

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR**  
**AT CAMP COURT ABBOTTABAD.**

Service Appeal No. 186/2019

Date of Institution ... 08.02.2019

Date of Decision ... 22.09.2021

Asim Karim S/O Abdul Karim, R/O House No. Category-III(6), PFI Colony, Peshawar, Permanent residing at Kantheyali, Post Office Kokmang, Tehsil and District Abbottabad.

... (Appellant)

VERSUS

Director General Pakistan Forest Institute, Peshawar and one other.

... (Respondents)

Mr. UMAR FAROOQ MOHMAND,  
Advocate

For appellant.

MR. RIAZ AHMED PAINDAKHEL,  
Assistant Advocate General

For respondents.

MR. SALAH-UD-DIN  
MR. ATIQ-UR-REHMAN WAZIR

MEMBER (JUDICIAL)  
MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:-

Precise facts giving rise to filing of the instant service appeal are that Federal Public Service Commission recommended the appellant for the post of Forest Ranger (BS-16) Pakistan Forest Institute Peshawar, Ministry of Environment vide letter dated 03.05.2011. The appellant was offered temporary appointment as stipendiary candidate against the post of Forest Ranger and he submitted his arrival report on 25.05.2011. The appellant was later on appointed as Forest Ranger with effect from 27.03.2012, vide letter dated 11.06.2012 and he submitted joining report on 27.03.2012. During the course of his service,

show-cause notice was issued to the appellant on the ground that his domicile certificate was having no entry in the official record of the concerned Authority and prima-facie the domicile certificate of the appellant was fake. The appellant submitted reply to the show-cause notice, however the competent Authority awarded the punishment of dismissal from service as well as recovery of Rs. 0.143 Million from the appellant as the expenditure incurred on his acquiring B.SC Forestry Degree from PFI. The departmental appeal of the appellant was not responded, therefore, he filed Writ Petition before the august Peshawar High Court, Abbottabad Bench, which was disposed of as not pressed, however appellant was directed to seek his remedy from Service Tribunal. The appellant has now filed the instant service appeal for the redressal of his grievance.

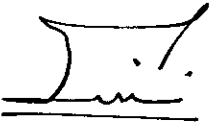
2. Notice was issued to the respondents, who submitted comments.

3. Learned counsel for the appellant has contended that neither any charge sheet nor statement of allegations was issued to the appellant and the disciplinary proceedings were conducted in a slipshod manner; that show-cause notice was straight away issued to the appellant without mentioning any reason for dispensing with regular inquiry, which has caused prejudice to the appellant; that neither the statement of any witnesses was recorded nor an opportunity was provided to the appellant to properly defend himself; that it has been time and again held by worthy Supreme Court of Pakistan that in case of imposition of major penalty, conducting of regular inquiry is must; that the domicile certificate of the appellant was issued by the concerned Authority after adopting proper procedure, required for obtaining of domicile certificate; that the impugned order is liable to be set-aside and the appellant is entitled to be reinstated in service with all back benefits. Reliance was placed on 2020 YLR 42, PLJ 2008 SC 65, 2010 SCMR 1554, 2021 SCMR 1077, 2008 SCMR 1369 and PLJ 2008 Supreme Court 65.

4. On the other hand, learned Assistant Advocate General for the respondents has contended that the post, on which the

appellant was recruited on quota, was reserved for Province of Punjab, therefore, the appellant managed the preparation of fake domicile, in order to procure appointment on the reserved seat; that the domicile certificate of the appellant was sent for verification to the concerned quarter and it has been confirmed that the domicile certificate was not issued from the concerned office, therefore, the impugned penalty has rightly been awarded to the appellant; that sufficient evidence was available against the appellant, therefore, the competent Authority has rightly dispensed with the inquiry. Reliance was placed on 2006 SCMR 1876, 2004 PLC (C.S) 461 and 2004 PLC (C.S) 856.

5. Arguments heard and record perused.

  
6. A perusal of the record would show that after the recruitment of the appellant, an explanation was called from the appellant on 12.12.2012 on the ground that his domicile certificate was sent to the District Coordination Officer Lahore for verification, however vide letter dated 30.11.2012, the office of District Coordination Officer Lahore, the domicile certificate of the appellant was not verified in concerned office. The appellant submitted reply to the explanation, wherein he categorically stated that the domicile certificate was issued to him by the concerned office after due process and if the same has not been entered in their record due to inaction or omission of concerned official, the appellant cannot be blamed for it. The appellant was then issued show-cause notice on the allegations that prima-facie, domicile certificate of the appellant was fake, therefore, inquiry was dispensed with. The appellant submitted reply to the show-cause notice and took the same stance as was taken by him in his reply to the explanation called from him.

7. It is an admitted fact that no regular inquiry was conducted in the matter. The competent Authority proceeded against the appellant on the basis of correspondence made with the concerned office regarding the genuineness of the domicile certificate of the appellant, without providing him any opportunity to properly defend himself. The issue of genuineness or otherwise of the domicile certificate of the appellant could properly be thrashed out

after regular inquiry. August Supreme Court of Pakistan in its judgment reported as 2004 SCMR 616 has graciously held that in case of imposing of major penalty, the principle of natural justice requires that a regular inquiry be conducted in the matter and opportunity of personal hearing and defense be provided to the civil servant proceeded against. The impugned order is thus not sustainable in the eye of law and is liable to be set-aside.

8. In view of the above discussion, the appeal in hand is allowed by setting-aside the impugned order. The appellant is reinstated in service and the matter is remanded back to the department for conducting of de-novo regular inquiry into the matter within a period of 90 days after communication of this judgment. The issue of back benefits shall follow the outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
22.09.2021



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




(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)  
CAMP COURT ABBOTTABAD

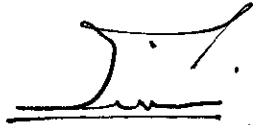
ORDER  
22.09.2021

Appellant alongwith his counsel Mr. Umar Farooq Mohmand, Advocate, present and submitted fresh Wakalat Nama, which is placed on file. Mr. Farhan Ahmed, Superintendent alongwith Mr. Riaz Ahmed Painsakhel, Assistant Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand is allowed by setting-aside the impugned order. The appellant is reinstated in service and the matter is remanded back to the department for conducting of de-novo regular inquiry into the matter within a period of 90 days after communication of this judgment. The issue of back benefits shall follow the outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
22.09.2021

  
(ATIQU-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)  
CAMP COURT ABBOTTABAD

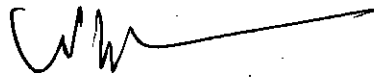
  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)  
CAMP COURT ABBOTTABAD

21.10.2020

Appellant in person present.

Usman Ghani learned District Attorney alongwith Farhan Superintendent for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 16.12.2020 for arguments before D.B.



(Atiq-Ur-Rehman Wazir)  
Member (E)  
Camp Court, A/Abad



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

*Due to COVID-19 case  
is adjourned to 17-03-2021*



17.03.2021


Appellant present through counsel.

Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Former made a request for adjournment. Adjourned. To come up for arguments on 21/04/2021 before D.B at Camp Court, Abbottabad.



(Atiq-Ur-Rehman Wazir)  
Member (E)  
Camp Court A/Abad




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

21-4-21

*Due to covid 19, the case is adjourned  
to 20-9-2021 for the same.*

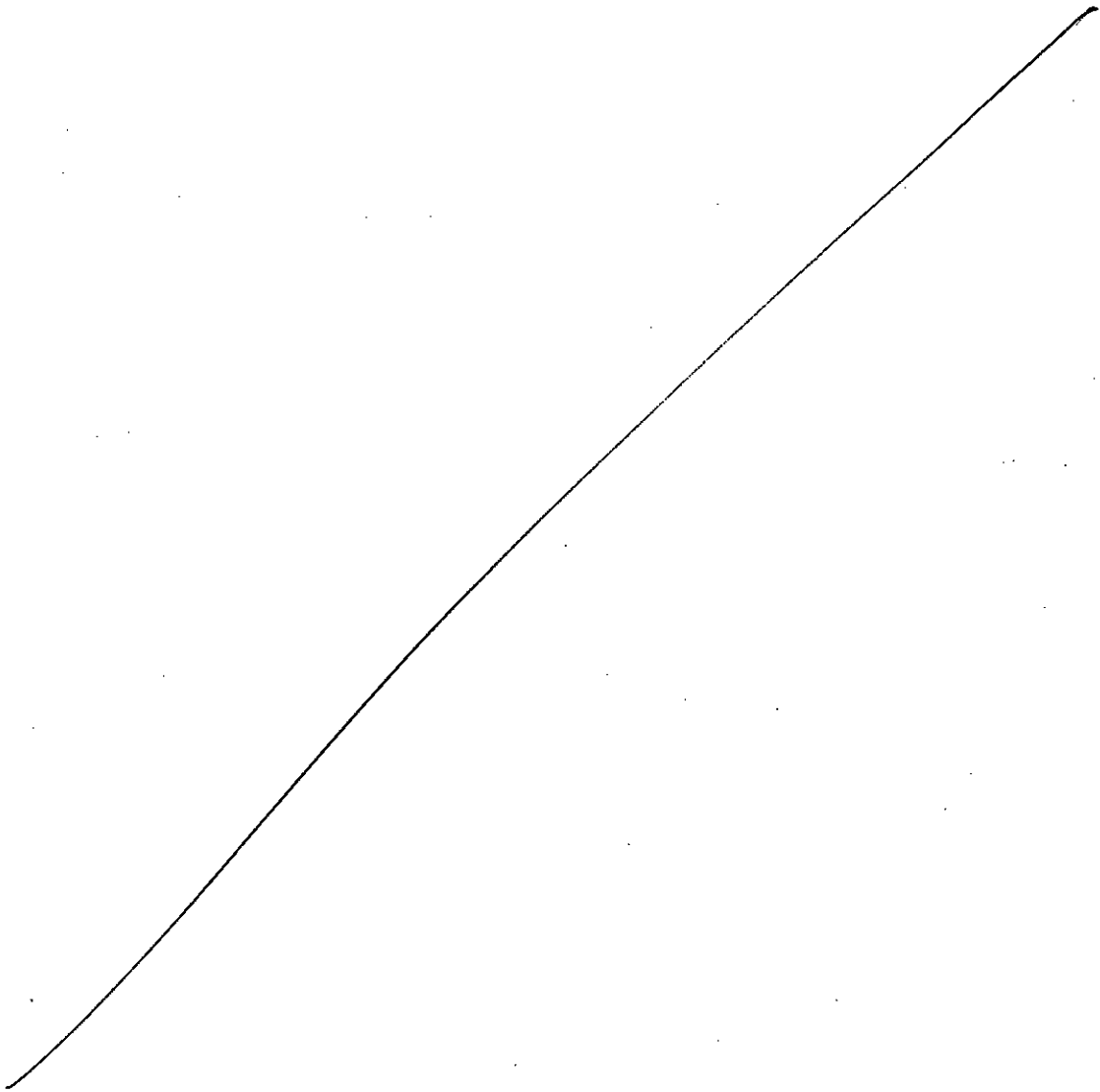


Due to covid ,19 case to come up for the same on 16/4/20  
at camp court abbottabad.

  
Reader

Due to summer vacation case to come up for the same on  
21/10/20 at camp court abbottabad.

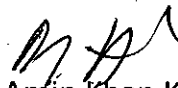
  
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17.12.2019

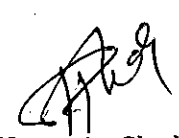
Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 18.12.2019 for arguments before D.B at Camp Court Abbottabad.


(Hussain Shah)  
Member  
Camp Court Abbottabad

  
(M. Amin Khan Kundi)  
Member  
Camp Court Abbottabad

18.12.2019

Appellant alongwith his counsel and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Atta-ur-Rehman, Administrative Officer for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 20.01.2020 for arguments before D.B at Camp Court Abbottabad.

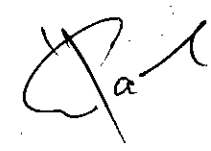
  
(Hussain Shah)  
Member  
Camp Court Abbottabad

  
(M. Amin Khan Kundi)  
Member  
Camp Court Abbottabad

20.01.2020

Appellant in person present. Mr. Muhammad Jan, DDA alongwith Mr. Atta ur Rehman, Administrative Officer for respondents present. Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings/arguments on 19.02.2020 before D.B at camp court Abbottabad.

  
Member

  
Member  
Camp Court A/Abad




A. No-186/2019.

24.10.2019

Appellant present. Mr. Usman Ghani learned District Attorney present. Learned counsel for the appellant absent. Adjournment requested. Adjourn. To come up for arguments on 21.11.2019 before D.B at Camp Court, Abbottabad.


It appeared that the appellant is interested in the extension of ad-interim relief and not in the decision of his service appeal. In the given circumstances, further extension of ad-interim relief/restrain order is regretted.


  
Member

  
Member  
Camp Court, A/Abad

21.11.2019

Appellant with counsel present. Mr. Usman Ghani learned District Attorney alongwith Mr. Atta Ullah Khan Admin Officer for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 17.12.2019 before D.B at Camp Court, Abbottabad.

  
Member

  
Member  
Camp Court, A/Abad

27.09.2019

Appellant alongwith Mr. Muhammad Aamir Malik, Advocate for appellant present and submitted Wakalatnama in his favour.

An application for restraining the respondents from effecting ejection of appellant from official accommodation has been submitted. Notice of the application be sent to the respondents for 23.10.2019 at Camp Court, Abbottabad. In the meanwhile, the applicant/appellant shall not be ejected from accommodation in violation of law.

Chairman




23.10.2019

Learned counsel for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Atta ur Rehman, Administrative Officer for respondents present. Learned counsel for the appellant submitted rejoinder which is placed on file. Learned counsel for the appellant seeks adjournment and also stress for interim relief, hence adjourned. To come up for arguments on 24.10.2019 before D.B at Camp Court, Abbottabad.



Member




Member  
Camp Court Abbottabad

A-No. 186/2019  
Asim Karim vs Govt

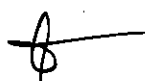
21.05.2019

Appellant alongwith his counsel and Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Written reply on behalf of respondents not submitted. Learned Deputy District Attorney requested for further adjournment. Adjourned to 19.06.2019 for written reply/comments before S.B at Camp Court Abbottabad. The restraint order already granted vide order sheet dated 19.04.2019 shall continue till the date fixed.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Abbottabad


19.06.2019

Counsel for the appellant and Mr. Muhammad Bilal, DDA alongwith Mr. Farhan Ahmad, Supdt for respondents present. Written reply on behalf of respondents not submitted. Requested for adjournment. Adjourned. Case to come up for written reply/comments on 21.08.2019 before S.B at camp court Abbottabad.

  
(Ahmad Hassan)  
Member  
Camp Court A/Abad

21.08.2019

Learned counsel for the appellant present. Mr. Muhammad Bilal, learned Deputy District Attorney alongwith Farhan Ahmad Superintendent present and submitted written reply/comments. Adjourn. To come up for rejoinder if any, and arguments on 23.10.2019 before D.B at Camp Court, Abbottabad.

  
Member  
Camp Court A/Abad

A.No. 186/2019  
Asim Karim vs Govt

19.04.2019

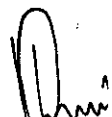
Counsel for the appellant present.

Contends, inter-alia that the impugned order dated 07.09.2018 itself is silent regarding any enquiry conducted against the appellant before passing of the impugned order. In a case where a civil servant was imposed upon major penalty of dismissal from service it was all the more mandatory upon the authority to have ordered a proper enquiry in the matter. The departmental appeal of appellant submitted on 15.09.2018 also remained un-responded.

Prima-facie, the allegation against the appellant was to the effect that he submitted a fake domicile certificate in order to procure employment in the respondent department. The allegation, in the normal course would have called for pro & contra evidence for its proof or otherwise. The appeal in hand is, therefore, admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 21.05.2019 before S.B at camp court, Abbottabad.

The appeal is accompanied by an application for the suspension of impugned notification. Notice of the application shall also be given to the respondents who shall not cause the recovery of Rs. 0.143 Million from appellant till next date.



Appellant Deposited  
Security & Process Fee

  
Chairman,  
Camp Court, A/Abad

Form - A  
FORM OF ORDER SHEET

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

Case No. 186/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/2/2019	<p>The appeal of Mr. Asim Karim received today by post through Haji Muhammad Yousaf Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 2/2/19</p>
2-	15-2-19	<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>19-04-2019</u>.</p> <p> CHAIRMAN</p>

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

Service Appeal No. 186 /2019

Asim Karim

...APPELLANT

**V E R S U S**

Director General Pakistan Forest Institute and others

...RESPONDENTS

**Appeal**

**INDEX**

S.No.	Description of Document	Annexures	Page No.
1.	Appeal alongwith Verification, Affidavit and Certificate	--	1-1D
2.	Copy of the Roll No slip	"A"	11 - 12
3.	Copy of letter dated 17.02.2011	"B"	13
4.	Copy of the letter dated 22.03.2011	"C"	14
5.	Copy of the letter dated 03.05.2011	"D"	15
6.	Copy of the letter dated 21.05.2011	"E"	16 - 17
7.	Copy of the arrival report dated 25.05.2011	"F"	18
8.	Copy of joining report dated 27.03.2012	"G"	19
9.	Copy of Notification dated 11.06.2012	"H"	20
10.	Copy of the letter dated 18.04.2012	"I"	21
11.	Copy of Explanation dated 12.12.2012	"J"	22 - 23
12.	Copy of the explanation dated 14.12.2012	"K"	24 - 25
13.	Copy of the show-cause notice dated 29.06.2018	"L"	26 - 33
14.	Copy of the reply dated 13.07.2018	"M"	34
15.	Copy of Notification dated 07.09.2018	"N"	35
16.	Copy of appeal dated 05.09.2018	"O"	36 - 40
17.	Copy of Writ Petition and order	"P"	41 - 57
22.	Vakalat Nama	--	58

...PETITIONER

*Through:*

Dated: 8/02 /2019

(HAJI MUHAMMAD YUSUF)  
Advocate High Court, Abbottabad.

- 1 -

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

Appeal No. 186 /2019

Asim Karim son of Abdul Karim, resident of house No. Category-III(6), PFI Colony, Peshawar, permanent residing at Kantheyali, Post Office Kokmang, Tehsil and District Abbottabad.

Khyber Pakhtunkhwa  
Service Tribunal

**V E R S U S**

Diary No. 167

Dated 8-2-2019

1. Director General Pakistan Forest Institute, Peshawar.
2. Secretary Government of Khyber Pakhtunkhwa, Department of Forestry, Environment & Wildlife, Peshawar.

...RESPONDENTS

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APPEAL U/S 4 OF KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 FOR  
DECLARATION TO THE EFFECT THAT  
NOTIFICATION UNDER REFERENCE NO.1442/FII  
(Per)-ESTT DATED 07.09.2018 ISSUED BY  
RESPONDENT NO.1 WHEREBY, THE MAJOR  
PENALTY OF DISMISSAL FROM SERVICE AND  
RECOVERY OF AN AMOUNT OF RS.0.143  
MILLION HAS BEEN IMPOSED UPON PETITIONER  
IS ILLEGAL, VOID AB-INITIO ARBITRARY,  
WITHOUT LAWFUL AUTHORITY AND OF NO  
LEGAL EFFECT.

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**Filed to-day**

**Registrar**

8/2/19

**PRAYER:-**

ON ACCEPTANCE OF INSTANT APPEAL, NOTIFICATION / ORDER 1442/FII (Per) ESTT ISSUED BY RESPONDENT NO.1 MAY GRACIOUSLY BE STRUCK DOWN BY DECLARING THE SAME AS NULL AND VOID AND PETITIONER BE RE-INSTATED AT HIS SERVICE.

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**FACTS:-**

*Respectfully Sheweth,*

1. That, appellant has applied for the post of Forest Ranger (BPS-16) in response of an advertisement, published by FPSC and petitioner was called for the ability test to appear on 01.01.2011 by Assistant Director T & S. **(Copy of the Roll No slip is annexed as Annexure "A")**
2. That, appellant was intimated vide Federal Public Service Commission letter dated 17.02.2011 about conditional pre-selection of appellant and that appellant would be called for interview as and when so fixed. The appellant was further advised to submit. Domicile Certificate, attested copy of CNIC and attested copies of all documents and appellant submitted the required documents in compliance of



the directions of FPSC. **(Copy of letter is annexed as Annexure "B")**

3. That, appellant was called by FPSC vide their letter No.F.4-88/10 R-FS-I dated 22.03.2011 to appear for interview at FPSC Head / office Islamabad on 05.04.2011 with direction to bring the copies of the Domicile Certificate, Matric, intermediate diplomas certificate and experience certificates alongwith attested copies of all documents. **(Copy of the letter is annexed as Annexure "C")**

4. That, appellant was recommended by the Commission for appointment to the post of Forest Ranges (BS-16) Pakistan Forest Institute Peshawar, Ministry of Environment vide letter dated 03.05.2011. **(Copy of the letter is annexed as Annexure "D")**

5. That, appellant was offered temporary appointment as stipendiary candidate against the post of Forest Ranger on the terms and conditions mentioned in letter No.944 / F.II (Per)-Estt dated 21.05.2011 issued by respondent No.1. **(Copy of the letter is annexed as Annexure "E")**

6. That, appellant submitted arrival report on 25.05.2011(F.N). **(Copy of the arrival report is annexed as Annexure "F")**
7. That, appellant submitted joining report on 27.03.2012 (F.N). **(Copy of joining report is annexed as Annexure "G")**
8. That, appellant was appointed as Forest Ranger in BS-16 in Pakistan Forest Institute Peshawar with effect from 27.03.2012 vide Notification No.770/F.II(Per)-Estt dated 11<sup>th</sup> June, 2012 issued by Respondent No.1. **(Copy of Notification dated 11.06.2012 is annexed as Annexure "H")**
9. That, appellant was attached with the concerned Offices of PF1 for practical training vide letter No.486/F.II (Per)-Estt dated 18<sup>th</sup> April, 2012. **(Copy of the letter is annexed as Annexure "I")**
10. That, an explanation under reference No.1517 / F.II (Per)-Estt dated 12<sup>th</sup> December, 2012 was issued by respondent No.1 under the signature of Deputy Director Technical PFI Peshawar with regard to the verification of Domicile Certificate in the name of

appellant and to explain position in that regard.

**(Copy of Explanation is annexed as Annexure "J")**

11. That, appellant submitted reply of the explanation on 14<sup>th</sup> December, 2012. **(Copy of the explanation is annexed as Annexure "K")**

12. That, later on appellant was issued a show cause Notice under reference No.1091/F.11(Per)-Estt dated 29.06.2018 issued by Director General Pakistan Forest Institute (PFI) Peshawar (respondent No.1) and conveyed through letter No. 1102/F-II(Per)Estt dated 02.07.2018. **(Copy of the show-cause notice is annexed as Annexure "L")**

13. That, reply of the show-cause Notice was submitted by appellant on 13.07.2018, and the appellant appeared before respondent No.1 for personal hearing and requested the authority for finding the factual position of the case. **(Copy of the reply is annexed as Annexure "M")**

14. That, respondent No.1 vide impugned notification under reference No.1442/F-II (Per)-Estt dated 07.09.2018. imposed major penalty of dismissal from service upon appellant and recovery of amount of

Rs.0.143 million from appellant on account of expenditure incurred on acquiring BSC Forestry Degree from PFI under the provisions of Khyber Pakhtunkhwa Government Servants (efficiency and disciplinary) Rules 2011. **(Copy of Notification is annexed as Annexure "N")**

15. That appellant submitted an appeal before appellate authority on 15.09.2018 and no decision has so far been conveyed to petitioner. **(Copy of appeal is annexed as Annexure "O")**

16. That the appellant assails same on the following.

**GROUND:-**

- a) That, the notification No.1442/F-11(Per)-Estt is void, without lawful arbitrary, beyond jurisdiction, arbitrary and of no legal effect hence liable to be declared as such by this Honourable Tribunal.
- b) That was dismissed from service under impugned notification No. 1442/F-11(Per)-Estt dated 07.09.2018 issued by respondent No.1 without holding inquiry in utter disregard of law and


relevant Rules, thus was deprived of his right and proper opportunity of defence provided under the constitution.

- c) That the verification of the domicile was not routed through proper inquiry and strict action of major penalty was taken against appellant on the basis of DCO Lahore's letter No.DDO(HRM-2214/P.A), dated 30.11.2012 which contains ambiguous and unclear assertion.
- d) That, the act of respondent No.1 is clear example of colourable exercise of authority / power that reflects haste and discrimination, whereby the appellant having rendered 7 years of service to the PFI with spotless service record, has been dismissed from the service in the manner unwarranted by the law vide notification being violative of law.
- e) That appellant filed a Writ Petition before Hon'ble Peshawar High Court Abbottabad Bench which was disposed off with the direction to the appellant to seek the remedy from the proper forum i.e. Khyber Pakhtunkhwa Service Tribunal. **(Copy of**

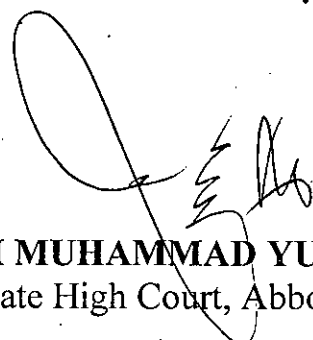
Writ Petition and order are attached as  
Annexure "P")

**PRAYER:-**

It is therefore humbly prayed that on acceptance of instant Appeal, notification / order 1442/F-II (Per) Estt: dated 07.09.2018 issued by Respondent No.1 may graciously be struck down by declaring the same as null and void and appellant be re-instated at his service. Any other relief which this Hon'ble Tribunal deems appropriate may also be granted.

  
...APPELLANT  
(Asim karim)

Through:

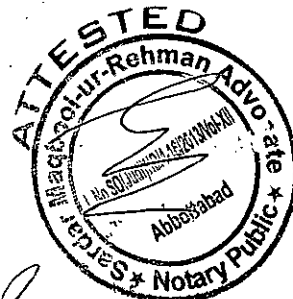
  
(HAJI MUHAMMAD YUSUF)  
Advocate High Court, Abbottabad

Dated:- 8/2 /2019

**VERIFICATION:-**

*Verified that the contents of the instant Appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.*

Dated:- 8/2 /2019



  
...APPELLANT

7/2/19

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

Appeal No. /2019

Asim Karim

...APPELLANT

**V E R S U S**


Director General Pakistan Forest Institute and Another

...RESPONDENTS

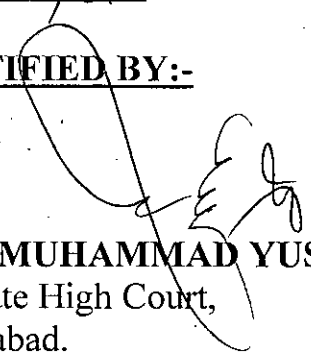
**APPEAL  
AFFIDAVIT**

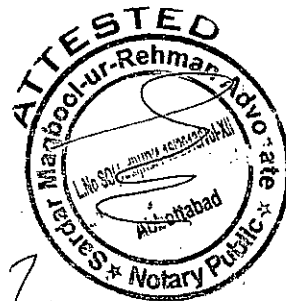
I, *Asim Karim son of Abdul Karim, resident of house No. Category-III(6), PFI Colony, Peshawar, Appellant*, do hereby solemnly affirm and declare on Oath that the contents of instant *Appeal* are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court moreover no such like appeal earlier has been filed and pending before this Hon'ble Tribunal.

Dated:- 8/2 /2019

  
...DEPONENT

**IDENTIFIED BY:-**

  
(HAJI MUHAMMAD YUSUF)  
Advocate High Court,  
Abbottabad.



10

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

Appeal No. /2019

Asim Karim

...APPELLANT

**V E R S U S**

Director General Pakistan Forest Institute and Another

...RESPONDENTS

**APPEAL**

**APPLICATION FOR THE SUSPENSION OF IMPUGNED  
NOTIFICATION UNDER REFERENCE NO.1442/FII(PER)-ESTT)  
DATED 07.09.2018 ISSUED BY THE RESPONDENT NO.1.**

*Respectfully Sheweth,*

1. That the instant appeal is <sup>being filed</sup> pending before this Honourable Tribunal.
2. That, the appellant has good prima facie case based on cogent reasoning whereas the impugned order is not supported by any evidence.
3. That, very purpose of appeal would be frustrated if the impugned order is not suspended.

It is, therefore, requested that impugned order may be suspended till the decision of instant appeal.

  
APPELLANT  
(Asim Karim)

*Through:*

  
(HAJI MUHAMMAD YUSUF)  
Advocate High Court, Abbottabad

Dated:- 8/2 /2019



22 0

Annex "A"



FEDERAL PUBLIC SERVICE COMMISSION  
PROVISIONAL ADMISSION CERTIFICATE FOR TEST

\*\*\*\*\*

Phone:- (051) 9205075  
Fax: (051)9213386

ROLL NO: 00090/ PESHAWAR CASE NO: F4-SC/2010-R  
POST : FOREST RANGER (BS-16)  
CNIC: 13101-5001689-5  
NAME : ASIM KARIM  
ADDRESS: H.NO. 8 BABER STREET MOH. GULBAHAR # 4 PESHAWAR



- 1 Read Carefully the IMPORTANT INSTRUCTIONS printed overleaf.
- 2 TIME TABLE for the Test is given below:-

<u>Date/Day/Time</u>	<u>Subject</u>	<u>Center</u>
01-01-2011 Saturday 10:00 To 11:40	ENGLISH 20 MARKS GENERAL SCIENCE TEST 80 MARKS	FPSC PROVINCIAL OFFICE, PLOT NO.29, SECTOR B-2, PHASE-V, BEHIND REHMAN MEDICAL COMPLEX, HAYATABAD, PESHAWAR

Assistant Director ( T & S )

HAJI MUHAMMAD YUSUF  
M.A, LL.B, Advocate High Court  
Abbottabad

29


2



FEDERAL PUBLIC SERVICE COMMISSION

INSTRUCTIONS TO THE CANDIDATES  
(General Recruitment)

1. Mobile Telephone and other electronic devices are strictly prohibited in the Examination Hall. Candidates should put their books, bags, purses, and Mobile Phones/Blue-Tooth etc. out-side the Examination Hall. FPSC will not be responsible in any way for their security or safety. Candidates suspected of possessing such material will be subjected to physical search by the Commission's staff.
2. Candidates must bring their admission certificates and original computerized national identity cards for their identification otherwise they will not be allowed to enter in the Examination Hall.
3. Candidates should make sure that they are properly dressed. Casual dresses such as shorts etc. are not desirable for the occasion.
4. Before attempting the paper, candidates must fill the empty boxes in the answer sheet. In case of any overwriting or wrong entry, a zero mark will be awarded.
5. Candidates should bring their own blue or black marker to the Examination Hall.
6. Disabled candidates viz visually impaired, physically, handicapped, Deaf & Dumb will be provided helper such as writer etc., if so requested by them in their application forms. An extra time upto 15 minutes per hour will be allowed to visually impaired candidates. Request of a Computer literate candidate for provision of computer equipment etc. to attempt question papers will be entertained if he/she so requested/indicated in the application form. Examination for such candidates will be held at Islamabad only. No TA/DA etc. will be admissible.
7. Time will be observed, according to the wall clock in the Examination Hall.
8. No candidate will be admitted to the Examination Hall after half an hour of starting the examination and no candidate will be permitted to leave the Examination Hall before half time is over. No candidate who leaves the Examination Hall during the currency of examination may be allowed to return without special permission, which he must obtain before he/she leaves.
9. Answer sheet alongwith question booklet must be returned to the concerned invigilator/supervisor before leaving the Examination Hall. Zero marks will be awarded for violation of this instruction besides punitive action against defaulting candidates under Para-20.
10. Copying of questions from the question booklet to take them out of the Examination Hall will be treated as an offence and zero marks will be awarded to the defaulter.
11. A warning will be announced 5 minutes before the end of the examination and candidates must stop writing as soon as final announcement is made. Disobedience will render them liable to such penalty as the Commission may deem fit.
12. Candidates should not write anything on the question paper or envelope of admission certificate or carry away written paper of any description from the Examination Hall.
13. Candidates should maintain uniformity/consistency in writing their names/putting their signatures in their applications, on their answer sheets/attendance lists etc. Any difference in their signatures/names may render them ineligible for the examination.

  
HAJI MUHAMMAD MUSJIF  
M.A, LL.B Advocate High Court  
Abbottabad

14. Silence must be observed throughout the Examination. Smoking is not allowed in the Examination Hall.
15. Frequent visits to lavatories/wash rooms should be avoided.
16. Any candidate who is found guilty of improper conduct, such as copying the work of another candidate, permitting his/her own work to be copied, giving or attempting to give, using or attempting to use, irregular assistance of any kind and indulging in misconduct or bad behaviour with the Commission's staff, will be disqualified and may be debarred from taking any subsequent examination/selection held by the Federal Public Service Commission.
17. No candidate should leave his/her seat or stand up without permission of the supervisor. If any candidate desires to say something or to leave the Examination Hall, before the expiry of full time, he/she should raise his/her hand and then leave the seat after he/she is permitted by the supervisor to do so.
18. Candidates should ensure their answer sheets are not kept in a manner by which other candidates can copy from it. When time is over, candidates should not stand up or leave their seats, until their scripts are collected by the invigilators and they are permitted by the supervisor to leave the Examination Hall.
19. The Government for various reasons may announce public holidays at short-notice. As candidates for Commission's interviews/examinations/tests have to come to the venue from distant places the Commission's interview/examination/test shall not be affected by such announcement and shall be held according to the schedule communicated to candidates.
20. If a candidate contravenes any of these instructions, he/she shall be liable to expulsion from the Examination Hall and disqualification from this and subsequent examinations/selections conducted by the Federal Public Service Commission. Candidates should understand that the supervisor represents the Commission in the Examination Hall and his authority and instructions must be respected during the currency of the examination.

#### IMPORTANT NOTE

- (i) Candidates are hereby admitted to the examination/test provisionally at their own risk subject to their being found eligible in all respects. They are therefore, advised to make sure, before appearing at the examination/test that they fulfill requirements prescribed in the advertisement, "General Instructions to the Candidates" and rules etc. On detailed scrutiny of their applications, if they are found ineligible their candidature will be rejected irrespective of the fact whether they have appeared at the examination/test or not or even qualified therein. If their applications are incomplete in any respect they are advised to communicate the missing details immediately without waiting for a communication from the Commission. **Provisional admission to the examination/test in no way be taken as their being found eligible in all respects.**
- (ii) No answer sheet with over-written roll no. will be accepted by the Commission. Candidates are, therefore, advised in their own interest, to carefully read instructions printed on answer sheet before start of the paper and write their roll numbers etc. clearly/neatly in the Roll No. box, and other particulars asked for on the answer sheet.
- (iii) Candidates who are found eligible as per rules and are on top of the merit list drawn on the basis of written test, shall be called for interview, as per policy/decision of the Commission.

(30) (3)

Annex "B"

No. F.4-88 /2010-R - (Roll No.0090/P )  
FEDERAL PUBLIC SERVICE COMMISSION  
F-5/1, AGA KHAN ROAD,

Islamabad, the 17<sup>th</sup> February, 2011.

Please quote this office letter number, date and post applied for in reply to this letter. All subsequent correspondence must be addressed to Secretary, FPSC, Islamabad By designation & not by name.

Mr. Asim Karim,  
House No. 8,  
Baben Street, Gulshan # 4,  
Peshawar

Subject:- RECRUITMENT TO THE POST OF TWO FOREST RANGERS (BS-16), PERMANENT, PAKISTAN FOREST INSTITUTE, PESHAWAR, MINISTRY OF ENVIRONMENT

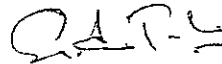
Dear Candidate,

Reference your application for the above post, it is informed that you are conditionally pre-selected and will be summoned/called for interview as and when fixed.

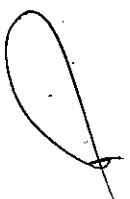
2. Further you are advised to submit the following documents/information within 15 days from the date of issue of this letter (as your application is not in order) failing which your candidature is liable to be cancelled.

- (i) Self Domicile Certificate.
- (ii) Attested copy of CNIC
- (iii) Attested copies of all documents

Yours truly,



(MUHAMMAD AMIN TAHIR )  
Assistant Director T&S-B

  
H.A. MUHAMMAD YUSUF  
M.A, LL.B, Advocate High Court  
Abbottabad

97

14

Annex "C"



No. F-4-88/10-R-FS-I Roll No. 901/P  
FEDERAL PUBLIC SERVICE COMMISSION  
Sector F-5/1, Agha Khan Road, Islamabad  
Ph: (051) 9205075 (Ext 218/226). Fax: (051) 9203410  
E-mail: fpse@fpse.gov.pk Web: www.fpse.gov.pk

REGISTERED

ISLAMABAD

Mr. Agha Kalam

Islamabad the 26 MARCH 2011

SUBJECT: Recruitment to the Post(s) of FOREST RANGERS (BS-16), PAKISTAN FOREST DEPARTMENT  
PESHAWAR, MINISTRY OF ENVIRONMENT

Dear Sir/Madam,

I am directed to request you to appear for interview at FPSC Head Office, Sector F-5/1, Agha Khan Road, Islamabad (G.P.O.)

on TUESDAY the 05-04-11 at 09.45 AM

- The fact that a candidate has been summoned for interview does not guarantee that he/she will be selected for appointment. The candidature is provisional subject to confirmation of eligibility in terms of the advertised conditions governed by the Recruitment Rules for the subject post.
- You will have to defray your own travelling and other expenses for journey and stay, etc. No contribution will be made by FPSC unless otherwise mentioned below. You may wear any type of clean clothes. Western dress is not mandatory. However, to conform to the formality of the occasion, the candidate should wear clothes correctly, buttons done up etc. and those who shave regularly, must be shaved for the occasion.
- The main emphasis in the interview will be on testing of candidate's depth of knowledge relevant to the post and the subjects studied during their educational career. In addition, candidates are expected to have basic knowledge regarding Islam and Pakistan. Non-Muslim candidates will not be asked any question regarding Islam.
- You will not be allowed to appear for interview if you failed to BRING the originals domicile, matric diplomas, testimonials and experience certificates. You should also bring attested copies of the documents if marked below:—

- (a) Copies of matric, intermediate, diploma Certificate(s), Bachelor's/Master's Degree(s), self domicile certificate
- (b) Copies of experience certificates (as claimed) with exact dates and job description.
- (c) Proof showing date of announcement of the result of Bachelor's/Master's Degree, duly signed and stamped by the Controller or Dy/Asstt. Controller of the respective University. Certificates issued by Dean/Heads of Deptt. are not acceptable.
- (d) Proof showing division/grade obtained in the Bachelor's/Master's Degree.
- (e) Proof of having studied..... in Bachelor/Master Degree.
- (f) Attested copy of registration certificate from PMDC/PEC.
- (g) One/Two recent Passport size attested photographs.
- (h) Departmental permission on FPSC PRESCRIBED FORM, duly signed and stamped by competent/appointing authority, showing clearly the date of appointment and place of domicile. (In case of Sindh whether Sindh Urban or Sindh Rural and in case of Tribal Area whether Federal or Provincial Tribal Area).
- (i) Original TREASURY RECEIPT as proof of payment of the Application Fee for Rs. 300/- for posts in BS-16 & 17, Rs. 500/- for BS-18, Rs. 750/- for BS-19 and Rs. 1000/- for BS-20 and above on or before closing date.
- (j) Equivalence Certificate from H.E.C./PMD/PEC, duly confirmed by the Department where the post(s) exist(s) regarding you.

(k) ~~Self~~ C.N.I.C  
(l) All documents (attested copies)

6. The Commission's interviews will not be affected by sudden announcement of public holidays with Federal/Provincial government and will be held according to the schedule, unless another communication is issued. Inquiries must not be made about the result of interview. The floor may however be made to inform the candidates of their success/failure on the completion of recruitment process.

7. PLEASE ACKNOWLEDGE THE RECEIPT OF THIS LETTER AND INFORM THE SECRETARY FPSC @ ISLAMABAD IMMEDIATELY IF YOU ARE NOT ABLE TO ATTEND. AS IT MAY HAPPEN THAT YOU ARE THE ONLY CANDIDATE AND THE ENTIRE INTERVIEW BOARD IS PUT TO UNNECESSARY TROUBLE.

NOTE: I. "if a candidate attempts to influence the Commission to obtain support for his/her selection, shall be disqualified for this and subsequent selections/examinations to be held by the Commission"

II. CHANGE OF CENTRE/DATE IS NOT ALLOWED.

Dr. Muhammad Yusif  
S. J. High Court  
Islamabad

92

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Annex "D"



REGISTERED  
No.F.4-88/2010-R-FS-I (Roll No. 0090)  
**FEDERAL PUBLIC SERVICE COMMISSION**  
Aga Khan Road, Sector F-5/1  
Islamabad, the 3rd May, 2011

Telephone : (051) 9204960  
FAX : (051) 9213366

Mr. Asim Kasum

Subject: RECRUITMENT TO THE POST OF FOREST RANGERS (BS-16) PAKISTAN FOREST INSTITUTE, PESHAWAR, MINISTRY OF ENVIRONMENT,

Dear sir,

With reference to your application for the above post and your subsequent interview with the Commission, you are hereby informed that your name has been recommended by the Commission for consideration for appointment to the above post, subject to verification of character antecedents and medical examination, if necessary, and completion of other formalities, as required under the Rules. You may, therefore, address further correspondence on the subject to Mr. Muhammad Farooq, Section Officer (Admn-III), Ministry of Environment, Islamabad.

2. This communication should no way be treated as an offer or guarantee of appointment, for which the final responsibility rests with the Government.
3. If an offer of appointment from the Government is not received within one month of nomination, the matter may please be brought to the notice of the Ministry concerned and FPSC.
4. If you are unable to join the post for which you have been recommended, the employing Department as well as the Commission may please be informed immediately of the reasons, So that alternate nomination may be made without any delay.

Yours faithfully,

(MUHAMMAD AZAM QURESHI)  
Deputy Director (FS-I)

051-9245673

So (A-II)

HAJI MUHAMMAD YUSUF  
M.A. LL.B. Advocate High Court  
Abbottabad

MC

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Government of Pakistan  
Ministry of Environment  
Pakistan Forest Institute, Peshawar



Annex "G"

No. 944

/ F.II (Per)-Estt

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

Dated 21/5/2011

MEMORANDUM

SUBJECT: OFFER OF SELECTION AS STIPENDIARY CANDIDATE TO THE POST OF FOREST RANGER (BS-16) AT PAKISTAN FOREST INSTITUTE, PESHAWAR

Having been selected by the Federal Public Commission, Mr. Asim Karim, S/o Abdul Karim is offered temporary appointment, as Stipendiary Candidate against the post of Forest Ranger (BS-16) on the following terms and conditions:

1. Since Mr. Asim Karim does not possess the prescribed / requisite qualification in the Service Rules, of B.Sc. Forestry, therefore, he is selected as stipendiary candidate.
2. He shall be deputed to Director, Forest Education Division, Pakistan Forest Institute (PFI), Peshawar for study leading to degree in B.Sc. Forestry.
3. During study at Pakistan Forest Institute, Peshawar, he shall be paid a stipend for the prescribed period.
4. The period of study at Pakistan Forest Institute, Peshawar, for obtaining B.Sc. Forestry shall not count towards service, experience or seniority etc.
5. His appointment as Forest Ranger (BS-16), Pay scale 6060-470-20160, as amended from time to time, will be made after he has obtained the degree of B.Sc. Forestry from Pakistan Forest Institute, Peshawar.
6. The appointment will be temporary and Mr. Asim Karim will be on probation for a period of one year with effect from the date of joining duty. The period will be extendable by order either before or after its completion by a further period not exceeding one year, provided, that if no order has been made by the day following the termination of either of the aforementioned probationary periods, the appointment shall be deemed to be held until further orders.
7. He shall not be entitled to any TA/DA for joining his selection.

HAJI MUHAMMAD MUSUF  
M.A., L.L.B., Advocate High Court  
Abbottabad


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8. He shall submit an undertaking / agreement form / surety bond in the sum of Rs. 350,000/- on the prescribed format for successful completion of 2 years training with award of B.Sc. Forestry and a mandatory service at PFI for a minimum of 5 years after completion of B.Sc. Forestry.
9. His services are liable to be terminated at any time without assigning any reason, by giving a notice in writing from either side for a period of not less than fourteen days, or payment in lieu of the notice of a sum equivalent to his pay for fourteen days, or for the period by which the notice falls short of fourteen days, provided the employees shall be liable to priority to discharge his outstanding liabilities under the undertaking / agreement / surety bond, if any.
10. His appointment will be subject to his being declared medically fit on such medical examination as may be necessary under the Rules and subject to verification of his documents / certificates including domicile, character and antecedents, and submission of an undertaking and surety bond on the prescribed form.
11. He is liable to serve any where in Pakistan.
12. For matters not covered under this offer letter, he shall be governed by the provisions of Civil Servants Act, 1973 and rules made thereunder, as amended from time to time.

2. In case, the above terms and conditions are acceptable to Mr. Asim Karim, he may communicate his acceptance in writing to this department within **Fourteen Days** of the receipt of this letter. If no reply is received within the prescribed time limit, this offer shall automatically lapse / stand cancelled.


  
Director General  
Pakistan Forest Institute  
y

✓ Mr. Asim Karim,  
S/o Abdul Karim,  
H.No. 8, Baber Street, Gul Bahar-4,  
Peshawar.

Copy for information to:-

1. Mr. Muhammad Azam Qureshi, Deputy Director (FS-I), FPSC, Islamabad, w/r to his letter No. FPSC letter No. F.4-88/2010-R-FS-I, dated 3<sup>rd</sup> May, 2011.
2. Mr. Muhammad Bashir, Section Officer (Admn-III), Environment Division, Islamabad.

Director General  
Pakistan Forest Institute

  
**HAJI MUHAMMAD YUSUF**  
M.A. L.S. Advocate High Court  
Peshawar



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18

(7/2/11)

Annex "F"

To

The Director General,  
Pakistan Forest Institute,  
Peshawar

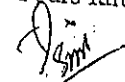
Subject: Offer of Selection as Stipendiary Candidate to the Post of Forest Ranger  
(BS-16) at Pakistan Forest Institute, Peshawar

Respected Sir,

With reference to Pakistan Forest Institute, Peshawar letter No. 944/F.II(Per)-Estt,  
dated 21/05/2011, I, Asim Karim, hereby submit my arrival report on 25/05/2011 (F.N.)

Dated: 25/05/2011 (F.N.)

Yours faithfully,



Asim Karim



FIAZ MUHAMMAD YUSUF  
M.A. LL.B. Advocate High Court  
Abbottabad

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To,  
The Director General,  
Pakistan Forest Institute,  
Peshawar.

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Annex "9"

182  
28/3/12

subject: Joining report.

pected Sir,

I Asim Karim s/o Abdul Karim  
student of B.Sc. Forestry (2009-11), have successfully  
completed my course. Nominee (R.F.O) P.F.I, Peshawar.

So I hereby submit my arrival report on  
dated: 27-Mar-2012 (F.N)

27/03/12

Ad. (G.)

*Asim*

Asim Karim  
s/o  
Abdul Karim.

*[Signature]*

HAJI MUHAMMAD YUSUF  
M.A, LL.B, Advocate High Court  
Abbottabad

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR

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



Annex H

Dated June, 2012

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

NOTIFICATION

No. / F.II (Per)-Estt. In pursuance of the recommendation of Federal Public Service Commission conveyed vide letter No. F.4-88/2010-R-FS-I, dated 3<sup>rd</sup> May 2011. Mr. Asim Karim S/o Abdul Karim is appointed as Forest Ranger (BS-16) in Pakistan Forest Institute, Peshawar w.e.f. 27-03-2012, the date he has joined duty in response to offer letter of PFI vide No. 944/F.II (Per)-Estt, dated 21-05-2011. He will remain on probation, as prescribed.

P-32 CF

(Syed Said Badshah Bukhari)  
Director General  
Pakistan Forest Institute

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

No. 770 / F. II (Per) -Estt. dated 11 June, 2012

A copy is forwarded to:

1. Secretary, Environment Department, Khyber Pakhtunkhwa, Peshawar.
2. Director (Budget & Accounts), Environment Department, Khyber Pakhtunkhwa, Peshawar.
3. Deputy Director (FS-I), FPSC, Islamabad. With reference to his letter No. F.4-88/2010-R-FS-I, dated 3<sup>rd</sup> May 2011.
4. Section Officer (General), Environment Department, Khyber Pakhtunkhwa, Peshawar.
5. Administrative Officer (B&A), PFI, Peshawar
6. Mr. Asim Karim, Forest Ranger (BS-16), PFI, Peshawar.

Director General  
Pakistan Forest Institute,  
Peshawar

HAJI MUHAMMAD MISUF  
M.A., LL.B. Advocate High Court  
Peshawar

(38)

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(Handwritten mark)

Annex 1



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR

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



No. 591

Dated 18<sup>th</sup> April, 2012

OFFICE ORDER

On relieving by Director, Forest Education Division (DFED), after completion of his two years B.Sc Forestry training at PFI, Peshawar, Mr. Asim Karim, Forest Ranger (BS-16), is hereby, attached with the concerned offices of PFI for practical training as per schedule given below:

S.No.	Area of Training / Attachment	From	To
1.	Accounts and Procedure / AO (B&A)	16-04-2012	30-04-2012
2.	Establishment Matter/ DDT	01-05-2012	31-05-2012
3.	Silviculture Research / CS	01-06-2012	30-06-2012

Deputy Director (Technical)  
Pakistan Forest Institute,  
Peshawar

No. 486 / F.II (Per)-Estt

Dated 18<sup>th</sup> April, 2012

A copy is forwarded to:

1. Director, Forestry Research Division, PFI, Peshawar.
2. Central Silviculturist, PFI, Peshawar.
3. AO (B&A), PFI, Peshawar.
4. ✓ Mr. Asim Karim, Forest Ranger, PFI, Peshawar.

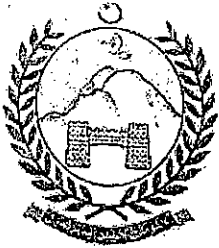
Deputy Director (Technical)  
Pakistan Forest Institute,  
Peshawar

HAJI MUHAMMAD MUSUF  
M.A. LL.B. Peshawar High Court

39

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Annex 'J'



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR

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



No. 1517 /F.II (Per)-Estt

Dated 12 December, 2012

To

Mr. Asim Karim,  
Forest Ranger,  
Pakistan Forest Institute,  
Peshawar

SUBJECT: EXPLANATION

As per terms of your appointment, your domicile certificate bearing No. 27019, dated 01-09-2009, was sent to District Coordination Officer (DCO), Lahore for verification vide PFI letter No. 1119/F.II(Per)-Estt, dated 5<sup>th</sup> September 2012. DCO, Lahore, vide letter No. DDO (HRM-2214)P.A, dated 30-11-2012, has declined to verify your domicile and informed this office that "Domicile Certificate No. 27019, dated 01-09-2009, in the name of Mr. Asim Karim S/o Abdul Karim is not verified in concerned office" (copy enclosed). Prima facie, the domicile certificate is fake without any supporting entry in the office record of concerned Assistant Commissioner / Collector, Lahore Cantt. This is misconduct and a criminal act on your part.

2. You are, therefore, directed to explain your position within 03 days of receipt of this letter as to why not a disciplinary action should be taken against you under E&D Rules, 1973, besides registration of a criminal case.

Deputy Director (Technical)  
Pakistan Forest Institute,  
Peshawar

HAJJ MUHAMMAD MUNEEB  
M.A. LL.B. HONORARY JUDGE  
PESHAWAR

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Appendix XIV

# FORM P. I

Date: 1-9-59  
No: 27019

## THE PAKISTAN CITIZENSHIP ACT, 1951 (II OF 1951) AND RULES MADE THEREUNDER (VIDE RULES 23) CERTIFICATE OF DOMICILE

Where as ASIM KARIM S/O, D/O ABDUL KARIM.  
(In block letters)

Has applied for a certificate of domicile under the Pakistan Citizenship Act 1951 (II of 1951), alleging with respect to himself / herself here is the particulars set out below and has satisfied the undersigned that the condition laid down in section 17 of the said Act for the grant of a certificate of domicile are fulfilled in the said ASIM KARIM.

Now, there in pursuance of the powers conferred by the said Act and the rules made there undersigned hereby grants of the said ASIM KARIM.

In witness where of I have hereto subscribed my name this day of \_\_\_\_\_

Name: D D O (R) Cantt. LHR  
Signed: District Co-ordination Office  
Signature District Co-ordination Office

### PARTICULARS RELATING TO THE APPLICANT

Full Name ASIM KARIM.  
Father's Name ABDUL KARIM.  
Address in Pakistan 250-Block No. 6. Sector B. I. Township, Lhr

Address in country outside Pakistan \_\_\_\_\_

Place Lahore. Tensil Cantt. District Lahore.

Place of Domicile (Pakistan) Province Punjab

Date of arrival in the place of domicile 15-01-59

Name of wife or husband \_\_\_\_\_

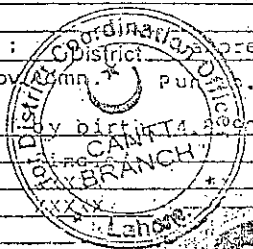
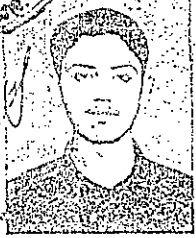
Married/single/widow/widower. \_\_\_\_\_

Name of Children And Their Ages \_\_\_\_\_

Trade or Occupation Student

Marks of Identification \_\_\_\_\_

Signature District Co-ordination Office D D O (R) Cantt. LHR  
District Co-ordination Office  
**LAHORE**



7350209

*Alkateed*  
*Lecturer*  
*Agriculture Department*  
*NWFP Agricultural Un.*  
*Peshawar*

*Haji Muhammad Yusuf*  
*MA LLB*

(4)

(24)

The Deputy Director (Technical),  
Pakistan Forest Institute,  
Peshawar.

Annex "A"

Through Proper channel.

Subject: Explanation

Respected Sir,

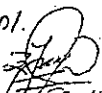
Reference is made to Pakistan Forest Institute,  
Peshawar letter No. 1517/F.II(Per)-Estt, dated: 12. Dec. 2012


It is apprised that the allegations imposed upon me are baseless and mis conceived. That infact I duly applied for the grant of domicile certificate in the concerned office and after due process, I was issued the domicile certificate in question from concerned office. If the department hasnot duly recorded the fact of issuance of domicile certificate to me, then I cannot be blamed for inaction or omission of officials concerned-


Submitted for your kind information please.

Dated: 14- Dec - 2012

Forwarded pl.

  
14/12/12

Your's Sincerely,  
  
(Asim Karim)  
(Forest Ranger)  
Pakistan Forest Institute,  
Peshawar.

  
HAJI MUHAMMAD YUSUF  
M.A, L.L.B, Advocate High Court  
Abbottabad

(92)

(25)



THROUGH REGISTERED POST



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR  
Ph: +92 91 9221224, 9216995, Fax: +92 91 9221233



(SAY NO TO CORRUPTION)

No. 1102 /F.II(Per)-Estt

Dated 2-17-2018

To

✓ Mr. Asim Karim,  
Forest Ranger (BPS-16),  
Pakistan Forest Institute Filed Station,  
Shinkiari, District Mansehra.

Subject: SHOW CAUSE NOTICE

I am directed to refer to the above cited subject and find enclosed herewith a show cause notice No. 1091/F.II(Per)-Estt, dated 29-06-2018, issued by Director General, Pakistan Forest Institute (PFI), Peshawar, with the request that reply to the subject show cause notice may be furnished to this office within 15 days positively, so that further necessary action may be taken accordingly.

Please acknowledge the receipt.

Administrative Officer (G)

Cc:

1. Section Officer (Estt), Forestry, Environment & Wildlife Department, Government of Khyber Pakhtunkhwa. A copy of show cause notice No. 1091/F.II(Per)-Estt, dated 29-06-2018, is attached herewith.
2. Director, Forest Education Division, PFI, Peshawar. A copy of show cause notice No. 1091/F.II(Per)-Estt, dated 29-06-2018, is enclosed herewith.
3. APS to Director General, PFI, Peshawar.

HAJI MUHAMMAD MUSJIF  
M.A., LL.B., Advocate High Court  
Abbottabad



(93)

(26)

Annex



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR  
Ph: +92 91 9221224, 9216995, Fax: +92 91 9221233  
(SAY NO TO CORRUPTION)



No. 1091 / P HC Peshawar

Dated 29/6/2018

SHOW CAUSE NOTICE

I, Mr. Hakim Shah, Director General, Pakistan Forest Institute, Peshawar, as competent authority, under the Khyber Pakhtunkhwa, Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mr. Asim Karim, Forest Ranger (BPS-16), Pakistan Forest Institute (PFI), Peshawar, as follows:

1. That while you appointed against the post of Forest Ranger (BPS-16), committed the following irregularities:

(a) You have produced Domicile Certificate of District Lahore, Government of Punjab at the time of your temporary appointment, as stipendiary candidate against the post of Forest Ranger at Pakistan Forest Institute (PFI), Peshawar on standard terms and condition. As per clause-10 of your term of appointment, your appointment was subject to verification of your documents / certificates, including Domicile Certificate, therefore, the Domicile Certificate was sent to District Coordinator Officer (DCO), Lahore for verification, vide this office letter No. 119/F.II(Per)-Estt, dated 05-09-2012 and 214/F.II(Per)-Estt, dated 05-03-2015. The DCO, City District Government Lahore, vide its letter No. DDO(HRM-2214/P.A), dated 30-11-2012, attached with a copy of Assistant Commissioner / Collector, Lahore Cantt. Letter No. HC(D)/498, dated 07-11-2012 and letter No. DDO(HRM-2266/P.A, dated 24-06-2015, with a copy of Assistant Commissioner / Collector, Lahore Cantt letter No.HC(D)/486, dated 05-06-2015, intimated that Domicile No. 27019, dated 01-09-2009, of Mr. Asim Karim S/o Abdul Karim is not verified / issued from that office record. Prima-facie domicile certificate is fake without any supporting entry in official record of the concerned authority.

2. (i) that I, being competent authority, has decided that in terms of Rule 5 (3) (b) of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011, it is not necessary to conduct an inquiry against you.; and  
(ii) on going through the material on record and other connected papers;-  
I am satisfied that you have committed the act / omission specified in rule 3 of the said rules:

HAJI MUHAMMAD YUSUF  
M.A, LL.B, Advocate High Court  
Abbottabad

(44)

(27)



a) Misconduct

3. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of dismissed from service under rule 4 of the said rules.

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

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

6. A copy of the relevant documents is enclosed.

*Hakim Shah*  
Mr. Hakim Shah  
Director General  
Pakistan Forest Institute /  
Competent Authority  
*[Signature]*

*[Signature]*

**Haji Muhammad Yusuf**  
M.A., LL.B., Advocate High Court  
Abbottabad

(45)

(28)

54



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR

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



No. 1119 /F II (Per)-Estt

Dated 5<sup>th</sup> September 2012

To

The District Coordination Officer,  
Lahore.

SUBJECT: VERIFICATION OF DOMICILE CERTIFICATE

Dear Sir,

Having been selected by the Federal Public Service Commission, Mr. Asim Karim has been offered temporary appointment to the post of Forest Ranger (BS-16) at Pakistan Forest Institute, Peshawar. As per his term of appointment, his appointment will be subject to verification of his documents / certificates including domicile.

2. Mr. Asim Karim S/o Abdul Karim is the permanent resident of Block No. 6, House No. 250, Mohallah Township, Sector B-I, Lahore. A copy of his domicile certificate is enclosed herewith.

3. In view of the above, it is requested that the domicile certificate issued in his favour by DDO (R) Cantt. Lahore, for District Coordination Officer, Lahore may kindly be verified and confirm his authenticity for further necessary action.

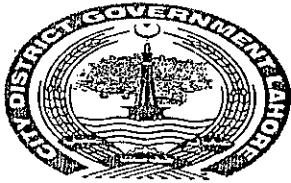
Yours faithfully,

*[Signature]*  
Deputy Director (Technical)  
Pakistan Forest Institute,  
Peshawar

*[Signature]*  
HAJI MUHAMMAD YUSUF  
M.A., LL.M. Advocate High Court

(46)

29



Office of the District Coordination Officer,  
City District Government, Lahore.

No. DDO (HRM 22/14) P.A  
Dated: 30-11-2012

To  
Deputy Director (Technical)  
Pakistan Forest Institute Pershawar

Subject: VERIFICATION OF DOMICILE

Reference to your office letter No. 1119/F-II(Per)-Estt dated 05-09-2012 on the subject cited above.

Report received from the office of Assistant Commissioner Cantt Lahore vide letter No. HC (D)/498 dated 07-11-2012 is enclosed for information and perusal.

*[Signature]*  
29/11/12  
Deputy District Officer (HRM)  
For District Coordination Officer  
City District Government Lahore

C.C

PS to District Coordination Officer, Lahore.

*[Signature]*  
7/12/12

AC (G-)

*[Signature]*  
HAJI MOHAMMAD YUSUF  
M.A. LL.B. Advocate High Court  
Rahatabad

97

30

61

From

The Assistant Commissioner / Collector,  
Lahore Cantt

To

The Deputy District Officer (HRM),  
For District Coordination Officer,  
City District Government, Lahore

No.HC(D)/ 498

Dated:- 7-11-12

Subject:- VERIFICATION OF DOMICILE CERTIFICATE

Please refer to your letter No. DDO(HRM-1953)/PA dated 14.09.2012 on the subject cited above.

2. Domicile Certificate No. 27019 dated 01-09-09 in the name of Asim Akram S/o Abdul Karim is not verified in this office record accordingly.

Assistant Commissioner / Collector,  
Lahore Cantt

*B: loul  
put up.*

*Deer  
28/11/12*

MAJ MUHAMMAD MUSJIF  
JUDGE, S. C. Bench, Lahore High Court  
2005-12-01

4

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
Forestry, Environment & Wildlife Department  
Pakistan Forest Institute, Peshawar



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

No. 214 /F.II (Per)-Estt.

Dated 5-3-2015

To

The District Coordination Officer (DCO),  
Lahore

Subject: VERIFICATION OF DOMICILE CERTIFICATE

Dear Sir,

Domicile Certificate No. 27019 dated 01-09-2009 in respect of Mr. Asim Karim S/o Abdul Karim resident of Block No. 6 House No. 250, Mohallah Township, Sector B-1, Lahore (copy enclosed), issued by DDO (R) Lahore, was supplied to your office vide this office letter No. 1119/F.II(Per)-Estt dated 05-09-2012 (copy enclosed) for verification and authenticity. Your good office has returned the same with observation that the domicile certificate in the name of Mr. Asim Akram S/o Abdul Karim is not verified in this office, vide your letter No. DDO (HRM-2214) P.A. dated 30-11-2012 (copy enclosed). The exact name of the domicile holder is Asim Karim where it is written as Asim Akram in your above mentioned letter, which needs clarification.

It is, therefore, requested that the domicile certificate issued in the name of Mr. Asim Karim S/o Abdul Karim may please be re-verified and confirm authenticity for further necessary action.

Yours faithfully,

Deputy Director (Technical)

HAJI MUHAMMAD MUSJIF  
Member High Court

42

32

63

167



Office of the District Coordination Officer,  
City District Government, Lahore.

No. DDO (HRM-2/166) P.A  
Dated: 24-06-2015

To,

The Deputy Director (Technical) ✓  
Government of Khyber Pakhtunkhwa  
Forestry Environment & Wildlife Department  
Pakistan Forest Institute Peshawar

Subject: **VERIFICATION OF DOMICILE CERTIFICATE**

Reference to your office letter No. 693/F.II (Per)-Estt dated 03-06-2015  
on the subject cited above.

Report received from the office of Assistant Commissioner (Cantt) Lahore  
vide letter No. HC (D)/486 dated 05-06-2015 is enclosed for information and perusal.

*[Signature]*  
Deputy District Officer (HRM)  
For District Coordination Officer,  
City District Government Lahore

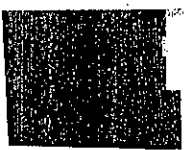
C.C

PS to District Coordination Officer, Lahore

*[Signature]*  
15/7/15  
Atz (S.)

*[Signature]*  
15/7/15  
Supd. (E)

*[Signature]*  
HAJI MUHAMMAD MUSUF  
District Coordination Officer



②

③③

⑤

166

From

The Assistant Commissioner / Collector,  
Lahore Cantt

To


Deputy District Officer (HRM),  
For District Coordination Officer,  
City District Government, Lahore


No.HC (D)/ 486 Dated:- 05/6/15

Subject:- VERIFICATION OF DOMICILE CERTIFICATE

Please refer to your letter No. DDO (HRM-1021)/PA dated 21/05/2015, on the subject cited above.

2. Domicile Certificate No. 27019-Dated 01/09/2009, in the name of Azim Karim s/o Abdul Karim, is not issued from this office. Requisite report is sent herewith as desired.

  
Assistant Commissioner / Collector,  
Lahore Cantt.

  
HAJI MUHAMMAD NISUF  
M.A. LL.B. (HONORARY)  
M.A. LL.M. (HONORARY)



5X

34

Annex "CM"

To,

The Administrative Officer (G)

Pakistan Forest Institute,

Peshawar.

Subject: Show Cause Notice Reply

Respected Sir,

With reference to the Show Cause Notice No. 1091/F.II (Per) Estt: dated: 29-06-2018 issued to me by The Director General PFI, Peshawar and was delivered to me by Post Office Shinkiani, District Manshera on 06-07-2018. My reply for this show cause notice is as under:


That I have applied for the domicile in question at the concerned office Lahore cant properly after submitting all the documents required for the issuances of a domicile certificate.

The domicile in question was issued to me after all the official works from the concerned office, if the staff/officials have not recorded the fact of issuances of domicile certificate to me than I cannot be blamed for inaction/omission of the concerned staff.

Moreover it is humbly requested that a time period of two months may kindly be given to me, so that I can pursue this matter personally.


I shall be very grateful to you.

Yours Sincerely,

 13/07/2018  
Asim Karim

(Forest Ranger)

Incharge FSS

  
HAJJ MUHAMMAD HUSUF  
Incharge FSS

52

35

23

Annex

GOVERNMENT OF KHYBER PAKHTUNKHWA  
 FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT  
 PAKISTAN FOREST INSTITUTE, PESHAWAR  
 Ph: +92 91 922 224, 9216995. Fax: +92 91 922 233  
 (SAY NO TO CORRUPTION)

Dated / / 2018

NOTIFICATION

No. F.II(Per)-Estt: WHEREAS, Mr. Asim Karim (CNIC No. 13101-5001698-5) S/o Asim Karim, Forest Ranger (BPS-16), Pakistan Forest Institute (PFI), Peshawar, was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011, for the charges as mentioned in the show cause notice served upon him (copy attached),

AND WHEREAS, the competent authority, after considering the relevant record / documents of the case, served a Show cause notice upon the above named officer, to which he replied and provided him opportunity of personal hearing,

NOW, THEREFORE, the competent authority, after having considered the charges, evidence on record, the explanation of the officer, personal hearing and exercising his power under Rules 4(5)(ii) read with Rule 4(1)(b)(iv) and Rule 4(1)(a)(iii) of the Khyber Pakhtunkhwa, Government Servants (Efficiency and Disciplinary) Rules, 2011, has been pleased to imposed major penalty, "Dismissal from Service" upon Mr. Asim Karim, Forest Ranger (BPS-16), PFI, Peshawar and "Recovery of an amount of Rs. 0.143 Million" from him, spent upon the officer out of Government expenditure for acquiring his B.Sc Forestry Degree from PFI, Peshawar, with immediate effect.

Director General

No. 442 / F.II (Per)-Estt

Dated 7/9 /2018

A copy forwarded to:

1. < Secretary, Federal Public Service Commission, Government of Pakistan, Islamabad.
2. < Secretary, Punjab Public Service Commission, Government of Punjab, Lahore.
3. < Secretary, Khyber Pakhtunkhwa Public Service Commission, Government of Khyber Pakhtunkhwa
4. Chief Conservator Forest, Khyber Pakhtunkhwa Forest Department
5. Chief Conservator Wildlife, Khyber Pakhtunkhwa Wildlife Department
6. Director General, Environmental Protection Agency, Khyber Pakhtunkhwa, Peshawar.
7. < Director, Forest Education Division, PFI, Peshawar.
8. Section Officer (Estt), Forestry Environment & Wildlife Department, Peshawar.
9. The Administrative Officer (B&A) PFI, Peshawar.
- ✓ 10. Mr. Asim Karim, ex-Forest Ranger, H.No. Cat-III(6), PFI Colony, Peshawar, with the direction to deposit the amount of Rs. 0.143 Million in the State Bank of Pakistan, Peshawar and copy of the said challan form submitted to this office for record.

*Habibul Chel*

Director General

HAJI MUHAMMAD NISIJF  
 Director General

**BEFORE THE**  
**PAKHTUNKH**  
**LIFE DEPAR**

APPEAL  
NOTIFICATION

07.09.2018

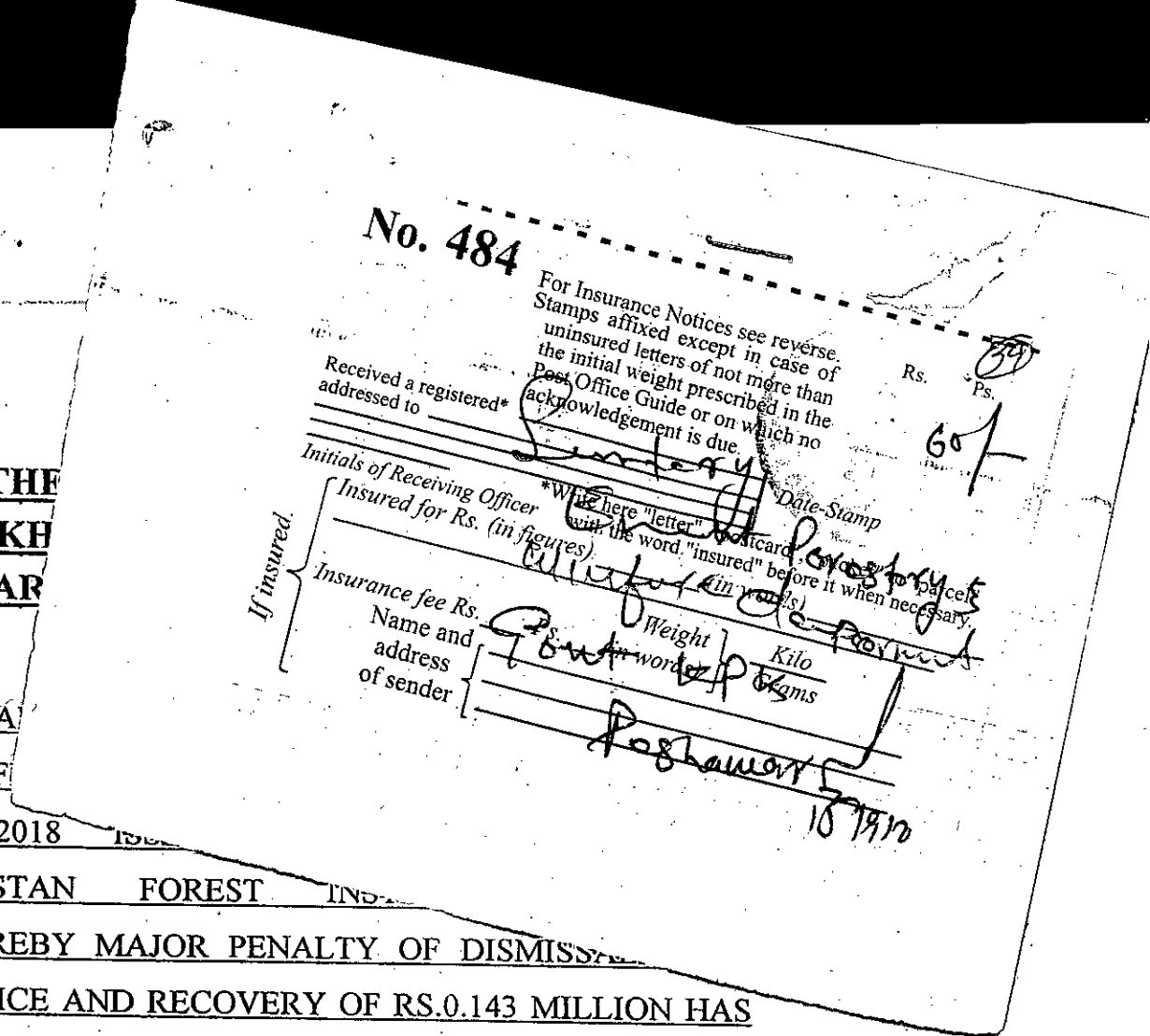
PAKISTAN FOREST INSTITUTE

WHEREBY MAJOR PENALTY OF DISMISSAL FROM  
SERVICE AND RECOVERY OF RS.0.143 MILLION HAS  
BEEN IMPOSED ON THE APPELLANT ON THE  
GROUNDS UNWARRANTED BY LAW.

*Respectfully Sheweth,*

***Brief facts of the case are following:-***

1. That, Federal Public Service Commission advertised the post of Forest Ranger (BPS-16) in the Pakistan Forest Institute and appellant applied for the post and after written test, interview and completion of all codal formalities the Commission vide its letter No.F-4.22/2010, R-FS-1 dated 03.05.2011 approved / recommended the appellant for the post and accordingly the Director General Pakistan Forest Institute, Peshawar vide his Notification No.770/F-II Estt dated 11.06.2012 notified the appointment of appellant. (Copy of notification of DG PFI is attached)



HAJI MUHAMMAD MUSUF

54

37

2

2. That, in compliance of appointment orders the petitioner assumed his service on 27.03.2012.
3. That on 12.12.2012 the Deputy Director (Technical) PFI issued an explanation bearing No.1517/F-II(Rcv)-Estt to the appellant with the direction to explain the position regarding Domicile Certificate submitted by the appellant. The appellant duly submitted his reply in which he stated that Domicile was obtained in usual course, under due process and through appropriate authority. **(Copies of explanation and reply are attached herewith)**
4. That, the appellant submitted the reply of the explanation with the clarification that the Domicile in question was obtained by the appellant through the legal process from the concerned office / authority. **(Copy of explanation and the reply of appellant are attached)**
5. That, the appellant continued his service uninterruptedly from the date of assuming his duty till June 2018 when a show cause notice under reference No.1102/F-11(Per)-Estt dated 02.07.2018 was issued to the appellant with the allegation that

HAJI MUHAMMAD MISUF

35

38

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Domicile Certificate produced by the appellant could not be verified by the issuing authority and that the authority (DG PFI) wanted to impose major penalty of dismissal from service upon the appellant. **(Copy of show cause notice is attached)**

6. That, the appellant reiterated the earlier response submitted by him with further request to afford him (appellant) two months time in order to reconcile the record but it was not granted. **(Copy of reply is attached)**

7. That, the appellant appeared before the authority for personal hearing and requested for finding the factual position of the case in appropriate manner.

That, the appellant challenges the validity of the order of authority on the following:-

**GROUND:-**

a. That, the appellant rendered almost seven years services to the PFI with dedication, hard work and zeal with unblemished record and when he became overage for other services an insignificant matter

HAJI MUHAMMAD NUSUF  
M.A. L.L.B. Advocate High Court

relating to Domicile was dug out and used against the appellant.

- b. That, proper enquiry under Rule 4 of KPK Efficiency and Disciplinary Rules 2011 was not conducted with the plea that case is clear and did not need any enquiry whereas proper opportunity was not provided to appellant for his defence, hence order is clear violation of the principles of natural justice.
- c. That, matter of verification of Domicile was not properly processed through enquiry and on the basis of letter of AC Cantt Lahore, where wording of letter was ambiguous and not clear and precise strict action of major penalty was imposed.
- d. That, the order of authority is a clear example of irregular procedure, haste and discrimination where an officer selected by the Public Service Commission was sacked on summary trial basis.

In the light of above it is prayed, that by acceptance of the instant appeal / representation

H.A. JI MUHAMMAD MUSJIF  
M.A. L.L.B. Advocate High Court



5



the impugned order of dismissal from service  
alongwith recovery of amount be set aside and  
appellant be reinstated on his post.

Dated: 15/09/2018

(ASIM KARIM)  
S/o Abdul Karim  
C/o Mohammad Ejaz, Mughal  
Colony, Village Mian Di Seri,  
Post of Public School, Tehsil  
and District Abbottabad.



ADVOCATE  
M.A. L.S. Advocate High Court

41

**PESHAWAR HIGH COURT, ABBOTTABAD BENCH**

**Advocate Detail**

Full Name: HAJI MUHAMMAD YUSUF

Father's Name: MUHAMMAD AYUB

Date of Birth: 11-10-1950 CNIC # 13101-1439356-9

Permanent Address: VILLAGE LAILGAH, POST OFFICE MUSLIMABAD,  
TEHSIL AND DISTRICT ABBOTTABAD

Present Address: OFFICE NO.31 HAYAT SHERPAO LAWYERS PLAZA  
DISTRICT COURTS ABBOTTABAD

Email: myusufayub@gmail.com District: ABBOTTABAD

Mobile # 0334-8984424

License No. DC: BC-10-1219

Issue Date: 14-03-1998

License No. HC: BC-10-1219

Issue Date: 05-09-2000

License No. SC: \_\_\_\_\_

Issue Date: \_\_\_\_\_

**MENTION YOUR PENDING CASES:**

Case No.	Petitioner	Respondent
CR No.211/18 CM No.320/18	CBA	Ameer Abdullah
	CBA (Review)	Shoukat Khan
WP No.747/18	Muhammad Younas	Saira Bano
CR No.211/17	Syed Abbas Shah	Jahanzeb
R&W No.5/12	Dr.Sameen Jan	Lubna Haider
CR No.196/18	Toufique	CBA
WP No.163/18	Muhammad Qadir	Khursheed Tabbasum
WP No.191/18	Dildar	Gohar Khanam
FAB 7/17	Khalid Nadeem	NDFC
W.P No.10/17	Muhammad Ashraf	Muhammad Saleem
WP No.281-A/13	Hazara University	Govt of KPK
CR No.205/11	Mst Bibi Mazloom	Govt of KPK
CR 310/13	Muzaffar Khan	Bibi Mazloom
FAB No.3/16	Sardar Adeel	Nasir Nadeem etc
WP No.606/4	Mst.Mehrun Nisa	Ashraf etc

Haji Muhammad Yusuf  
Advocate High Court



42

**IN THE PESHAWAR HIGH COURT,**  
**ABBOTTABAD BENCH**  
**OPENING SHEET FOR WRIT BRANCH**

Case No. \_\_\_\_\_  
Date of Filing: \_\_\_\_\_  
District: Abbottabad

Case Type: WRIT PETITION

Nature of Original Proceedings: SERVICE MATTER

Category Code:

(Categories & Sub Categories are given at the back of the opening sheet)

Review/ Contempt of Court in respect of

Writ of;  Habeas Corpus  Prohibition  Mandamus  Quo Warranto  Certiorari

If Certiorari;

Forum	Date	Interlocutory /Final Order	Caste Pertains to
			<input type="checkbox"/> SB
			<input type="checkbox"/> DB

<b>Petitioner Name</b>	Asim Karim
<b>Mobile No.</b>	0310-0908733
<b>Address</b>	House No.Category-III(6), PFI Colony, Peshawar
<b>CNIC No.</b>	13101-5001698-5
<b>Email Address</b>	asimkarim1990@gmail.com

<b>Counsel for Petitioner(s)</b>	Haji Muhammad Yusuf
<b>Mobile No.</b>	0334-8984424
<b>Address</b>	Office No.31 Hayat Sherpao Lawyers Plaza District Courts Abbottabad
<b>CNIC No.</b>	13101-1439356-9
<b>Email Address</b>	myusufayub@gmail.com

<b>Respondent(s)</b>	Director General Pakistan Forest Institute and others
<b>Address</b>	Mentioned in the heading of Writ Petition

**Original Order/ Action/ Inaction Complained of;**  
Against the notification No.1442/F-II (Per)-Estt dated 07.09.2018

**Prayer;**  
On acceptance of instant Writ Petition, notification / order 1442/FII (Per) Estt issued by respondent No.1 may graciously be struck down by declaring the Same as null and void and Petitioner be re-instated at his service.

**Law/Rules/Governing the original proceedings/action/Inaction**  
1. The Constitution of Islamic Republic of Pakistan, 1973.  
2. Other case law related books will be cited at the Bar.

Signature: \_\_\_\_\_

**HAJI MUHAMMAD YUSUF**  
Advocate High Court

**43** **Annex "P"**  
**BEFORE THE HONOURABLE PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**

W.P.No. \_\_\_\_\_ /2019

Asim Karim

...PETITIONER

**V E R S U S**

Director General Pakistan Forest Institute and others

...RESPONDENTS

**WRIT PETITION**

**INDEX**

S.No.	Description of Document	Annexures	Page No.
1.	Writ Petition alongwith Verification, Affidavit and Certificate	--	1-11
2.	Addresses of the Parties	--	12
3.	List of Books	--	13
4.	Copies of the Writ Petition and order of the Honourable Court	"A" & "B"	14-27
5.	Copy of the Roll No slip	"C" A	28-29
6.	Copy of letter dated 17.02.2011	"D"	30
7.	Copy of the letter dated 22.03.2011	"E"	31
8.	Copy of the letter dated 03.05.2011	"F"	32
9.	Copy of the letter dated 21.05.2011	"G"	33-34
10.	Copy of the arrival report dated 25.05.2011	"H"	35
11.	Copy of joining report dated 27.03.2012	"I"	36
12.	Copy of Notification dated 11.06.2012	"J"	37
13.	Copy of the letter dated 18.04.2012	"K"	38
14.	Copy of Explanation dated 12.12.2012	"L"	39-40
15.	Copy of the explanation dated 14.12.2012	"M"	41-42
16.	Copy of the show-cause notice dated 29.06.2018	"N" 13	39-50
17.	Copy of the reply dated 13.07.2018	"O"	51
18.	Copy of Notification dated 07.09.2018	"P"	52
19.	Copy of appeal dated 25.09.2018	"Q"	53-57
20.	Copies of notices alongwith postal receipts Copy of Writ Petition	"R"	58-62
21.	Court fee stamp paper worth Rs.500/-	--	63
22.	Vakalat Nama	--	64

...PETITIONER

Through:

Dated:- 22/01/2019

(HAJI MUHAMMAD YUSUF)  
Advocate High Court, Abbottabad.

HAJI MUHAMMAD YUSUF  
Advocate High Court

44

BEFORE THE HONOURABLE PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

W.P.No. \_\_\_\_\_ /2019

Asim Karim son of Abdul Karim, resident of house No. Category-III(6), PFI Colony, Peshawar, permanent residing at Ghari-Habibullah Kantheyali/Kokmang Tehsil and District Abbottabad.

...PETITIONER

**V E R S U S**

1. Director General Pakistan Forest Institute, Peshawar.
2. Secretary Government of Khyber Pakhtunkhwa, Department of Forestry, Environment & Wildlife, Peshawar.
3. Secretary Federal Public Service Commission, Government of Pakistan, Islamabad.
4. Secretary, Punjab Public Service Commission, Government of Punjab, Lahore.
5. Secretary, Khyber Pakhtunkhwa Public Service Commission, Government of Khyber Pakhtunkhwa.

...RESPONDENTS

=====

~~WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 AS AMENDED UPTO DATE FOR DECLARATION TO THE EFFECT THAT NOTIFICATION UNDER REFERENCE NO.1442/FII (Per)-ESTT DATED 07.09.2018 ISSUED BY RESPONDENT NO.1 WHEREBY, THE MAJOR PENALTY OF DISMISSAL FROM SERVICE AND~~

HAJI MUHAMMAD MUSUF  
M.A., LL.B., Advocate High Court

45

RECOVERY OF AN AMOUNT OF RS.0.143 MILLION HAS BEEN IMPOSED UPON PETITIONER IS ILLEGAL, VOID AB-INITIO ARBITRARY, WITHOUT LAWFUL AUTHORITY AND OF NO LEGAL EFFECT.

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**PRAYER:-**

ON ACCEPTANCE OF INSTANT WRIT PETITION, NOTIFICATION / ORDER 1442/FII (Per) ESTT ISSUED BY RESPONDENT NO.1 MAY GRACIOUSLY BE STRUCK DOWN BY DECLARING THE SAME AS NULL AND VOID AND PETITIONER BE RE-INSTATED AT HIS SERVICE.

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**FACTS:-**

*Respectfully Sheweth,*

1. That, earlier Writ Petition No.1177-A/2018 submitted before the Honourable Court was withdrawn by the petitioner to file the petition afresh after expiry of specified period of departmental appeal which is still undecided. (Copies of the Writ Petition and order of the Honourable Court are attached as Annexures "A", "B" respectively)

H.A. JI. MUHAMMAD MUSJIF  
S.A. LL.B. JUDGE HIGH COURT

96

- Q. 1. That, petitioner has applied for the post of Forest Ranger (BPS-16) in response of an advertisement, published by FPSC and petitioner was called for the ability test to appear on 01.01.2011 by Assistant Director T & S. **(Copy of the Roll No slip is annexed as Annexure "C")**
3. That, petitioner was intimated vide Federal Public Service Commission letter dated 17.02.2011 about conditional pre-selection of petitioner and that petitioner would be called for interview as and when so fixed. The petitioner was further advised to submit. Domicile Certificate, attested copy of CNIC and attested copies of all documents and petitioner submitted the required documents in compliance of the directions of FPSC. **(Copy of letter is annexed as Annexure "D")**
4. That, petitioner was called by FPSC vide their letter No.F.4-88/10 R-FS-I dated 22.03.2011 to appear for interview at FPSC Head / office Islamabad on 05.04.2011 with direction to bring the copies of the Domicile Certificate, Matric, intermediate diplomas certificate and experience certificates alongwith

H.A. JAMILI  
JUDGE  
ISLAMABAD HIGH COURT

47

attested copies of all documents. **(Copy of the letter is annexed as Annexure "E")**

5. That, petitioner was recommended by the Commission for appointment to the post of Forest Ranges (BS-16) Pakistan Forest Institute Peshawar, Ministry of Environment vide letter dated 03.05.2011. **(Copy of the letter is annexed as Annexure "E")**
6. That, petitioner was offered temporary appointment as stipendiary candidate against the post of Forest Ranger on the terms and conditions mentioned in letter No.944 / F.II (Per)-Estt dated 21.05.2011 issued by respondent No.1. **(Copy of the letter is annexed as Annexure "G")**
7. That, petitioner submitted arrival report on 25.05.2011(F.N). **(Copy of the arrival report is annexed as Annexure "H")**
8. That, petitioner submitted joining report on 27.03.2012 (F.N). **(Copy of joining report is annexed as Annexure "I")**

M.A. MUHAMMAD MUSJIF  
M.A. & B. Advocate High Court  
Peshawar

48

9. That, that petitioner was appointed as Forest Ranger in BS-16 in Pakistan Forest Institute Peshawar with effect from 27.03.2012 vide Notification No.770/F.II(Per)-Estt dated 11<sup>th</sup> June, 2012 issued by Respondent No.1. **(Copy of Notification dated 11.06.2011 is annexed as Annexure "J")**
10. That, petitioner was attached with the concerned Offices of PF1 for practical training vide letter No.486/F.II (Per)-Estt dated 18<sup>th</sup> April, 2012. **(Copy of the letter is annexed as Annexure "K")**
11. That, an explanation under reference No.1517 / F.II (Per)-Estt dated 12<sup>th</sup> December, 2012 was issued by respondent No.1 under the signature of Deputy Director Technical PFI Peshawar with regard to the verification of Domicile Certificate in the name of petitioner and to explain position in that regard. **(Copy of Explanation is annexed as Annexure "L")**
12. That, petitioner submitted reply of the explanation on 14<sup>th</sup> December, 2012. **(Copy of the explanation is annexed as Annexure "M")**

M.A. J. MUHAMMAD  
Advocate High Court

49

13. That, later on <sup>app</sup> petitioner was issued a show cause Notice under reference No.1091/F.11(Per)-Estt dated 29.06.2018 issued by Director General Pakistan Forest Institute (PFI) Peshawar (respondent No.1) and conveyed through letter No. 1102/F-II(Per)Estt dated 02.07.2018 **(Copy of the show-cause notice is annexed as Annexure "N")** L
14. That, reply of the show-cause Notice was submitted by petitioner on 13.07.2018. and the petitioner appeared before respondent No.1 for personal hearing and requested the authority for finding the factual position of the case. **(Copy of the reply is annexed as Annexure "O")** M
15. That, respondent No.1 vide impugned notification under reference No.1442/F-II (Per)-Estt. dated 07.09.2018. imposed major penalty of dismissal from service upon petitioner and recovery of amount of Rs.0.143 million from petitioner on account of expenditure incurred on acquiring BSC Forestry Degree from PFI under the provisions of Khyber Pakhtunkhwa Government Servants (efficiency and disciplinary) Rules 2011. **(Copy of Notification is annexed as Annexure "P")** N

H.A. J. MUMTAZ MAJID TUSIJF  
M.A. L.L.B. Advocate High Court  
Faisalabad



50

appellate

16. That petitioner submitted an appeal before appellate authority on 15.09.2018 and no decision has so far been conveyed to petitioner. (Copy of appeal is annexed as Annexure "Q")

appellate

17. That the petitioner assails same on the following.

**GROUND:-**

a) That, the notification No.1442/F-11(Per)-Estt is void, without lawful arbitrary, beyond jurisdiction, arbitrary and of no legal effect hence liable to be declared as such by this Honourable Court. Tribunal

b) That petitioner was dismissed from service under impugned notification No. 1442/F-11(Per)-Estt dated 07.09.2018 issued by respondent No.1 without holding inquiry in utter disregard of law and relevant Rules, thus petitioner was deprived of his right and proper opportunity of defence provided under the constitution.

c) That the verification of the domicile was not routed through proper inquiry and strict action of major penalty was taken against petitioner on the basis of DCO Lahore's letter No.DDO(FRM-

HAJI MUHAMMAD TUSUF  
M.A. LL.B. Advocate High Court

51

2214/P.A), dated 30.11.2012 which contains ambiguous and unclear assertion.

d) That, the act of respondent No.1 is clear example of colourable exercise of authority / power that reflects haste and discrimination, whereby the petitioner having rendered 7 years of service to the PFI with spotless service record, has been dismissed from the service in the manner unwarranted by the law vide notification being violative of law.

That, notices have been served upon respondents as per rules. **(Copies of notices alongwith postal receipts are annexed as Annexure "R")**

f) That, Court fees stamp paper worth Rs.500/- is attached herewith.

PRAYER:-

It is therefore humbly prayed that on acceptance of instant <sup>appeal</sup> Writ Petition, notification / order 1442/F-II (Per) Estt: dated 07.09.2018 issued by Respondent No.1 may graciously be struck down by declaring the same as null and void and

H.A.J. MUHAMMAD MUSUF  
M.A. LL.B. Sindh High Court

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52

petitioner be re-instated at his service. Any other relief which this Hon'ble Court deems appropriate may also be granted.

**INTERIM RELIEF:**

As an interim relief, it is further prayed that the petitioner may graciously be reinstated on the post by suspending the impugned notification No.1442/F-II(Per)-Estt: dated 07.09.2018 till the decision of the instant Writ Petition.

*[Signature]*  
...PETITIONER

Through:

*[Signature]*

(HAJI MUHAMMAD YUSUF)  
Advocate High Court, Abbottabad

Dated:- 22/01/2019

**VERIFICATION:-**

*Verified that the contents of the instant Writ Petition are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.*

Dated:- 22/01/2019

*[Signature]*  
...PETITIONER

*[Signature]*  
HAJI MUHAMMAD YUSUF  
M.A., L.L.B. Advocate High Court

53  
10 -

**BEFORE THE HONOURABLE PESHAWAR HIGH  
COURT, ABBOTTABAD BENCH.**

W.P.No. \_\_\_\_\_ /2019

Asim Karim

...PETITIONER

**V E R S U S**

Director General Pakistan Forest Institute and others


...RESPONDENTS

**WRIT PETITION**

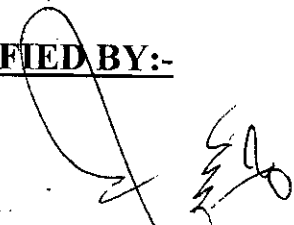
**AFFIDAVIT**


I, *Asim Karim son of Abdul Karim, resident of house No. Category-III(6), PFI Colony, Peshawar, petitioner*, do hereby solemnly affirm and declare on Oath that the contents of instant *Writ Petition* are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

Dated:- 22/01/2019

  
...DEPONENT

**IDENTIFIED BY:-**

  
**(HAJI MUHAMMAD YUSUF)**  
Advocate High Court,  
Abbottabad.

  
**HAJI MUHAMMAD YUSUF**  
M.A. LL.B. Advocate High Court

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**

W.P.No. /2019

Asim Karim

**...PETITIONER**

**V E R S U S**

Director General Pakistan Forest Institute and others

**...RESPONDENTS**

**WRIT PETITION**

**CERTIFICATE**

*Certified that no such like Writ Petition has earlier been filed before this Hon'ble Court or any other Court of Law.*


  
**...PETITIONER**

*Through:*



**(HAJI MUHAMMAD YUSUF)**  
Advocate High Court, Abbottabad

Dated:- 22/01/2019

  
**HAJI MUHAMMAD YUSUF**  
M.A. LL.B. Advocate High Court

55

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**

W.P.No. /2019

Asim Karim

...PETITIONER

**V E R S U S**

Director General Pakistan Forest Institute and others

...RESPONDENTS

**WRIT PETITION**

**ADDRESSES OF THE PARTIES**

*Respectfully Sheweth;*

The addresses of the parties are as under;

**PETITIONER:**

Asim Karim son of Abdul Karim, resident of house No.Category-III(6), PFI Colony, Peshawar.

**RESPONDENTS:**

1. Director General Pakistan Forest Institute, Peshawar.
2. Secretary Government of Khyber Pakhtunkhwa, Department of Forestry, Environment & Wildlife, Peshawar.
3. Secretary Federal Public Service Commission, Government of Pakistan, Islamabad.
4. Secretary, Punjab Public Service Commission, Government of Punjab, Lahore.
5. Secretary, Khyber Pakhtunkhwa Public Service Commission, Government of Khyber Pakhtunkhwa.

...PETITIONER

*Through:*

(HAJI MUHAMMAD YUSUF)  
Advocate High Court, Abbottabad

Dated:- 22/01/2019

HAJI MUHAMMAD YUSUF  
M.A., LL.B. Advocate High Court  
22/01/2019

56

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**

W.P.No. \_\_\_\_\_ /2019

Asim Karim

...PETITIONER

**V E R S U S**

Director General Pakistan Forest Institute and others

...RESPONDENTS


**WRIT PETITION**

**LIST OF BOOKS**

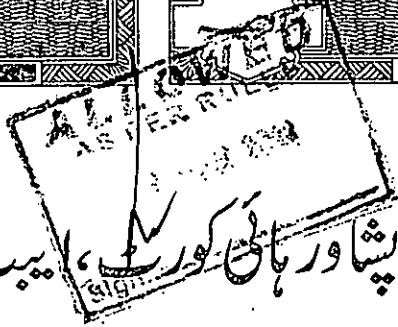
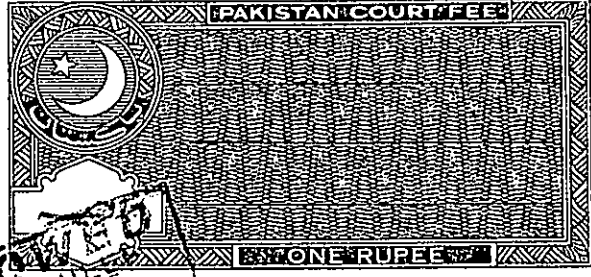
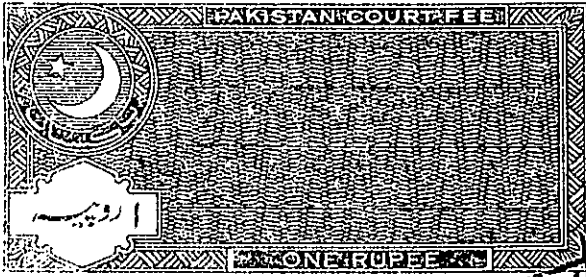
1. The Constitution of Islamic Republic of Pakistan, 1973.
2. PLJ 2006 Lah 539
3. PLC 2012 S.C 566
4. Other case law related books will be cited at the Bar.

Dated:- 22/01/2019

  
(HAJI MUHAMMAD YUSUF)  
Advocate High Court, Abbottabad

  
HAJI MUHAMMAD YUSUF  
Advocate High Court  
Abbottabad

57



محکمہ نقول پشاور ہائی کورٹ، ایبٹ آباد پنچ

۱۔ متعلقہ برانچ (جس برانچ کا کیس ہو اس کا نام لکھیں) writ - petition

۲۔ نمبر مقدمہ ۱۱۷۸/۱۹  
۳۔ عنوان مقدمہ عبدالکریم ولدیت

۴۔ زیر تجویز فیصلہ شدہ S.B/D.B۔۵

۶۔ تاریخ فیصلہ 07/02/2019

مطلوبہ نقولات:

writ - petition

فندیہ

مندرجہ بالا نقولات حسب ضابطہ عنایت فرمائی جائیں۔

عبدالکریم ولدیت

07/02/19

0310 - 0908733

For Office Usely Only

Appl No.	No. of Pages	Date of Preparation	Date of Delivery	Received by:



کورٹ فیس  
قیمتی

## وکالت نامہ

BEFOR KPK SERVICE TRIBUNAL بعدالت

ASIM KARIM : نام : DIRECTOR GENERAL ETC

APPELLANT منجانب

APPEAL نوعیت مقدمہ

### باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کارروائی متعلقہ آس مقام

HAJI MUHAMMAD YUSUF Advocate

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا نیز وکیل صاحب

موصوف کو کرنے راضی نامہ و تقرر ثالث فیصلہ برحلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء

وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور

کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار

بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و

قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔

نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف

پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جز و بقایا ہو تو وکیل صاحب موصوف

مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست ہمزاد استیارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کی

پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

بمقام

8/2/19  
HAJI MUHAMMAD YUSUF  
Advocate  
KPK SERVICE TRIBUNAL

ASIM KARIM

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**Service Appeal No. 186/2019**

Mr. Asim Karim, S/o Abdul Karim, ex-Forest Ranger, PFI, Peshawar.

.....**APPELLANT**

**VERSUS**

1. The Director General, Pakistan Forest Institute, Peshawar.
2. The Secretary to the Government of Khyber Pakhtunkhwa, Peshawar Forestry, Environment & Wildlife Department.

.....**RESPONDENTS**

**INDEX**

<b>S. #</b>	<b>Particulars</b>	<b>Annexure</b>	<b>Page No.</b>
1.	Parawise Comments	-	1-4
2.	Affidavit	-	5
3.	Offer of appointment order	A	6-7
4.	Order regarding monthly stipend	B	8
5.	Medical Examination letter	C	9
6.	Letter to DCO, Lahore for verification of Domicile of the appellant, dated 05-09-2012	D	10
7.	Letter / report of DCO, Lahore dated 30-11-2012	E	11-13
8.	Explanation of the appellant	F	14
9.	Appellant reply	G	15
10.	Letter to Admin. Deptt. for initiate disciplinary proceedings against appellant, dated 09-12-2014	H	16-17
11.	Cabinet Division, Islamabad letter dated 14-02-2015 regarding re-verification of Domicile of appellant	I	18
12.	Letter to DCO, Lahore for verification of Domicile of the appellant, dated 05-03-2015	J	19
13.	Letter / report of DCO, Lahore dated 24-06-2015	K	20-21
14.	Letter to Cabinet Division, Islamabad for disciplinary proceedings against the appellant, dated 31-07-2015	L	22
15.	Office Memorandum regarding creation of Ministry of Climate Change, Islamabad	M	23
16.	Office order regarding permanent absorption of appellant in Provincial Govt. of KP	N	24-25
17.	Show Cause Notice, dated 29-06-2018	O	26-27
18.	Notification regarding removal from service of appellant	P	28
19.	Rules regarding major penalties as per KP E&D Rules, 2011	Q	29

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**Service Appeal No. 186/2019**

Mr. Asim Karim, S/o Abdul Karim, ex-Forest Ranger, PFI, Peshawar.

.....APPELLANT

**VERSUS**

1. The Director General, Pakistan Forest Institute, Peshawar.
2. The Secretary to the Government of Khyber Pakhtunkhwa, Peshawar Forestry, Environment & Wildlife Department.

..... RESPONDENTS

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 & 2**

Respectfully Sheweth:

**Preliminary Objections:**

1. That the appellant has no legitimate cause of action.
2. That the appellant has no locus standi to file instant appeal.
3. That the appellant has not come to the Hon'ble Khyber Pakhtunkhwa Service Tribunal, with clean hands.
4. That the appellant has not exhausted the available remedies before approaching the Tribunal i.e. Departmental Appeal and as the appellant has been penalized under Khyber Pakhtunkhwa Government Servants Efficiency & Disciplinary Rules, 2011.
5. That the appeal is not maintainable due to mis-joinder and non-joinder of necessary parties.

**FACTS**

1. That Pertains to record, hence needs no comments.
2. That Pertains to record, hence needs no comments.
3. That Pertains to record, hence needs no comments.
4. That Pertains to record, hence needs no comments.
5. That the appellant was selected / recommended by the Federal Public Service Commission (FPSC), Islamabad for appointment against the post of Forest Ranger (BPS-16) at Pakistan Forest Institute (PFI), Peshawar. That the post of Forest Ranger (BPS-16) was reserved / advertised for domicile holder of "Punjab Province". At the time of selection the appellant did not possess the prescribed / requisite qualification, therefore, he was considered as stipendiary candidate for the post of Forest Ranger BPS-16, subject to the terms & conditions mentioned in his offer for appointment / selection vide office memorandum dated 21-05-2011.
6. That Pertains to record, hence needs no comments.
7. As explained in Para-5 above. Furthermore, the appellant after his successful completion of B.Sc Forestry Course from PFI, assumed the charge of the post of Forest Ranger on 27-03-2012.
8. That Pertains to record, hence needs no comments.
9. That Pertains to record, hence needs no comments.
10. As explained in Para-5 & 7 above. It is further to clarify that at the time of selection, the appellant did not possess the prescribed / requisite qualification, therefore, he was considered as stipendiary candidate for the post of Forest Ranger BPS-16, subject to the terms & conditions mentioned in his offer for

appointment / selection vide office memorandum dated 21-05-2011 (**Annex-A**). Due to the selection of the appellant against the post of Forest Ranger (BPS-16), PFI, reserved for Punjab Province Quota, PFI had incurred all the expenditure of his B.Sc Forestry Course and also allowed him monthly stipends vide order dated 12-03-2012 (**Annex-B**). Consequently, after his successful completion of B.Sc Forestry Course from PFI, the appellant assumed the charge of the post of Forest Ranger on 27-03-2012 and as per term and conditions incorporated at serial No. 10, this office approached Medical Superintendent, Police Line, Peshawar, to conduct medical examination of the appellant to ascertain his fitness for government employment (**Annex-C**). Furthermore, in light of the said pre-requisite condition, this office also approached District Coordination Officer, Lahore with the request to verify and confirm the authenticity of the domicile submitted by the appellant for further necessary action accordingly vide PFI letter dated 05-09-2012 (**Annex-D**). In response of that Assistant Commissioner / Collector, Lahore Cantt. Vide letter dated 07-11-2012 read with Deputy District Officer (HRM) for District Coordination Officer, City District Government, Lahore, vide letter dated 30-11-2012, informed that **Domicile Certificate No. 27019, dated 01-09-2009 in the name of Asim Akram S/o Abdul Karim was not verified in that office record accordingly (Annex-E)**. In pursuance of the said letter / clarification of DCO, Lahore, PFI, Peshawar directed the appellant to explain his position that why not disciplinary action should be taken against him under E&D Rules, 1973 (**Annex-F**). In this regard, the reply of the appellant dated 14-12-2012 (**Annex-G**), was not satisfactory. Therefore, this office approached Administrative Department i.e. Forestry, Environment & Wildlife Department, Government of Khyber Pakhtunkhwa, to take up the case with Devolution Cell, Islamabad, for disciplinary proceedings against the appellant. In response, Administrative Department forwarded the matter to Cabinet Division (Devolution Cell), Islamabad, being competent authority, for further necessary action vide letter dated 07-03-2013. In this regard, Section Officer (Devolution Cell), Islamabad, instructed to submit draft charge sheet to the concerned office in light of guideline issued by the Establishment Division (MS Wing)'s O.M dated 02-11-2012, for further processing the case, which was accordingly provided vide PFI letter dated 09-12-2014 (**Annex-H**). Later on, Section Officer (Environment), Cabinet Division (Devolution Cell), Islamabad, vide letter dated 10-02-2015, instructed this office to once again verify the domicile of the appellant from DCO, Lahore and after verification resubmit the case to Devolution Cell, Cabinet Division, Islamabad, for further processing (**Annex-I**). In pursuance of the said direction, PFI again approached DCO, Lahore, with the request that the exact name of the domicile holder is "**Asim Karim**", whereas it was written as "**Asim Akram**" in his letter dated 07-11-2012, therefore, the domicile certificate in respect of the appellant may be re-verified for further necessary action (**Annex-J**). In response, Assistant Commissioner / Collector, Lahore Cantt, vide letter dated 05-06-2015 read with Deputy District Officer (HRM) for District Coordination Officer, City District Government, Lahore, vide letter dated 24-06-2015, informed that domicile certificate No. 27019, dated 01-09-2009, in the name of Mr. Asim Karim (Appellant) S/o Abdul Karim was not issued from their office (**Annex-K**). PFI vide letter dated 31-07-2015, communicated the said report / re-verification to Cabinet Division, Islamabad, with the request to initiate disciplinary proceeding against the appellant (**Annex-L**). Section Officer (Devolution), Islamabad vide office memorandum dated 02-10-2015, informed that due to creation of Ministry of Climate Change, Islamabad, all the important function of defunct Ministry of Environment have been assigned to Ministry of Climate Change, Islamabad under Rules of Business, 1974. It was, further informed that as per decision taken by the Cabinet Secretary

that all matters of PFI, Peshawar were to be dealt by Ministry of Climate Change, Islamabad. Consequently, the case file in respect of the appellant was sent to Ministry of Climate Change, Islamabad for further processing (**Annex-M**). In the meanwhile, in accordance to Section-11B of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), all the employees of PFI including the appellant (devolved employees) had been considered to be Civil Servants of the Province for all intents and purposes under the Act *ibid* (**Annex-N**). Therefore, after permanent absorption into Provincial Government, DG, PFI being competent authority, in pursuance of Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011, served a show cause notice to the appellant on account of his producing fake domicile with intimation of taking action of major penalty of dismissal from service and asked for whether he desired to be heard in person (**Annex-O**). The competent authority, after having considered the charges, evidence on record, the explanation of the office, personal hearing and exercising his power under Rules 14(5)(ii) read with Rule 4(1)(b)(iv) and Rule-4(1)(a)(iii) of the Khyber Pakhtunkhwa, Government Servants (Efficiency and Disciplinary) Rules, 2011, imposed major penalty of "**Dismissal from Service**" upon the appellant alongwith "**Recovery of an amount of Rs. 0.143 Million**" from him, as spent upon the appellant out of Government expenditure for acquiring his B.Sc Forestry Degree from PFI, Peshawar. (**Annex-P**).

11. As explained in Para-10 above.
12. As explained in Para-10 above.
13. As explained in Para-10 above.
14. As explained in Para-10 above.
15. Incorrect. The appellant preferred appeal / representation against his dismissal from service penalty to the next higher authority, which was sent to the concerned Head of the Attached Department for Parawise comments. The Director General, PFI, Peshawar, finalized his comments on 04-01-2019, which was processed. However, in the meantime, the appellant gone to the Khyber Pakhtunkhwa Service Tribunal with service appeal No. 186/2019 on 08-02-2019, without waiting for the final decision on the appeal by the appellant authority. In term of Rule19 (2) of E&D Rules 2011, if a decision on a departmental appeal or review petitioner as the case may filed under rule 17, is not communicated within a period of sixty days of fileling therefore, the affected government servant may file an appeal in Service Tribunal within a period of 90 days of the expiry of the aforesaid period, whereafter, the authority with whom the department appeal is pending, shall not take any further action. In view of the above quoted rules further process on the departmental appeal of the petitioner has been stopped / kept pending.
16. Needs no comments.

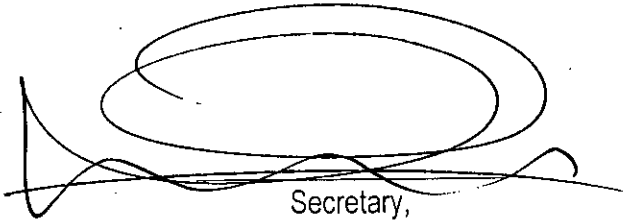
## GROUNDS

- a) Incorrect. As explained in Para-5 & 10 of facts.
- b) Incorrect. As explained in Para-10 of facts. That in pursuance of Rules-5 (b) of the Khyber Pakhtunkhwa, Government Servants (Efficiency and Disciplinary) Rules, 2011, the competent authority may dispense with inquiry where it is in possession of sufficient documentary proof against the accused or, for reason to be recorded in writing, it is, satisfy that there is no need to hold an inquiry

4  
(Annex-Q). Therefore, in the instant case, the sufficient documents / evidences against the appellant were available, hence, the competent authority issued Show Cause Notice.

- c) Incorrect. As explained in Para-10 above.
- d) Incorrect. As explained in Para-10 of facts.
- e) Incorrect. As explained in para-10 of facts and Para-b of the grounds.

In view of the above, the instant appeal, being devoid of merits, may kindly be dismissed.



Secretary,  
Govt. of Khyber Pakhtunkhwa,  
Forestry, Environment & Wildlife  
Department,  
Respondent No.2



Director General,  
Pakistan Forest Institute,  
Peshawar  
Respondent No. 1

*J. Ahmad*

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**Service Appeal No. 186/2019**

Mr. Asim Karim, S/o Abdul Karim, ex-Forest Ranger, PFI, Peshawar  
.....**APPELLANT**

**VERSUS**

1. The Director General, Pakistan Forest Institute, Peshawar.
2. The Secretary to the Government of Khyber Pakhtunkhwa, Peshawar  
Forestry, Environment & Wildlife Department.

.....**RESPONDENTS**

**AFFIDAVIT**

I, Farhan Ahmad, Superintendent, Pakistan Forest Institute, Peshawar do hereby solemnly affirm and declare on oath that the contents of compliance of Appeal No.186/2019 on behalf of Respondent No. 1 & 2 are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

  
**Deponent**

CNIC# 17301-1555108-5



6  
Amir-A  
60  
Government of Pakistan  
Ministry of Environment  
Pakistan Forest Institute, Peshawar



No. 944 / F.II (Pcr)-Estt

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

Dated 21/5/2011

MEMORANDUM

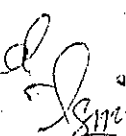
SUBJECT: OFFER OF SELECTION AS STIPENDIARY CANDIDATE TO THE POST OF FOREST RANGER (BS-16) AT PAKISTAN FOREST INSTITUTE, PESHAWAR

Having been selected by the Federal Public Commission, Mr. Asim Karim, S/o Abdul Karim is offered temporary appointment, as Stipendiary Candidate against the post of Forest Ranger (BS-16) on the following terms and conditions:

1. Since Mr. Asim Karim does not possess the prescribed / requisite qualification in the Service Rules, of B.Sc. Forestry, therefore, he is selected as stipendiary candidate.
2. He shall be deputed to Director, Forest Education Division, Pakistan Forest Institute (PFI), Peshawar for study leading to degree in B.Sc. Forestry.
3. During study at Pakistan Forest Institute, Peshawar, he shall be paid a stipend for the prescribed period.
4. The period of study at Pakistan Forest Institute, Peshawar, for obtaining B.Sc. Forestry shall not count towards service, experience or seniority etc.
5. His appointment as Forest Ranger (BS-16), Pay scale 6060-470-20160, as amended from time to time, will be made after he has obtained the degree of B.Sc. Forestry from Pakistan Forest Institute, Peshawar.
6. The appointment will be temporary and Mr. Asim Karim will be on probation for a period of one year with effect from the date of joining duty. The period will be extendable by order either before or after its completion by a further period not exceeding one year, provided, that if no order has been made by the day following the termination of either of the aforementioned probationary periods, the appointment shall be deemed to be held until further orders.
7. He shall not be entitled to any TA/DA for joining his selection.

**ATTESTED**

  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar


Received  
Asim KARIM  




(11)

8. He shall submit an undertaking / agreement form / surety bond in the sum of Rs. 350,000/- on the prescribed format for successful completion of 2 years training with award of B.Sc. Forestry and a mandatory service at PFI for a minimum of 5 years after completion of B.Sc. Forestry.
9. His services are liable to be terminated at any time without assigning any reason, by giving a notice in writing from either side for a period of not less than fourteen days, or payment in lieu of the notice of a sum equivalent to his pay for fourteen days, or for the period by which the notice falls short of fourteen days, provided the employees shall be liable to priorly to discharge his outstanding liabilities under the undertaking / agreement / surety bond, if any.
10. His appointment will be subject to his being declared medically fit on such medical examination as may be necessary under the Rules and subject to verification of his documents / certificates including domicile, character and antecedents, and submission of an undertaking and surety bond on the prescribed form.
11. He is liable to serve any where in Pakistan.
12. For matters not covered under this offer letter, he shall be governed by the provisions of Civil Servants Act, 1973 and rules made thereunder, as amended from time to time.

2. In case, the above terms and conditions are acceptable to Mr. Asim Karim, he may communicate his acceptance in writing to this department within **Fourteen Days** of the receipt of this letter. If no reply is received within the prescribed time limit, this offer shall automatically lapse / stand cancelled.


  
Director General  
Pakistan Forest Institute


Mr. Asim Karim,  
S/o Abdul Karim,  
H.No. 8, Baber Street, Gul Bahar-4,  
Peshawar.

Copy for information to:-

1. Mr. Muhammad Azam Qureshi, Deputy Director (FS-I), FPSC, Islamabad, w/r to his letter No. FPSC letter No. F.4-88/2010-R-FS-I, dated 3<sup>rd</sup> May, 2011.
2. Mr. Muhammad Bashir, Section Officer (Admn-III), Environment Division, Islamabad.

**ATTESTED**

  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

  
Director General  
Pakistan Forest Institute



GOVERNMENT OF KHYBER PAKHTUNKHWA  
Environment Department  
Pakistan Forest Institute, Peshawar

Ph: +92 91 9216133, Fax: +92 91 9216203



No. 37

Dated 12<sup>th</sup> March, 2012

OFFICE ORDER

Having been selected by the Federal Public Service Commission (FPSC), Mr. Asim Karim was offered temporary appointment, as stipendiary candidate against the post of Forest Ranger (BS-16) on the terms and conditions incorporated in this office O.M. No. 944/F.II(Per)-Estt, dated 21-05-2011. Mr. Asim Karim is hereby allowed following monthly stipend @ of the minimum of BS-16:

Sl. No.	Period	Stipend
1.	25-05-2011 to 30-06-2011	Rs. 6060/- per month
2.	01-07-2011 to onward	Rs. 10,000/- per month

*[Signature]*  
Director General  
Pakistan Forest Institute,  
Peshawar

No. 323 / F.II (Per)-Estt dated 12<sup>th</sup> March, 2012

A copy is forwarded to:

1. Director, Forest Education Division, PFI, Peshawar.
2. Administrative Officer (B&A), Pakistan Forest Institute, Peshawar.
3. Mr. Asim Karim, Forest Ranger on training in B.Sc. Forestry.

**ATTESTED**

*[Signature]*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

*[Signature]*  
Director General  
Pakistan Forest Institute,  
Peshawar

9

Amman C

30



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR

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



No. 659

1/F II(Per)-Em

Dated

22<sup>nd</sup> May, 2012

To

The Medical Superintendent,  
Police Line  
Peshawar.

SUBJECT: MEDICAL EXAMINATION

Mr. Asim Karim has been appointed against the post of Forest Ranger (BS-16) in the Pakistan Forest Institute Peshawar. On the recommendation of Federal Public Service Commission, subject to medical fitness. He has assumed his duty on the forenoon of 27-03-2012.

It is, therefore, requested, that a Medical Board may kindly be constituted to conduct medical examination of Mr. Asim Karim, to ascertain his fitness for government employment.

Director General  
Pakistan Forest Institute,  
Peshawar

CC:

Mr. Asim Karim, Forest Ranger, PFI, Peshawar.

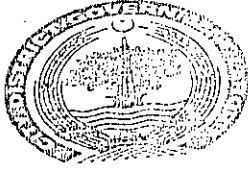
**ATTESTED**

**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar



Annex E

60



Office of the District Coordination Officer,  
City District Government, Lahore.

No. DDO (HRM) 2214 P.A  
Dated: 30-11-2012

To Deputy Director (Technical)  
Pakistan Forest Institute Peshawar

Subject: VERIFICATION OF DOMICILE

Reference to your office letter No. 1119/7-III (101) L.H.  
dated 05-09-2012 on the subject cited above.

Report received from the office of Assistant  
Commissioner Canal Lahore vide letter No. HC (D)/498 dated  
07-11-2012 is enclosed for information and perusal.

*[Signature]*  
29/11/12  
Deputy District Officer (HRM)  
For District Coordination Officer  
City District Government Lahore

C.C

PS to District Coordination Officer, Lahore.

**ATTESTED**

*[Signature]*  
7/12/12

*[Signature]*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

AC (G-1)

From

The Assistant Commissioner / Collector,  
Lahore Cantt

To

The Deputy District Officer (HRM),  
For District Coordination Officer,  
City District Government, Lahore

No.HC(D)/

498

Dated:-

7-11-12

Subject:-

VERIFICATION OF DOMICILE CERTIFICATE

Please refer to your letter No. DDO(HRM-1953)/PA dated 14.09.2012 on the subject cited above

2. Domicile Certificate No. 27019 dated 01-09-09 in the name of Asim Akram S/o Abdul Karim is not verified in this office record accordingly.

Assistant Commissioner / Collector,  
Lahore Cantt

*Bikal  
put up.*

*28/11/12*

**ATTESTED**

**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

63

(12)  
(9)

Appendix XIV

# FORM P. I

Date 1-9-59  
No 27019

## THE PAKISTAN CITIZENSHIP ACT, 1951 (II OF 1951) AND RULES MADE THEREUNDER (VIDE RULES 23) CERTIFICATE OF DOMICILE

Where as ASIM KARIM S/O, D/O, ABUL KARIM  
(In block letters)

Has applied for a certificate of domicile under the Pakistan Citizenship Act 1951 (II of 1951), alleging with respect to himself / herself here is the particulars set out below and has satisfied the undersigned that the condition laid down in section 17 of the said Act for the grant of a certificate of domicile are fulfilled in the said ASIM KARIM case

Now, there in pursuance of the powers conferred by the said Act and the rules made there undersigned hereby grants of the said ASIM KARIM

In witness where of I have hereto subscribed my name this day of \_\_\_\_\_

Name O D O (R) Cantt. LMS  
Signed District Co-ordination Office  
Signature District Co-ordination Office Lahore

**PARTICULARS RELATING TO THE APPLICANT**

Full Name ASIM KARIM

Father's Name ABDUL KARIM

Address in Pakistan 250-Block No. 6, Sector B, I, Townships, Lahore

Address in country outside Pakistan \_\_\_\_\_

Place Lahore, Tehsil Cantt, District Lahore, Province Punjab

Place of Domicile (Pakistan) \_\_\_\_\_

Date of arrival in the place of domicile \_\_\_\_\_

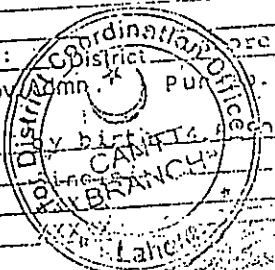
Name of wife or husband Married/single/widow/widower

Name of Children And Their Ages \_\_\_\_\_

Trade or Occupation Student

Marks of Identification \_\_\_\_\_

Signature District Co-ordination Office O (R) Cantt. Lahore



### ATTESTED

*[Signature]*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

7350209

*[Signature]*  
**Lecturer**  
Agriculture Department  
NWFP Agricultural University  
Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR

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



No. 1517 /E.II (Per)-Estt

Dated 12<sup>th</sup> December, 2012

To


Mr. Asim Karim,  
Forest Ranger,  
Pakistan Forest Institute,  
Peshawar

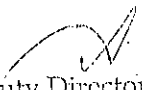
SUBJECT: EXPLANATION

As per terms of your appointment, your domicile certificate bearing No. 27019, dated 01-09-2009, was sent to District Coordination Officer (DCO), Lahore for verification vide PEI letter No. 1119/F.II(Per)-Estt, dated 5<sup>th</sup> September 2012. DCO, Lahore, vide letter No. DDO (FIRM-2214)P.A, dated 30-11-2012, has declined to verify your domicile and informed this office that "Domicile Certificate No. 27019, dated 01-09-2009, in the name of Mr. Asim Karim S/o Abdul Karim is not verified in concerned office" (copy enclosed). Primafacie, the domicile certificate is fake without any supporting entry in the office record of concerned Assistant Commissioner / Collector, Lahore Cantt. This is misconduct and a criminal act on your part.

2. You are, therefore, directed to explain your position within 03 days of receipt of this letter as to why not a disciplinary action should be taken against you under E&D Rules, 1973, besides registration of a criminal case.

**ATTESTED**

  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

  
Deputy Director (Technical)  
Pakistan Forest Institute,  
Peshawar



The Deputy Director (Technical),  
Pakistan Forest Institutes,  
Peshawar.

906  
20/12/12

Through Proper channel.  
Subject: Explanation

Respected Sir,

Reference is made to Pakistan Forest Institute  
Peshawar letter No. 1517/F.II(Por). Estt. dated: 12. Dec. 2012.

It is apprised that the allegations imposed  
on me are baseless and mis conceived. That in fact  
I duly applied for the grant of domicile certificate  
in the concerned office and after due process,  
I was issued the domicile certificate in question  
from concerned office. If the department has not  
duly recorded the fact of issuance of domicile  
certificate to me, then I cannot be blamed  
for inaction or omission of officials concerned.

Submitted for your kind information please

Dated: 14-Dec-2012

Yours Sincerely,  
*(Signature)*

(Asim Karim)  
(Forest Ranger)

Pakistan Forest Institute

Forwarded pl.  
*(Signature)*  
14/12/12

Forwarded pl.

*(Signature)*  
14/12/12

NO 27/Por/DFR Dated: 14-12-2012  
AD (G.)

Peshawar

ATTESTED

*(Signature)*  
SUPERINTENDENT  
Pakistan Forest Institute  
Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR

Ph: +92 91 9216123, 9216995, Fax: +92 91 9216203



No 1677 /E.II (Per)-EsII

Dated: 9 / 12 / 2014

The Section Officer (Devo. Cell),  
Cabinet Division, Devolution Cell,  
Government of Pakistan,  
Worker Welfare Fund Building,  
Islamabad.

**SUBJECT: VERIFICATION OF DOMICILE CERTIFICATE / INITIATION OF DISCIPLINARY PROCEEDING AGAINST MR. ASIM KARIM, FOREST RANGER (BS-16), PFI, PESHAWAR**

1. I am directed to refer to the subject above and to state that Mr. Asim Karim, Forest Ranger (BS-16), PFI, Peshawar, produced a fake domicile at the time of his appointment as Forest Ranger (BS-16).

2. In the light of Director, Establishment Division, Management Services Wing, Government of Pakistan's letter No. 15(13)2012-MSW-IV, dated 2<sup>nd</sup> November, 2012, S No-VII received with letter No. 1(8)/2013-Devo. Cell/MoE, dated 01-07-2013 copy enclosed, where the instructions / procedure of initiation of disciplinary proceedings against the employees of devolved ministries / divisions has been conveyed which is being followed by PFI and the case of Mr. Asim Karim, containing show cause notice alongwith necessary / required documents were sent to your office through Section Officer (PFI) Environment Department, Government of Khyber Pakhtunkhwa necessary action but the requisite action is still in doldrum.

3. The following required documents as ready reference, are sent again for necessary action:

1. Copy of letter No. 96, dated 29<sup>th</sup> January 2013 (Annex-A)
2. Copy of Domicile of Mr. Asim Karim, Forest Ranger (BS-16) (Annex-B)
3. Copy of letter No. DDC(HRM-2214)PA, dated 30-11-2012 (Annex-C)

**ATTESTED**


  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

- Annex-11  
1/2
- 4 Copy of letter NO. HC(D)/498, dated 07-11-2012 (Annex-D)
  - 5 Copy of explanation No. 1517, dated 12-12-2012 (Annex-E)
  - 6 Reply of explanation called from Mr. Asim Karim (Annex-F)
  - 7 Copy of letter No. F.No. 15(13)2012-MSW-IV, dated 02-11-2012 (Annex-G)
  - 8 Copy of letter No. 1(8)/2013-Devo. Cell/MoE, dated 01-07-2013 (Annex-H)
  - 9 Copy of Show Cause Notice (Annex-I)
  - 10 Copy of Charge Sheet (Annex-J)

In view of the above it is requested that disciplinary proceedings against Mr. Asim Karim, Forest Ranger may please be expedited.

Deputy Director (Technical) 9c

**ATTESTED**

  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

157

Government of Pakistan  
Cabinet Division (Devolution Cell)  
Worker Welfare Fund Building  
Super Market, Islamabad

&lt;&lt;&lt;&lt;

*B. Hanif*  
Most Immediate  
2<sup>nd</sup> Reminder

Diary No: 63

Date: 11/3/15

Section:

P.F.I. Peshawar

F.No.1(8)/2013-Devo.Cell/Env

Islamabad, the 24<sup>th</sup> February, 2015

Director General,  
Pakistan Forest Institute,  
Peshawar.

Subject: VERIFICATION OF DOMICILE CERTIFICATE / INITIATION OF DISCIPLINARY PROCEEDING AGAINST MR. ASIM KARIM, FOREST RANGER (BS-16), PFI, PESHAWAR.

Sir,

The undersigned is directed to refer to our letter of even number dated 23<sup>rd</sup> January, 2015 and subsequent reminder dated 10<sup>th</sup> February, 2015 on the subject noted above.

2. It is, therefore, once again requested to verify of domicile No. 27019, dated 01-09-2009 from DCO, Lahore after verification from DCO, Lahore resubmit the case to Devolution Cell, Cabinet Division for further process, please.

Yours faithfully,

**ATTESTED**

*Arif Hanif*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

*Khalid Hanif*  
(KHALID HANIF)  
Section Officer (Environment)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
Forestry, Environment & Wildlife Department  
Pakistan Forest Institute, Peshawar

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



No. *J-117* /F.II (Per)-Estt.

Dated *5-3* - 2015

To

The District Coordination Officer (DCO),  
Lahore

Subject: VERIFICATION OF DOMICILE CERTIFICATE

Dear Sir,

Domicile Certificate No. 27019 dated 01-09-2009 in respect of Mr. Asim Karim S/o Abdul Karim resident of Block No. 6 House No. 250, Mohallah Township, Sector B-1, Lahore (copy enclosed), issued by DDO (R) Lahore, was supplied to your office vide this office letter No. 1119/F.II(Per)-Estt dated 05-09-2012 (copy enclosed) for verification and authenticity. Your good office has returned the same with observation that the domicile certificate in the name of Mr. Asim Akram S/o Abdul Karim is not verified in this office, vide your letter No. DDO (HRM-2214) P.A. dated 30-11-2012 (copy enclosed). The exact name of the domicile holder is Asim Karim where it is written as Asim Akram in your above mentioned letter, which needs clarification.

It is, therefore, requested that the domicile certificate issued in the name of Mr. Asim Karim S/o Abdul Karim may please be re-verified and confirm authenticity for further necessary action.

**ATTESTED**

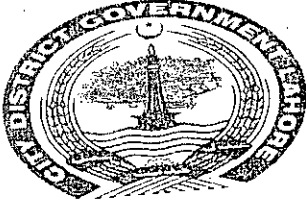
Yours faithfully,

*Asim Akram*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

Deputy Director (Technical)

20 167

Annex K



Office of the District Coordination Officer,  
City District Government, Lahore.

No. DDO (HRM-2166) P.A  
Dated: 24-06-2015

To,

The Deputy Director (Technical)  
Government of Khyber Pakhtunkhwa  
Forestry Environment & Wildlife Department  
Pakistan Forest Institute Peshawar

Subject: **VERIFICATION OF DOMICILE CERTIFICATE**

Reference to your office letter No. 693/F.II (Per)-Estt dated 03-06-2015  
on the subject cited above.

Report received from the office of Assistant Commissioner (Cantt) Lahore  
vide letter No. HC (D)/486 dated 05-06-2015 is enclosed for information and perusal.

*[Signature]*  
Deputy District Officer (HRM)  
For District Coordination Officer,  
City District Government Lahore

C.C

PS to District Coordination Officer, Lahore

*[Signature]*  
15/7/15  
A22/5

*[Signature]*  
15/7/15  
SUPERINTENDENT (E)

**ATTESTED**

*[Signature]*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

21

Amir-k

Amir-k

168

From

The Assistant Commissioner / Collector  
Lahore Cantt

To

Deputy District Officer (HRM),  
For District Coordination Officer,  
City District Government, Lahore


No HC (D)/ 486 Dated:- 25/6/15


Subject:- VERIFICATION OF DOMICILE CERTIFICATE

Please refer to your letter No. DDO (HRM-1021)/PA dated  
21/05/2015, on the subject cited above.

Domicile Certificate No. 27019 Dated 01/09/2009, in the name of  
Asim Karim s/o Abdul Karim, is not issued from this office. Requisite report is  
sent herewith as desired.

**ATTESTED**

  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

  
Assistant Commissioner / Collector,  
Lahore Cantt.

22

169

Annex



GOVERNMENT OF KHYBER PAKHTUNKHWA  
Forestry, Environment & Wildlife Department  
Pakistan Forest Institute, Peshawar

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



No. 1677 /F.II (Per)-Estt.

Dated 31/7 /2015

To

Joint Secretary (Dev. Cell)  
Cabinet Division,  
Government of Pakistan,  
Islamabad.

Subject: VERIFICATION OF DOMICILE CERTIFICATE / INITIATION OF  
DISCIPLINARY PROCEEDING AGAINST MR. ASIM KARIM,  
FOREST RANGER (BS-16), Pakistan Forest Institute, Peshawar,  
PESHAWAR.

Dear Sir,

With reference to this office letter No. 1677/F.II(Per)-Estt. Dated 09-12-2014, and SO (Dev. Cell) letter No. 1 (8)/2013-Dev. Cell /Envl., dated 25-03-2015 it is stated tht the Assistant Commissioner / Collector, Lahore Cantt vide his letter No. HC (D)486, dated 05-06-2015, received through DCO, Lahore letter's No. DDO (HRM-2166)PA, dated 24-06-2015, has corrected the name and submitted his report that domicile certificate No. 27019, dated 01-09-2009, in the name of Mr. Asim Karim S/o Abdul Karim has not been issued by his office (copy enclosed).

In view of the above, disciplinary proceedings may kindly be initiated against him under intimation to this office.


Yours faithfully,

Deputy Director (Technical)

CC:

Section Officer (Dev. Cell), Cabinet Division, Government of Pakistan, Worker Welfare Fund Building, Super Market, Islamabad.

**ATTESTED**

  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar



23

183

Annex-M

425

18/09/15

No.F.2212/2015-JS(Devo)  
Government of Pakistan  
Cabinet Division  
(Devolution Cell)

SAVED FOR CONSTRUCTION!

Islamabad, the 2<sup>nd</sup> September, 2015

OFFICE MEMORANDUM

Subject- TRANSFER OF MATTERS OF PAKISTAN FOREST INSTITUTE, PESHAWAR TO MINISTRY OF CLIMATE CHANGE.

The undersigned is directed to say that the Cabinet Sub-Committee I of the PAC, vide PAC Wing letter No 18(1)/2015-SC-I(PAC)/1998-99 dated 10-7-2015 has directed the Devolution Cell, Cabinet Division to complete the handing over/taking over record of all devolved Ministries to the newly created concerned Ministries/Divisions on urgent basis. (copy attached) The record of defunct M/o Environment is already available with the M/o Climate Change.

2. At the time of devolution of M/o Environment on 30-6-2011, the Pakistan Forest Institute (PFI), Peshawar, an attached department of M/o Environment was devolved to the Government of Khyber Pakhtunkhwa. On creation of M/o Climate Change, the important functions of defunct M/o Environment have been assigned to the M/o Climate Change under Part I of the Constitution.

3. A decision has been taken by the Cabinet Secretary that all matters of PFI, Peshawar may be dealt by M/o Climate Change in future.

4. Accordingly, four cases/files of employees of PFI, Peshawar (pending with the Devolution Cell) are being transferred separately for further processing by the M/o Climate Change.

*(Signature)*  
(Kháid Hanif)  
Section Officer (Devo)  
Tele: 9205388

The Secretary  
M/o Climate Change,  
Government of Pakistan,  
Islamabad.

Copy for information to-

1. Secretary, Forestry Environment & Wildlife Department, Government of Khyber Pakhtunkhwa, Peshawar.
2. Director General, Pakistan Forest Institute, Peshawar.

*AO (S)*

*18/09/15*

**ATTESTED**

*(Signature)*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR  
P.O. Box: +92 91 922 1224, 9218095, Fax: +92 91 922 1233



(SAY NO TO CORRUPTION)

Dated 22 January, 2018

**OFFICE ORDER**

No. 11 /F.VI(200)-E:1E. In pursuance of Section-11B of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the following devolved employees of the Federal Government, holding various posts in Federal Government entitles, on regular basis, before the commencement of the Eighteenth Constitution (Amendment) Act, 2010 (Act No. X of 2010) shall be deemed to be Civil Servants of the Province to be employed under the Act/Idid.

S.No.	Name	Designation	BPS
1.	Hafiz M. Sufyan Babar	Forest Ranger	16
2.	Mr. Asim Karim	Forest Ranger	16
3.	Mr. Noorullah Qazi	Research Assistant	16
4.	Mr. Ijaz Ahmed	Technical Assistant	16
5.	Mr. Bilal Ahmed	Technical Assistant	16
6.	Syed Tahseen Akhtar	Assistant Librarian	16
7.	Mr. Saif Akhtar Khan	Assistant Wood Working Officer	16
8.	Mr. Saif Pervaiz	Assistant Private Secretary	16
9.	Mr. Afzal Ahmed	Assistant Private Secretary	16
10.	Mr. Abdul Karim Abbasi	Assistant Private Secretary	16
11.	Mr. Paizal Hussain	Assistant Private Secretary	16
12.	Mr. Farhan Ahmad	Assistant	16
13.	Mr. Akhtar Hussain	Assistant	16
14.	Mr. Khair-ul-Hassan	Assistant	14
15.	Mr. Mehmoodul Haq	Stenotypist	14
16.	Mr. Muhammad Shafique	Stenotypist	14
17.	Mr. Anwar-ul-Haq	Senior Clerk	14
18.	Mr. Shahid Mehmood	Senior Clerk	14
19.	Mr. Wasim Ahmed	Senior Clerk	14
20.	Mr. Fazli Subhan	Senior Clerk	14
21.	Mr. Yasir Khan	Senior Clerk	14
22.	Mr. George Bhatti	Senior Clerk	14
23.	Mr. Muhammad Aimal	Senior Clerk	14
24.	Mr. Tariq Mehmood	Senior Clerk	14
25.	Mr. Fazli Karim	Senior Clerk	14
26.	Mr. Muhammad Nasim	Senior Clerk	14
27.	Mr. Shamshad Ali	Senior Clerk	14
28.	Mr. Muhammad Saifdar	Senior Clerk	14
29.	Mr. Maqsood Ahmed	Senior Clerk	14
30.	Mr. Ihsanullah Jan	Senior Clerk	14
31.	Mr. Maqbool Eliahi	Senior Clerk	14
32.	Mr. Muntaz Hassan	Senior Clerk	14
33.	Mr. Umar Farooq	Senior Clerk	14

**ATTESTED**

*Amir Khan*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

S.No.	Name	Designation	BPS
246.	Mr. Muhammad Zubair	Mali	04
247.	Mr. Gul Rahman	Mali	04
248.	Mr. Sheraz Azam	Mali	04
249.	Mr. Gul Sher Khan	Mali	04
250.	Mr. Hastam Khan	Mali	03
251.	Mr. Tahir Khan	Mali	03
252.	Mr. Shahid Ali	Mali	03
253.	Mr. Aslam Khan	Mali	03
254.	Mr. Arshad Khan	Khalasi	03
255.	Mr. Fayaz Khan	Sanitary Worker	03
256.	Mst. Rukhsana Nadeem	Naib Quasid	03
257.	Mr. Muhammad Usman Khan	Naib Quasid	03
258.	Mr. Hamid Ali	Naib Quasid	03
259.	Mr. Ibrahim	Armed Guard	03
260.	Mr. Himayatullah	Armed Guard	03
261.	Mr. Muslim Khan	Armed Guard	03
262.	Mr. Rustam Khan	Armed Guard	03
263.	Mr. Mumtaz Ali		

*Habibullah*  
 Director General  
*Atte. J. Akbar*

Dated 22 / 1 / 2018

No. 77 / F.VI (260) - Estt.

A copy is forwarded to:

1. All Directors, PFI, Peshawar.
2. The Incharge Medical Officer, PFI, Peshawar
3. Extension Specialist, PFI, Peshawar
4. The Executive Officer, PFI, Peshawar
5. Section Officer (Estt), Forestry Environment & Wildlife Department, Government of Khyber Pakhtunkhwa w/r to their letter No. SO(Estt)FE&WDMVI-1/PFI/2K17, dated 09-01-2018.
6. The Administrative Officer (B&A), PFI, Peshawar.
7. Concerned Officer / Officials.

**ATTESTED**

*Habibullah*  
 Director General  
*Atte. J. Akbar*

*[Signature]*  
**SUPERINTENDENT**  
 Pakistan Forest Institute  
 Peshawar

26

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR  
Ph: +92 91 9221224, 9216995, Fax: +92 91 9221233  
(SAY NO TO CORRUPTION)



No. 1091 / P.HC (Per) - CM

Dated 29/6/2018

**SHOW CAUSE NOTICE**

I, Mr. Hakim Shah, Director General, Pakistan Forest Institute, Peshawar, as competent authority, under the Khyber Pakhtunkhwa, Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mr. Asim Karim, Forest Ranger (BPS-16), Pakistan Forest Institute (PFI), Peshawar, as follows:

1. That while you appointed against the post of Forest Ranger (BPS-16), committed the following irregularities:
  - (a) You have produced Domicile Certificate of District Lahore, Government of Punjab at the time of your temporary appointment, as stipendiary candidate against the post of Forest Ranger at Pakistan Forest Institute (PFI), Peshawar on standard terms and condition. As per clause-10 of your term of appointment, your appointment was subject to verification of your documents / certificates, including Domicile Certificate, therefore, the Domicile Certificate was sent to District Coordinator Officer (DCO), Lahore for verification vide this office letter No. 119/F.II(Per)-Estt, dated 05-09-2012 and 214/F.II(Per)-Estt, dated 05-03-2015. The DCO, City District Government Lahore, vide its letter No. DDO(HRM-2214/P.A), dated 30-11-2012, attached with a copy of Assistant Commissioner / Collector, Lahore Cantt. Letter No. HC(D)/498, dated 07-11-2012 and letter No. DDO(HRM-2206/P.A), dated 24-06-2015, with a copy of Assistant Commissioner / Collector, Lahore Cantt. letter No. HC(D)/486, dated 05-06-2015, intimated that Domicile No. 27019, dated 01-9-2009, of Mr. Asim Karim S/o Abdul Karim is not verified / issued from that office record. Prima-facie, domicile certificate is fake without any supporting entry in official record of the concerned authority.
2. (i) that I, being competent authority, has decided that in terms of Rule 5 (3) (b) of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011; it is not necessary to conduct an inquiry against you; and
  - (ii) on going through the material on record and other connected papers;-

I am satisfied that you have committed the act / omission specified in rule 3 of the said rules:

**ATTESTED**

*(Signature)*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

a) Misconduct

3. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of dismissed from service under rule 4 of the said rules.

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

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

6. A copy of the relevant documents is enclosed.

*Hakim Shahid*  
Mr. Hakim Shahid  
Director General  
Pakistan Forest Institute /  
Competent Authority  
*S. Khan* *M. Khan*

**ATTESTED**

*Arif Khan*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

Amir P

28

Amir P



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT  
PAKISTAN FOREST INSTITUTE, PESHAWAR  
Ph: +92 91 9221224, 9216995 Fax: +92 91 9221233  
(SAY NO TO CORRUPTION)



Dated 7/9/2018

NOTIFICATION

No. 1441 F.II(Per)-Estt. WHEREAS, Mr. Asim Karim (CNIC No. 13101-5001698-5) S/o Abdul Karim, Forest Ranger (BPS-16), Pakistan Forest Institute (PFI), Peshawar, was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011, for the charges as mentioned in the show cause notice served upon him (copy attached);

AND WHEREAS, the competent authority, after considering the relevant record / documents of the case, served a Show cause notice upon the above named officer, to which he replied and provided him opportunity of personal hearing;

NOW, THEREFORE, the competent authority, after having considered the charges, evidence on record, the explanation of the officer, personal hearing and exercising his power under Rules 14(5)(ii) read with Rule 4(1)(b)(iv) and Rule-4(1)(a)(iii) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011, has been pleased to imposed major penalty, "Dismissal from Service" upon Mr. Asim Karim, Forest Ranger (BPS-16), PFI, Peshawar and "Recovery of an amount of Rs. 0.143 Million" from him, spent upon the officer out of Government expenditure for acquiring his B.Sc Forestry Degree from PFI, Peshawar, with immediate effect.

Director General

J. Ahmad 9/c

No. 1442 / F.II (Per)-Estt

Dated 7/9/2018

A copy forwarded to:

1. Secretary, Federal Public Service Commission, Government of Pakistan, Islamabad.
2. Secretary, Punjab Public Service Commission, Government of Punjab, Lahore.
3. Secretary, Khyber Pakhtunkhwa Public Service Commission, Government of Khyber Pakhtunkhwa
4. Chief Conservator Forest, Khyber Pakhtunkhwa Forest Department
5. Chief Conservator Wildlife, Khyber Pakhtunkhwa Wildlife Department
6. Director General, Environmental Protection Agency, Khyber Pakhtunkhwa, Peshawar.
7. Director, Forest Education Division, PFI, Peshawar
8. Section Officer (Estt), Forestry Environment & Wildlife Department, Peshawar.
9. The Administrative Officer (B&A) PFI, Peshawar.
10. Mr. Asim Karim, ex-Forest Ranger, H.No. Cat-III(6), PFI Colony, Peshawar, with the direction to deposit the amount of Rs. 0.143 Million in the State Bank of Pakistan, Peshawar and copy of the said challan form submitted to this office for record.

**ATTESTED**

*Asim Karim*  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar


Director General

J. Ahmad 9/c

- (b) Major penalties:-
- (i) Reduction to a lower post, grade or time scale, or to a lower stage in a time scale;
  - (ii) compulsory retirement;
  - (iii) removal from service; and
  - (iv) dismissal from service.
- (2) Removal from service does not, but dismissal from service does, disqualify for future employment.
- (3) In this rule, removal or dismissal from service does not include the discharge of person:-
- (a) appointed on probation, during the period of probation, or in accordance with the probation or training rules applicable to him; or
  - (c) appointed, otherwise than under a contract, to hold a temporary appointment, on the expiration of the period of appointment; or
  - (d) engaged under a contract, in accordance with the terms of the contract.
5. **Inquiry procedure:-** The following procedure shall be observed when a Government servant is proceeded against under these rules:-
- (1) In case where a Government servant is accused of subversion, corruption or misconduct, the authorized officer may require him to proceed on leave or, with the approval of the authority, suspend him provided that any continuation of such leave or suspension shall require approval of the authority after every three months.
  - (2) The authorized officer shall decide whether in the light of facts of the case or interests of justice an inquiry should be conducted through an inquiry officer or inquiry committee. If he so decides, the procedure indicated in rule 6 shall apply.
  - (3) If the authorized officer decides that it is not necessary to have an inquiry conducted through an inquiry officer or inquiry committee, he shall:-
    - (a) by order in writing, inform the accused of the action proposed to be taken in regard to him and the grounds of the action; and
    - (b) give him a reasonable opportunity of showing cause against that action;

Provided that no such opportunity shall be given where the authority is satisfied that in the interest of the security of Pakistan or any part thereof it is not expedient to give such opportunity.

**ATTESTED**

  
**SUPERINTENDENT**  
Pakistan Forest Institute  
Peshawar

کورٹ فیس

# وکالت نامہ

Before the KPK Service Tribunal Peshawar

Asim Karim Director General

Appellant

Appeal

## باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے اسے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام

Muhammad Amir Malik advocate

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

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

27/9/2019

بمقام:

Peshawar

Asim Karim (Appellant)

Asim Karim

Asim



BEFORE THE HON'BLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR

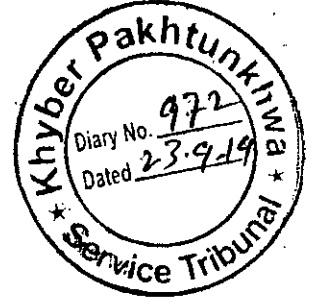
In Re C.M # \_\_\_\_\_/2019

IN

Appeal No.186/2019

put up to the court with  
relevant app-ment.

Asim Karim



Versus

Director General, Pakistan Forest Institute & others

APPLICATION FOR EARLY HEARING OF THE ABOVE  
TITLE CASE

Respectfully Sheweth,

1. That the instant appeal is pending before the Hon'ble Tribunal and next date of hearing is fixed as 23/10/2019.
2. That an application for grant of injunction restraining respondents from effecting ejection of appellant from House / residence allotted to appellant.
3. That the purpose of application will be frustrated if applicant / petitioner is ejected from the premises.

*It is, therefore, most humbly prayed that the application for grant of Injunction may graciously be fixed for early hearing with main appeal for appropriate orders.*

Applicant /Petitioner

*Asim*  
Asim Karim s/o Abdul Karim

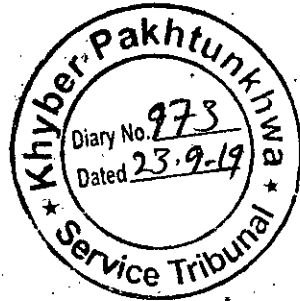
Dated: 23/09/2019

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

Put up to the court with  
relevant appeal.

*[Signature]*  
26/9/19

*[Signature]*  
Asim Karim



CM.No. /2019

IN

Appeal No.186/2019

...APPELLANT

VERSUS

Director General Pakistan Forest Institute & others

...RESPONDENTS

SERVICE APPEAL NO.186/2019

APPLICATION FOR GRANT OF INJUNCTION  
RESTRAINING RESPONDENTS FROM EFFECTING  
EJECTION OF APPELLANT FROM HOUSE /  
RESIDENCE ALLOTTED TO APPELLANT.

*Respectfully Sheweth,*

1. That the instant appeal is pending adjudication before the Honourable Tribunal and next date of hearing is fixed as 23.10.2019.
2. That alongwith appeal the appellant has submitted application for suspension of impugned order and the Court was pleased to pass appropriate order on 19.04.2019.
3. That on 20.09.2019 at about 5.00p.m Mr.Said Akhtar, Assistant Executive Officer, Executive Officer Branch of P.F.I Peshawar informed the appellant to vacate official residential house within three days i.e. 23.09.2019 allotted to appellant, otherwise the appellant

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

CM.No. \_\_\_\_\_ /2019

IN

Appeal No.186/2019

Asim Karim

...APPELLANT

**V E R S U S**

Director General Pakistan Forest Institute & others

...RESPONDENTS

**SERVICE APPEAL NO.186/2019**

**APPLICATION FOR GRANT OF INJUNCTION**

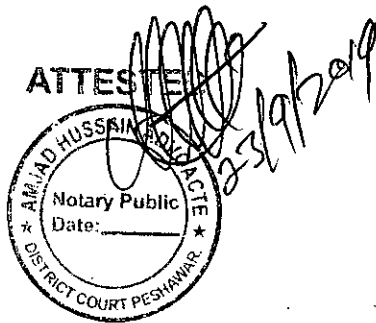
**AFFIDAVIT**

I, *Asim Karim son of Abdul Karim, resident of house No.Category-III(6), PFI Colony, Peshawar, Appellant*, do hereby solemnly affirm and declare on Oath that the contents of instant *application* are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.

Dated:- 23/09 /2019



...DEPONENT



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**ABBOTTABAD.**

Asim Karim

**VERSUS**

Director General PFI and others

**SERVICE APPEAL**

**COMMENTS ON BEHALF OF RESPONDENTS NO.1 & 2**

**REJOINDER ON BEHALF OF PETITIONER**

*Respectfully submitted:*

**PRELIMINARY OBJECTIONS:-**

1. Para No.1 of the comments is incorrect. Appellant has got cause of action.
2. Para No.2 is incorrect. Appellant has got the legal right to file appeal under the law.
3. Para No.3 is incorrect. The appellant has come to the Hon'ble Tribunal with clean hands, with solid grounds to stand upon.
4. Para No.5 of the comments is incorrect. All necessary parties have been arrayed as respondents.

**ON FACTS:-**

- 1-4 Paras No.1 to 4 of the Appeal are relating to the record of appellant, qualification and service are admitted by the respondents.
5. Para No.5 of the appeal is correct and clear whereas the respondents have admitted the contents of Para No.5 of the appeal.
6. Para No.6 of the appeal relates to the records and is admitted by the respondents.
7. Para No.7 of the appeal has impliedly been admitted by the respondents.
- 8-9 Paras No.8 & 9 are pertaining to record are admitted by the Respondents.
10. Para No.10 of the comments is collection of unnecessary narration of process carried out by department with various offices / agency in apropos of the appointment of appellant. The question of legal authority of respondent with regard to dismissal of appellant has been raised is in the instant appeal.

The respondents have dispensed with the holding of inquiry in blatant disregard of the existing law.

15. Para No.15 of the Comments is incorrect. The respondents are avoiding the reply of the contents of the Para No.15 of the Appeal. The reply of the appeal submitted by appellant was kept pending for the reason

that respondents have got no legal authority/  
reasoning to furnish in reply.

16. Para No.16 is admitted by the respondents.

**ON GROUNDS:-**

- a. Para 'a' of the appeal is correct.
- b. Para 'b' of the appeal is correct. The appellant has been deprived of his right of defense.
- c, d, e. Paras 'c', 'd' & 'e' of the appeal are correct, all facts have been given in the said paras in clear and vivid manners.

**PRAYER:-**

*It is, therefore, humbly prayed that comments of the respondents in negation of the rights of appellant may kindly be discarded.*

  
...PETITIONER

**Through:**

Dated:- \_\_\_\_\_/2019

  
**(HAJI MUHAMMAD YUSUF)**  
Advocate High court, Abbottabad.

**VERIFICATION:-**

*It is verified that the contents of the instant Rejoinder are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Court.*

Dated:- \_\_\_\_\_/2019

  
...PETITIONER

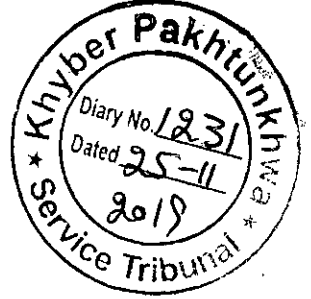
**BEFORE THE CHAIRMAN KHYBER PUKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Appeal No: 186/2019

Asim Karim

**VERSUS**

Director General Pakistan Forest Institute & others.



*put up to the court relevant appeal.* **SERVICE APPEAL NO 186/2019**

*Remedy*

**APPLICATION FOR TRANSFER OF CASE FROM CAMP COURT  
ABBOTTABAD TO PESHAWAR**

**Respectfully Sheweth: -**

1. That the instant appeal is pending before the Honourable Tribunal camp Court Abbottabad and next date of hearing is fixed as 17-12-2019.
2. That my mother is not enjoying good health now a days and she is unable to move on her own and there is no one to take care of her.
3. That moreover my financial status is not allowing me to move from Peshawar to Abbottabad on each date of hearing.

It is therefore prayed that due to above mentioned reasons my case may graciously be transferred from Abbottabad to Peshawar.

Date: 25-11-2019

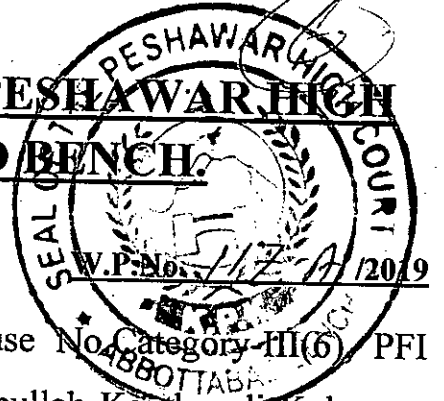
*The appeal be transferred to principal seat at Peshawar for the date already fixed. Notice to all concerned.*

*Asim*  
Asim Karim

APPELLANT

*26/11/19*

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**



Asim Karim son of Abdul Karim, resident of house No. Category-III(6), PFI Colony, Peshawar, permanent residing at Ghari Habibullah Kantheyali Kokmang Tehsil and District Abbottabad.

...PETITIONER

**V E R S U S**

1. Director General Pakistan Forest Institute, Peshawar.
2. Secretary Government of Khyber Pakhtunkhwa, Department of Forestry, Environment & Wildlife, Peshawar.
3. Secretary Federal Public Service Commission, Government of Pakistan, Islamabad.
4. Secretary, Punjab Public Service Commission, Government of Punjab, Lahore.
5. Secretary, Khyber Pakhtunkhwa Public Service Commission, Government of Khyber Pakhtunkhwa.

...RESPONDENTS

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 AS AMENDED UPTO DATE FOR DECLARATION TO THE EFFECT THAT NOTIFICATION UNDER REFERENCE NO.1442/FII (Per)-ESTT DATED 07.09.2018 ISSUED BY RESPONDENT NO.1 WHEREBY, THE MAJOR PENALTY OF DISMISSAL FROM SERVICE AND

No. 515  
23/1/18

W

e 23/1/18

Certified to be True Copy  
EXAMINER  
18 APR 2019  
Peshawar High Court Abd. Bench  
Authorized Under Sec: 75 Evid Ordns



RECOVERY OF AN AMOUNT OF RS.0.143 MILLION HAS BEEN IMPOSED UPON PETITIONER IS ILLEGAL, VOID AB-INITIO ARBITRARY, WITHOUT LAWFUL AUTHORITY AND OF NO LEGAL EFFECT.

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**PRAYER:-**

ON ACCEPTANCE OF INSTANT WRIT PETITION, NOTIFICATION / ORDER 1442/FII (Per) ESTT ISSUED BY RESPONDENT NO.1 MAY GRACIOUSLY BE STRUCK DOWN BY DECLARING THE SAME AS NULL AND VOID AND PETITIONER BE RE-INSTATED AT HIS SERVICE.

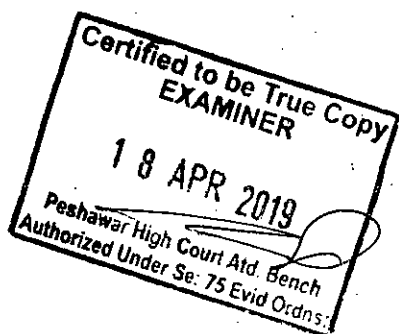
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**FACTS:-**

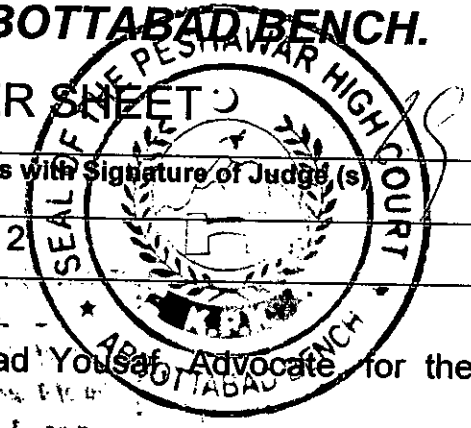
*Respectfully Sheweth,*

1. That, earlier Writ Petition No.1177-A/2018 submitted before the Honourable Court was withdrawn by the petitioner to file the petition afresh after expiry of specified period of departmental appeal which is still undecided. (Copies of the Writ Petition and order of the Honourable Court are attached as Annexures "A", "B" respectively)



**PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**

**FORM OF ORDER SHEET**



Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
07.02.2019	<p><b><u>W.P.No. 117-A/2019.</u></b></p> <p>Present: Haji Muhammad Yousof, Advocate for the petitioner.</p> <p><b><u>QALANDAR ALI KHAN, J.-</u></b> In view of bar, contained in Article 212 (2) of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner is directed to seek his remedy in the appropriate forum i.e. Khyber Pakhtunkhwa Service Tribunal, for redressal of his grievance against the impugned disciplinary action.</p> <p>2. The instant writ petition is disposed of as not pressed by learned counsel for the petitioner, who is going to seek remedy, available to the petitioner under the law.</p> <p style="text-align: right;"><i>Sd/- Judge</i> <i>Sd/- Judge</i></p>

Certified to be True Copy  
**EXAMINER**  
**18 APR 2019**  
 Peshawar High Court Atd. Bench  
 Authorized Under Sr. 75 Evid Ordns.

Saif. CS.

Hon'ble Mr. Justice Qalandar Ali Khan  
Hon'ble Mr. Justice Ijaz Anwar

**SCANNED**