID19, the case is adjourned to

13 / 8 / 2020 for the same as before.

  
Reader

13.08.2020

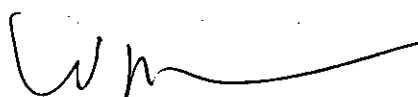
Due to summer vacations case to come up for the same on  
16.10.2020 before D.B.


  
Reader

16.10.2020

Counsel for appellant present. Mr. Muhammad Jan  
learned Deputy District Attorney for respondents  
present.

Former requests for adjournment; granted. To  
come up for arguments on 10.12.2020 before D.B.

  
(Atiq-Ur-Rehman Wazir)  
Member

  
(Muhammad Jamal Khan)  
Member

06.12.2019

Due to general strike of Khyber Pakhtunkhwa Bar Council learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Muhammad Yousaf, SDEO for the respondents present. Adjourned to 04.02.2020 for rejoinder and arguments before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

04.02.2020

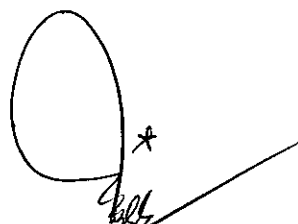
Clerk to counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Muhammad Yousaf, SDFO for the respondents present. Clerk to counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 19.03.2020 for rejoinder and arguments before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

19.03.2020

None for the appellant present. Addl: AG alongwith Mr. Umer Nawaz, SDFO for respondents present. Due to general strike on the call of Peshawar Bar Council, the case is adjourned. To come up for arguments on 21.05.2020 before D.B.

  
(MAIN MUHAMMAD)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

26.09.2019

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Muhammad Yousaf, SDEO for the respondents present.

Vide order sheet dated 20.06.2019 last chance was given to the respondents to submit written reply for next date i.e 05.08.2019, but on 05.08.2019 written reply was not submitted therefore, the appeal was fixed for arguments for today befoare D.B but representative of the department has brought written reply and learned counsel for the appellant also expressed no objection on submission of written reply. Therefore, in the interest of justice, the representative of the department is allowed to submit written reply. The same is submitted which is placed on record. Case to come up for rejoinder and arguments on 29.10.2019 before D.B.

  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

29.10.2019

Clerk to counsel for the appellant present. Addl: AG alongwith Mr. Usman, SDFO for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike of the bar. Adjourned. Case to come up for arguments on 06.12.2019 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member



20.06.2019

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Neither written reply on behalf of respondents submitted nor representative of the department present therefore, notices be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date. Adjourned but as a last chance. Case to come up for written reply/comments on 05.08.2019 before S.B.



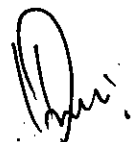
(Muhammad Amin Khan Kundi)  
Member

05.08.2019

Nemo for appellant. Mr. Muhammad Jan, DDA alongwith Mr. Muhammad Yousaf, SDFO for respondents present.

On the last date of hearing, the respondents were allowed last chance for submission of written reply, today which they failed to.

To come up for arguments on 26.09.2019 before D.B.



Chairman

12.02.2019

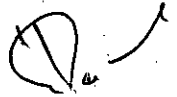
Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Forester) has filed the present service appeal against the order dated 30.08.2018 whereby the appellant was awarded minor penalties of stoppage of four (04) annual increments without accumulative effect and recovery of Rs.351200/-.

Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for written reply. To come up for written reply/comments on 28.03.2019 before S.B.



Appellant Deposited  
Security & Process Fee



Member

28.03.2019

No one present on behalf of appellant. Security not deposited. Adjourn. To come up for ~~further proceedings~~ on 30.04.2019 before S.B. Notice be issued to the appellant



Member

30.04.2019

Counsel for the appellant and Mr. Usman Ghani District Attorney for the respondents present.

Learned AAG requests for adjournment to procure the requisite reply from the respondents.

Adjourned to 20.06.2019 for submission for written reply/comments.





Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 49/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/1/2019	<p>The appeal of Mr. Raheem-ud-Din presented today by Mr. Hamza Amir Gulab 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 11/1/19</p>
2-	16-1-19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12-2-19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

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

Service Appeal No. 49 /2019

Raheem -ud-Din

.....Appellant

**V E R S U S**

Chief Conservator of Forests, Malakand Forest Region-III Saidu Sharif  
Swat & others .....Respondents

**I N D E X**

S#	Description of Documents	Annex	Pages
1.	Service Appeal		1-7
2.	Affidavit		8
3.	Addresses of parties		9
4.	Copy of Show Cause dated 5.4.2017	A	10-11
5.	Copy of reply to show cause	B	12-13
6.	Copy of impugned Order dated 30.08.2018	C	14-15
7.	Copy of the departmental appeal/representation	D	16-18
8.	Copy of Letters to Respondent No 3	E	19-22
9.	Wakalatnama		23

Through

*Rah A*  
Appellant

*Hamza Amir Gulab*  
Hamza Amir Gulab  
Advocate

&

*Muhammad Nouman*  
Muhammad Nouman  
Advocates High Court  
Cell: 03005936155

1

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

Service Appeal No. 49 /2018

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 53

Dated 11-1-2019

Raheem -ud-Din Forester Gumbas Broze Forest Division Chitral  
.....Appellant

V E R S U S

1. Chief Conservator of Forests, Malakand Forest Region-III Saidu Sharif Swat
2. Conservator of Forests, Malakand Forest Circle West at Timergara,
3. Divisional Forest Officer Chitral, Forest Division Chitral

.....Respondents

SERVICE APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICES TRIBUNAL ACT,  
1974 AGAINST THE IMPUGNED ORDER DATED  
30.08.2018 PASSED BY RESPONDENT NO.3  
WHEREBY THE APPELLANT WAS AWARDED  
PENALTIES i.e. i. STOPPAGE OF FOUR  
INCREMENTS WITHOUT ACCUMULATIVE  
EFFECT and ii. RECOVERY OF Rs 3,51,200/- &  
WHEREAS APPELLATE AUTHORITY  
(RESPONDENT NO 2) DID NOT RESPOND TO  
DEPARTMENTAL APPEAL/ REPRESENTATION  
OF THE APPELLANT.

---

Filed to-day  
Registrar  
11/1/19

**PRAYER**

By accepting this Appeal, the impugned order of Respondent No.3 dated 30.08.2018 may graciously be set aside.

---

**Respectfully Sheweth:**

1. That the Appellant was inducted in Forest Department as Forest Guard on 27.10.2007, now serving as Forester and thus he has more than 11 years of service in his credit.
2. That Appellant is a law abiding citizen of Pakistan and having a long carrier of service with the said department, no complaint has ever been reported against him and thus he is having an unblemished service record.
3. That all of sudden on 05.04.2017, Respondent No.3 issued a show cause notice to the Appellant and levelled the following frivolous allegations against the Appellant in the project of *BILLION TREE TSUNAMI AFFORESTATION PROJECT IN KHYBER PAKHTUNKHWA*:
  - i. You failed to do full beating up of expired plants through Chowkidar.
  - ii. On 24.3.2017 during physical inspection of the area by worthy conservator of forest Malakand Forest Circle West some 400 Plants of Eucalyptus of under size nearly failed, found unattended and in dry condition resulting in loss to Government exchequer and similarly so many pits dies but not planted
  - iii. You were directed to do sowing in each pit but you failed.

- iv. You were directed to plant cutting of poplar and willow in nullah but you failed
- v. You were directed to repair water channel for forthcoming dry months but uptill now nothing has been done.
- vi. Hundreds of robinia plants dumped and are getting dry due to your negligence

**(Copy of Show Cause Notice dated 05.04.2017 is annexed as annexure "A").**

- 4. That the Appellant submitted a written reply in response to show cause notice where the Appellant responded very well and briefly all the quarries and allegations.

**(Copy of Written Reply to show cause notice is annexed as Annexure B)**

- 5. That Respondent No 3 vide Order dated 30-08-2018 imposed minor penalty upon the Appellant i.e.. Stoppage of Four increments without accumulative effect and ii. recovery of Rs 3,51,200/- on the basis of all together on different allegation as alleged in the show cause notice which are as under:
  - 1. Stoppage of four annual increments without accumulative effect.
  - 2. Recovery of Rs 351200 as per following detail
    - i. As per para 6.3.21(i) the responsibility of SDFO and Staff has clearly been depicted that they will be responsible for 100 % correctness of plantation. Hence the following recovery of 50 % pecuniary loss caused to Government by negligene is ordered.

- ii. On the basis of inquiry finding in SDFO Asif Ali Shah case, recovery of the loss occurred to the Government Exchequer on watering/ maintenance charges of Plantation is to be recovered from SDFO and incharge Plantation area. The one year maintenance area charges i.e. expenditure incurred on watering of Plantation on the basis of actual bills is Rs 2500,000/- the recovery for 28 % failure comes as Rs 7 lac. The maintenance charges as per inquiry report is to be recovered from SDFO and his staff. Thus recovery of 50 % amount of Rs 7 lac i.e. Rs 3 lac 50 thousand is ordered.
- iii. Recovery of Rs 1200/- @ 50 % production cost of 400 Nos. Eucalyptus Plants @ Rs 6/- per plant. The recovery evenly distributed as per provision of PC-1 para No 6.3.21(I ) between SDFO Mr Asif Ali Shah and the Accused.
- iv. The recovery of (Rs. 350,000 plus Rs 1200/-) Rs 351,200 will be made from the monthly salary of Mr. Rahim ud Din Forester in 50 equal installments @ Rs. 7024/- per monthl regularly

**(Copy of Impugned Order dated 30-8-2018 is Annexure C)**

6. That aggrieved from the Order of Respondent No 3 the Appellant preferred Departmental Appeal/Representation to Respondent No.2 but till date the same has not been responded so far.

**(Copy of the departmental Appeal/Representation is attached as annexure "D")**

7. That the Appellant after exhausting the Departmental remedy of filing Departmental Appeal and waiting for statutory period



i.e. ninety (90) days is preferring the instant service appeal before this Hon'ble Tribunal on the following grounds:

**G R O U N D S :-**

- A. That the impugned Order of respondent No.3 is illegal, ultra vires, unfounded, void an initio, unlawful and thus ineffective upon the rights of the Appellant.
- B. That without conducting enquiry and affording an opportunity to Appellant to produce evidence in his favour and contest the frivolous allegation the penalties vide the impugned order has been passed.
- C. That the very Order is against the norms of justice, ex parte and against Article 10-A of the Constitution of Pakistan and against the natural justice.
- D. That the subject matter of the case was plantation and where physical verification / Monitoring of the said activity is compulsory to ascertain the real situation of the said activity assigned to the Appellant, but no such verification/ monitoring has been conducted.
- E. That vide Para 6.3.23(i) Respondent No 3 is responsible for the correctness and supervision of work but Respondent 3 malafidely dragged the Appellant in the instant case just to escape from his own liability and shifted the entire burden upon the Appellant.
- F. That Appellant time and again informed Respondent No 3 regarding the issues faced by him i.e. shortage of water etc. but Respondent No 3 paid no attention to the said letters. The

several complaint regarding the shortage of water was submitted before the Respondent No 3.

**Copy of Letters to Respondent No 3 is Annexure E**


- G. That the allegation mentioned in the show cause notice and that of mentioned in the impugned Order are quite different. The allegations being contradictory and conflicting is a sufficient to struck down the impugned Order.
- H. That no charge sheet has been provided to the Appellant which is the foundation stone of departmental proceedings, hence the entire proceedings being void ab initio and liable to be set aside on this score alone.
- I. That from the Monitoring Report regarding the project of plantation it is crystal clear that Plantation from 73 % to 93 % in the area of Appellant is successful which is more than the entire successful rate of whole of the Province of Khyber Pakhtunkhwa. So instead of appreciation of the services, Appellant has been dragged in the frivolous proceedings which not only has damaged his reputation in the Department rather caused mental and physical torture coupled with affecting the service record of Appellant.
- J. That the impugned order has been passed in vacuum without having solid, cogent and convincing evidence and is the result of colorable exercise of powers.
- K. That the impugned order has been passed without any regular inquiry, which is against Khyber Paktunkhwa Government Servants (E & D) Rules 2011, therefore the same has no legal footing to stand upon.

- L. That any other ground will be raised at the time of arguments with the prior permission of this Hon'ble Tribunal.

It is, therefore most humbly prayed that by accepting this appeal, the impugned order of Respondent No.3 dated 30.08.2018 may be set aside.

  
Appellant

Through

  
**Hamza Amir Gulab**  
Advocate

&

**Muhammad Nouman**  
Advocates High Court

Dated 10.01.2019

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

Service Appeal No. \_\_\_\_\_/2019

Raheem -ud-Din

.....Appellant

**V E R S U S**

Chief Conservator of Forests, Malakand Forest Region-III Saidu Sharif  
Swat & others .....Respondents

**A F F I D A V I T**

I, Raheem -ud-Din Forester Gumbas Broze Forest Division Chitral, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

*Rahim*

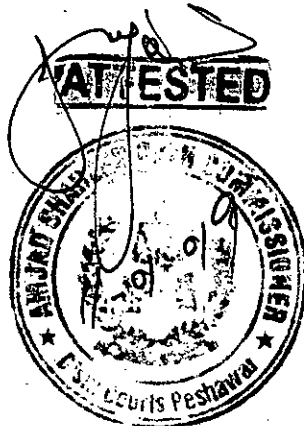
**DEPONENT**

Identified by

*Hamza Amir Gulab*

**Hamza Amir Gulab**  
Advocate

CNIC#:



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

Service Appeal No. \_\_\_\_\_/2019

Raheem -ud-Din

.....Appellant

**V E R S U S**

Chief Conservator of Forests, Malakand Forest Region-III Saidu Sharif  
Swat & others ..... Respondents

**ADDRESSES OF PARTIES**

**APPELLANT:**

Raheem -ud-Din Forester Gumbas Broze Forest Division  
Chitral

**RESPONDENTS**

1. Chief Conservator of Forests, Malakand Forest Region-III Saidu Sharif Swat
2. Conservator of Forests, Malakand Forest Circle West at Timergara,
3. Divisional Forest Officer Chitral, Forest Division Chitral

Through

*Raheem*  
Appellant

*Hamza Amir Gulab*  
Hamza Amir Gulab  
Advocate

&

*Muhammad Nouman*  
Muhammad Nouman  
Advocates High Court

(10) Annex "A"

OFFICE OF THE  
DIVISIONAL FOREST OFFICER,  
CHITRAL FOREST DIVISION,  
CHITRAL.



NEAR CHEW BRIDGE  
DANEEN CHITRAL  
Phone # 00943-413381  
Fax # 0943-413389  
Email: dfochitral@gmail.com.

No. 5765 IG,

Dated Chitral the 05/4/2017

To

Mr. Raheem-ud-Din Forester,  
C/o Sub Divisional Forest Officer,  
Chitral Forest Sub-Division, Chitral.

**Subject: SHOW CAUSE NOTICE**

I, Muhammad Saleem Khan Marwat, Divisional Forest Officer, Chitral Forest Division, under the power vested in me as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 vide Rule 7, do hereby serve you, Raheem-ud-Din Forester with show cause notice as follows:-

That you, while posted as Forester Incharge Gumbas Afforestation area, committed the following irregularities;

- i. You failed to do full beating up of expired plants through Chowkidar.
- ii. On 24/03/2017, during physical inspection of the area by worthy Conservator of Forests, Malakand Forest Circle West some 400 plants of eucalyptus of under-size nearly failed, found un-attended and in dry condition, resulting in loss to Govt. exchequer and similarly so many pits dies but not planted.
- iii. You were directed to do sowing in each pit but you failed.
- iv. You were directed to plant cuttings of poplar and willow in-Nullah but you failed.
- v. You were directed to repair water channel for forthcoming dry months but up till now nothing has been done.
- vi. Hundreds of Robinia plants dumped and are getting dry due to your negligence.

Now keeping in view your lethargic and careless attitude to important nature of Developmental Work assigned to you under BTAP as Incharge Forester of Gumbas Afforestation area and in the capacity of competent authority, I am satisfied that you did not bother the instructions of your superiors repeatedly.

Therefore under the power vested in me vide rule 7 of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, that the charges of misconduct and in-efficiency are proved against you without any doubt and ambiguity as specified in rule-3 of Efficiency and Disciplinary Rules, 2011.

D/Show Cause Notice

Page 1

Raheem  
Fr

Received

05/07/2017

by me through  
Khoshwali forest guard

Rahim

05/07/2017

خدمت جناب ڈی ایف او صاحب چیترال فارسٹ ڈویژن  
دواستت ایس ڈی ایف او صاحب چیترال فارسٹ سب ڈویژن  
Annex B

مضمون :- شوکار ٹوٹس بلنر 5765/4 مورفہ 05 04/017 کا جواب

جناب عالی!

مندرجہ ذیل صفائق شوکار ٹوٹس مندرجہ بالا کے جواب میں عرض خدمت ہیں :-

I- یہ کہ بگس ایف اے اسٹیشن ایریا میں ٹوٹی کے پینے میں موسم کی گری، پانی کی ناپاکی اور بروقت پودا جات کی فراہمی نہ ہونے کی وجہ سے ہم نے سارا کام جنوری اور فروری کے مہینوں میں پورا اور مکمل طور پر کیا ہے۔ اب بھی رقبہ شجر کاری کامیاب ہے اور ایجنٹانے ملاحظہ بھی فرمایا ہے۔

II- یہ کہ Eucalyptus کے خشک شدہ اور نیم مردہ پودا جات جو ناقابل شجر کاری تھے کو علیحدہ کر کے وہاں رکھا گیا تھا جنکو بعد میں واپس نرسری پھینک دیا گیا تھا اور ان کو واپس نرسری بھیجا گیا۔

III- یہ کہ حسب الحکم تمام کھڑوں پر بیجائی کا حکم کیا گیا تھا اور حسب الحکم تمام کھڑوں میں بیجائی کی گئی ہے جو کہ germinate ہوئے ہیں اور ایجنٹانے انکو ملاحظہ بھی فرمایا ہے۔

IV- یہ کہ نام بگس ایف اے اسٹیشن میں مناسب مقامات پر سفیدہ اور ویلو کی کٹنگز حسب الحکم لگایا گیا ہے اور مناسب مقامات پر یہ کٹنگز کامیاب (sprout) شدہ قابل ملاحظہ ہیں۔ ایجنٹانے انکو بعد میں ملاحظہ بھی فرمایا تھا۔



گبس Irrigation والٹر چینل کی مرمت اور بل ہٹائی کافی بڑا کام تھا۔

اور شہر کاری کے دوران یعنی جنوری/فروری سب مزدوران شہر کاری کے کام میں مصروف تھے۔ ہم نے شہر کاری کے کام کے اختتام پر اس ایئر ایکشن چینل کی مرمت کا کام انجام دیا ہے اور بروڈ پوڈوں کو سیراب بھی کیا ہے۔

یہ کہ جب پودے جات ایک لاکھ کی گھورت میں ورک سائڈ پر پہنچتے جاتے ہیں تو انکو پانی دیکر Dump کیا جاتا ہے اور ان پر مناسب اوقات میں پانی ڈالا جاتا ہے اور اس Dump Area سے حسب ضرورت روزانہ پودے جات نکال کر فیلڈ میں لگائے جاتے ہیں۔ اگر Dump نہ کریں تو سارے پودے خشک ہو جائیں گے اور غیر محفوظ رہیں گے۔

جناب والا :-

مندرجہ بالا حقائق کی روشنی میں گبس شہر کاری شدہ رقبہ میں ہماری طرف سے کوئی کوٹاہی نہیں ہوئی ہے۔

البتہ وقت کی بات ہے، ہم نے موسم، پانی اور دوسری عوامل کو سامنے رکھ کر نوٹس/ڈسپوزل بجائے جنوری/فروری اور مارچ تک کام کرائے ہیں۔

لہذا مندرجہ بالا حقائق کے پیش نظر عرض ہے کہ فردی پر لگائے گئے الزامات سے فردی کو بری الزمہ قرار فرمایا جائے۔

آپ کا مابعدار ملازم

رحیم الدین خان فاسٹ

ایئر 27 گبس ایفاریسٹیشن ایریا

(14) Annex C

**OFFICE ORDER NO. 21 DATED CHITRAL THE 30/8/2018,  
ISSUED BY MR. SHAUKAT FIAZ, DIVISIONAL FOREST OFFICER,  
CHITRAL FOREST DIVISION CHITRAL.**

**WHERE AS**, Mr. Raheem-ud-Din Forester, the then Incharge Afforestation raised under "**Billion Trees Tsunami Afforestation Project**" at Gumbas Broze Chitral was proceeded against under Rule-7 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules 2011, for the charges as mentioned in the Show Cause Notice issued vide this office No.5765/G, dated 05.04.2017.

**WHERE AS**, the accused Forester submitted his reply to the Show Cause Notice on 07/07/2017.

**WHERE AS**, the accused Forester was provided opportunity of personal hearing vide this office letter No.875/G, dated 28/08/2017 and he appeared before the undersigned for personal hearing on 29/08/2017.

**WHERE AS**, in the capacity of authority, the undersigned found the reply of the accused unsatisfactory and the accused could not produce any defense during personal hearing.

**NOW THEREFORE**, Being Competent Authority, after having considered the charges, evidence on record, the explanations in writing as well as personal hearing of the accused Official, and in exercise of the powers vested under Rule-7(f) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules 2011, (as amended up to date), keeping in view negligence and inefficiency in performance of Govt. duty, he is hereby awarded the following minor penalties:-

1. **Stoppage of Four Annual Increments without accumulative effect.** (Period)?

2. **Recovery of Rs.3,51,200/- as per following detail;** enquiry against SDFO

i) As per Para-6.3.21(i), the responsibility of SDFO and Staff has clearly been depicted that they will be responsible for 100% correctness of plantation. Hence the following recovery of 50% pecuniary loss caused to Government by negligence is ordered;

ii) On the basis of inquiry findings in SDFO Asif Ali Shah case, recovery of the loss occurred to Government Exchequer on watering / maintenance charges of plantation is to be recovered from SDFO and Incharge Plantation area. The one year maintenance charges i.e. expenditure incurred on watering of plantation on the basis of actual bills is Rs.25,00,000/-. The recovery for 28% failure comes as Rs.7,00,000/-. The maintenance charges as per inquiry report is to be recovered from SDFO and his staff. Thus recovery of 50% amount of Rs.7,00,000/- i.e. Rs.3,50,000/- is ordered.

iii) Recovery of Rs.1,200/- @ 50% production cost of 400 Nos. Eucalyptus Plants @ Rs.6/- per plant. The recovery evenly distributed as per provision of PC-I Para No.6.3.21(i) between SDFO-Mr. Asif Ali Shah and the accused.

iv) The recovery of (Rs.350,000/- plus Rs.1,200/-) Rs.351,200/- will be made from the monthly salary of Mr. Raheem-ud-Din Forester in 50 equal installments @ Rs.7024/- per month regularly.

Sd/-  
(Shaukat Faiz)  
Divisional Forest Officer,  
Chitral Forest Division,

No. 992-98/G,

(15)

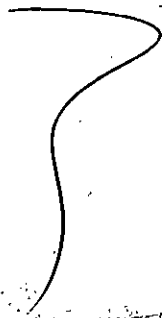
Copy forwarded to the;

1. Chief Conservator of Forests, Central Southern Forest Region-I, Peshawar.
2. Chief Conservator of Forests, Malakand Forest Region-III, Saidu Sharif Swat.
3. Conservator of Forests, Malakand Forest Circle West at Timergara.
4. Principal Khyber Pakhtunkhwa Forest Training School Abbottabad at Thai for information. He is requested to deliver the office order meant for the official and his acknowledgement may kindly be sent to this office for record, please.
5. Head Clerk / Accountant, Divisional Forest Office Chitral.
6. Mr. Raheem-ud-Din Forester (under training at Forest School Thai) C/o Principal Khyber Pakhtunkhwa Forest Training School Abbottabad for information.
7. Officer Order / Enquiry Files for record.

  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.

- Raheem-ud-Din

Forester



بخدمت جناب کنزرویٹر صاحب آف فارسٹ ملاکنڈ ویسٹ سرکل تھرگرہ ڈیرلویر

عنوان:- اپیل برخلاف آفس آرڈر نمبر 21 مجریہ 30/8/2018 از دفتر DFO چترال فارسٹ ڈویژن

جناب عالی!

اپیل کنندہ بحیثیت فارسٹ چترال فارسٹ ڈویژن میں ڈیوٹی سرانجام دے رہا تھا کہ DFO صاحب چترال فارسٹ ڈویژن نے بذریعہ چھٹی نمبر 5765/G مجریہ مورخہ 10/04/2017 اپیل کنندہ کو ذیل الزامات پر شوکاژ نوٹس دیا۔

۱۔ یہ کہ کنزرویٹر صاحب نے مورخہ 24.3.2017 کو انسپکشن کے دوران چار سو پودا جات گوند (Eucalyptus) جو انڈر سائز تھے کو تقریباً فیل ہونے کے قریب پایا۔ جو عدم توجہی کے باعث اس طرح ہوئے۔

۲۔ یہ کہ اپیل کنندہ کو کھڈہ جات میں بیجائی کا کہا گیا تھا لیکن بیجائی نہیں کی گئی۔

۳۔ یہ کہ اپیل کنندہ کو پاپرا اور ولو کی قلمیں لگانے کا کہا گیا اس نے نہیں لگائی۔

۴۔ فیل شدہ پودہ جا کی جگہ نئے پودے نہیں لگائے گئے۔

۵۔ یہ کہ واٹر چینل کی مرمت نہیں کی۔

۶۔ یہ کہ سیکڑوں روہینیا کے پودے جات پڑے ہیں وہ خشک ہو رہے ہیں۔

جناب عالی! فدوی نے ان الزامات کی تردید میں وضاحت سے شوکاژ نوٹس کا جواب دیا جسکی نقل لف اپیل کی جاتی ہے۔

۱۔ جناب عالی! اپیل کنندہ نے ذاتی طور پر حاضر ہو کر مورخہ 29.8.2017 کو جناب ڈی ایف او صاحب کو وضاحت سے بتایا کہ گوند کے پودا جات انڈر سائز تھے۔ اور جیسا کہ الزام میں واضح ہے کہ وہ مرے نہیں پودے نہ مرے ہیں اور نہ ہی ضائع ہوئے ہیں۔

۲۔ یہ کہ جہاں تک بیجائی کا تعلق ہے عالجاہ تمام کھڈہ جات میں مختلف اقسام کے بیج کاشت کئے گئے تھے جن کے نموا بھی ہونی باقی تھی ازاں بعد ماہ مئی جون میں ان کی نموبھی ہو گئی جو کہ جناب

DFO صاحب نے بھی دیکھے بلکہ سیکرٹری فارسٹ نے بھی دیکھا اور پلانٹیشن اور بیجائی کی تعریف کی۔

۳۔ یہ کہ قلمیں بھی لگائی گئی تھیں جو اب بھی ان کے پودا جات موقع پر موجود ہیں۔

۴۔ یہ کہ واٹر چینل کی مرمت بھی مئی میں کر کے پلانٹیشن کو سیراب کیا گیا۔

خدمت جناب ڈی ایف او صاحب جنرل  
بواسطہ ایس ڈی ایف او صاحب جنرل

جناب عالی!  
یکم علائقہ گجرہ میں سٹیج کاری شدہ رقبے میں پانی کی اشہد

گھر کا سامنا ہے۔  
یکم سٹیج کاری زمین میں سٹیج کاری شدہ رقبے کی ملک جاگیر سہزارہ  
افتخار الدین عرف سہزارہ جہانگیر پانی میاں کے قریب قطعاً تیار نہیں ہے  
اور اس سلسلے میں اپنے تحفظات و خدشات کا اظہار کر رہے ہیں  
جسکی وجہ سے state land میں پودے جات نہایت ہی زیادہ متاثر  
ہو رہے ہیں اور پودوں کی حالت روز بروز نہایت کمزور و متاثر ہوتے جا رہے

ہیں۔  
علاوہ ازیں سہزارہ جہانگیر صاحب کو ذاتی زمینات پر سٹیج کاری شدہ  
پودا جات بھی پانی کی قلت کا شکار ہیں۔ مذکورہ پودا جات تک بروقت  
پانی پہنچانا نہایت ہی مشکل ہو گیا ہے۔ سہزارہ صاحب کی زمینات مختلف  
لوگوں کے معاشقوں زیر کاشت ہیں۔ اگر حقوٹا مقدار میں پانی میسر بھی ہو تو  
مذکورہ زمیندار اپنے فصلوں کو سیراب کرتے ہیں۔  
برین بنا پودوں کو بروقت پانی دینا نہایت مشکل ہو گیا ہے۔  
لہذا رپورٹ نہایت مناسب کارروائی پیش خدمت ہے۔

الصلوات

رحیم الدین خان فاروقی کارڈ ایجنٹ ایف او ایف او  
ڈی ایف او

Rahim  
7/05/2016

گزارش کے رپورٹ ایف او ڈی ایف او  
برادار حضور کا کارڈ ایف او ایف او  
17/5/2016

گنہ گزشتہ جناب ڈی۔ ایف۔ اے۔ آر۔ صاحب۔ قرال

رپورٹ بابت عدم دستیابی پانی کے برائے ٹیسٹس ایگرائسٹس

— " —

بلاسلطنت :- جناب SDFO صاحب۔ قرال

جناب والا!

رپورٹ عرض ہے کہ:

قرال میں رواں وقت ٹوٹم کیوجہ سے ٹیسٹس گول نامہ میں پانی کا لیول کم ہو گیا ہے۔

جو کہ مذکورہ رتبے میں "Beating up" کا کام جاری ہے۔ پورڈجات کو پانی کمی فراہمی انتہائی ضروری ہے۔ پانی کی کمی کیوجہ سے مذکورہ پورڈجات فضلی کا شمار ہو رہے ہیں۔

اس مسئلے کی پیش نظر ہمراہ بدک آفیسر، قرال مائٹ جائیداد شہزادہ جانیگر سے بھی ملاقات کیں کہیں کو صوف رتبے میں پانی دینے سے صاف انکاری ہے۔ حالانکہ ہر دو معاہدہ مشق نمبر (6) ایبیری کو یقین بنانا انکی ذمہ داری ہے۔

عدوہ ازین مائٹ جائیداد مال کوکیشنوں کو کنٹرول کرنے میں ناکام رہا ہے حالانکہ ہر دو معاہدہ مشق نمبر (2) یہ بھی انکی ذمہ داری ہے۔

لہذا رپورٹ برا صاحب کا ردائی پیش فرمت ہے۔

فقط

رع الہین نارتانا

Rahim Incharge Gumbus  
Apprestation

بواسطت ایس ڈی ایف او صاحب چترال

جناب عالی!

یکہ علاقہ بگس میں شجر کاری شدہ رقبے میں پانی کی کمی کا سامنا ہے۔  
یکہ سرکاری زمین میں شجر کاری شدہ رقبے کیلئے مالک جاوید اختر سہزادہ افتخار الدین عرف سہزادہ جہانگیر  
پانی مہیا کرنے کیلئے قطعاً تیار نہیں ہے اور اس سلسلے میں سوائے تحفظات اور خدشات کا اظہار  
کر رہے ہیں جسکی وجہ سے state land میں پورے بات نہایت ہی کمزور ہو رہے ہیں اور  
مثالی بھی ہو رہے ہیں۔

علاوہ ازیں سہزادہ جہانگیر کی ذاتی زمینات پر شجر کاری شدہ پودا جات بھی پانی کی قلت  
کا شکار ہیں۔ مذکورہ پودا جات تک بروقت پانی پہنچانا نہایت ہی مشکل ہو گیا ہے، کیونکہ  
سہزادہ کی زمینات مختلف لوگوں کے ماحضوں زیر کاشت ہیں۔

اگر منظوری مقدار میں پانی میسر بھی ہو تو مذکورہ زمیندار اپنے ماحضوں کو میسر اب کرتے ہیں اور سہزادہ صاحب  
اس سلسلے میں ہمارے ساتھ تعاون کرنے کیلئے بالکل تیار نہیں ہے۔ حال سٹول سے کام کرنا ہے، اسوجہ پورے قصبہ سہزادہ میں  
بہترین بنا پودوں کو پانی دینا نہایت ہی مشکل ہو گیا ہے۔  
لہذا رپورٹ مابین مناسب کارروائی میں خدمت ہے۔

الغرض

رحیم الدین خان فارسی ماہر  
Rahim

شہاب الدین فارسی ماہر

Dated: 27<sup>th</sup> April 2017



بواسطت سب ڈویژنل فارمٹ ایئر صاحب جنرل فارمٹ سب ڈویژن

جناب عالی!

یکہ بگس ایفاریسٹیشن ایریا 74 صیکڑ (تقریباً) پر قیام ہے۔ مشورہ کے  
دونوں سے ہی بگس ایفاریسٹیشن ایریا میں پانی کی کمی کا سامنا ہے کیونکہ دستیاب پانی کے مقابلے میں  
رقبہ بہت زیادہ ہے اور واٹر چینل بھی بہت دور سے آیا ہوا ہے جسکی فیکریری ایریا میں بھی بروقت اجنٹران بلانہ  
کو فراہم کیے گئے ہیں اور اجنٹران بلانے میں علاقے کا ملاحظہ بھی کیے ہوئے ہیں۔

بگس ایفاریسٹیشن ایریا شہزادہ صاحبوں (شہزادہ جہانگیر اور شہزادہ شمس الدین) اور سرکاری زمین پر مشتمل ہیں۔  
شہزادہ صاحبوں نے بگس ایفاریسٹیشن کیلئے جو پانی مختص کیے ہوئے ہیں، یہ پانی بروقت تمام پورے جات کو  
سر سبز اور شاداب بنانے کیلئے انتہائی ناگافی ہے، جنکو اجنٹران بلانے میں ملاحظہ کیا ہوا ہے۔  
چونکہ جو لوگوں کے حصے کے حصے میں گری کی شدت میں بے موسم اضافہ ہوا ہے، اسوجہ سے پوروں کو بروقت پانی  
نہ ملنے کی وجہ سے پوروں کی حالت روز بروز خراب ہوتی جا رہی ہیں۔  
شہزادہ صاحبوں کی زمینات بہت سے لوگوں کے حلقوں زیر کاشت ہیں اور Kharif کے فصلوں کا  
سیزق بھی آیا ہوا ہے جسکی وجہ سے پانی کی Demand میں اور بھی اضافہ ہوا ہے جسکی وجہ سے پانی کی  
فراہمی میں بہت زیادہ کمی واقع ہو رہی ہے۔

بروز پوروں کو بروقت پانی دینا نا انتہائی مشکل ہو گیا ہے۔  
لہذا بروقت بہار صاحب کا روائی میرے ذمے ہے۔

Reshm  
Reshm  
ایئر ڈیپارٹمنٹ  
ایئر ڈیپارٹمنٹ

Reshm  
Reshm

Dated. July 16th 2017

بعدالت

سروس ٹریڈ یونٹ خیریت ٹیوٹو گواہ۔ پٹا

2019ء منتخب مسائل کے مسائل  
رہم الدین بنام چیف کنفرنٹس کنٹریولرز

موزعہ  
مقدمہ  
دعویٰ  
جرم

باعث تحریراً نکتہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے داپٹے پیروی و جواب دہی و کل کارروائی متعلقہ  
آن مقام ذرا سے کیلئے جنرل ایڈووکیٹ محمد نوحان  
مقرر کر کے اقرار کیا جاتا ہے کہ صاحبہ و صوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
دیکل صاحبہ کو راضی نامہ کرنے و تقررات ہا ہ فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی براندگی اور منسوخ  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت 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 صاحبہ مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ  
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانشینانہ مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہوا حد سے باہر ہو تو وکیل صاحبہ پابند ہوں گے کہ پیروی  
مذکور کریں۔ لہذا وکالت نامہ لکھنیا کہ سند ہے۔

الرقوم 10 تا سنو 2019

Rahat  
Muhammad  
Rahman ud-Din Farooq

مقام پٹا و ر  
Accepted & Allowed  
محمد نوحان  
Muhammad Noman  
Advocate  
کے لئے منظور ہے۔

# PC 1 Phase 2 Billion trees Afforestation project

The reward will be in shape of financial support as well as in certificate to both Forest Department & community who have raised model nursery, model plantation & an effective closure.

- |   |          |
|---|----------|
| 1. Secretary, FE&W, KP                      | Chairman |
| 2. Chief Conservator of Forests I, II & III | members  |
| 3. Project Director, BTAP                   | member   |
| 4. Director B&A                             | member   |
| 5. Deputy Director Planning                 | member   |

The reward will be in following categories:

- |  |   |                  |
|--|---|------------------|
| • Best officer award                                   | = | 150,000 – 200000 |
| • Outstanding officer award                            | = | 100000 – 150000  |
| • Best implementing officer award                      |   |                  |
| o SDFO / RFO   | = | 50000 – 100000   |
| o Forester   | = | 30000 – 50000    |
| o Forest guard   | = | 20000 – 30000    |
| • Best Nursery, plantation, closure award to community | = | 50000            |

## 6.3.21 Progress Review Committee

In PC-1 all activities have been described in detail along with criteria, their modality and basis of cost estimates. Although three tiered monitoring of the project activities has been provided i.e. at departmental project & third party levels (external) for successful launching & meeting the objectives of Billion tree Afforestation program. However to achieve the objectives in time and remove / correct any short fall in time a Progress Review Committee at Regional level will be constituted to review the progress of that region and take timely course correction measures.

The committee will consist of the following:

- |  |           |
|--|-----------|
| • Chief Conservator of Forests of concerned region | Chairman  |
| • Conservator of Forests of that region            | member    |
| • DFOs of concerned region                         | members   |
| • M&E officer of concerned region                  | Secretary |

The committee will meet once in a month or as fix by concerned Chief Conservator of Forests.

## 6.3.22 Biodiversity Conservation and Management

Under the project special focus will be put on the biodiversity conservation and management to achieve Aichi targets. Improvement of wildlife habitat in various ecosystems will be undertaken to achieve Aichi targets by encouraging natural and indigenous vegetation cover.

## 6.3.23 Monitoring and Evaluation

### 6.3.23 (i) Departmental Monitoring

Monitoring is vital for successful launching and meeting the objectives of the Billion Trees Afforestation Program. Monitoring of the project activities will be carried out through three tiered monitoring i.e. at department, project and third party levels (external)

Under departmental monitoring there will be following mechanism;

- All the activities will be marked on GIS maps and the coordinates for the planned field activities will be provided by the field staff to the PMU before undertaking physical work.
- The SDFO/RFO will supervise the work and shall be responsible for 100% correctness.

- The DFO will supervise work and shall be responsible for 50% correctness, after proper monitoring and verification.
- The DFO concerned will also ensure that compartment history file is maintained having map of plantation, pre, during and post work photographs of the area, quality and quantity of work done, GPS coordinates record of the area and updation of history files.
- The Conservator of Forests of the concerned forest circles will physically monitor and verify the 30% work to satisfy correctness of work in his area of jurisdiction. Further he has to ensure that duties of DFO regarding developmental works are fulfilled, gaps identification and course correction accordingly.
- The Chief Conservator of Forests of the region has to ensure policy coherence regarding project concept and guide the field staff on course correction. Overall he is responsible for correctness of entire developmental works carried out in his jurisdiction under the project. He has to monitor and verify 10% of the total work done.

The Forestry Planning and Monitoring circle to deliver the following activities.

- Establish baseline in forest and non-forest areas for the project using satellite imageries .
- Database establishment in MS ACCESS program encompassing the details of Plantation Journals and Nursery Journals (History files) of all areas to be monitored. Details such as natural regeneration, pit size, density, area covered through plantation in buffer zone, wastelands and farmlands.
- Carrying out 50% monitoring of all gone over works

Project will also monitor activities through its own three monitoring officers

- The M&E Officers will carry out regularly in their regions and keep PD abreast of activities and suggest improvement measures.
  - Provide inputs to PMU on ToR's development for external monitoring & evaluation, delineating functions for external validators and MOU signing.
  - Monitoring through GIS/RS, fixed point photography (Pre, during and post activity) and physical verification through surveys using GPS.
  - Build capacity of the field staff in monitoring
  - Development of Maps for areas monitored showing details of activities.
  - Compilation of report containing suggestions on course correction for area managers as well as forwarding remedial measures to steering committee.
  - Liaise with external valuers, facilitating them in providing data and information sharing on developmental activities carried out under the project.

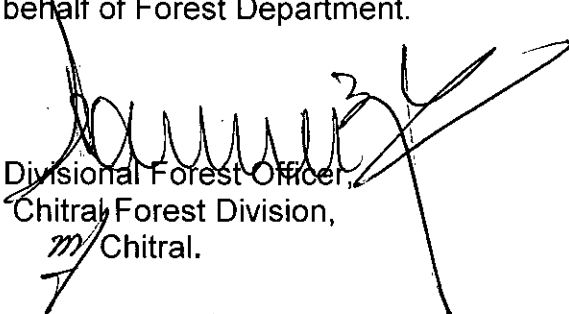
The Planning Officer (Head Quarter) will provide complete quarterly monitoring report from the data and information collected from the regional Monitoring Officers and Forestry Planning and Monitoring Circle.

### **6.3.23 (ii) External Monitoring & Evaluation**

External monitoring will be carried out through an independent organizations selected through a competitive bidding process. The Senior Planning and M&E officer under the guidance of Project Director will outline the TORs and appropriate procedures and mechanism for external monitoring.

**AUTHORITY LETTER.**

Mr. Muhammad Yousaf, Sub-Divisional Forest Officer is hereby authorized to attend the honourable court of Khyber Pakhtunkhwa Service Tribunal, Peshawar on 05.08.2019 in the case titled "**Appeal No.49/2018 Raheemud Din, Forester versus Chief Conservator of Forests, Region-III Swat and others**" on behalf of Forest Department.

  
Divisional Forest Officer,  
Chitral Forest Division,  
m/Chitral.

**BEFORE THE HONORABLE COURT OF KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

**Appeal No.49/2018**

Raheemud Din Forester r/o Gumbas Broze, Forest Division Chitral. ....Appellant.

**Versus**

- (1). Chief Conservator of Forests, Malakand Forest Region-III, Saidu Sharif Swat. ....Respondents.  
(2). Conservator of Forests, Malakand Forest Circle West Timergara.  
(3). Divisional Forest Officer, Chitral Forest Division, Chitral.

**PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS.**

**Respectfully Sheweth.**

**Preliminary Objections.**

1. That the appellant has no cause of action or locus standi.
2. That the appellant has not come to the Tribunal with clean hand.
3. That the appeal is bad for non-joinder and misjoinder of unnecessary practice.
4. That the honorable Tribunal has no jurisdiction to adjudicate the matter.
5. That the appellant has been stopped by his own conduct.

**FACTS.**

1. Correct, as per record.
2. **Incorrect**, the service record of the appellant is not so clear as he claimed.
3. **Incorrect**, The Show Cause Notice has not been issued all of a sudden, rather it is based on the Monitoring Report and inspection of worthy Secretary Forestry, Environment & Wildlife Department on 24.03.2017. The appellant was responsible for planting, maintenance and all other allied cultural practices for raising of plantation as the BTAP was being implemented when there is huge financial crises and in such circumstances no casual altitude could be tolerated.
4. **Incorrect**, the appellant could not prove himself innocent and thus was awarded penalty under the E&D rules 2011.
5. As Incharge of the area, the appellant was responsible for all cultural practices required for raising of successful plantation. In the circumstances, the appellant failed to fulfill its responsibilities and thus public exchequer sustained huge losses. The enquiry of Mr.Asif Ali Shah, SDFO is also the out come of same visit of Secretary Forestry, Environment & Wildlife Department dated 24.03.2017 of the same plantation area, where the Enquiry Committee consisting of senior officers have given its recommendation and thus the appellant could not be absolved of the losses detected in the enquiry proceedings and besides awarding penalty for mis-conduct, in-efficiency, the recovery of the losses is ordered.
6. Needs no comments.
7. Needs no comments.

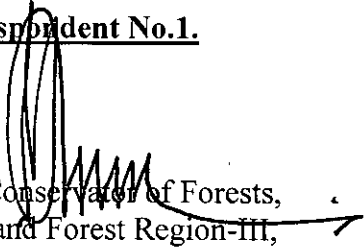
**GROUND.**

- A. **Incorrect**, the order is legal/ lawful and issued under the provision of E&D rules 2011.
- B. **Incorrect**, the appellant was properly proceeded under the provision of rule-5(a) read with rules-7 of the E&D rules 2011 & issued show cause notice to the appellant who had properly replied which was not found satisfactory. It is further added that the appellant was also afforded a chance of personal hearing on 29.08.2017, where he could not produced solid proofs to be presumed that he is innocent of the charges.
- C. **Incorrect**, the appellant failed to perform his mandatory duty for which he was properly proceeded, the penalty imposed upon the appellant is justified under the provision of E&D rules 2011.

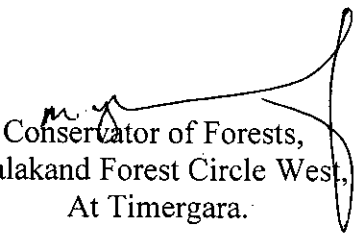
- D. Incorrect**, Proper Monitoring of the BTAP achievements have been carried out by the PMU BTAP & other agencies (copy enclosed).
- E. Incorrect**, Divisional Forest Officer, Chitral (Respondent No.3) has properly inspected the work and found the appellant responsible for the irregularities found in the Afforestation area.
- F. Incorrect**, the area was planted after the assurance of water availability of land owner, the land owner has provided sufficient water but it was the improper utilization of water, which led to 28% mortality of the plantation, had the water been properly utilized, there would have been less mortality. The DFO (Respondent No.3) has provided necessary amount/funds to the appellant for watering of plantation and other cultural activities.
- G. Incorrect**, the allegations mentioned in the show cause notice and that of office order are identical and relates to the same plantation. The additional loss detected in the enquiry of Mr.Asif Ali Shah, SDFO, has also been included in the Office Order.
- H. Incorrect**, the proceedings were conducted under the provision of rules-7 of E&D rules 2011 and all necessary codal formalities have been fulfilled and reasonable opportunity being heard in person have been provided to the appellant, but he failed to prove himself innocent of the charges and loss sustained to the public exchequer.
- I. Incorrect**, the proceedings are based on monitoring report and inspection of Secretary Forestry, Environment & Wildlife Department. The Monitoring Report shows 28% failure which could have been reduced further provided that appellant performed his duties efficiently, furthermore raising of plantation is not one day activity, rather it is spread over 3 consecutive years maintenance watch & ward and beating up failure, the appellant due to his poor performance has wasted plants by planting under size plants and through dumping of plants in the area. It is added here that appellant has charged the expenditure for the failed area, which have been recovered based on the finding of inquiry proceeding against Mr.Asif Ali Shah. The appellant has been preceded for the losses sustained due to casual and lethargic attitude.
- J. Incorrect**, The order have been issued under the provision of E&D rules 2011, depicting solid reasons where the appellant has failed to prove himself innocent of the charges.
- K. Incorrect**, the proceedings have been conducted under the provision of rule-7 of E&D rules 2011.
- L. Needs no comments.**

Keeping in view the above exposition, the Honorable Tribunal is requested to dismiss the appeal of the appellant, with cost.

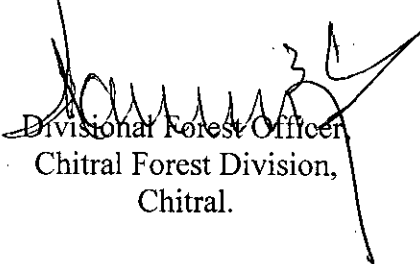
Respondent No.1.

  
Chief Conservator of Forests,  
Malakand Forest Region-III,  
Saidu Sharif Swat.

Respondent No.2.

  
Conservator of Forests,  
Malakand Forest Circle West,  
At Timergara.

Respondent No.3.

  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.

OFFICE OF THE  
DIVISIONAL FOREST OFFICER,  
CHITRAL FOREST DIVISION,  
CHITRAL.



NEAR CHEW BRIDGE  
DANEEN CHITRAL  
Phone # 00943-413381  
Fax # 0943-413389  
Email: dfochitral@gmail.com.

No. 5765 /G,

Dated Chitral the 05/4/2017

To

Mr. Raheem-ud-Din Forester,  
C/o Sub Divisional Forest Officer,  
Chitral Forest Sub-Division, Chitral.

**Subject: SHOW CAUSE NOTICE**

I, Muhammad Saleem Khan Marwat, Divisional Forest Officer, Chitral Forest Division, under the power vested in me as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 vide Rule 7, do hereby serve you, Raheem-ud-Din Forester with show cause notice as follows:-

That you, while posted as Forester Incharge Gumbas Afforestation area, committed the following irregularities;

- i. You failed to do full beating up of expired plants through Chowkidar.
- ii. On 24/03/2017, during physical inspection of the area by worthy Conservator of Forests, Malakand Forest Circle West some 400 plants of eucalyptus of under-size nearly failed, found un-attended and in dry condition, resulting in loss to Govt. exchequer and similarly so many pits dies but not planted.
- iii. You were directed to do sowing in each pit but you failed.
- iv. You were directed to plant cuttings of poplar and willow in Nullah but you failed.
- v. You were directed to repair water channel for forthcoming dry months but up till now nothing has been done.
- vi. Hundreds of Robinia plants dumped and are getting dry due to your negligence.

Now keeping in view your lethargic and careless attitude to important nature of Developmental Work assigned to you under BTAP as Incharge Forester of Gumbas Afforestation area and in the capacity of competent authority, I am satisfied that you did not bother the instructions of your superiors repeatedly.

Therefore under the power vested in me vide rule 7 of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, that the charges of misconduct and in-efficiency are proved against you without any doubt and ambiguity as specified in rule-3 of Efficiency and Disciplinary Rules, 2011.

D/Show Cause Notice

Page 1

Attested  
Divisional Forest Officer  
Chitral Forest Division  
Chitral



I, therefore, as competent authority under the said rules, serve upon you with this show cause notice that why one of the following penalty specified in rule-4 may not be imposed on you:-

- i. Reduction to lower post or pay scale or to a lower stage in a time scale.
- ii. Removal from service.
- iii. Dismissal from service.

Your reply must reach this office within seven days (as specified under the rules) elsewhere it will be presumed that you have nothing in your defense & as such ex parte action will be initiated against you.

You are also directed to show your willingness to be heard in person or otherwise.

(Muhammad Saleem Khan Marwat)  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral

No. 5766-8/G, Dated Chitral the 05/4 2017.

Copy forwarded to the:-

1. Conservator of Forests, Malakand Forest Circle West at Timergara Lower-Dir for favour of Information as per directives, please.
2. SDFO Chitral Forest Sub Division Chitral for information. He is directed to deliver the copy meant for accused under proper receipt which be submitted to this office for record.
3. Office order/ Inquiry file for record.

Divisional Forest Officer,  
Chitral Forest Division,  
Chitral

Attested  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral

خدمت جناب ڈی ایف او صاحب چترال فارسٹ ڈویژن  
بواسطت ایس ڈی ایف او صاحب چترال فارسٹ سب ڈویژن

مضمون :- شوگاز ٹرسٹ بلنر 5765/4 مورفہ 05/04 کا جواب

جناب عالی!

مندرجہ ذیل حقائق شوگاز ٹرسٹ مندرجہ بالا کے جواب میں عرض خدمت ہیں:

I۔ یہ کہ گیس برور ایفاریسٹیشن ایریا میں فوسیلر کے پینے میں موسم کی گری، پانی کی ناپائی اور بر وقت پودا جات کی فراہمی نہ ہونے کی وجہ سے ہم نے سارا کام جنوری اور فروری کے مہینوں میں پورا اور مکمل طور پر کیا ہے۔ اب بھی رقبہ شہر کاری کامیاب ہے اور اجناب نے ملاحظہ بھی فرمایا ہے۔

II۔ یہ کہ Eucalyptus کے خشک شدہ اور نیم مردہ پودا جات جو ناقابل شہر کاری تھے کو علیحدہ رکھا گیا تھا جنکو بعد میں واپس نرسری پھینک دیا گیا تھا اور ان کو واپس نرسری بھیجا گیا۔

III۔ یہ کہ حسب الحکم تمام کھڈوں پر بیجوں کا حکم کیا گیا تھا اور حسب الحکم تمام کھڈوں میں بیج پائی گئی ہے جو کہ germinate ہوئے ہیں اور اجناب نے انکو ملاحظہ بھی فرمایا ہے۔

IV۔ یہ کہ نام گیس ایفاریسٹیشن میں مناسب مقامات پر سفیدہ اور ویلو کی کٹنگز حسب الحکم لگایا گیا ہے اور مناسب مقامات پر یہ کٹنگز کامیاب (Sprout) شدہ قابل ملاحظہ ہیں۔ اجناب نے انکو بعد میں ملاحظہ بھی فرمایا تھا۔

A. Attest  
Director Forest Division  
Chitral

گبس Irrigation واٹر چینل کی مرمت اور بل صفائی کافی بڑا کام تھا - 17

اور شجر کاری کے دوران یعنی جوڑی/فروزی سب مزدوراں شجر کاری کے کام میں مصروف تھے۔ ہم نے شجر کاری کے کام کے اختتام پر اس ایریگیشن چینل کی مرمت کا کام انجام دیا ہے اور بروقت پودوں کو سیراب بھی کیا ہوا ہے۔

یہ کہ جب پودے جات ایک لاکھ کی گھرت میں ورک سائیڈ پر پہنچائے جاتے ہیں تو انکو پانی ڈیکر Dump کیے جاتا ہے اور ان پر مناسب اوقات میں پانی ڈالا جاتا ہے اور اس Dump Area سے حسب ضرورت روزانہ پورے جات نکال کر فیلڈ میں گھائے جاتے ہیں۔ اگر Dump نہ کریں تو سارے پودے خشک ہو جائیں گے اور غیر محفوظ رہیں گے۔

جناب وال :-

مندرجہ بالا حقائق کی روشنی میں گبس شجر کاری شدہ رقبہ میں ہماری طرف سے کوئی کوتاہی نہیں ہوئی ہے۔

البتہ وقت کی بات ہے، ہم نے موسم، پانی اور دوسری عوامل کو سامنے رکھ کر ہونہر/دسمبر کے بجائے جنوری/فروزی اور مارچ تک کام کرنا ہے۔

لہذا مندرجہ بالا حقائق کے پیش نظر عرض ہے کہ فردی پر لگائے گئے الزامات سے فردی کو بہری الزام قرار فرمایا جائے۔

آپ کا تابعدار ملازم

رحیم الدین خان فاضل

ایڈار 27 گبس ایفاریسٹین ایریا

07/07/2017

Attested

Divisional Forest Officer  
Control Forest Division  
77/ Control

Reply is put up for  
on 15/07/2017  
for personal file.

ذاتی سوال از رحم اللہ فائزر ایچ ایم جیکس افار سٹیشن BTAP بحوالہ شوکارا ٹولہ  
تاریخ 29 اگست 2017

سوال: ایک فٹری جواب کے علاوہ اپنے حقوق سے فریڈ کی کیا حالت ہے  
جواب: میں شروع سے ابھی تک اپنے ڈیوٹی سے کسی بھی قسم کی  
کوٹا سے نہیں جا۔ اس کے علاوہ بلڈزیشن ایریا میں کسی بھی  
واقعہ کی بروقت رپورٹ اسٹیشن مالک کو پیش کرتی ہوں۔  
میں اپنا بلڈزیشن بہت کامیاب ہے۔ حال ہی میں  
ڈیپارٹمنٹ فائزر ایچ ایم جیکس ایچ آر ڈیٹ والوں نے ہمارے بلڈزیشن ایریا کو  
کامیاب قرار دیا ہے۔ چونکہ جیکس افار سٹیشن میں ابھی  
مالی کی بنیاد قیادت ہونے کے باوجود ہم ذرا ت افار سٹیشن  
ایریا میں اس عملیات کے لئے اپنے افار سٹیشن ایریا کو بحال  
میں مصروف ہیں۔ حقوڑی مقدار میں عملیات کو  
صالح ہونے تک نہیں۔

سوال 2: آپ پر الزام ہے کہ آپ نے جو کچھ سے بیٹھا اب میں اڑوا رہی ہے  
جس کا ثبوت (فائزر ایچ ایم جیکس ایچ آر ڈیٹ 2016 سے 2017) کے مطابق  
رقبہ میں کسی قسم کی کوئی کام نہیں کیا گیا ہے اور بلڈزیشن  
کامیاب ہو کر ایریا میں 95% تک سے تکٹ کر  
رہے ہیں۔ اس کے علاوہ کیا کہتے ہیں؟

Attested  
District Forest Officer  
Central Forest Division  
Central

Handwritten signature and initials at the bottom left.

جواب: جلالہ۔ ہم نے بلائیں اسی لیے اس وقت تک کہ اس میں  
 بجائے تمام کھڑوں سے کہیں۔ جس کو اسٹریٹ لائٹ کے علاوہ  
 کیے ہیں۔ چونکہ گیس افارسیں اس وقت ڈھلان  
 چلے گی۔ اور وہ کوئی ریت کے کھڑے مکمل طور پر  
 کھڑے ہو جاتے ہیں۔ اس وجہ سے اس کے آگے ہونے  
 متاثر ہوتے ہیں۔ اس کے علاوہ گیس افارسیں اس  
 سے لگنے کی شدت بیک زیادہ ہے۔ نئے آگے ہونے  
 کے اوپر ہم نے ٹینک بھی لگائے ہیں۔ اس کے آگے ہونے  
 Heat Stroke کے وجہ سے متاثر ہونے۔ اس کے  
 سے آگے ہونے کے لیے فوٹو، آئینہ، سبز، انٹیکس  
 املوگ اور روہینیا کے بجائے کابھی ہونے کو اور افارسیں  
 اس وقت سے ہونے۔ بجائے آگے ہونے کے وقت لقاوم اور  
 اس کے بجائے اس سے ہونے۔ اور اسٹریٹ لائٹ کے بجائے  
 کرتے ہونے کے لیے موقع پر دیکھا بھی تھا۔  
 جہاں تک شہر اب کی حالت نظر آئے، وہ کھار کر لائی ہے۔ تو گیس  
 افارسیں اس وقت سے لگے ہوئے ہیں۔ افارسیں  
 اس وقت سے لگے ہوئے ہیں۔ افارسیں  
 جس کے وقت سے لگے ہوئے ہیں۔ افارسیں

Rashed  
 21/11/20



یوگسٹس کے اس ٹائم کے پورہ جات جو ہم نے لگوائے تھے۔  
 اچھی بنیادیں ہیں کامیاب ہیں۔ اور حال میں اس کے  
 کے امتحان اور CD کے کام کے ملنے پر غور کیا ہے۔  
 اس کے علاوہ جو پورہ جات گھڑوں سے تھے۔ وہ یوگسٹس  
 ٹیوب والے پورے تھے۔ فرزندوں کے قہقی کے ٹائم سے  
 ہم نے ان کو دوبارہ اکٹھا کر کے ملازمتیں ایسا میں ڈسٹ  
 کر دیا۔ یہ پورا فرزندوں نے سیکاری گھڑوں سے ٹیوبوں کو  
 بغیر گھوڑے پونے رکھے تھے۔ پورا متاثر نہیں ہوا ہے۔

سوال نمبر 4

کیا یہ عیسائی نامی نہیں ہے۔ کہ تم اپنی ضرورت زیادہ روہینا  
 کے پورہ جات لگا کر جو فلڈ سے ڈسٹ کرتے ہیں۔ جہاں  
 پورے پورے حالات میں فزیر غلاماں پو جانے سے  
 مایوسہ اثرات اجلاز سے جہاں سٹیج پورہ جات لافرا  
 سامنے آتا ہے۔

جواب

جواب: جی ہاں! ہم نے نہ سہی سے اپنی ضرورت کے مطابق پورے پورے  
 ایسا میں بنائے تھے۔ ان پورہ جات کو پہلے ہی وقت ڈسٹ کر دیا  
 اور ان کے اوپر مانی ڈال کر ڈسٹ ایسا کو گھلا کر رکھا۔ جو کہ  
 پوروں کے لئے مفید ہے۔ اور ضرورت کے وقت بھی وقتاً فوقتاً  
 ان کو پانی دیتے تھے۔ ایک ہی پورا ڈسٹ ایسا میں متاثر  
 نہیں ہوا تھا۔ جن پورہ جات کو ہم نے لگوائے تھے۔ وہ اچھے تھے۔

Rahim  
 Rahim  
 07A

17/07/2020

زندہ ہے۔

OFFICE ORDER NO. 21 DATED CHITRAL THE 30/8 /2018,  
ISSUED BY MR. SHAUKAT FIAZ, DIVISIONAL FOREST OFFICER,  
CHITRAL FOREST DIVISION CHITRAL.

WHERE AS, Mr. Raheem-ud-Din Forester, the then Incharge Afforestation raised under "Billion Trees Tsunami Afforestation Project" at Gumbas Broze Chitral was proceeded against under Rule-7 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules 2011, for the charges as mentioned in the Show Cause Notice issued vide this office No.5765/G, dated 05.04.2017.

WHERE AS, the accused Forester submitted his reply to the Show Cause Notice on 07/07/2017.

WHERE AS, the accused Forester was provided opportunity of personal hearing vide this office letter No.875/G, dated 28/08/2017 and he appeared before the undersigned for personal hearing on 29/08/2017.

WHERE AS, in the capacity of authority, the undersigned found the reply of the accused unsatisfactory and the accused could not produce any defense during personal hearing.

NOW THEREFORE, Being Competent Authority, after having considered the charges, evidence on record, the explanations in writing as well as personal hearing of the accused Official, and in exercise of the powers vested under Rule-7(f) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules 2011, (as amended up to date), keeping in view negligence and inefficiency in performance of Govt. duty, he is hereby awarded the following minor penalties:-

**1. Stoppage of Four Annual Increments without accumulative effect.**

**2. Recovery of Rs.3,51,200/- as per following detail;**

- i) As per Para-6.3.21(i), the responsibility of SDFO and Staff has clearly been depicted that they will be responsible for 100% correctness of plantation. Hence the following recovery of 50% pecuniary loss caused to Government by negligence is ordered;
- ii) On the basis of inquiry findings in SDFO Asif Ali Shah case, recovery of the loss occurred to Government Exchequer on watering / maintenance charges of plantation is to be recovered from SDFO and Incharge Plantation area. The one year maintenance charges i.e. expenditure incurred on watering of plantation on the basis of actual bills is Rs.25,00,000/-. The recovery for 28% failure comes as Rs.7,00,000/-. The maintenance charges as per inquiry report is to be recovered from SDFO and his staff. Thus recovery of 50% amount of Rs.7,00,000/- i.e. Rs.3,50,000/- is ordered.
- iii) Recovery of Rs.1,200/- @ 50% production cost of 400 Nos. Eucalyptus Plants @ Rs.6/- per plant. The recovery evenly distributed as per provision of PC-I Para No.6.3.21(i) between SDFO Mr. Asif Ali Shah and the accused.
- iv) The recovery of (Rs.350,000/- plus Rs.1,200/-) Rs.351,200/- will be made from the monthly salary of Mr. Raheem-ud-Din Forester in 50 equal installments @ Rs.7024/- per month regularly.

(Shaukat Fiaz)  
Divisional Forest Officer,  
Chitral Forest Division,

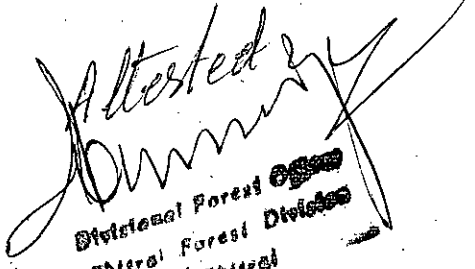
Attested  
Divisional Forest Officer  
Chitral Forest Division



Copy forwarded to the;

1. Chief Conservator of Forests, Central Southern Forest Region-I, Peshawar.
2. Chief Conservator of Forests, Malakand Forest Region-III, Saidu Sharif Swat.
3. Conservator of Forests, Malakand Forest Circle West at Timergara.
4. Principal Khyber Pakhtunkhwa Forest Training School Abbottabad at Thai for information. He is requested to deliver the office order meant for the official and his acknowledgement may kindly be sent to this office for record, please.
5. Head Clerk / Accountant, Divisional Forest Office Chitral.
6. Mr. Raheem-ud-Din Forester (under training at Forest School Thai) C/o Principal Khyber Pakhtunkhwa Forest Training School Abbottabad for information.
7. Officer Order / Enquiry Files for record.

Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.

Attested by  
  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

ENQUIRY REPORT AGAINST MR. ASIF ALI SHAH, SUB DIVISIONAL FOREST OFFICER  
(BPS-17) CHITRAL FOREST SUB DIVISION.

**BACK-GROUND**

Environment Department vide Notification No.SO(Estt)Envt/1-50 (183)/PF/2015, dated 4<sup>th</sup> July, 2017, constituted Enquiry Committee comprising of Mr. Javed Ali, Deputy Secretary, Energy & Power Department, Govt. of Khyber Pakhtunkhwa (as Convener) and Mr. Sher Nawaz, Chief Conservator of Forests/ Managing Director FDC (as member) to conduct disciplinary proceedings under Section-5(1) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011 against Mr. Asif Ali Shah, SDFO, Chitral Forest Sub Division, Chitral.

**PROCEEDINGS**

On receipt of Notification, the committee held preliminary meeting, where in Mr. Asif Ali Shah SDFO the accused & Prosecution representative attended the proceedings. Mr. Asif Ali, the accused was directed to submit written reply and attend the enquiry committee whenever required. He submitted his parawise reply to the charge sheet (see Annexure-I).

Later, he was also called for personal hearing copy of which is attached as (Annexure-II). Prosecution statement regarding various queries is attached as (Annexure-III). The record for the purpose of enquiry was thoroughly examined and finally after thorough deliberations on each charge the following conclusions were reached at:

**ALLEGATIONS No. (I)**

That you failed to replace the expired plants by concerned staff.

Reply: The allegation is denied as replacement of dried/ expired plants in the plantations areas has already been carried out. The climatic conditions in chitral are dry temperate and rains are scanty which is evident from the fact that the entire district receives 250-400 mm of rains/annum. Besides, the soil texture and structure is not conducive to retain rain water for longer period of time. Because of dry temperate climate and extreme arid conditions replacement of plants in plantation areas is a continuous process. The replacement of plants is also mentioned/ highlighted in the PG-1 for BTAP through Chowkidar/ Watchman during first and second years. The honourable Secretary, FE&W, KP visited district Chitral on 02.06.2017 and noticed high

*Alleged*  
*Javed Ali*  
Subdivisional Forest Officer  
Chitral Forest Sub Division  
Chitral

Javed Ali

rate of success in afforestation areas. The undersigned has paid regular visits to afforestation areas raised under BTAP and directed the concerned staff strictly and regularly to raise healthy and successful plantation. It is evident from the facts that more than 80% success rate prevails in plantation sites of the undersigned. Besides, the BTAP Monitoring report also confirms that success/survival rate in afforestation is more than 80%.

BTAP Monitoring report enclosed as Annexure-A,

Afforestation journal visit notes enclosed as Annexure-B,

Estimates of PC-I for BTAP enclosed as Annexure-C,

Brief Annual Report, Chitral Mat Observatory enclosed as a Annexure-D.

DISCUSSION:

The accused has denied the allegation of not replacing expired plants. He states that had he not replaced the reported plants, the BTAP Monitoring official would have reported it in his monitoring reports. But the report of monitoring official has shown almost 80% success rate of the plantations in the jurisdiction of SDFO Asif Ali Shah (see Tauheed ul Haq, Monitoring Officer BTAP report as Annexure-IV) showing 75% to 98% success rate of plantation. However, since this report was generated on 20.06.2016 almost one year & 2 months earlier. Its present status was confirmed by inspecting one of the same area which was checked through monitoring official DFO Mr. Abdul Manan, in which he has given an otherwise report (see Annexure-V) which shows that overall success rate/ survival of one of the plantation has gone down from 80% to 70% with success at a few sample plots going down to almost 38% to 29%. Though a further beating up of failure in two more growing seasons should have improved the survival percentage from 80% to 85% or 90% but it has come down to 38% or even 29% in few sample plots thus proving the statement of allegation No. 1 to be true and thus the allegation seems to hold true. This speaks of inefficiency of concerned staff in handling the mortalities in the afforestation area and its replacement in time.

Findings: The charge is partially established and recovery if any on maintenance of plantation for last one year be calculated and recovered from SDFO and his staff.

*Asif Ali*

*Attested*  
*[Signature]*  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

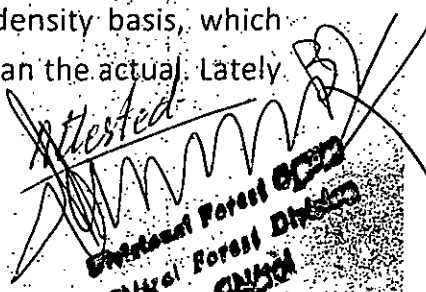
ALLEGATION No. II

On 24<sup>th</sup> march, 2017 during physical inspection of the area by Conservator of Forests, Malakand West Forest Circle, it was found that due to your failure/ negligence, 400 plants of Eucalyptus of under size were nearly failed, found in dry condition and similarly many pits were not planted resulting huge loss to government Exchequer.

**Reply:** The allegation is denied as no undersize plants of Eucalyptus have been planted in any of the afforestation sites of Chitral Forest Sub Division. Eucalyptus were planted for beating up of failures during the dry months of June to September last year. Mainly size ranging from 12 inches to 18 inches properly shifted tube plants of Eucalyptus were used for beating up. During the heavy snow fall in February 2017 some of the Eucalyptus plants were damaged, the damaged plants showed recovery afterward while some of the fully damaged were replaced with suitable planting stock. The current situation of replacement is satisfactory. The honourable Conservator of Forest, Malakand West Circle visited Chitral Forest Division on March 24, 2017 and paid visit to various afforestation sites. However, in the allegation no specific site of the undersigned has been mentioned where 400 Eucalyptus plants were reported nearly failed and some of the pits were found empty. As far as failure of some plants in the target sites of the undersigned concerned, strict disciplinary action has been taken and enquiry proceedings are under way against the concerned staff for their negligence. Copy of show cause notice enclosed as Annexure-E.

DISCUSSION:

The area visited by Conservator of Forests on March 24<sup>th</sup> 2017 was Gumbas. The Conservator of Forests found almost 400 No of plants failed in the plantation which if worked out proportionately as percentage of the total plantation i.e. 74 hectare is almost 79509 plants (74 X 2.47 X 435) will be equal to 0.5% plants failed of the total number of plants. This would in no way justify this charge because as per P&D approved PC-I of both KPK & Federal Govt. 30% failures in the first year, 20% in the second year are allowed. That's why beating has been placed as an activity in every Afforestation project. Also if the monitoring reports of the areas gone through by Working Plan Unit-VI Mingora and BTAP monitoring official are consulted, the failure reported in the plantation areas which is 27%, are within the permissible limits of P&D i.e. 30%. However the reported areas are far more less than that calculated by monitoring officers i.e. 49 hectare instead of 74 hectare on pit density basis, which shows that area was over reported by almost 23-25 hectare more than the actual. Lately

Witnessed:  
  
 Conservator of Forests  
 Chitral Forest Division  
 Chitral

W. Ahmed Ali

on 08.08.2017 the monitoring officer Mr. Abdul Manan was asked to get a fresh report on the survival %age of the plantation. Although this survey is now almost 1 ½ years since the original plantation had taken place and now after beating up of two successive season the failure percentage should not have been more than 15% but still the overall failure is 28% with plants failure varying in some plots from 62% to 71%. These extreme figures of 71% are very alarming and shows inefficiency on part of the field staff. After these two consecutive planting seasons and beating up carried in these seasons the overall failure should now not have crossed into double figure at the most 10% but still it is 28% which speaks of indifferent attitude of staff towards maintenance of plantations and their official duties. This merely proves the charge of failure of new Eucalyptus plants, which seems much more than 400 plants on the total. Although the Prosecution representative DFO Mr. Saleem Marwat has given in written statement that those 400 plants were replaced but the actual position from the field (see Mr. Abdul Manan DFO report as Annexure-V), shows otherwise position where even it has gone worse than expected earlier.

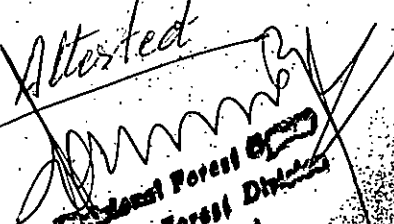
**Findings:** The charge stands proved. Recovery be calculated by the Department & recovered from the field staff.

ALLEGATION NO.III.

You were directed to do sowing in each pit but you failed to comply with the said directives.

**Reply:** The allegation is denied as sowing of suitable species comprising of Ailanthus, Robinia, Russian olive, Amlok and Eucalyptus has already been carried out in various plantation sites as directed by the higher ups from time to time. Here it is important to mention that PC-I has no provision for additional sowing in plantation areas. It is pertinent to mention that most of the afforestation areas are flood irrigated through water channels. The silting up of pits and continuous dressing of pits have badly affected the germination of seeds. The germination of seed requires suitable amount of moisture and favourable temperature while the extent of afforestation areas being large enough and having shortage of water resulted in low germination of seeds. The newly geminated saplings were also badly affected by scorching sun light during hot and dry months. However, sowing still was carried out to attain the objectives of BTAP in letter and spirit.

Yameed Ali

*Attested*  
  
 District Forest Officer  
 District Forest Division  
 DFO

Photographs showing germination and sowing are enclosed as Annexure-F.

Letter is enclosed as Annexures-G.

Reply of the Monitoring report by the undersigned dated 07.10.2016 as Annexure-H.

**DISCUSSION:**

The accused rebut the charge and says that he had carried out sowing and he is also true to the extent that he had carried Oak & Ailanthus seed sowing on Shadhok area which has been reported by the DFO working plan Unit-VI Swat during monitoring report generated on 20.10.2016. However, in the remaining areas in Gumbas and Saidabad the monitoring official has given nil report on sowing which proves the charge. However, this point is debatable and may be so that the staff had carried out sowing but because dry conditions prevail in the area therefore, it either did not germinate or failed after germination. Photographs (annexed as F) with the reply by the accused for the sowing carried out in areas of Saidabad and Gumbas can not confirm the sites in absence of coordinates of the area. It can be any site in KPK. If the site has after the issuance of charge sheet been sown with seed it can be a later on effort of the staff. However, at the time of monitoring only one site i.e. Shadhok was sown with seed of Oak & Ailanthus.

*found AW*  
Findings: From the Prima facie charge seems proved and it is presumed that sowing was not carried out at the time of monitoring.

**ALLEGATION NO.IV.**

You were directed to repair water channel for watering in dry months but up till now nothing has been done by you.

*7/10*  
Reply: The allegation is denied because water channels were repaired frequently and sustained supply of water was ensured during the dry season. When it comes to plantation the months of July, August and Septembers are very crucial months as the demand for water often exceeds, to meet local in-house and agricultural requirements, the supply. All water resources in the district are under high stress during these months. Besides, if continuous supply of water during the aforementioned months were not

*Attested*  
*[Signature]*  
*[Signature]*  
*7/10*

ensured the entire plantation would have dried-up within a week. Despite the fact that availability of water during these crucial months is a big issue, the plantation site in target areas of the undersigned showed high rate of success as indicated in monitoring report by Conservator of Forests, FP&M Circle.

DISCUSSION:

The accused denies the charge and claims to have repaired the water channel in time. But the actual problem was not water channel but watering itself which became short at the crucial time i.e. from June onwards to October where in the dry season the demand succeeded its supply where requirement was more for (i) local use (ii) Agricultural crops (iii) plantations. This was the time when water at the source decreased due to less snow left behind to melt. Also there was problem at the site where local people did not allow water for afforestation land beyond a certain limit whereas, the plantation expanded beyond those limits. Beyond those limits the locals did not approve for supplying water to plantations as it was not sufficient to meet even their own demand for agricultural crops and personal use.

Findings: Charge is out of place. This is not a valid charge against the accused.

ALLEGATION NO. V.

Hundreds of Robinia plants were found dumped and were got dried due to your negligence.

Reply: The allegation is baseless and denied against the ground realities as plants are immediately planted after extraction and transportation from nurseries to plantation sites. Monitoring reports and current position of plantation with high success rate depict the efforts of undersigned.

Current photographs of plantation enclosed as Annexure-K.

DISCUSSION

The exact figure has not been mentioned and rather a vague statement on Robinia plants getting dried up is placed as charge against the SDFO. Whether it is one hundred, one thousand or ten thousand, nothing to charge him for. The SDFO Asif Ali Shah, has all together denied the allegation stating that plants are planted as soon as they are shifted from nursery to planting site in the field. When asked that what was the

*Attested*  
*[Signature]*  
Conservator Forest  
Central Forest Division  
Cuttack

*Asif Ali*

factual position when Conservator of Forests visited the site. He gave a written reply (see Annexure-VI.) in which he has stated that it was not the healthy plants that were dumped but the failed plants removed from pits were dumped to be removed from the site. Also some undersized and transplant plants which had mistakenly been brought to the site were lying at the site which was handed over back to the nursery owner. The same lot may have been witnessed by the Conservator of Forests which resulted into this misunderstanding.

Reply of the SDFO found convincing and the charge seems to have evolved as result of misunderstanding on the site about dumped plants.

Findings: This charge seems not justified looking to the ground realities, hence it is uncalled for.

(Sher Nawaz) 10/10/2017  
Managing Director  
Khyber Pakhtunkhwa  
Forest Development Corporation  
(Member)

Javed Ali  
(Javed Ali) 10/10/17  
Deputy Secretary,  
Energy & Power Department  
Govt. of Khyber Pakhtunkhwa  
(Convenor)

Attested  
[Signature]  
[Stamp: Conservator of Forests, District Council, Peshawar]



**GOVERNMENT OF THE KHYBER PAKHTUNKHWA**  
**ESTABLISHMENT AND ADMINISTRATION DEPARTMENT.**

**NOTIFICATION**

*Peshawar dated the 16<sup>th</sup> September, 2011.*

**No.SO(REG-VI)E&AD/2-6/2010.**-In exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to make the following rules, namely:

**1. Short title, application and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

(2) These shall apply to every person who is a member of the civil service of the Province or is the holder of a civil post in connection with the affairs of the Province and shall also apply to or in relation to a person in temporary employment in the civil service or post in connection with affairs of the Province.

(3) These shall come into force at once.

**2. Definitions.**---(1) In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say-

- (a) "accused" means a person in Government service against whom action is initiated under these rules;
- (b) "appellate authority" means the authority next above the competent authority to which an appeal lies against the orders of the competent authority;
- (c) "appointing authority" means an authority declared or notified as such by an order of Government under the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) and the rules made thereunder or an authority as notified under the specific laws/rules of Government;
- (d) "charges" means allegations framed against the accused pertaining to acts of omission or commission cognizable under these rules;

(e) "Chief Minister" means the Chief Minister of the Khyber Pakhtunkhwa;

(f) "competent authority" means-

(i) the respective appointing authority;

(ii) in relation to a Government servant of a tribunal or court functioning under Government, the appointing authority or the Chairman or presiding officer of such tribunal or court, as the case may be, authorized by the appointing authority to exercise the powers of the competent authority under these rules:

Provided that where two or more Government servants are to be proceeded against jointly, the competent authority in relation to the accused Government servant senior most shall be the competent authority in respect of all the accused.

(g) "corruption" means-

(i) accepting or obtaining or offering any gratification or valuable thing, directly or indirectly, other than legal remuneration, as a reward for doing or for bearing to do any official act; or

(ii) dishonestly or fraudulently misappropriating, or indulging in embezzlement or misusing Government property or resources; or

(iii) entering into plea bargain under any law for the time being in force and returning the assets or gains acquired through corruption or corrupt practices voluntarily; or

(iv) possession of pecuniary sources or property by a Government servant or any of his dependents or any other person, through his or on his behalf, which cannot be accounted for and which are disproportionate to his known sources of income; or

(v) maintaining a standard of living beyond known sources of income; or

(vi) having a reputation of being corrupt;

- (h) "Governor" means the Governor of the Khyber Pakhtunkhwa;
- (i) "inefficiency" means failure to efficiently perform functions assigned to a Government servant in the discharge of his duties;
- (j) "inquiry committee" means a committee of two or more officers, headed by a convener, as may be appointed by the competent authority under these rules;
- (k) "inquiry officer" means an officer appointed by the competent authority under these rules;
- (l) "*misconduct*" includes-
  - (i) conduct prejudicial to good order or service discipline; or
  - (ii) conduct contrary to the Khyber Pakhtunkhwa Province Government Servants (Conduct) Rules, 1987, for the time being in force; or
  - (iii) conduct unbecoming of Government servant and a gentleman; or
  - (iv) involvement or participation for gains, directly or indirectly, in industry, trade, or speculative transactions by abuse or misuse of official position to gain undue advantage or assumption of such financial or other obligations in relation to private institutions or persons as may compromise the performance of official duties or functions; or
  - (v) any act to bring or attempt to bring outside influence, directly or indirectly, to bear on the Governor, the Chief Minister, a Minister or any other Government officer in respect of any matter relating to the appointment, promotion, transfer or other conditions of service; or
  - (vi) making appointment or promotion or having been appointed or promoted on extraneous grounds in violation of any law or rules; or
  - (vii) conviction for a moral offence by a court of law.

(2) Words and expressions used but not defined in these rules shall have the same meanings as are assigned to them in the Khyber Pakhtunkhwa Province Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) or any other statutory order or rules of Government for the time being in force.

3. **Grounds for proceedings.**---A Government servant shall be liable to be proceeded against under these rules, if he is-

- (a) inefficient or has ceased to be efficient for any reason; or
- (b) guilty of misconduct; or
- (c) guilty of corruption; or
- (d) guilty of habitually absenting himself from duty without prior approval of leave; or
- (e) engaged or is reasonably believed to be engaged in subversive activities, or is reasonably believed to be associated with others engaged in subversive activities, or is guilty of disclosure of official secrets to any un-authorized person, and his retention in service is prejudicial to national security; or
- (f) entered into plea bargaining under any law for the time being in force and has returned the assets or gains acquired through corruption or corrupt practices voluntarily.

4. **Penalties.**---(1) The following are the minor and the major penalties, namely:

(a) Minor penalties:

- (i) censure;
- (ii) withholding, for a specific period, promotion or increment subject to a maximum of three years, otherwise than for unfitness for promotion or financial advancement, in accordance with the rules or orders pertaining to the service or post:

Provided that the penalty of withholding increments shall not be imposed on a Government servant who has reached the maximum of his pay scale:

- (iii) recovery of the whole or any part of any pecuniary loss caused to Government by negligence or breach of order;

(b) Major penalties:

- (i) reduction to a lower post or pay scale or to a lower stage in a time scale.

- (ii) compulsory retirement;
- (iii) removal from service; and
- (iv) dismissal from service.

(2) Dismissal from service under these rules shall disqualify a Government servant from future employment under Government.

(3) Any penalty under these rules shall not absolve a Government servant from liability to any other punishment to which he may be liable for an offence, under any other law, committed by him while in service.

**5. Initiation of proceedings.**---(1) If on the basis of its own knowledge or information placed before it, the competent authority is of the opinion that there are sufficient grounds for initiating proceedings against a Government servant under these rules it shall either:-

- (a) proceed itself against the accused by issuing a show cause notice under rule 7 and, for reasons to be recorded in writing, dispense with inquiry:

Provided that no opportunity of showing cause or personal hearing shall be given where-

- (i) the competent authority is satisfied that in the interest of security of Pakistan or any part thereof, it is not expedient to give such an opportunity; or
  - (ii) a Government servant has entered into plea bargain under any law for the time being in force or has been convicted on the charges of corruption which have led to a sentence of fine or imprisonment; or
  - (iii) a Government servant is involved in subversive activities; or
  - (iv) it is not reasonably practicable to give such an opportunity to the accused; or
- (b) get an inquiry conducted into the charge or charges against the accused, by appointing an inquiry officer or an inquiry committee, as the case may be, under rule 11;

Provided that the competent authority shall dispense with the inquiry where-

- (i) a Government servant has been convicted of any offence other than corruption by a court of law under any law for the time being in force; or
- (ii) a Government servant is or has been absent from duty without prior approval of leave:

Provided that the competent authority may dispense with the inquiry where it is in possession of sufficient documentary evidence against the accused or, for reasons to be recorded in writing, it is satisfied that there is no need to hold an inquiry.

(2) The charge sheet or statement of allegations or the show cause notice, as the case may be, shall be signed by the competent authority.

**6. Suspension.**---A Government servant against whom action is proposed to be initiated under rule 5 may be placed under suspension for a period of ninety days, if in the opinion of the competent authority, suspension is necessary or expedient, and if the period of suspension is not extended for a further period of ninety days within thirty days of the expiry of initial period of suspension, the Government servant shall be deemed to be reinstated:

Provided that the competent authority may, in appropriate case, for reasons to be recorded in writing, instead of placing such person under suspension, require him to proceed on such leave as may be admissible to him, from such date as may be specified by the competent authority.

**7. Procedure where inquiry is dispensed with.**---If the competent authority decides that it is not necessary to hold an inquiry against the accused under rule 5, it shall-

- (a) inform the accused by an order in writing, of the grounds for proceeding against him, clearly specifying the charges therein, alongwith apportionment of responsibility and penalty or penalties proposed to be imposed upon him;
- (b) give him a reasonable opportunity of showing cause against the proposed action, within seven days of receipt of the order or within such extended period, as the competent authority may determine;
- (c) on receipt of reply of the accused within the stipulated period or after the expiry thereof, if no reply is received, determine whether

the charge or charges have been proved against the accused or not:

Provided that after receipt of reply to the show cause notice from the accused, the competent authority, except where the Chief Minister himself is the competent authority, shall decide the case within a period of ninety days, excluding the time during which the post held by the competent authority remained vacant due to certain reasons:

Provided further that if the case is not decided by the competent authority within the prescribed period of ninety days, the accused may file an application before the appellate authority for early decision of his case, which may direct the competent authority to decide the case within a specified period;

- (d) afford an opportunity of personal hearing before passing any order of penalty under clause (f), if it is determined that the charge or charges have been proved against him;
- (e) exonerate the accused, by an order in writing, if it is determined that the charge or charges have not been proved against him; and
- (f) impose any one or more penalties mentioned in rule 4, by an order in writing, if the charge or charges are proved against the accused:

Provided that where charge or charges of grave corruption are proved against an accused, the penalty of dismissal from service shall be imposed, in addition to the penalty of recovery, if any.

**8. Action in case of conviction or plea bargain under any law.**---Where a Government servant is convicted by a court of law on charges of corruption or moral turpitude or has entered into plea bargain and has returned the assets or gains acquired through corruption or corrupt practices, or has been acquitted by a court of law as a result of compounding of an offence involving moral turpitude under any law for the time being in force, the competent authority, after examining facts of the case, shall-

- (a) dismiss the Government servant where he has been convicted on charges of corruption or moral turpitude or has entered into plea bargain and has returned the assets or gains acquired through corruption or corrupt practices voluntarily:

Provided that dismissal in these cases shall be with immediate effect from the date of conviction by a court of law; and

- (b) proceed against the Government servant under rule 5, where he has been convicted of charges other than corruption or moral turpitude.

**9. Procedure in case of wilful absence.**---Notwithstanding anything to the contrary contained in these rules, in case of wilful absence from duty by a Government servant for seven or more days, a notice shall be issued by the competent authority through registered acknowledgement on his home address directing him to resume duty within fifteen days of issuance of the notice. If the same is received back as undelivered or no response is received from the absentee within stipulated time, a notice shall be published in at least two leading newspapers directing him to resume duty within fifteen days of the publication of that notice, failing which an ex-parte decision shall be taken against the absentee. On expiry of the stipulated period given in the notice, major penalty of removal from service may be imposed upon such Government servant.

**10. Procedure to be followed by competent authority where inquiry is necessary.**---(1) If the competent authority decides that it is necessary to hold an inquiry against the accused under rule 5, it shall pass an order of inquiry in writing, which shall include-

- (a) appointment of an inquiry officer or an inquiry committee, provided that the inquiry officer or the inquiry committee, as the case may be, shall be of a rank senior to the accused and where two or more accused are proceeded against jointly, the inquiry officer or the convener of the inquiry committee shall be of a rank senior to the senior most accused;
- (b) the grounds for proceeding, clearly specifying the charges along with apportionment of responsibility;
- (c) appointment of the departmental representative by designation; and
- (d) direction to the accused to submit written defense to the inquiry officer or the inquiry committee, as the case may be, within reasonable time which shall not be less than seven days and more than fifteen days of the date of receipt of orders.

(2) The record of the case and the list of witnesses, if any, shall be communicated to the inquiry officer or the inquiry committee, as the case may be, along with the orders of inquiry.

(3) In a case where preliminary or fact finding inquiry was conducted, and the competent authority decides to hold formal inquiry, the inquiry officer or the inquiry committee for the purpose of conducting formal inquiry shall be different from the inquiry officer or the inquiry committee which conducted the preliminary inquiry.



**11. Procedure to be followed by inquiry officer or inquiry committee.**---(1) On receipt of reply of the accused or on expiry of the stipulated period, if no reply is received from the accused, the inquiry officer or the inquiry committee, as the case may be, shall inquire into the charges and may examine such oral or documentary evidence in support of the charges or in defense of the accused as may be considered necessary and where any witness is produced by one party, the other party shall be entitled to cross-examine such witness.

(2) If the accused fails to furnish his reply within the stipulated period, the inquiry officer or the inquiry committee, as the case may be, shall proceed with the inquiry ex-parte.

(3) The inquiry officer or the inquiry committee, as the case may be, shall hear the case on day to day and no adjournment shall be given except for reasons to be recorded in writing, in which case it shall not be of more than seven days.

(4) Statements of witnesses and departmental representative(s), if possible, will be recorded in the presence of accused and vice versa.

(5) Where the inquiry officer or the inquiry committee, as the case may be, is satisfied that the accused is hampering or attempting to hamper the progress of the inquiry, he or it shall administer a warning and if, thereafter, he or it is satisfied that the accused is acting in disregard to the warning, he or it shall record a finding to that effect and proceed to complete the inquiry in such manner as may be deemed expedient in the interest of justice.

(6) If the accused absents himself from the inquiry on medical grounds, he shall be deemed to have hampered or attempted to hamper the progress of the inquiry, unless medical leave, applied for by him, is sanctioned on the recommendations of a Medical Board; provided that the competent authority may, in its discretion, sanction medical leave up to seven days without such recommendations.

(7) The inquiry officer or the inquiry committee, as the case may be, shall submit his or its report, to the competent authority within thirty days of the initiation of inquiry:

Provided that the inquiry shall not be vitiated merely on the grounds of non-observance of the time schedule for completion of the inquiry.

**12. Powers of the inquiry officer or inquiry committee.**---(1) For the purpose of an inquiry under these rules, the inquiry officer or the inquiry committee, as the case may be, shall have the powers of a Civil Court trying a suit under the Code of Civil Procedure, 1908 (Act No.V of 1908), in respect of the following matters, namely:

- (a) summoning and enforcing the attendance of any person and examining him on oath;

- (b) requiring the discovery and production of documents, and receiving evidence on affidavits; and
- (c) issuing commissions for the examination of witnesses or documents.

(2) The proceedings under these rules shall be deemed to be the judicial proceedings within the meaning of sections 193 and 228 of the Pakistan Penal Code, 1860 (Act No. XLV of 1860).

**13. Duties of the departmental representative.**---The departmental representative shall perform the following duties, namely:

- (a) render full assistance to the inquiry officer or the inquiry committee, as the case may be, during the proceedings where he shall be personally present and fully prepared with all the relevant record relating to the case, on each date of hearing;
- (b) cross-examine the witnesses produced by the accused, and with the permission of the inquiry officer or inquiry committee, as the case may be, may also cross-examine the prosecution witnesses; and
- (c) rebut the grounds of defense offered by the accused before the inquiry officer or the inquiry committee, as the case may be.

**14. Order to be passed on receipt of report from the inquiry officer or inquiry committee.**---(1) On receipt of report from the inquiry officer or inquiry committee, as the case may be, the competent authority, shall examine the report and the relevant case material and determine whether the inquiry has been conducted in accordance with the provisions of these rules.

(2) If the competent authority is satisfied that the inquiry has been conducted in accordance with the provisions of these rules, it shall further determine whether the charge or charges have been proved against the accused or not.

(3) Where the charge or charges have not been proved, the competent authority shall exonerate the accused by an order in writing, or it shall follow the procedure as given in sub-rule (6) of this rule.

(4) Where the charge or charges have been proved against the accused, the competent authority shall issue a show cause notice to the accused by which it shall-

- (a) Inform him of the charges proved against him and the penalty or penalties proposed to be imposed upon him;

- (b) give him reasonable opportunity of showing cause against the penalty or penalties proposed to be imposed upon him and to submit as to why one or more of the penalties as provided in rule 4 may not be imposed upon him and to submit additional defense in writing, if any, within a period which shall not be less than seven days and more than fifteen days from the day the charge or charges have been communicated to him: provided that the accused shall, in his reply to show cause notice, indicate as to whether he wants to be heard in person or not;
- (c) Provide a copy of the inquiry report to the accused; and
- (d) Direct the departmental representative to appear, with all the relevant record, on the date of hearing.

(5) After affording personal hearing to the accused the competent authority shall, keeping in view the findings and recommendations of the inquiry officer or inquiry committee, as the case may be, facts of the case and defense offered by the accused during personal hearing, by an order in writing-

- (i) Exonerate the accused if charges had not been proved; or
- (ii) Impose any one or more of the penalties specified in rule 4 if charges have been proved.

(6) Where the competent authority is satisfied that the inquiry proceedings have not been conducted in accordance with the provisions of these rules or the facts and merits of the case have been ignored or there are other sufficient grounds, it may, after recording reasons in writing, either remand the inquiry to the inquiry officer or the inquiry committee, as the case may be, with such directions as the competent authority may like to give, or may order a de novo inquiry through different inquiry officer or inquiry committee.

(7) After receipt of reply to the show cause notice and affording opportunity of personal hearing, the competent authority shall decide the case within a period of fifteen days, excluding the time during which the post held by the competent authority remained vacant due to certain reasons.

(8) If the case is not decided by the competent authority within the prescribed period of fifteen days, the accused may submit an application before the appellate authority for early decision of his case, which may direct the competent authority to decide the case within a specified period.

**15. Personal hearing.**---The competent authority may, by an order in writing, call the accused and the departmental representative, alongwith relevant record of the case, to appear before him, for personal hearing on the fixed date and time.

**16. Procedure of inquiry against Government servant lent to other governments or organizations etc.---**(1) Where the services of Government servant

to whom these rules apply are transferred or lent to any other government department, corporation, corporate body, autonomous body, authority, statutory body or any other organization or institution, hereinafter referred to as the borrowing organization, the competent authority for the post against which such Government servant is posted in the borrowing organization may-

- (a) Suspend him under rule 6; and
- (b) Initiate proceedings against him/her under these rules:

Provided that the borrowing organization shall forthwith inform the authority which has lent his services, (hereinafter referred to as the lending organization) of the circumstances leading to the order of his suspension or the initiation of the proceedings, as the case may be:

Provided further that the borrowing organization shall obtain prior approval of the competent authority in the lending organization before taking any action under these rules against a Government servant holding a post in basic pay scale 17 or above.

(2) If, in the light of findings of the proceedings taken against the accused in terms of sub rule (1), the borrowing organization is of the opinion that a penalty may have to be imposed on him, it shall transmit the record of the proceedings to the lending organization, and the competent authority in the lending organization shall thereupon take action against the accused under rule 14.

(3) Notwithstanding anything to the contrary contained in sub-rules (1) and (2), the Chief Minister may, in respect of certain Government servant or class of Government servants to whom these rules apply, authorize any officer or authority in the borrowing organization to exercise all the powers of the competent authority under these rules.

**17. Departmental appeal and review.---**(1) An accused who has been awarded any penalty under these rules may, within thirty days from the date of communication of the order, prefer departmental appeal to the appellate authority:

Provided that where the order has been passed by the Chief Minister, the accused may, within the aforesaid period, submit a review petition directly to the Chief Minister.

(2) The authority empowered under sub-rule (1) shall call for the record of the case and comments on the points raised in the appeal from the concerned

department or office, and on consideration of the appeal or the review petition, as the case may be, by an order in writing-

- (a) Uphold the order of penalty and reject the appeal or review petition; or
- (b) Set aside the orders and exonerate the accused; or
- (c) Modify the orders or reduce the penalty.

(3) An appeal or review petition preferred under these rules shall be made in the form of a petition, in writing, and shall set forth concisely the grounds of objection in impugned order in a proper and temperate language.

**18. Appearance of counsel.**---No party to any proceedings under these rules at any stage of the proceedings, except proceedings under rule 19, shall be represented by an advocate.

**19. Appeal before Khyber Pakhtunkhwa Province Service Tribunal.**---(1) Notwithstanding anything contained in any other law or rules for the time being in force, any Government servant aggrieved by any final order passed under rule 17 may, within thirty days from the date of communication of the order, prefer an appeal to the Khyber Pakhtunkhwa Province Service Tribunal established under the Khyber Pakhtunkhwa Province Service Tribunals Act, 1974 (Khyber Pakhtunkhwa Act No. I of 1974).

(2) If a decision on a departmental appeal or review petition, as the case may be, filed under rule 17 is not communicated within a period of sixty days of filing thereof, the affected Government servant may file an appeal in the Khyber Pakhtunkhwa Province Service Tribunal within a period of thirty days of the expiry of the aforesaid period, whereafter, the authority with whom the departmental appeal or review petition is pending, shall not take any further action.

**20. Exception.**---Notwithstanding anything to the contrary contained in these rules, in cases where Government servants collectively strike work, wilfully absent themselves from duty or abandon their official work, the competent authority in respect of the senior most accused may serve upon them, through newspapers or any other mean, such notice as may be deemed appropriate to resume duty and in the event of failure or refusal to comply with the directive contained in the notice, impose upon the defaulting Government servants any of the major penalties prescribed in these rules.

**21. Indemnity.**---No suit, prosecution or other legal proceedings shall lie against the competent authority or any other authority for anything done or intended to be done in good faith under these rules or the instructions or directions made or issued there-under.

22. **Jurisdiction barred.**---Save as provided under these rules, no order made or proceedings taken under these rules shall be called in question in any court and no injunction shall be granted by any court in respect of any decision so made or proceedings taken in pursuance of any power conferred by, or under these rules.

23. **Repeal.**---(1) The Khyber Pakhtunkhwa government servants (Efficiency & Discipline) Rules, 1973 are hereby repealed.

(2) Notwithstanding the repeal of the aforesaid rules, all proceedings pending immediately before the commencement of these rules against any Government servant under repealed rules shall continue under these rules.

(3) Notwithstanding the repeal of the aforesaid rules, all proceedings pending immediately before the commencement of these rules against any employee under the said repealed rules or under the Khyber Pakhtunkhwa Civil Servants Act, 1973 and rules made thereunder, or any other law and rules shall continue under that law and rules, in the manner provided thereunder.

**SECRETARY TO  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT.**

**GOVERNMENT OF THE KHYBER PAKHTUNKHWA**  
**ESTABLISHMENT AND ADMINISTRATION DEPARTMENT.**

**NOTIFICATION**

*Peshawar dated the 18<sup>th</sup> July, 2012.*

No.SO(REG-VI)E&AD/2-6/2010.-In exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa (Efficiency & Discipline) Rules,2011, the following amendments shall be made, namely:

**AMENDMENTS**

1. In rule 4,in sub rule (1), in clause (b), for sub-clause (i), the following shall be substituted, namely:

“(i) reduction to a lower post of pay scale or to a lower stage in a time scale for a maximum period of five years:

Provided that on restoration to original pay scale or post, the penalized Government servant will be placed below his erstwhile juniors promoted to higher posts during subsistence of the period of penalty;”.


2. In rule 8, in clause (a), in the proviso, the word “immediate Committee”, occurring second time, the words “subject to sub-rule (7) of rule 11” shall be added.

3. In rule 14, in sub-rule (6), after the words “Inquiry Committee”, occurring second time, the words “subject to sub-rule (7) of rule 11” shall be added.

4. In rule 19, in sub-rule (2), for the word “thirty”, the word “ninety” shall be substituted.

5. Rule 22 shall be deleted.

**CHIEF SECRETARY**  
**GOVERNMENT OF KHYBER PAKHTUNKHWA**

<b>SHABIR HUSSAIN</b> Project Director		<b>BILLION TREE AFFORESTATION PROJECT IN KHYBER PAKHTUNKHWA</b> Palosi Road Aman Abad Peshawar Opposite Pakistan Forest Institute Website: <a href="http://billiontreeproject.kp.gov.pk">billiontreeproject.kp.gov.pk</a> Facebook Page: @BillionTreeTsunami Email: <a href="mailto:btap2015@gmail.com">btap2015@gmail.com</a> Phone # 091-9221178, Fax # 091-9221179
		No. <u>735</u> /BTAP Dated. <u>10</u> /10/2016

To  
 The Chief Conservator of Forests Region-III.  
 Malakand

*Chitral Forest Division*

Subject: MONITORING REPORTS OF ALPURI AND KALAM FOREST DIVISION

Memo:

Enclosed please find herewith copy of monitoring report pertaining to Chitral Forest Division submitted by Conservator of Forests FP&M Circle along with comments of this office on the report. The observations are serious and needs proper follow up and action against responsible ones.

Please intimate follow up action within a week.

*[Signature]*  
 Project Director

No. \_\_\_\_\_ /BTAP

Copy forwarded to:

- i. PS to Secretary Forestry, Environment & Wildlife Department (Copy of Monitoring Report is enclosed)
- ii. Deputy Director Planning Forestry, Environment & Wildlife Department for information.
- iii. Conservator of Forests FP&M Circle for information with the request to provide copy of the aforementioned monitoring report to CCF-III

Project Director

No. 3233-34 /P&D, dated Saidu Sharif, the: 17 /11/2016.

Copy alongwith its enclosures forwarded to the:-

1. Conservator of Forests, Malakand Forest Circle West Timergara.
2. Divisional Forest Officer, Chitral Forest Division, Chitral.

For information and further necessary.

Encl: As above.

*[Signature]*  
 CHIEF CONSERVATOR OF FORESTS,  
 MALAKAND FOREST REGION (REGION III)  
 SAIDU SHARIF SWAT.

*Ab 4126-27 dabi 411*  
*Act: ASK all SDPOs/RPO to explain the shortage of areas*  
*Chitral*

*[Signature]*  
 Divisional Forest Officer  
 Chitral Forest Division  
 Chitral  
 23/11

*443*  
*9/11/16*



## Chitral Forest Division

The Monitoring Officer and his staff of FP&M Circle Working Plan Unit-VI, Malakand Region, visited Chitral Forest Division and monitored different activities carried out under Billion Trees Afforestation Project from 18.10.2016 to 23.10.2016. The detail of Chitral Forest Division areas is as under:

S.No	Forest Sub-Division /Range	Activity	Location	Area reported (ha)	Area measured (ha)	Difference in area(ha)	Survival %age
1	Drosh North	Block Plantation	Kalkatak	34	13.4	-20.6	84
2			Markazabad	8	3.5	-4.5	85
3			Osaik	10	4.7	-5.3	87
4	Booni	Block Plantation	Greenlasat	75	37	-38	81
5			Kughuzi	12	10	-2	91
6			Shogram (river bed)	5	2	-3	91
7			Brins	35	28	-7	41
8	Chitral	Block Plantation	Gumbas	74	49	-25	73
9			Shahdok	14	8	-6	75
10			Saidabad	30	28	-2	82
<b>G.Total/average</b>				<b>297</b>	<b>183.6</b>	<b>-113.4</b>	<b>79</b>

### General Observations

- i. Reported area is 297 ha while, monitored area through GPS is 183.6 ha. Therefore, there is a difference of (-113.4 ha) which is 38.2% less. The division thus has overcharged an area of 113.4ha.
- ii. The relevant record was maintained
- iii. The overall layout was according to the PC-I specification
- iv. The Pits size was up to the mark with variation in some plantation areas
- v. Some plantation areas were in small patches and fragmented
- vi. The overall quality of work was good and up to the mark
- vii. Close spacing in some plantation areas was also observed
- viii. Watering was observed in the areas
- ix. The overall condition of plantations was good except Brins. Failure of Brins area is more than the permissible limit. Require immediate replacement
- x. The condition of some woodlots was not up to the mark due to lack of interest and maintenance of the owners. Proper attention and regular visits of field staff is required to bring these woodlots up to the mark
- xi. Private tube nurseries were in poor condition due lack of interest of the growers and supervision & regular visits of field formations

The Specific observations about plantation and nurseries are as under: -

#### 1. Plantation wise Observations

##### A. Kalkatak Plantation raised in Spring 2016

- a. Reported area = 34 ha
- b. Monitored area = 13.4 ha
- c. Difference in area = -20.6 ha
- d. Layout was good
- e. Spacing was according to PC-I specification.
- f. Survival %age = 84%.
- g. Watering from nearby irrigation channel
- h. Pits size was normal
- i. The area is well protected
- j. Overall plantation condition was excellent

##### B. Markazabad Plantation raised in Spring 2016

- a. Reported area = 8 ha
- b. Monitored area = 3.5 ha
- c. Difference in area = - 4.5 ha
- d. Relevant record was available
- e. Layout was good
- f. Spacing was appropriate.

- f. Pit size was standard
  - g. Survival %age = 85%.
  - h. No sowing of seed was observed.
  - i. Watering through pipe
  - j. Overall plantation condition was excellent
- C. Osaik Plantation raised in Spring 2016**
- a. Reported area = 10 ha
  - b. Monitored area = 4.7 ha
  - c. Difference in area = - 5.3 ha
  - d. Relevant record was available
  - e. Layout was good
  - f. Spacing was uniform and up to the mark
  - g. Pit size was normal to good
  - h. Survival %age = 87%.
  - i. Sowing of Ailanthus and Oak was observed
  - j. Watering through small water channels
  - k. Overall plantation condition was excellent
- D. Khairabad roadside Plantation raised in Spring 2016**
- a. Reported area = 15 ha
  - b. Monitored area = not measured
  - c. Relevant record was maintained
  - d. Spacing was close (8x9 feet) with standard pit size
  - e. Survival %age = 83%.
  - g. No sowing of was observed
  - h. Watering through water tanker
  - j. Overall plantation was good
- E. Kissu woodlot/owner plantation raised in Spring 2016**
- a. Reported area = 2 ha
  - b. 1<sup>st</sup> installment has been made to the owner
  - c. Spacing was close with standard pit size. Spacing was 6x7 feet observed
  - d. Well maintained woodlot due to owner interest
  - e. Pit size was appropriate
  - f. Survival %age = 95%. Regular beating up of failure is required
  - g. Overall quality of plantation was excellent. Thus 2<sup>nd</sup> installment may be released
- F. Green lasht (Brep) Plantation raised in Spring 2016**
- a. Reported area = 75 ha
  - b. Monitored area = 37 ha
  - c. Difference in area = - 38 ha
  - d. Relevant record was available
  - e. Site and spp selection was good
  - f. Layout was good
  - g. Spacing was 9x10 feet
  - h. Pit size was appropriate
  - i. Survival %age = 81%.
  - j. No sowing was observed
  - k. Overall plantation condition was good
- G. Kughuzi Plantation raised in Spring 2016**
- a. Reported area = 12 ha
  - b. Monitored area = 10 ha
  - Difference in area = -2 ha
  - c. Relevant record was maintained
  - d. Site and spp selection was good
  - e. Layout was good
  - f. Spacing was appropriate (10x10 feet)
  - g. Pit size was good
  - h. Survival %age = 91%.
  - i. No sowing was observed
  - j. Overall plantation condition was excellent

**(riverbed) Plantation raised in Spring 2016**

- a. Reported area = 5 ha
- b. Monitored area = 2 ha
- c. Difference in area = -3 ha
- d. Record was maintained
- e. Spp selection was good
- f. Layout was good
- g. Spacing was appropriate (10x10 feet)
- h. Pit size was good
- i. Survival %age = 91%
- j. No sowing was observed
- k. Overall plantation condition was good

**I. Brins Plantation raised in Spring 2016**

- a. Reported area = 35 ha
- b. Monitored area = 28 ha
- c. Difference in area = -7 ha
- d. Relevant record was maintained
- e. Plantations was fragmented/ in 5 parts
- f. Layout was good
- g. Spacing was appropriate (10x10 feet)
- h. Pit size was good
- i. Survival %age = 41%. Failure was more than the permissible limit. This clearly shows lack of interest and field visits of field formation due to which no regular beating up of failure was carried out
- j. No sowing was observed
- k. Overall plantation condition was average

**J. Gumbas Plantation raised in Spring 2016**

- a. Reported area = 74 ha
- b. Monitored area = 49 ha
- c. Difference in area = -25 ha
- d. Record was maintained
- e. Layout was good
- f. Spacing was up to the mark with minor variation (10x11 feet)
- g. Pit size was good
- h. Survival %age = 73%. Failure was more than the permissible limit. Require regular beating up of failure
- i. No sowing was observed
- j. Watering through small water channels
- k. Overall plantation condition was average to good

**K. Shandok Plantation raised in Spring 2016**

- a. Reported area = 14 ha
- b. Monitored area = 8 ha
- c. Difference in area = -6 ha
- d. Record was maintained
- e. Layout was good
- f. Close spacing (6x5 feet)
- g. Pit size was appropriate
- h. Survival %age = 75%. Failure was more than the permissible limit. Require regular beating up of failure
- i. No sowing was observed
- j. Watering through pipe from water channels
- k. Overall plantation condition was excellent

**L. Saidabad plantation raised in Spring 2016**

- a. Reported area = 30 ha
- b. Monitored area = 28 ha
- c. Difference in area = -2 ha
- d. Record was maintained
- e. Layout was good

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 4080 /ST Dated 16 / 12 / 2020

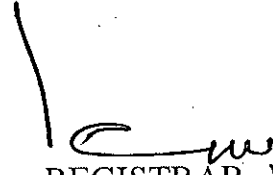
To

The Divisional Forest Officer Chitral,  
Government of Khyber Pakhtunkhwa,  
Forest Division Chitral.

Subject: - JUDGMENT IN APPEAL NO. 49/2018, MR. RAHEEM UD DIN.

I am directed to forward herewith a certified copy of Judgement dated 10.12.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.

# PC 1 Phase 2 Billion trees Afforestation project

The reward will be in shape of financial support as well as in certificate to both Forest Department & community who have raised model nursery; model plantation & an effective closure.

- |   |          |
|---|----------|
| 1. Secretary, FE&W, KP.                     | Chairman |
| 2. Chief Conservator of Forests I, II & III | members  |
| 3. Project Director, BTAP.                  | member   |
| 4. Director B&A                             | member   |
| 5. Deputy Director Planning                 | member   |

The reward will be in following categories:

- Best officer award = 150,000 - 200,000
- Outstanding officer award = 100,000 - 150,000
- Best implementing officer award
  - SDFO / RFO = 50,000 - 1,00,000
  - Forester = 30,000 - 50,000
  - Forest guard = 20,000 - 30,000
- Best Nursery, plantation, closure award to community = 50,000

### 6.3.21 Progress Review Committee

In PC-1 all activities have been described in detail along with criteria, their modality and basis of cost estimates. Although three tiered monitoring of the project activities has been provided i.e. at departmental project & third party levels (external) for successful launching & meeting the objectives of Billion tree Afforestation program. However to achieve the objectives in time and remove / correct any short fall in time a Progress Review Committee at Regional level will be constituted to review the progress of that region and take timely course correction measures.

The committee will consist of the following:

- |  |           |
|--|-----------|
| • Chief Conservator of Forests of concerned region | Chairman  |
| • Conservator of Forests of that region            | member    |
| • DFOs of concerned region                         | members   |
| • M&E officer of concerned region                  | Secretary |

The committee will meet once in a month or as fix by concerned Chief Conservator of Forests

### 6.3.22 Biodiversity Conservation and Management

Under the project special focus will be put on the biodiversity conservation and management to achieve Aichi targets. Improvement of wildlife habitat in various ecosystems will be undertaken to achieve Aichi targets by encouraging natural and indigenous vegetation cover.

### 6.3.23 Monitoring and Evaluation

#### 6.3.23 (i) Departmental Monitoring

Monitoring is vital for successful launching and meeting the objectives of the Billion Trees Afforestation Program. Monitoring of the project activities will be carried out through three tiered monitoring i.e. at department, project and third party levels (external). Under departmental monitoring there will be following mechanism;

All the activities will be marked on GIS maps and the coordinates for the planned field activities will be provided by the field staff to the PMU before undertaking physical work.

The SDFO/RFO will supervise the work and shall be responsible for 100% correctness.

The DFO will supervise work and shall be responsible for 50% correctness after proper monitoring and verification.

- The DFO concerned will also ensure that compartment history file is maintained having map of plantation, pre, during and post work photographs of the area, quality and quantity of work done, GPS coordinates record of the area and updation of history files.
- The Conservator of Forests of the concerned forest circles will physically monitor and verify the 30% work to satisfy correctness of work in his area of jurisdiction. Further he has to ensure that duties of DFO regarding developmental works are fulfilled, gaps identification and course correction accordingly.
- The Chief Conservator of Forests of the region has to ensure policy coherence regarding project concept and guide the field staff on course correction. Overall he is responsible for correctness of entire developmental works carried out in his jurisdiction under the project. He has to monitor and verify 10% of the total work done.

The Forestry Planning and Monitoring circle to deliver the following activities.

- Establish baseline in forest and non-forest areas for the project using satellite imageries.
- Database establishment in MS ACCESS program encompassing the details of Plantation Journals and Nursery Journals (History files) of all areas to be monitored. Details such as natural regeneration, pit size, density, area covered through plantation in buffer zone, wastelands and farmlands.
- Carrying out 50% monitoring of all gone over works

Project will also monitor activities through its own three monitoring officers

- The M&E Officers will carry out regularly in their regions and keep PD abreast of activities and suggest improvement measures.
- Provide inputs to PMU on ToR's development for external monitoring & evaluation, delineating functions for external validators and MOU signing.
- Monitoring through GIS/RS, fixed point photography (Pre, during and post activity) and physical verification through surveys using GPS.
- Build capacity of the field staff in monitoring
- Development of Maps for areas monitored showing details of activities.
- Compilation of report containing suggestions on course correction for area managers as well as forwarding remedial measures to steering committee.
- Liaise with external valuers, facilitating them in providing data and information sharing on developmental activities carried out under the project.

The Planning Officer (Head Quarter) will provide complete quarterly monitoring report from the data and information collected from the regional Monitoring Officers and Forestry Planning and Monitoring Circle.

#### 6.3.23 (ii) External Monitoring & Evaluation

External monitoring will be carried out through an independent organizations selected through a competitive bidding process. The Senior Planning and M&E officer under the guidance of Project Director will outline the TORs and appropriate procedures and mechanism for external monitoring.

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 4136 /ST Dated 28/12 / 2020


To

The Divisional Forest Officer Chitral,  
Government of Khyber Pakhtunkhwa,  
Forest Division Chitral.

Subject: - **JUDGMENT IN APPEAL NO. 49/2019, MR. RAHEEM UD DIN.**

I am directed to forward herewith a certified copy of Judgement dated 10.12.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.