

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

**Implementation Petition No.759/2022 in Service Appeal  
No.351/2014**

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No.

6141

Dated

22/6/2023

**SULTAN MEHMOOD VERSUS GOVT. OF KHYBER PAKHTUNKHWA & Others**

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14

**ABDUL MANNAN**

Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

*copies submitted in Camp Court  
Abbatabad on 21/6/23  
with reader JF Khair.  
Submit original in Peshawar.*



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

①

**Implementation Petition NO. 759/2022 in Service Appeal No. 351/2014**

Sultan Mehmood son of Fida Muhammad ,  
Resident of Gulfam Town, Mian-de-Seri  
Tehsil and District, Abbottabad .....Applicant

**VERSUS**

1. The Province of Khyber Pakhtunkhwa through Secretary,  
Government of Khyber Pakhtunkhwa Climate Change,  
Forestry, Environment & Wildlife Department, Peshawar.
2. The Chief Conservator of Forests,  
Central and Southern Forest Region-I, Peshawar.
3. Chief Conservator of Forests  
Northern Region-II, Abbottabad
4. Conservator of Forests/Project Director  
Watershed Management Circle Abbottabad .....Respondents

**PARAWISE COMMENTS ON BEHALF OF  
RESPONDENT NO.1, 2, 3 & 4.**

**PRELIMINARY OBJECTIONS:**

1. The application is not maintainable in the present form.
2. The applicant has no locus standi to bring the present application.
3. The applicant is legally stopped by his own conduct to bring the present application.
4. The application is time barred.
5. That the applicant has no cause of action.

**Respectfully Sheweth:**

1. Correct to the extent that the applicant had filed service appeal No. 351/2014 against the rejection of his appeal by respondent No. 2, which was properly replied by the respondent department with the remarks that on 18/12/2009 the applicant alongwith others were appointed as Deputy Ranger on acting charge basis on the integrated seniority list of Foresters of Abbottabad Circle vide CF Abbottabad office order No. 91, dated 18/12/2009 as per Notification bearing No.SO(FT-II)/AD/1-584/70/5921-6000, dated 29/8/1990 under which Abbottabad Circle, Kaghan Intensive Management Project, Watershed Management Project and Mansehra Intensive Management Project were considered for promotion of Forester to the post of Deputy Ranger as one unit (**Annex-I**). Later on, vide the Administrative Deptt: vide notification No.SO(Estt)/Envt/1-4/2K11/1629-50, dated

5/10/2012, the Upper Hazara, Lower Hazara & Watershed Management Circles were declared as independent unit for promotion of Forester to the post of Deputy Ranger **(Annex-II)**, as such the applicant being appointee of Watershed Circle was not promoted on regular basis to the post of Deputy Ranger having limited post i.e 3 Nos. of Deputy Ranger, while his other colleagues being Junior to him were considered for promotion to the post of Deputy Ranger having sufficient Nos. of posts i.e 10 Nos. in Lower Hazara Forest Circle and 4 Nos. in Upper Hazara Forest Circle.

2. Correct to the extent that the Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar has constituted an Inquiry Committee vide his o/o No. 93, dated 05/05/2017 for restoration of his seniority **(Annex-III)**. the committee after thrash out the record submitted his report which was subsequently submitted to Chief Conservator of Forests and finally the competent authority has restored his seniority w.e.f 08/10/2013 vide o/o No. 06, dated 05/07/2017 **(Annex-IV)** with the condition that the Deputy Ranger shall withdraw his service appeal from Khyber Pakhtunkhwa Service Tribunal and produce withdrawal letter to CF concerned as well as to his office for record. After restoration of his seniority, the applicant was promoted to the post of Forest Ranger (BPS-16) vide o/o No. 85, dated 12/01/2018 **(Annex-V)** with the remarks that instead of withdrawal his appeal from the court of law, the applicant pursued his appeal till final decision dated 22/07/2022 although the applicant has since been retired on the age of superannuation w.e.f 07/04/2018.
3. No comments, however explanation available in Para-2 above.
4. As per explanation available in Para-2 above, the applicant when he was Deputy Ranger in (BPS-12) was promoted to the post of Forest Ranger (BPS-16) after restoration of his seniority on the recommendation of inquiry committee dated 20/03/2017 w.e.f 12/01/2018 and his retirement on the age of superannuation was matured on 07/04/2018. So far, giving him the promotion to next scale like his other colleagues is concerned, it is not possible on the analogy that he was no more in service after 7/4/2018 and his other colleagues were thus promoted only they are still in service like Zareen Gul already promoted to the post of SDFO and will be retired on the age of superannuation w.e.f 31/03/2024.
5. As per explanation available in Para-2 & 4 above.
6. The appeal already submitted to competent authority i.e Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar by the applicant after announcement of the decision of KP Service Tribunal on 22/07/2022 has since been rejected vide letter No. 998/E, dated 23/08/2022 & No.2997/E, dated 18/11/2022 **(Annex-VI & VII)**, furthermore, after announcement the decision of Khyber Pakhtunkhwa Service Tribunal, the case was sent to Law Deptt: for seeking advice regarding filing of CPLA in the Apex Court, which was discussed during the Scrutiny Committee meeting in Law Deptt: on 14/09/2022 and the committee also agreed that the desired relief in shape of restoration of seniority as well as promotion to the post of Forest Ranger (BPS-16) was granted to the applicant during January, 2018 with the condition that the applicant withdraw the appeal from Tribunal and retired from service w.e.f 7/4/2018 and having disposing of the appeal by the Service Tribunal **(Annex-VIII)**.

7. As per explanation available in the above paras.

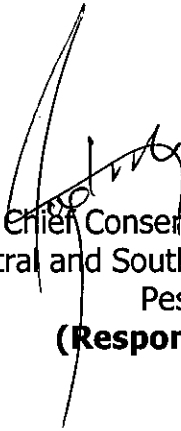
Since the appellant is no more civil servant, therefore it is prayed that the present implementation petition having no legal footings/justification may kindly be dismissed with cost **as the appellant has already attained the age of superannuation on 07/04/2018.**



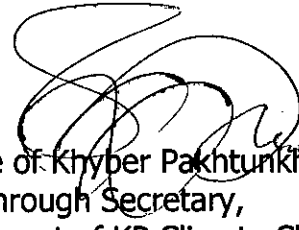
Conservator of Forests/Project Director  
Watershed Management Circle  
Abbottabad  
**(Respondent No.4)**



Chief Conservator of Forests  
Northern Region-II,  
Abbottabad  
**(Respondent No.3)**



Chief Conservator of Forests,  
Central and Southern Forest Region-I,  
Peshawar  
**(Respondent No.2)**



Province of Khyber Pakhtunkhwa  
through Secretary,  
Government of KP Climate Change,  
FE&W Department, Peshawar  
**(Respondent No.1)**

Annex-1  
④

GOVERNMENT OF N.W.F.P.  
FORESTRY FISHERIES AND WILDLIFE  
DEPARTMENT.

Dated Peshawar the August 28th, 1990

NOTIFICATION.

NO.SO(FT.II)/AD/1-584/77. In exercise of powers vested vide para-1.6 of the West Pakistan Forest Manual Volume-II, the Provincial Govt: are pleased to re-constitute the following circles for the purpose of promotion of Foresters to the rank of Deputy Rangers and Selection grade-9 to Foresters in each circle on the basis of integrated seniority list of the Foresters maintained in the relevant circle with effect from 16.3.1986:

S.No.	Name of Circle Constituted	Name of Circle/Projects included in the Circle.
1.	Abbottabad Circle.	Abbottabad Circle, Kaghan Intensive Management Project, Water Shed Management Project & Manshra Intensive Mgt. Project.
2.	Southern Circle.	NWFP Forestry Pre-Investment Centre/Project Pesh:, Southern Circle.
3.	Malakand Circle.	Malakand Circle.

Sd/-  
SECRETARY TO GOVT: OF NWFP  
FORESTRY FISHERIES AND W/LIFE  
DEPARTMENT.

Endst:No.SO(FT.II)/AD/1-584/77/ <sup>5921-6020</sup> Dated Pesh: the 29/08/1990

Copy forwarded to for information and necessary action.

1. Chief Conservator of Forests, NWFP, Peshawar.
2. All Conservator of Forests in NWFP.
3. All Divisional Forest Officers in NWFP.

*Dfo w/plan*

( SAJJAD AHMED JAN )  
SECTION OFFICER (FORESTS.II)

Ajmal.

*3A*  
*1512*  
*11/9*  
*219*

**ATTESTED**

*6/6*  
*3/9*

Divisional Forest Officer  
Unhar Watershed Division  
Manshra



**NOTIFICATION**

No.SO(Estt)Envt/I-4/2k11: In supersession of this department Notification No.SO(Estt)Envt/I-4/2k11/6475 dated 2/1/2012, the Competent Authority, in exercise of the powers vested vide item 1-6 Part-I of defunct West Pakistan Manual Volume-II, is pleased to order reconstitution/revision of the following Circles for the purpose of initial appointment of Foresters and Deputy Rangers and promotion of Foresters to the rank of Deputy Rangers, in each circle, on the basis of circle-wise seniority lists of the Foresters, with immediate effect.

#	Name of Circles constituted	Name of Circle
1-	Upper Hazara Circle	Upper Hazara Circle
2-	Lower Hazara Circle	Lower Hazara Circle
3-	Malakand West Circle	Malakand West Circle
4-	Malakand East Circle	Malakand East Circle
5-	FATA Circle	FATA Circle
6-	Southern Circle	Southern Circle
7-	Watershed Management Circle	Watershed Management Circle
8-	Forestry Planning & Monitoring Circle	Forestry Planning & Monitoring Circle

The seniority of the Foresters and Deputy Rangers shall be determined and fixed in the respective Circles on the basis of their initial appointment.

SECRETARY TO GOVT: OF  
KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT.

Enclst: No. SO(Estt)Envt/I-4/2k11/

1629-50

Dated Pesh: 5<sup>th</sup> Oct, 2012

Copy is forwarded for information to:-

- 1) PS to Secretary Environment Department.
- 2) Chief Conservator of Forests, Central & Southern Forest Region-I, Peshawar.
- 3) Chief Conservator of Forests, Northern Forest Region-II, Abbottabad.
- 4) Chief Conservator of Forests, Malakand Forest Region-III, Mingora at Saidu Sharif, Swat.
- 5) All Conservators of Forests, Khyber Pakhtunkhwa C/O CCF-I; with the direction that tentative seniority lists of their respective circles may be issued by calling thereby objections within one months time period, if found no objection from any official(s), then final seniority lists may be issued accordingly.
- 6) All Directors Integrated Specialized Units, Forest Department.
- 7) Master file.
- 8) Officer order file.

No. 263 /E dated Abbottabad the 16 /10/2012.

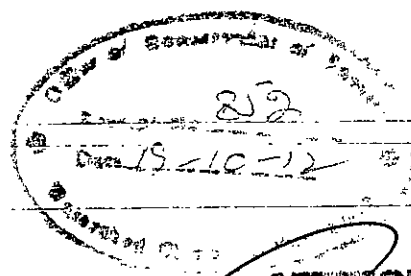
Copy for information and immediate necessary action to the:

1. Conservator of Forests, Lower Hazara Forest Circle Abbottabad.
2. Conservator of Forests, Upper Hazara Forest Circle Mansehra.
3. Conservator of Forests, Watershed Management Circle Abbottabad.

Please do the following:

- i. Circulate the above notification amongst all the DFOs of your respective circle.
- ii. Call the concerned Foresters and direct them to withdraw their appeals, who have preferred appeals in various courts.
- iii. Prepare synopsis of all concerned for promotion.

E.A  
[Signature]



[Signature]  
Chief Conservator of Forests  
Northern Forest Region-II Abbottabad  
Khyber Pakhtunkhwa

CFPD  
[Signature]

ATTESTED  
[Signature]

[Signature]  
SUPERINTENDENT  
Watershed Mgt Circle  
Abbottabad.

Divisional Forest Officer  
Upper Hazara Division  
Mansehra

Annex - S.D.S.  
(6)

010/11  
B-2-11

OFFICE ORDER NO. 93 DATED PESHAWAR THE 05/05/2017, ISSUED BY MUHAMMAD SIDDIQUE KHAN KHTATTAK  
CHIEF CONSERVATOR OF FORESTS CENTRAL SOUTHERN FOREST REGION-I KHYBER PAKHTUNKHWA  
PESHAWAR.

On receipt of appeal in respect of Mr. Sultan Mehmood Deputy Ranger in connection with promotion of  
Deputy Ranger to the rank of Forest Ranger, a committee comprising of the following officers is hereby  
constituted for probing into the appeal.

- |   |          |
|---|----------|
| 1. Mr. Javed Arshad<br>Conservator of Forests<br>Watershed Management Circle<br>Abbottabad. | Chairman |
| 2. Muhammad Younis<br>Conservator of Forests<br>Upper Hazara Forest Circle<br>Mansehra      | Member   |
| 3. Mr. Zahoor Jan<br>Senior Clerk Regional Office<br>Peshawar                               | Member   |

The committee should submit their report within fifteen days positively

(Muhammad Siddique Khan Khattak)  
Chief Conservator of Forests  
Central Southern Forest Region-1  
Khyber Pakhtunkhwa Peshawar

Memorandum.

No. 3031-3034/E, dated Peshawar the, 05/05/2017

Copy forwarded for information and necessary action to the:-

- 1- Chief Conservator of Forests, Northern Forest Region-II Abbottabad
- 2- Conservator of Forests, Watershed Management Circle, Abbottabad
- 3- Conservator of Forests, Upper Hazara Forest Circle Mansehra
- 4- Office Order File

ATTESTED  
*[Signature]*

Divisional Forest Officer  
Upper Watershed Division  
Mansehra

Chief Conservator of Forests  
Central Southern Forest Region-1  
Khyber Pakhtunkhwa Peshawar

4974  
18/5

*[Signature]*  
ceff-2

D-No. 2462  
10/5/2017

Amman-11  
⑦

OFFICE ORDER NO 06 DATED PESHAWAR THE 05 /07 /2017  
ISSUED BY MR. MUHAMMAD SIDDIQUE KHAN KHATTAK CHIEF  
CONSERVATOR OF FORESTS CENTRAL SOUTHERN FOREST REGION-I  
KHYBER PAKHTUNKHWA PESHAWAR

As recommended by the Committee constituted vide this Office Order No. 93, dated 5/5/2017 on the appeal of Mr. Sultan Mehmood Deputy Ranger, the Competent Authority is pleased to order restoration of seniority in respect of Mr. Sultan Mehmood Deputy Ranger of Watershed Management Circle, Abbottabad w.e.f. 8/10/2013 with the condition that the Deputy Ranger shall withdraw his service appeal from Khyber Pakhtunkhwa Service Tribunal, Peshawar.

Sd/-  
(Muhammad Siddique Khan Khattak)  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

No. 33-34 /E B-x-111 file

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Abbottabad
2. Conservator of Forests Watershed Management Circle, Abbottabad.

He is requested to direct the Deputy Ranger to withdraw his service appeal from the Court of Khyber Pakhtunkhwa Service Tribunal, Peshawar and produce withdrawal letter to Conservator of Forests as well as to this office for record.

*Order file*

Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

**ATTESTED**

Divisional Forest Officer  
Unhar Watershed Division  
Manshara



Annex-V

OFFICE ORDER NO. 85 DATED PESHAWAR THE 12 /01/2018 ISSUED BY (8)  
MUHAMMAD SIDDIQUE KHAN KHATTAK CHIEF CONSERVATOR OF FORESTS CENTRAL  
SOUTHERN FOREST REGION-I, KHYBER PAKHTUNKHWA PESHAWAR.

On the recommendations of Departmental Promotion Committee, the following Deputy Rangers (BPS-12) are hereby promoted to the post of Forest Rangers (BPS-16) on regular basis, with immediate effect:-

1. Mr. Siraj Muhammad.
2. Muhammad Yousaf-II.
3. Muhammad Ilyas.
4. Mr. Sher Amanullah.
5. Mr. Sakhi Jan.
6. Mr. Nadar Khan.
7. Syed Abdul Wahid Bacha.
8. Mr. Rab Nawaz.
9. Syed Abid Hussain Shah.
10. Muhammad Yaqoob.
11. Mr. Hameedullah.
12. Mr. Sultan Mehmood.

This order is purely temporary and will not constitute any right for continuity in case of abolition of the post. In such an eventuality they will automatically stand reverted to original post without any notice.

They will remain on probation for a period of one year extendable for another one year in terms of Section-6 (2) of the Khyber Pakhtunkhwa Civil Servants Act, 1973, read with Rules 15 (1) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.

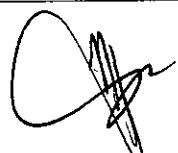

On their promotion the following postings /transfers are hereby ordered in the interest of public service with immediate effect:-

S.No.	Name and Designation	From	To
1.	Mr. Siraj Muhammad	On promotion	To continue in FP&M Circle, Peshawar.
2.	Muhammad Yousaf-II	--do--	To continue in FP&M Circle, Peshawar.
3.	Muhammad Ilyas	--do--	To continue in FATA Circle, Peshawar.
4.	Mr. Sher Amanullah	--do--	Thall Range of Kohat Forest Division.
5.	Mr. Sakhi Jan	--do--	To continue on FR Tank of South Waziristan FATA Forest Division.
6.	Mr. Nadar Khan	--do--	To continue on Jandool Forest Sub-Division of Lower Dir Forest Division.
7.	Syed Abdul Wahid Bacha	--do--	To continue on Darora Range of Upper Dir Forest Division.
8.	Mr. Rab Nawaz	--do--	Working Plan Circle Peshawar.
9.	Syed Abid Hussain Shah	--do--	Working Plan Circle Peshawar.
10.	Muhammad Yaqoob	--do--	To continue as I/C Kohat Forest Sub-Division.
11.	Mr. Hameedullah	--do--	To continue on Sheikh Buddin Forest Sub-Division of D.I.Khan Forest Division.
12.	Mr. Sultan Mehmood	--do--	To continue on Allai Watershed Range of Unhar Watershed Division Mansehra.

Sd/-  
(Muhammad Siddique Khan Khattak)  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

O.Order-2

Khyber Pakhtunkhwa Peshawar

  
**ATTESTED**  
  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

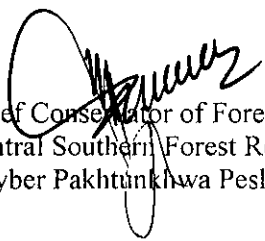
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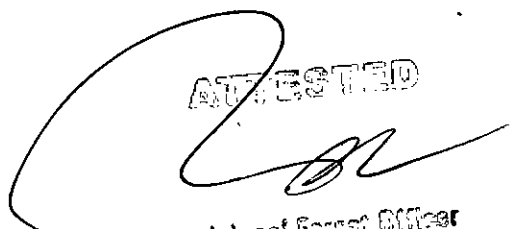
(19)

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Abbottabad.
2. Chief Conservator of Forests Malakand Forest Region-III Saidu Sharif Swat.
3. Conservator of Forests Watershed Circle Abbottabad.
4. Conservator of Forests FP&M Circle Peshawar.
5. Conservator of Forests Malakand West Forest Circle Timergara.
6. Conservator of Forests Southern Circle Peshawar.
7. Conservator of Forests FATA Circle Peshawar.
8. Director Budget & Accounts Officer Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department Peshawar.
9. Section Officer (Establishment) Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department Peshawar.

*5/10/2018*

  
 Chief Conservator of Forests  
 Central Southern Forest Region-I  
 Khyber Pakhtunkhwa Peshawar

  
**ATTESTED**  
 Divisional Forest Officer  
 Watershed Division  
 Peshawar

**CHIEF CONSERVATOR OF FORESTS  
CENTRAL SOUTHERN FOREST REGION-I  
KHYBER PAKHTUNKHWA  
(HAD)**



**SHAMI ROAD PESHAWAR**  
Ph: 91-9212177, Fax: 91-9211478

**E-mail:**  
[ccfforests.pesh@gmail.com](mailto:ccfforests.pesh@gmail.com)

Dated 23/08/2022

No. 998 /E,  
To

The Chief Conservator of Forests  
Northern Region-II, Abbottabad

**Subject: - APPEAL PREFER BY MR. SULTAN MEHMOOD THE THEN DEPUTY  
RANGER VIDE SERVICE APPEAL NO.351 OF 2014**

Memo:-

Enclosed please find herewith photocopy of appeal preferred by Mr. Sultan Mehmood the then Forest Ranger, which is self-explanatory for further necessary action in your office.

Brief history of the case is that the appellant was inducted on the strength of Watershed Circle and promoted to the post of Deputy Ranger on 18/07/2014, so far his other colleague namely Zareen Gul, who was also a Forester of Watershed Circle was earlier promoted to the post of Deputy Ranger in merit quota on 08/10/2013. During the year 2017, Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar had constituted a committee on the appeal of Mr. Sultan Mehmood the then Deputy Ranger for submission of report in the subject appeal vide O/O No.93, dated 05/05/2017. After submission of report by the committee, seniority was restored w.e.f 08/10/2013 vide O/O No.6, dated 05/07/2017 with the condition that the Deputy Ranger shall withdraw his service appeal from the Court of Khyber Pakhtunkhwa Service Tribunal and accordingly his promotion to the post of Forest Ranger on regular basis was discussed during the DPC meeting held on 28/11/2017. After issuance of his promotion order to the post of Forest Ranger on 12/01/2018, he was retired on the age of superannuation w.e.f 07/04/2018.

After lapse of about four and a half year, the Forest Ranger has provided order sheet dated 22/07/2022 of Khyber Pakhtunkhwa Service Tribunal, which was also simply disposed off and no such direction is available in the subject case for further course of action, however it seems that instead of clear cut condition regarding withdrawal of his case from the Court available in his restoration of seniority order already issued vide o/o No.6, dated 05/07/2017, the Forest Ranger was busy in pursuing his case in the Court of law.

Furthermore, it has also been noticed that after retirement from Govt. Service w.e.f 07/04/2018, his pension case has not been processed till to date, therefore being such the position, you are requested to furnish your comments/report in the subject case so that the same could be decided please.

Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

**ATTESTED**

Divisional Forest Officer  
Unhar Watershed Division  
Peshawar

No. 994 /E,

Copy forwarded to Mr. Sultan Mehmood Forest Ranger (Rdt) C/O Chief Conservator of Forests  
Northern Region-II, Abbottabad

Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

**CHIEF CONSERVATOR OF FORESTS  
CENTRAL SOUTHERN FOREST REGION-I  
KHYBER PAKHTUNKHWA  
(HAD)**



**SHAMI ROAD PESHAWAR**  
Ph: +92 91 9212177, Fax: +92 91  
9211478  
E-mail:  
ccfforests.pesh@gmail.com

Dated 18 / 11 / 2022

To No. 2997 /E,

P.F

The Chief Conservator of Forests  
Northern Region-II, Abbottabad

Subject: - APPEAL PREFERRED BY MR. SULTAN MEHMOOD THE THEN  
DEPUTY RANGER VIDE SERVICE APPEAL NO.351 OF 2014

Memo:- Reference your letter No. 2963/E, dated 30/09/2022

As already informed vide this office letter No. 998/E, dated 23/08/2022, seniority in the cadre of Deputy Ranger has since been restored w.e.f 08/10/2013 vide this office order No.06, dated 05/07/2017 with the condition that the Deputy Ranger shall withdraw his service appeal from Khyber Pakhtunkhwa Service Tribunal Peshawar, hence the present appeal is hereby rejected.

You are therefore requested to inform the Ex-Forest Ranger accordingly and submit his pension case for further course of action.

Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

No. 2998 /E,

Copy forwarded to Mr. Sultan Mehmood, Forest Ranger (retired) C/O SS General Store Mia Di Seri near APS Abbottabad for information.

Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

U.Sajjad-6

**ATTESTED**

Divisional Forest Officer  
Unhar Forest Division  
Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT

No.ALO(Lit)/LD/8-7/Env/2022/  
Dated Peshawar the 19/10/2022

12 445 159

To

1. The Advocate General,  
Khyber Pakhtunkhwa, Peshawar.
- ✓ 2. The Secretary to Govt. of Khyber Pakhtunkhwa,  
Forestry, Environment & Wildlife Department.

8061  
21/10/22

Subject:

SERVICE APPEAL NO. 351/2014 SULTAN MEHMOOD VERSUS  
GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH  
SECRETARY, FORESTRY, ENVIRONMENT AND WILDLIFE  
DEPARTMENT AND OTHERS

Dear Sir,

I am directed to refer to Government of Khyber Pakhtunkhwa, Forestry,  
Environment & Wildlife Department letter No.SO(Lit)/FE&WD/3-203/2014/Sultan  
Mehmood/12023 dated 09.09.2022 on the subject noted above and to forward herewith minutes  
of the Scrutiny Committee meeting held on 14.09.2022 in Law Department (which are self  
explanatory) for perusal and further necessary action, please.

Yours faithfully,

*NW*  
(NAID WALI)  
ASSISTANT LAW OFFICER (Lit)

Endst: No.& Date Even.

Copy forwarded to:

1. PS to Secretary Law Department Khyber Pakhtunkhwa.
2. PA to Law Officer, Law Department.

ASSISTANT LAW OFFICER (Lit)

85  
21/10/22

ATTESTED

Divisional Forest Officer  
Unhar Watershed Division  
Manjhra

## FUTURE PLAN

S #	Name of Region/Circle	Nomenclature of posts	Total No of posts	5% Quota	Posts reserved for Minority quota
1.	Region-II, Abbottabad	Junior Clerk	45	5%	2
	Region-III, Swat		28	5%	1
	Southern Circle Peshawar		18	5%	1
	CF FP&M Circle (Now Head Office Peshawar)		20	5%	1
	NTFP Directorate (now CF Merged Area)		26	5%	1
2.	Region-II, Abbottabad	Forest Guard	729	5%	37
	Region-III, Swat		463	5%	23
	Southern Circle Peshawar		423	5%	21
	CF Merged Area Peshawar		261	5%	13
	CF FP&M Circle Peshawar		14	5%	1
3.	Director NTFP, Peshawar	NTFP Supervisor	28	5%	1
4.	Region-II, Abbottabad	Driver	38	5%	2
	Region-III, Swat		26	5%	2
	Southern Circle Peshawar		22	5%	1
	CF Merged Area Peshawar		51	5%	3
	HRD + Thai School		13	5%	1
5.	CF Merged Area Peshawar	Cleaner	26	5%	1
	Southern Circle Peshawar		10	5%	1
6.	Region-II, Abbottabad	Naib Qasid	85	5%	4
	Region-III, Swat		52	5%	3
	Southern Circle Peshawar		35	5%	2
	CF Merged Area Peshawar		30	5%	2
	NTFP Directorate+ Head Office Peshawar (now FP&M)		13	5%	1
	CF FP&M Circle Peshawar		21	5%	1
7.	NTFP Directorate Peshawar (now R&D)	Mali	12	5%	1
	CF Merged Area Peshawar		11	5%	1
8.	Region-II, Abbottabad	Chowkidar	113	5%	6
	Region-III, Swat		60	5%	3
	CF Merged Area Peshawar		17	5%	1
	Southern Circle Peshawar		29	5%	2
	HRD + Head Office (now FP & M Circle)		24	5%	1
9.	Director HRD + FP & M Circle Peshawar (decided as dying cadre post)	Khiasi	15	5%	1
10.	Southern Circle + Merged Area Peshawar (decided as dying cadre post)	Badraga	30	5%	2
11.	Malakand East Swat	Cook	11	5%	1
12.	Region-II, Abbottabad	Chain Puller	11	5%	1

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J/K CCF-III  
office



MINUTES OF THE SCRUTINY COMMITTEE MEETING.

(AGENDA ITEM NO. 02)

13

**SUBJECT:** SERVICE APPEAL NO. 351/2014 SULTAN MEHMOOD VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY FORESTRY, ENVIRONMENT AND WILDLIFE DEPARTMENT AND OTHERS.

A meeting of the Scrutiny Committee was held on 14-09-2022 at 11:00 A.M. in the Conference room of Law, Parliamentary Affairs & Human Rights Department under the Chairmanship of Secretary Law to determine the fitness of the subject case for filing of Appeal/CPLA before the Supreme Court of Pakistan. Advocate-on-Record (Mr. Mian Saad Ullah Khan Jandoli) and Assistant Advocate General (Mr. Bashir Naveed) represented the Advocate General office, Khyber Pakhtunkhwa.

2. The representatives of Environment Department Muhammad Amjad DFO alongwith Hafiz Abdul Jalil SO (Lit), apprised the Committee about the background of the case and stated that the Appellant Sultan Mehmood, filed the subject appeal before the Khyber Pakhtunkhwa Service Tribunal against the order dated 30.01.2014 whereby his Departmental appeal for confirmation as Deputy Ranger had been rejected by Chief Conservator of Forest, Central Southern, Forest Region, being appellate authority of the appellant. The Khyber Pakhtunkhwa Service Tribunal vide order/judgment dated 22.07.2022 disposed of the subject appeal on the request of the counsel of the Appellant, wherein the counsel requested to withdraw the appeal as conditional order was passed in appellants favour and the subject appeal was hurdle to give effect to the appellant right. The Scrutiny Committee decided that the subject case was not a fit case on the following grounds:

GROUND/DISCUSSIONS:

- i. That the Appellant alongwith others were promoted as Deputy Ranger (BPS-09) on acting charge basis on 18.09.2009. In view of notification dated 05.10.2012, Deputy Rangers working on acting charge basis were recommended for promotion on regular basis. Meeting of Departmental Selection Committee held on 30.09.2013 under the Chairmanship of Chief Conservator of Forest Central Southern Forest Region 1 recommended promotion of foresters including Mr. Zareen Gul, on regular basis on 08.10.2013 and promotion order was issued whereas the name of the Appellant was omitted from the proceedings of Departmental Selection Committee. Feeling aggrieved the Appellant filed his Departmental appeal for confirmation/regularization against the post of Deputy Ranger dated 28.10.2013 but the same was rejected by respondent No. 2. Thus the Appellant filed the instant appeal.
- ii. That during the pendency the instant appeal, meeting of Departmental Promotion Committee was held on 10.06.2014 recommended promotion of the Appellant as Deputy Ranger on regular basis and issued his promotion order on 18.07.2014 instead of 08.10.2013 thus the grievance of the Appellant to the extent of regularization of service as Deputy Ranger was redressed, however the Appellant was kept illegally deprived from his promotion as Deputy Ranger since 08.10.2013 which further effected the promotion of the Appellant from Deputy Ranger (BPS-12) to the post of Forest Ranger (BPS-16) on regular basis. On the Departmental appeal of the Appellant the Chief Conservator of forest Central Southern Forest Region 1 Peshawar constituted an Inquiry Committee. The Inquiry Committee submitted his report and recommended restoration of the seniority in the cadre of Deputy Ranger from the date of Promotion i.e 08.10.2013 with consideration of the case for further promotion as Forest Ranger (BPS-16) subject to the condition that the Appellant shall withdraw his appeal from Court.
- iii. The Scrutiny Committee held that the desired relief was granted to the Appellant with the condition that the Appellant withdraw the appeal from Tribunal. The representative of the Administrative Department informed the Scrutiny Committee that the Appellant has already been promoted to the post of Forest Ranger (BPS-16) in January, 2018 and has already been retired. The Tribunal disposed of the subject appeal on the plea of the counsel for Appellant. Therefore agitating the matter in the upper Judicial forum would be futile exercise.

ADVICE:

3. Hence in view of above, it was decided with consensus by the Scrutiny Committee that the subject case was not a fit case for filing of Appeal/CPLA in the Supreme Court of Pakistan.

Divisional Forest Officer  
Water Resources Division  
(TAHIR IQBAL KHATTAQ)  
SOLICITOR

CHIEF CONSERVATOR OF FORESTS  
CENTRAL SOUTHERN FOREST REGION-I  
KHYBER PAKHTUNKHWA

(HAD)

No.  
To

/E,



SHAMI ROAD PESHAWAR

Ph: +92 91 9212177, Fax: +92 91

9211478

E-mail:

ccfforests.pesh@gmail.com

Dated / 12 / 2022

The Secretary,  
Government of Khyber Pakhtunkhwa  
Climate Change, Forestry, Environment & Wildlife  
Department Peshawar

Attention:- Section Officer (Establishment)

Subject: - APPLICATION FOR GRANT OF RETIREMENT ON MEDICAL  
GROUNDS

Memo:- Reference Administrative Deptt: letter No. SO(Estt)/FE&WD/1-  
43/2022/16706, dated 28/11/2022

As desired, the legible copies of the medical certificates/documents alongwith  
CNIC in respect of Mr. Sadir Khan, Forester are sent herewith for further necessary  
action in your office.

Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar



**BEFORE THE KHYBER PAKHTUNKHWA  
TRIBUNAL PESHAWAR**

14

Implementation Petition No.759/2022 in Se Appeal  
No.351/2014

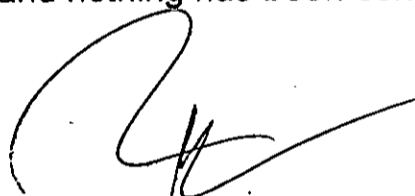
SULTAN MEHMOOD ..... Petitioner

**VERSUS**

Government of Khyber Pakhtunkhwa & others ..... Respondents

**AFFIDAVIT**

I, Abdul Mannan, Divisional Forest Officer (BS-18) do hereby solemnly affirm and state on oath that the whole contents of accompanying Comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

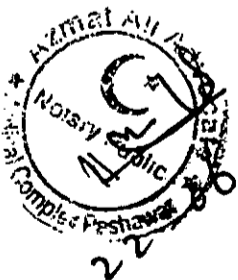


**ABDUL MANNAN**

Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

*It is further stated on oath that in this appeal the answering respondents have neither motion placed ex-parte/cost nor their defense has been struck off.*

**ATTESTED**



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