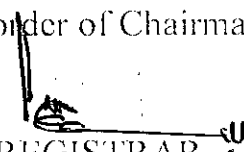


FORM OF ORDER SHEET

Court of _____

Case No.:- _____

815/2023


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/04/2023	<p>The appeal of Mr. Rasees Khan resubmitted today by Mr. Akbar Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>11-4-23</u>. Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Raees Khan son of Shamazay r/o Bajuro Talash District Dir Lower received today i.e. on 07.04.2023 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

Copy of departmental appeal is not attached with the appeal.

No. 1108 /S.T,

Dt. 10/4 /2023



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Akbar Khan Adv.
High Court Peshawar.

R/ Sir,

In compliance of your orders,
copy of departmentle appeal are
attached here with at page 29
to 33 pl:

as annexure;
(H)


Advocate 11.04.023

Be for The Service Tribunal
K. P. K. Peshawar.

Service Appeal No - 2023

Races Khan forest guard Timargosa
forest division Distt. Dir Lower.

Versus

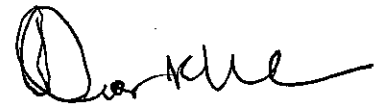
Govt. of K. P. K. and others.

Application for fixing the
case at principal seat
Peshawar.

R/sir,

It is submitted that
I am counsel in the above cited
case. As I am practicing at
Peshawar bar and the appellant
belongs to Timargosa Distt. Dir Lower.

It is requested that the captioned
may be fixed and heard at
Peshawar.



Dated 07-04-2023. Akbar Khan Advocate
Peshawar.

**BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR**

In Re S.A No. 8/5 /2023

Raees Khan

VERSUS

Govt of KPK through Chief Secretary KPK Peshawar
& others

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1.	Grounds of Petition.		1-12
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3.	Addresses of parties		14
4.	Copy of Statement of Zakirullah Forest Guard	"A"	15
5.	Copies of letter to DFO and punishment of compulsory retirement order	"B & C"	16-17
6.	Copy of explanation, reply to the charge sheet summary of allegation and reply there to	"D, E, F, G, H"	18-22
7.	Copy of inquiry	"I-1 to I-3"	23-25
8.	Copy of order of D.F.O	"C"	26
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Through

APPELLANT


Akbar Khan

Advocate, High Court
Peshawar.

mobile: 03059480143

Dated: 29/03/2023

①

BEFORE THE HON'BLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 815 /2023

Raees Khan S/o Shamazay R/o Village Bajuro Talash
District Dir Lower Forest Gard Timergara Forest
Division District Dir Lower.

Appellant

VERSUS

1. Govt of KPK through Chief Secretary KPK Peshawar.
2. Secretary to Govt. for environment and Forest KPK Peshawar.
3. Chief Conservator Forest KPK Peshawar.
4. Chief Conservator of Forest Malakand Forest Region (Region-III) Said Sharif Swat.
5. Conservator of Forest Malakand Forest Circle West Temergara.
6. Divisional Forest Officer Dir Lower at Temergarah.

Respondents

APPEAL U/S-4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT
1974° AGAINST THE ORDER OF RESPONDENT
NO.5 AND 6 PASSED BY THEM VIDE ORDER
NO.62 DATED 15.12.2022 AND VIDE ORDER
NO.31 DATED 10.03.2023 RESPECTIVELY
WHEREBY THE APPELLANT WAS

(2)

COMPULSORY RETIRED FROM SERVICE BY
RESPONDENT NO. 6 AND ON APPEAL THE
RESPONDENT NO.5 CONVERTED THE PENALTY
OF COMPULSORY RETIREMENT TO
REDUCTION TO INITIAL PAY SCALE FOR A
PERIOD OF 3 YEARS AND THE INTERVENING
PERIOD FROM 15.12.2022 TO 9.03.2023 WAS
TREATED AS LEAVE WITHOUT PAY.

Prayer in appeal:-

ON ACCEPTANCE OF THIS INSTANT
SERVICE APPEAL THE IMPUGNED ORDER
OF RESPONDENT NO.5 DATED 10.03.2023
MAY PLEASE BE SET ASIDE TO THE
EXTENT OF REDUCTION TO INITIAL PAY
SCALE AND RUNNING PAY SCALE WHICH
THE APPELLANT WAS GETTING ON
14.12.2022 MAY PLEASE BE RESTORED TO
THE APPELLANT. MOREOVER THE
APPELLANT HAS A LOT OF EARNED
LEAVE ON HIS LEAVE ACCOUNT AND THE
LEAVE WITHOUT PAY ORDER MAY PLEASE
BE CONVERTED TO LEAVE WITH PAY
CONSIDERING THE SAID PERIOD TO BE
DEDUCTED FROM THE EARNED LEAVE OF
THE APPELLANT.

Respectfully Sheweth,

The Appellant submit as under:-

3

1. That the appellant is the resident of village Bajaro Talash District Dir Lower and is serving in Forest Division Dir Lower as Forest Guard for the last 31 years on 31.05.2022, I was posted at Goplam Forest Check Post of Temergarah Sub Division. It is pertinent to say that no barrier was installed on this Check post due to the resistance of inhabitants of Tormang Valley and this fact is in the knowledge interred hierarchy of Forest Department. I had brought about the non existence of bearer on this particular check post into the notice of high official but I was advise to carry on the checking work by stopping the vehicles to hand signals.
2. That on 31.12.2022 a Hino Oil Tanker coming from upper Dir side toward Gopalam Check post was sighted on the road and was signal to stop for checking but the tanker driver ignored the signal and run away fastly. Considering the attitude of the driver the he was suspected for illegal act and therefore the next check post of Shamar Din was informed about the running of the oil tankar. Forest Guard Zakir Ullah received my information and the oil tanker was seized. 43 Nags, 172 CFT of Deodar were recovered from secret cavities of the tanker and

fine of Rs.10,27,000/- was imposed on perpetrator of crime. (Copy of Statement of Zakirullah Forest Guard is attached as annexure "A").

3. That. The DFO Dir Lower who was under pressure from various letters from higher authorities for stopping the smuggling of Timbers, made me scape goat for vindicating his position and penalize me for the major punishment of compulsory retirement vide No.62 order dated 15.12.2022 without any reason. (Copies of letter to DFO and punishment of compulsory retirement order are attached as annexure "B&C").
4. That the DFO Dir Lower called the explanation of the appellant and the appellant submitted detailed reply which was not accepted and charge sheet and summary of allegation was issued to the appellant. (Copies of explanation, charge sheet, statement of allegation & reply there to are attached as annexure D, E, F, G & H").
5. That the DFO Forest Patrole Squared Temergarah was appointed as inquiry officer who conducted inquiry and submitted his

finding to the DFO Dir Lower. (Copy of inquiry is attached as annexure "I-1 to I-3")

6. That DFO Dir Lower impose severe major penalty on the appellant without any cogent reason and passed an order of compulsory retirement against the appellant vide order No.62 dated 15.12.2022. (Copy of order is already attached as annexure "C").
7. That the appellant assailed the order of DFO Dir Lower in appeal before the conservator forest western circle Timergarah who converted the order of compulsory retirement to reduction to initial pay scale for a period for 03 years and the intervening period from 15.12.2022 to 09.03.2023 was treated as leaved without pay. Aggrieved of the orders of respondents the appellant submit this service appeal to this Hon'ble Service Tribunal on the following grounds inter alia others which may please be allowed during the hearing of this service appeal. (Copy of order of conservator western circle Timergara No.31 of 10.03.2022 is attached as annexure "J").

GROUNDS:-

- A. That the order of respondent is against law and facts and therefore liable to be interfered by this Hon'ble Tribunal.

B. That the punishment awarded to the appellant is too much harsh and without any fault on the part of appellant.

C. That the evidence recorded by the inquiry officer rather support the plea raised by the appellant in his defence. For example the SDFO Muqeed Ullah has admitted in his statement that there is no barrier on the check post and the adjacent police check post can be used for stopping the vehicles. He has failed to point out the location of the so called erstwhile police check post and its present position which has been winded up since long after the completion of Army Operation of Radul Fasad. The police staff has shifted to the old Army picket situated at some distance from the main Dir Temergara Road and there is no police check post on barrier on the road now. The police has adopted defensive measure and has suspended checking activities on road for the last one and half year due to the threat from TTP. The statement of Muqeed Ullah SDFO Temergarah is baseless, biase and against the ground realities but this aspect of the statement has not been taken into consideration by the inquiry officers as well as

(7)

by the competent authority at the time of passing order.

D. That the check post is neither sanctioned nor properly built and maintained and nor notified by the competent authority. No barrier has been erected and without barrier no check post can be defined as check post. Actually Gopalam check post was established by the Pak Army during the course of operation Rah-e-Rast and Radul Fasad in Malakand Division. After the withdrawal of Pakistan Army, the check post was dismantled and the station/ picket was occupied by the police. The forest employee i.e two forest guards are leaving in hired shop without any source to stop the vehicle by force.

E. That the appellant was present on duty and has tried his best to check the oil tanker by signaling the said to stop but the driver of the tanker over speeded the tanker and did not stop. As I had no other source to compel the driver to stop but it was my duty to inform the next check post for stoppage of the vehicle which runs from my signal and I did the same and accordingly informed the next check post of Shamer Din about the suspected oil tanker to Forest Guards Zakir Ullah who has confirmed

(8)

this fact before the inquiry officer in his written statement and has seized the tanker on my information. (Copy of statement of Zakir ullah is already annexure as "A" above).

F. I have stated on oath before the inquiry officer above as well as before the competent authorities and state even before this Hon'ble Court that the appellant is not involved in the timber smuggling by the oil tanker in any way. The tanker has started his journey from Upper Dir Kohistan and crossed the Awami Check post and various check post of forest Dir Upper which have proper barriers but was not apprehended by any check post. It was rather apprehended on my information by the next check post which was my obligatory duty and I did perform the same without fail. Being a single man it was humanly impossible for me to apprehend the oil tanker on road when it ignored my signal but inspite of this I apprehend the same through my active information to my colleague on duty on next point. My this quick action was appreciable and worth for price award. But my good work was awarded in punishment which is great in justice.

G. That inquiry conducted by the inquiry officer DFO patrol squad is suffered from material irregularity and illegalities which render the whole process to nullity.

H. That the oil tanker was apprehended on the information of the appellant by the stop of Shamar Din Forest Check post which is crystal clear from the initial process as highlighted in explanation called by DFO Temergarah, charge sheet and summary of allegations but the damage report was issued by patrol squad in order to twist the evidence against the appellant which is against the law and facts on record.

I. That the inquiry officer being head of the patrol squad is Biase and wants to earn good reputation for patrol squad by penalizing the check post stop without any fault.

J. That the inquiry officer has based his finding on the statement of Muqeed Ullah SDFO Temergaah but has ignored the facts that he was not present on the spot. If he had received information about the smuggling of timber from DFO lower Dir why he did not a company with the patrol squad for apprehending the oil tanker. Even the patrol squad was not present

on Shamardin Check post at the time of apprehending the tanker by the staff of Shamardin Check post. This fact is proved from the statement of forest guard Zakir Ullah. The Patrol squad was later on called to the spot and posed as coordinators of the operation. The damage report was also issued from their side to strengthen the case against innocent employees of the check post and for obtaining big chunk of award from the bounty.

K. That the statement of Zakir Ullah forest guard who is best witness of the spot has ignored all together and has not been discussed on either side for or against the appellant which point needs consideration for just decision of the case.

L. That the allegation of corruption has not been proved against the appellant which is clear from the finding of the inquiry officer who has submitted his finding with the recommendation that the charges of inefficiency and misconduct is proved against both the official. The punishment is awarded on irregularities only which is too much harsh.

M. That the appellate authority has partly accepted my appeal by reinstating me in service and has

awarded the punishment of reduction to initial pay scale and dealt the intervening period as leave without pay. The reason given for punishment of reduction of pay scale is stated to be contradiction in the statement of the appellant. The stance of appellant with factual possession is clear that there is no barrier on the check post and no properly erected check post, not sanctioned by the authority with no roznamcha and the appellant was stationed there as watchman and informer. I have explain my position in my explanation, reply to the charge sheet and reply to final show cause notice to DFO Dir Lower and candidly stated that the tanker had ignored my hand signal and run away which was apprehended on next check post on my information which stance is proved by the written statement of Zakir Ullah Forest Guard of Shamerdin Check post. **(Copy of reply to explanation charge sheet, final show cause notice are already attached as annexure "H")**. I have given this statement persistently before every authority as it is fact and proved by documents. No other stance or plea has taken in any forum by the appellant, if written otherwise by any authority that is not binding on me.

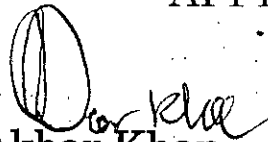
N. That I am innocent and not involved in any sort of smuggling, crime, irregularity, negligence etc and my 31 year clear service is proof of the same.

In view of the above grounds and reasons it is most humbly prayed that by acceptance of this service appeal the impugned order of respondent no.5 dated 10.03.2023 may please be set aside to the extent of reduction to initial pay scale and running pay scale which the appellant was getting on 14.12.2022 may please be restored to the appellant. moreover the appellant has a lot of earned leave on his leave account and the leave without pay order may please be converted to leave with pay considering the said period to be deducted from the earned leave of the appellant.

Any other relief not specifically asked for may also graciously be extended in favour of the Appellant in the circumstances of the case to save the appellant from financial losses.

APPELLANT

Through



Akbar Khan

Advocate, High Court
Peshawar.

Dated: 03/04/2023

13

**BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR**

In Re S.A No. _____/2023

Raees Khan

VERSUS

Govt of KPK through Chief Secretary KPK Peshawar &
others

AFFIDAVIT

I, Raees Khan S/o Shamazay R/o Village Bajuro
Talash District Dir Lower Forest Gard Timergara
Forest Division District Dir Lower, do hereby solemnly
affirm and declare that all the contents of the **instant appeal**
are true and correct to the best of my knowledge and belief
and nothing has been concealed or withheld from this
Hon'ble Court.

Raees Khan
DEPONENT

Identified by:

Akbar Khan
Akbar Khan

Advocate High Court
Peshawar.

Dated:04-04-2023

ATTESTED
Abdul Rasheed Advocate
NOTARY
PUBLIC
Peshawar KPK, PAK
5/4/2023

(14)

**BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR**

In Re S.A No. _____/2023.

Raees Khan

VERSUS

Govt of KPK through Chief Secretary KPK Peshawar
& others

ADDRESSES OF PARTIES

PETITIONER.

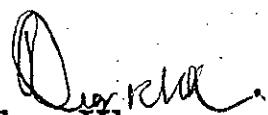
Raees Khan S/o Shamazay R/o Village Bajuro Talash
District Dir Lower Forest Gard Timergara Forest
Division District Dir Lower.

ADDRESSES OF RESPONDENTS

1. Govt of KPK through Chief Secretary KPK Peshawar.
2. Secretary to Govt. for environment and Forest KPK Peshawar.
3. Chief Conservator Forest KPK Peshawar.
4. Chief Conservator of Forest Malakand Forest Region (Region-III) Said Sharif Swat.
5. Conservator of Forest Malakand Forest Circle West Temergara.
6. Divisional Forest Officer Dir Lower at Temergarah.

APPELLANT

Through


Akbar Khan
Advocate, High Court
Peshawar.

Dated: 04/04/2023



OFFICE OF THE CONSERVATOR OF FORESTS
MALAKAND WEST FOREST CIRCLE TIMERGARA

BALAMBAT COLONY LOWER DIR

Ph: 0945-9250120

Fax: 0945-9250118



No. 2611 IG&L,

Dated

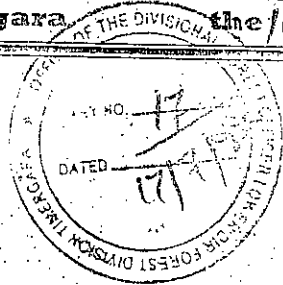
Timergara

the 14/07/2022

To,

The Divisional Forest Officer,
Lower Dir Forest Division,
At Timergara.

16



Annexure

B

Subject:

SMUGGLING OF TIMBER EXPLANATION- THEREOF

Memo:

As already directed vide this office letter No.6149-51 IG&L dated, 02/06/2022, No.6366-68/E dated 08/06/2022 and No.6501-02/E dated 17/06/2022 to initiate proper inquiry against the staff under E&D Rules 2011, but you are calling explanation resultantly wastage of time, stigma and office stationery. Therefore you are once again directed to conduct proper inquiry against the staff under intimation to this office immediately failing which the matter will be reported against you accordingly.

[Signature]
CONSERVATOR OF FORESTS
MALAKAND WEST FOREST CIRCLE
TIMERGARA

[Signature]
Attested
[Signature]
Advocate

(17)

(Annexure C)

OFFICE ORDER NO. 62 DATED TIMERGARA THE 15 /12/2022 ISSUED BY
SHAH KHALID DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION
TIMERGARA.

1. Whereas the accused official Mr. Raees Khan Forest Guard, posted on Gopalem Forest Check Post was proceeded under Efficiency & Disciplinary Rules, 2011 and Show-cause notice was issued by the Divisional Forest Officer, Lower Dir Forest Division being competent authority bearing No. 1303-04/Acctt; dated 04.11.2022 on the following charges:-

- i. Misconduct
- ii. Inefficiency
- iii. Corruption

2. Whereas, the accused official submitted written reply to the Show-cause notice dated 10.11.2022 and was also granted opportunity of personal hearing on 24.11.2022 vide Divisional Forest Officer, Lower Dir Forest Division letter No. 1395.96/E: dated 16.11.2022.

3. Whereas, the recommendation of enquiry committee/officer, record available on file, reply to the show cause notice & statement recorded during personal hearing was scrutinized at length and it was ascertained that the accused official has committed irregularity by not performing his duty and the oil tanker loaded with illicit timber pass the check post.

ORDER:

By reason of the above, I Mr. Shah Khalid, Divisional Forest Officer, Lower Dir Forest Division in the capacity of competent authority impose major penalty of compulsory retirement from service in the best interest of public service.

Sd/-
(Mr. Shah Khalid)
Divisional Forest Officer,
Lower Dir Forest Division,
Timergara.

No 1799-1862
/Acctt,

Copy forwarded to the:-

- 1. Conservator of Forests Malakand Forest Circle West at Timergara for favour of information please.
- 2. SDFO Timergara for information and necessary action.
- 3. Official Concerned for information and necessary action
- 4. Divisional Accountant for information and necessary action.

Shah Khalid
Divisional Forest Officer,
Lower Dir Forest Division,
Timergara.

OFFICE OF THE SUB DIVISIONAL FOREST OFFICER TIMERGARA FOREST SUB
DIVISION AT TIMERGARA.

To

1. Raees Khan Forest Guard.
2. Zubair Shah Forest Guard.

18

Annexure
(D)

No. _____ /T Dated the Timergara 31/06/2022

Subject: SMUGGLING OF TIMBER-EXPLANATION THEREOF.

Memo:

An Oil Tanker loaded with 43 No Deodar Scants=172.00 cft timber was apprehended by the staff Shamardin Forest Check Post, reportedly which has crossed ~~Shamardin~~ Forest Check Post un-checked. Which clearly speaks your active involvement with timber smugglers. Therefore, you are directed in your own interest to explain your position within seven (07) days, that why action under E&D Rules, 2011 shall not be initiated against your.

Sub Divisional Forest Officer,
Timergara forest Sub Division,
At Timergara.


No. 301T

Copy forwarded to DFO Lower Dir for favour of information, please.

Sub Divisional Forest Officer,
Timergara forest Sub Division,
At Timergara

EST
Process
DFO 2/Dir

Attested
Advocate

OFFICE OF THE DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION TIMERGARA		Ph#0945-9250105 Fax#0945-250119 Email.dfolowerdir@gmail.com
No <u>51-52</u> IG:	Dated Timergara	the <u>07/07/2022</u>

To

1. Mr. Raees Khan Forest Guard.
2. Zubair Shah Forest Guard.
C/O
Sub Divisional Forest Officer,
Timergara Forest Sub Division,

Annexure
(E)

19

SUBJECT:-
Memo:

SMUGGLING OF TIMBER-EXPLANATION THEREOF.

Refer to SDFO Timergara letter No.58-60/T, dated 03.06.2022 and you are directed to submit detail reply to the explanation called vide letter cited above within three days (03) days, otherwise it will be presumed that you have nothing to offer in your defence and ex-parte action under E&D Rules, 2011 will be initiated against you accordingly.




Divisional Forest Officer,
Lower Dir Forest Division,
Timergara

No. 53-54 /Acctt:

Copy forwarded to the:-

1. Conservator of Forests Malakand Forest Circle West at Timergara for favour of information please.
2. SDFO Timergara for information and further necessary action. He is directed to handover the letter to the above named officials and submit receipt to this office for record.

Attested


Advocate



Divisional Forest Officer,
Lower Dir Forest Division,
Timergara

Annexure -

(20)
(- F...)

CHARGE SHEET

I, Mr. Shah Khalid Divisional Forest Officer Lower Dir Forest Division as competent authority, hereby charge you, Mr. Zubair Shah Forest Guard (BPS-08) as follows:-

1. That you, while posted as Forest Guard at Gopalam Forest Check Post of Timergara Forest Sub Division and on duty, committed the following irregularities:-
 - i. That besides repeated directives/instructions regarding control of illegal movement of forest produce through proper checking of each and every vehicle crossing Forest Check Posts, especially at the time of sunrise and sunset, but you failed to do so. As on 31.05.2022 a Hino Oil Tanker bearing hand writing registration No.C-2605 loaded with illicit timber of 43 Nos Deodar Scants of various size = 172.00 cft apprehended by the staff of Shammardin Forest Check Post.
 - ii. Being Forest Guard it is your prime responsibility to keep the barrier closed and stop each and every vehicle for checking, but you did not perform your duty as per your job description which shows your inefficiency in performing your duty and the vehicle crossed the Check Post un-checked.
 - iii. That explanation was called by SDFO Timergara vide his letter No.58-60/T dated 03.06.2022 with the direction to explain your position within three (03) days followed by this office letter No.81-82/G, dated 07.07.2022.
 - iv. That you failed to submit your reply within the time.
 - v. That the above situation clearly speaks your active involvement with timber smugglers.
2. By reason of the above, you appear to be guilty of in-efficiency, mis-conduct and corruption under Rules-3 of Khyber Pakhtunkhwa Government Civil Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rules-4 of the ibid Rules.
3. You are therefore, required to submit your written defence if any within seven (07) days of the receipt of this charge sheet to the enquiry officer/committee, as the case may be.
4. Your written defence reply, if any, should reach to the enquiry officer/committee within the specified period, failing which it will be presumed that you have nothing in defence to put in and that case ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person.
6. Statement of allegation is attached.



Mr. Shah Khalid
Divisional Forest Officer,
Lower Dir Forest Division,
Timergara

Annexure

(9)

(91)

DISCIPLINARY ACTION

Whereas I Mr. Shah Khalid Divisional Forest Officer, Lower Dir Forest Division Timergara as competent authority, and I am of the opinion that Mr. Zubair Shah Forest Guard has rendered himself liable to be proceeded against as he committed the following acts of omissions and commissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Govt. Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

1. That he, while posted at ^{Gopalam} Shammardin Forest Check Post of Timergara Forest Sub Division, committed the following irregularities:-
 - i. That besides repeated directives/instructions regarding control of illegal movement of forest produce through proper checking of each and every vehicle crossing Forest Check Posts, especially at the time of sunrise and sunset, but you failed to do so. As on 31.05.2022 a Hino Oil Tanker bearing hand writing registration No.C-2605 loaded with illicit timber of 43 Nos Deodar Scants of various size = 172.00 cft apprehended by the staff of Shammardin Forest Check Post.
 - ii. Being Forest Guard it is your prime responsibility to keep the barrier closed and stop each and every vehicle for checking, but you did not perform your duty as per your job description which shows your inefficiency in performing your duty and the vehicle crossed the Check Post un-checked.
 - iii. That explanation was called by SDFO Timergara vide his letter No.58-60/T dated 03.06.2022 with the direction to explain your position within three (03) days followed by this office letter No.81-82/G, dated 07.07.2022.
 - iv. That you failed to submit your reply within the time.
 - v. That the above situation clearly speaks your active involvement with timber smugglers.
2. For the purpose of inquiry against the accused with reference to the above allegations, as inquiry Officer/Enquiry Committee, consisting of the following, is constituted under Rule-10(i)(a) of the Rules ibid.

Mr. Murad Ali Shah DFO Patrol Squad
3. The inquiry Officer/enquiry Committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make within thirty (30) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused official.
4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the inquiry Officer/committee.


Divisional Forest Officer,
Lower Dir Forest Division,
Timergara

ENQUIRY REPORT OF MR. RAEES KHAN FOREST GUARD AND ZUBAIR SHAH FOREST GUARD OF LOWER DIR FOREST DIVISION REGARDING SMUGGLING OF TIMBER IN OIL TANKER

READ WITH:

- DFO Lower Dir office order No,14 Dated: 21-07-2022 (Annexure-I)
- SDFO Timergara office letter No, 59/T Dated 03-06-2022 (Annexure-II)
- DFO Lower Dir office letter No, 81-82/G Dated 07-07-2022 (Annexure-III)
- Charge Sheet & Memo of Allegations issued to Mr. Raees Khan Forest Guard & Zubair Shah Forest Guard. (Annexure-IV)
- Reply of Mr. Raees Khan Forest Guard and Zubair Shah Forest Guard Dated 31-07-2022 (Annexure-V)
- Personal Hearing of Mr. Raees Khan and Zubair Shah Forest Guard Dated 19-08-2022 (Annexure-VI)
- Statement of Mr. Zakirullah Forest Guard I/C Shamardin Forest Check Post Dated 03-08-2022 (Annexure-VII)
- Personal Hearing of Mr. Muqaidullah SDFO, Timergara Dated 30-08-2022 (Annexure-VIII)
- Damage Report issued by the staff Dated 31-05-2022 (Annexure-IX)

BRIEF HISTORY OF THE CASE:

An oil tanker loaded with 43 No, Deodar scants =172 cft-timber was apprehended by the staff of Shamardin forest Check post, which crossed Sherpalam Forest Check Post unchecked/unattended by the concerned field staff. The competent authority issued the following allegations/Charge Sheet to the accused officials, detail of which are as under,

- i. That besides repeated directives /instructions regarding control of illegal movement of forest produce through proper checking of each and every vehicle crossing Forest Check Posts, especially at the time of sunrise and sunset. but you failed to do so, As on 31-05-2022 a Hino Oil Tanker bearing hand writing registration No, C-2605 loaded with illicit timber of 43 No's of Deodar Scants of various size = 172cft apprehended by the staff of Shamardin Forest Check Post.
- ii. Being Forest Guard it is your prime responsibility to keep the barrier closed and stop each and every vehicle for checking, but you did not perform your duty as per your job


DFO, PS

- description which shows your inefficiency in performing your duty and the vehicle crossed the check post un-checked.
- iii. That explanation was called by SDFO Timergara vide his letter No, 58-60/T Dated 03-06-2022 with the direction to explain your position within 03(Three) days followed by this office letter No, 81-82/G Dated 07-07-2022.
- iv. That you failed to submit your reply with in-time.
- v. That the above situation clearly speaks your active involvement with timber smugglers.

For the purpose of enquiry against the accused with reference to the above allegations, the enquiry was entrusted to undersigned under Rule -10(i) (a) of the Rules ibid.

Discussion:

The accused officials submitted their reply to the charge sheet and Memo of Allegations already served to them by DFO Lower Dir.

As per reply of Mr. Zubair Shah Forest Guard that there is no barrier in Gopalam Forest Check post, we only try to stop the suspected vehicles but some vehicles may pass /cross check post without checking at a high speed. Moreover, he was on leave that day. Raees Khan forest guard was performing duty on check post. He tried to stop oil tanker for the purpose of checking but driver of oil tanker did not stop and cross the check post. Mr. Raees Khan Forest Guard then immediately phone call to I/C of Sherpalam forest check post for checking of oil tanker, therefore, on their information oil tanker loaded with illicit timber was apprehended by the staff of Shamardin forest check post.

As per reply of Mr. Raees Khan Forest Guard, on that day he was on duty at Gopalam forest check post, he tried to stop oil tanker for the purpose of checking but it didn't stop and cross forest check post, he then immediately inform staff of Sherpalam forest check post to check this suspected oil tanker. Therefore, on his information staff of Sherpalam forest check post apprehended oil tanker loaded with illicit timber.

As per statement given by Zakirullah forest guard I/C of Shamardin forest check post that they have apprehended oil tanker on information given by Mr. Raees Khan forest guard on that day.

During the course of personal hearing Dated 19-08-2022 of Mr. Zubair Shah forest guard that he was on leave that day, as he has taken leave verbally from the concerned SDFO Timergara and no written application was given to him.

M.D.
DFO PJ

(I-3)

(25)

Personal Hearing Dated 19-08-2022 of Mr. Raees Khan Forest Guard stated that there is no barrier in Gopalam Forest Check Post and sometimes vehicles pass/cross this forest check post without checking. More over on that day he has tried to stop oil tanker on that day but it didn't stop, therefore, he then immediately phone call to staff of Shamardin forest check post to block this suspected oil tanker and therefore, they have apprehended oil tanker loaded with illicit timber on his information.

As per personal hearing of Mr. Muqaidullah I/C SDFO Timergara stated that its true that there is no barrier in Gopalam forest check post but police forest check post is also situated on the same place they can check the vehicles very smoothly there. Moreover, in his personal hearing he accept that the oil tanker loaded with illicit timber was apprehended at Shamardin forest check post in the presence of Divisional Squad Party. He also told that Damage report on this offence was issued by squad party. During the course of personal hearing he stated that they have apprehended the oil tanker on the information given by DFO Lower Dir.

Conclusion:

In view of above discussions it was concluded that the staff of Gopalam forest check post has not checked the oil tanker and let timber smugglers to cross forest check post. As per report of the SDFO Timergara information of Oil Tanker was received to them from DFO Lower Dir. As explanation has been called by SDFO Timergara from both accused official, it reveals that no any leave was granted to Mr. Zubair shah Forest Guard.

Findings:

From the above discussions it was crystal clear from the statement of SDFO Timergara, that adjacent police check post is situated there, where they can easily checked each and every suspected vehicles. They were either absent on the check post or involved in the illegal transportation of timber which have crossed forest check post without any hindrance/restrictions. So, charges of Inefficiency and misconduct prove on both officials.



Enquiry Officer

Divisional Forest Officer
Patrol Squad Malakand West
Forest Circle Timergara

28/10/2022

OFFICE ORDER NO. 12 DATED TIMERGARA THE 15/12/2022 ISSUED BY
SHAH KHALID DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION
TIMERGARA.

Annexure

(C)

26

1. Whereas the accused official Mr. Raees Khan Forest Guard, posted on Gopalam Forest Check Post was proceeded under Efficiency & Disciplinary Rules, 2011 and Show-cause notice was issued by the Divisional Forest Officer, Lower Dir Forest Division being competent authority bearing No. 1303-04/Acctt, dated 04.11.2022 on the following charges:-

- i. Misconduct
- ii. Inefficiency
- iii. Corruption

2. Whereas, the accused official submitted written reply to the Show-cause notice dated 10.11.2022 and was also granted opportunity of personal hearing on 24.11.2022 vide Divisional Forest Officer, Lower Dir Forest Division letter No. 1395.96/E: dated 16.11.2022.

3. Whereas, the recommendation of enquiry committee/officer, record available on file, reply to the show cause notice & statement recorded during personal hearing was scrutinized at length and it was ascertained that the accused official has committed irregularity by not performing his duty and the oil tanker loaded with illicit timber pass the check post.

ORDER:

By reason of the above, I Mr. Shah Khalid, Divisional Forest Officer, Lower Dir Forest Division in the capacity of competent authority impose major penalty of compulsory retirement from service in the best interest of public service.

Sd/-
(Mr. Shah Khalid)
Divisional Forest Officer,
Lower Dir Forest Division,
Timergara.

1799-1802
No. /Acctt,

Copy forwarded to the:-

1. Conservator of Forests Malakand Forest Circle West at Timergara for favour of information please.
2. SDFO Timergara for information and necessary action.
3. Official Concerned for information and necessary action
4. Divisional Accountant for information and necessary action.

Attested

Qurkna
Advocate

Shah Khalid
Divisional Forest Officer,
Lower Dir Forest Division
Timergara

NO. _____ DATED 10/03/2023 ISSUED BY MR. SHAUKAT FAIZ CONSERVATOR OF FORESTS MALAKAND WEST FOREST CIRCLE TIMERGARA.

1. Whereas, Mr. Raees Khan as Forest Guard (appellant) was proceeded under E&D Rules, 2011 and proper charge sheet issued by the (DFO DIR LOWER) vide Office Order No.14 dated 21/07/2022 with the following charges;

- Misconduct.
- Inefficiency.
- Corruption.

(Annexure J)

27

- Whereas, proper and formal inquiry proceeding was conducted against the accused vide DFO Lower Dir office order No. 14 dated 21/07/2022.
- Whereas, the inquiry officer after fulfillment of the codal formalities on the subject, recommended the said accused official for major penalty.
- Whereas, the competent authority (DFO Lower Dir) served show cause notice upon the accused official vide DFO Lower Dir No.1303-1304/E, dated 04/11/2022. Subsequently, the accused official responded to the show cause notice on 10.11.2022 and also conducted personal hearing on 24.11.2022.
- Whereas, the accused Official was awarded major penalty of compulsory retirement by the D.F.O Dir Lower vide Office Order No. 62 dated 15/12/2022.
- Whereas, the appellant being aggrieved with the penalty awarded by DFO Lower Dir, filed the departmental appeal to the undersigned (appellate Authority) requesting to set aside the penalty.
- Whereas, Para wise comments were asked from DFO Lower Dir vide this office letter No.3047/E, dated 17/01/2023. The DFO Lower Dir furnished the requisite comments vide his office memo No.2911/Acctt: dated 21/02/2023. On receipt of the comments, the appellant was provided a chance of Personal hearing on 07.03.2023 in the office of Conservator of Forests Malakand West Forest Circle vide memo No.3745/E dated 27/02/2023..
- Whereas, on perusal of record, comments of the D.F.O Dir Lower and personal hearing of the appellant the facts surfaced that the illegal timber was transported in Hino Oil Tanker bearing Registration No.C-2605, with active connivance of appellant as there were found contradiction in the reply to charge sheet and appeal, whereas the appellant has stated that the said Tanker loded with illicit timber has crossed the Gopalam Forest Check Post without halting despite signal for checking and subsequently the staff of Shamerdin Forest Check Post was informed while on the other hand he denied the passing / crossing of the tanker carrying illegal timber through the Gopalam check post in personal hearing conducted on 24.11.2022 by the DFO Lowe Dir, hence the charges are proved.

ORDER:-

Mr. Shaukat Fiaz Conservator of Forests Malakand West Forest Circle Timergara in the capacity of appellate authority hereby convert the penalty of compulsory retirement to reduction to initial stage of his pay Scale for a period of 03 (Three) years and the intervening period from 15/12/2022 to 07/03/2023 treated as leave without pay.

Sd/-
(SHAUKAT FIAZ)
CONSERVATOR OF FORESTS
MALAKAND FOREST CIRCLE WEST
TIMERGARA

No 4024-26/E,
Copy to:-

- The Chief Conservator of Forests, Malakand Forest Region (Region-III) Saidu Sharif Swat for favour of information please.
- The Divisional Forest Officer Dir Lower for information and necessary action.
- The Official concerned.

CONSERVATOR OF FORESTS
MALAKAND FOREST CIRCLE WEST
TIMERGARA

29

Annexure

(H)

BEFORE THE WORTHY CONSERVATOR OF FORESTS MALAKAND WEST FOREST
CIRCLR AT TIMERGARA (LOWER DIR)

SUBJECT: DEPARTMENTAL APPEAL AGAINST OFFICE ORDER NO: 62 DATED 15-12-2022 ISSUED BY DFO LOWER DIR FOREST DIVISION TIMERGARA (LOWER DIR DISTRICT).

Respected Sir,

It is respectfully stated that:

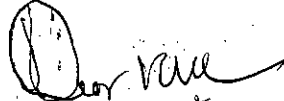
- 1) Appellant is the resident of Talash (Bajaworo) Tehsil Timergara District Lower Dir and was serving as Forest Guard in Lower Dir Forest Division for the last thirty-one (31) years. While working on Gopalan Forest Check Post of Timergara Sub Division, the respective DFO Lower Dir Forest Division vide his office order quoted in the subject and copy enclosed herewith as (Annexure-A) has imposed a major penalty of "COMPULSARY RETIREMENT" in the charges of inefficiency, misconduct and corruption as defined under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and discipline) Rules, 2011.
- 2) The respective DFO Lower Dir served upon the appellant a charge sheet and memo of allegations and the respective DFO Petrol Squad Division Timergara was appointed as enquiry officer to conduct proper enquiry and probe in to the allegations vide DFO Lower Dir Office No:14 dated 21-7-2022 photocopies enclosed as (Annexure-B). It was alleged in the charge sheet and memo of allegations that a Hino oil tanker bearing hand writing registration No:C2605 loaded with illicit timber of 43 Nos Deodar Scants of various size=172.0 cft apprehended by the staff of Shamardin Forest Check post on 31-5-2022. It was alleged that the said vehicle crossed the Gopalam Forest Check Post unchecked due to inefficiency of the appellant. By above reasons, the appellant was served with charge sheet and memo od allegations for the charges of In-Efficiency, misconduct and corruption as defined in the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.
- 3) In response, the appellant submitted para wise reply of the charge sheet to the respective DFO, Petrol Squad (Enquiry Officer) Timergara on 31-07-2022, copy enclosed as (Annexure-C) for favour of perusal please. It was clarified and explained in the reply dated 31-07-2022 that there is no barrier in Gopalam Forest Check post, therefore we stop the vehicles through "HAND CAUTION" for checking of illegal forest produce. It was stated in the reply that the said oil tanker No:C2605 when reached to Gopalam check Post was cautioned to stop for checking but the driver ignored the "HAND CAUTION" and left/crossed the check post.

Attested

Q. No. 1111
Advocate

- 4) In the meantime, there was no alternative with the appellant except to call on phone the forest staff of near-by check post of Shamardin and alert them for stopping the said oil tanker. Resultantly the oil tanker was apprehended by the staff of Shamardin Forest Check post as has been stated in the charge sheet. Due to the explanation furnished above, the appellant has performed his duty efficiently and honestly and has not committed any irregularity. Therefore, it was requested to drop the charge sheet and exonerate the appellant from all the charges levelled against him in the charge sheet and memo of allegations.
- 5) However, the respective DFO Patrol squad Timergara (Enquiry Officer) turned down the reply of the appellant without any solid reasons and held guilty him of the charges of In-efficiency, misconduct and corruption without any evidence, proofs and witness. The respective DFO Petrol Squad (Enquiry Officer) submitted his enquiry report to the respective DFO Lower Dir Forest Division vide his letter No: 401/PS, dated 28-10-2022, copy enclosed as (Annexure-D) for favour of perusal please.
- 6) In response to the said enquiry report, the respective DFO Lower Dir (Authority) served a show cause Notice upon the appellant vide his letter No: 1303-04/Acctt: dated 4-11-2022, copy enclosed as (Annexure-E) for favour of perusal please. It was alleged in the show cause notice that the enquiry officer has proved that the appellant was found involved in the illegal transportation of timber and have active connivance with the timber smugglers. It was further alleged that all the charges levelled against the appellant have been proved as per report of inquiry Officer and the appellant was held guilty of the charges of In-efficiency, misconduct and corruption.
- 7) In response to the above show cause notice, the appellant furnished detailed reply dated 10-11-2022 copy enclosed as (Annexure-F) for favour of perusal please. It was clarified in the reply that the said oil tanker was cautioned by the appellant to stop for checking but the driver ignored the caution and could not stop for checking. Therefore, the appellant called on phone and informed the staff of nearby Forest Check Post of Shamardin and such reply was also submitted to the enquiry officer. Being a human, performing of duty alone on the check post is a difficult task/work but inspite of such hardship and lack of facilities, the appellant has performed the checking duty of thousands of vehicles at Gopalam Check Post in a good manner up till now. It was clarified in the reply to the show cause notice that the charges of In-efficiency, misconduct and corruption are baseless, against the law, rules and regulations as well as the norms of justice. In case the appellant was involved in the mal-practices, then why he informed his colleagues at the nearby Forest check post of Shamardin. Mr. Zakirullah Forest Guard of Shamardin Forest Check post has also confirmed that the appellant has

Attested


Advocate

informed him on phone and has furnished written statement in this respect which is enclosed herewith as (Annexure-G).

- 8) It was declared on oath that neither the appellant knows the driver/smugglers of the said oil tanker nor he remained in any contact with the said smuggler or any other smugglers. The factual position can be verified from the (CDR) computer Data Recording of his mobile for which the appellant is ready. It was further clarified that the appellant has rendered Thirty-One (31) year service as Forest Guard in the Forest Department, honestly and devotedly and he is deserving to be promoted to the rank of Forester on the basis of seniority, therefore, depriving the appellant from promotion on the basis of unlawful and irregular charges is a dispiteous action on the part of the Authority. It was therefore requested that the charges levelled against the appellant are false, unjustified, against the law, Rules/regulations and norms of justice, therefore, the appellant may be exonerated from all the charges.
- 9) However, the request of the appellant was not considered and the appellant has compulsory retired from service vide DFO Lower Dir Office order No: 62 dated 15-12-2022 which is against the law, rules, regulations, norms of justice and not tenable due to the following reasons:
- i. The "so called" Gopalam Forest Check Post has neither been properly/formally sanctioned/notified by the competent Authority of Forest/Environment Department nor any barrier has been erected by the department. Check post without barrier could not be called check post. Actually, Gopalam check post was established by the Pak Army during the course of military operations "Rah-i-Rast and RadulFassad" launched in Malakand civil Division. After withdrawal of Pak Army, the barrier was dismantled and the station has been occupied by the local police of Lower Dir District. In absence of barrier, it could not be called as "Forest Check Post". *we are residing in a shop hired from the local inhabitants.*
 - ii. Neither "Roznamcha Register" is available nor maintained in the check post for entering the legal forest produce in transit. Duty register has been maintained on the directives of worthy conservator of forest Malakand West Forest Circle w.e.f 18-06-2022.
 - iii. As already clarified in his reply to the charge sheet and show cause Notice, the appellant cautioned the driver of the said oil tanker but he ignored the hand caution and could not stop for checking, therefore, the appellant informed the staff of nearby Forest check post of Shamardin on phone, where the oil tanker was apprehended by the staff of Shamardin Forest Check Post, however, damage report was chalked/issued by the divisional patrol squad party comprising of

Attested

D. K. K.
 Advocate

M/S Muqaidullah Khan SDFO Timergara, Khalil Ahmad Forester and Anwar Ahmad Forest Guard.

- iv. Mr. Zakirullah Forest Guard of Shamardin Forest Check Post has also confirmed that the appellant informed him on phone about the oil tanker and has also furnished a written statement in this regard which has already been enclosed as (Annexure-G) above. Since, there was no restriction on the road to stop the tanker forcibly, nor any ready vehicle/motorcycle etc was available to stop and apprehended the oil tanker, therefore, he called on phone Mr. Zakir Ullah Forest Guard of the nearby Shamardin Forest Check post, ^{on the route} and alert them for stopping the said oil tanker for the purpose of checking. Resultantly, the oil tanker loaded with illicit timber was apprehended accordingly. It is quite clear that the appellant has performed his duty efficiently without any negligence on his part.
- v. It has been learnt that the oil tanker was specially prepared ^{manufactured} for the purpose of smuggling of timber and was opened through drill machine for searching/checking. However, after apprehension of the said oil tanker along with smugglers, a lenient action was taken by the concerned staff and the case was processed as "COMPENSATION CASE" instead of "PROSECUTION CASE". The case was required to be prosecuted ^{in the Court of Law} and exemplary punishment ^{awarded} to the smugglers and forfeiture of timber and vehicle in favour of the government in accordance with the provision of Forest Ordinance, 2002. But instead of doing so by the concerned staff, the smugglers and timber along with vehicle were released as such on nominal fine/compensation received by the concerned staff. Taking lenient action against the habitual smugglers and making the appellant as "SACRIFICIAL GOAT" in the case is also questionable. Similarly, apprehension of oil tanker by the staff of Shamardin Forest Check Post and issuance of damage report by the Divisional Raid party and release of timber as such to the smugglers is also questionable.
- vi. So ~~for~~ the statement of Mr. Muqaidullah Khan SDFO Timergara regarding use of police check post by the forest check staff is concerned, it is clarified that police have also no barrier in this place namely "GOPOLAM" to be ~~used~~ for checking and restricting of the vehicles. The local police have received the threat of terrorism ~~from~~ ^{by} Tehreek-e-Taliban Pakistan from their high ups and police ~~personals~~ ^{personals} have closed themselves to their defense posts and have adopted defensive measures and positions for the last one and a half year and checking/searching on roads has already been suspended, therefore, the statement of respective SDFO Timergara is baseless, against the ground realities and un-justified.

Attested

Darkeel
Advocate

- vii. Actually, the oil tanker loaded with illicit timber was apprehended by the staff of Shamardin Forest Check Post as has been clearly reflected in the charge sheet and show cause Notice served upon the appellant, however, later on the damage report was got issued /chalked through Divisional Raid Party in order to justify their role and use of Government Vehicle for patrolling duty besides other ulterior motives.
- viii. It is pointed out that the appellant has always performed his duty honestly, devotedly and up to the best satisfaction of higher officers and has never indulge himself in any mal practices which is also evident from his service record. The charges of in-efficiency, misconduct and corruption as defined in the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 have not been proved against the appellant with certainty and totally innocent in the instant case, therefore, the impugned order of the respective DFO Lower Dir is irregular, illegal, unjustified, against the natural/social justice and un-tenable. The pre-mature retirement from service without solid reasons will not only suffer the appellant but his family and children also.
10. It is therefore prayed ^{that} by accepting this appeal of appellant on humanitarian grounds, the impugned office order No:62 Date 15-12-2022 issued by the DFO Lower Dir may be set aside and the appellant be reinstated in service from the date of compulsory retirement with all back benefits. For this act of kindness, the appellant will be highly obliged/thankful and will pray for the prosperity of your good self.
11. The appellant also wishes to be heard in person to explain his position orally.

Thanks.

Encl: As above




Yours Obediently

ed

**RAEES KHAN EX-FOREST GUARD
R/O BAJAWRO, TALASH TEHSIL TEMERGARA
DISTRICT LOWER DIR**

Attested.

*Q. J. Khan
Advocate.*

قیمت 50 روپے	68939			
ایڈویکٹ: اکبر خان	بار کونسل / ایسوسی ایشن نمبر: 11-1905	پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
رابطہ نمبر: 03059480143	0341 9100 912			

28

بعدالت جناب: سروس ٹریسٹل سٹیبل سٹیبل جو پشاور

مخاطب: ریسٹن خان فارسیٹ کارڈ ضلع ڈیرہ گورنمنٹ کالج ڈیرہ	دعویٰ: سروس ایپل
راہیلہ پور +	علت نمبر:
بنام اکبر خان	مورخہ:
ہوٹل پشاور	جرم:
وکیل سید شمس الدین	تھانہ:

باعث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 آن مقام کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا ایپل کی برآمدگی اور مستثنوی، نیز
 دائر کر کے ایپل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو کوئی جملہ مذکورہ بالا اختیار حاصل ہوں گے اور اس کا ساتھ پر داخلہ منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب یا بندہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے



العبد _____
 العبد _____
 سٹار _____
 کے لیے منظور ہے

Accepted
 Quake
 Advocate

نوٹ: اس وکالت نامہ کی کوئی تا قابل قبول ہوگی۔

Raza Khan

ریسٹن خان فارسیٹ کارڈ