### FORM OF ORDER SHEET



الم	<u>A</u>	opeal No. 1930/2023	
S.No.	Date of order proceedings	Order or other proceedings with signature of judg	ge transfer to the state of the
1		3	
1-	25/09/2023	The appeal of Mr.	Ghulam Muhammad
		fixed for preliminary hearing before Peshawar on 26.09.2023. Parcha Peshi	ore Single Bench at
		for the appellant.	
		By the orde	er of Chairman
		REC	GISTRAR
		· ·	

# BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. 1936 /2023

#### Ghulam Muhammad

Versus

#### Govt. of KPK & Other

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Dated: 22-09-2023

Appellant

Through

Javed Iqbal/Gulbela
Advocate Supreme Court,
Pakistan

## BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. 1936 /2023

Ghulam Muhammad (Forester), R/o Seri Kharyala P/O Tehsil Ogi, District Mansehra.

..... Appellant

#### **VERSUS**

- 1. Government of Khyber Pakhtunkhwa through Chief Secretary at Civil Secretariat, Peshawar.
- 2. Secretary, Forestary, Environment and Wild Life Department, Khyber Pakhtunkhw, a Peshawar.
- 3. Director General, Forestory and Wild Life, Khyber Pakhtunkhwa, Peshawar.
- 4. Chief Conservator, of Forestory Khyber Pakhtunkhwa Peshawar.
- 5. Divisional Forest Officer, Agror, Tanawal Forest, Division Mansehra.
- 6. The Conservator of Forest, Upper Hazara Circle, Mansehra.
- 7. *The SDFO*, Shergarh Forest, Sub Division, Upper Hazara Circle, Mansehra.
- 8. The Divisional Accountant, Forestory Upper Hazara Circle, Mansehra.

..... Respondents

Appeal u/s 4 of the Khyber Pakhtunkhwa Services Tribunal

Act -1974 against the impugned Order No. 75

dated.07/06/2023 of the office of Divisional Forest Office,

Agror Tanawal, Forest Division Mansehra; whereby the

Appellant has been illegally Penalized U/S 4(I)(a)(iii) to the

amount of Rs.3,42,889/- and Departmental Appeal of the

Appellant has been turned down vide impugned Order No.

09 dated.31/08/2023 of the Office of Conservator of Forest,

Upper Hazara Forest, Circle Mansehra in a classical, cursory

and whimsical manner.



#### Respectfully Sheweth,

- 1. That the Appellant is a naturally born bona-fide citizen of Islamic Republic of Pakistan and hails from a respectable family.
- 2. That the appellant has been appointed in the respondent department years ago as a forest guard, and from the day appointment performed his duty with devotion, faithfully and never unturned any stone in his duty.
- 3. That all of the sudden like bult from the blue the appellant has been falsely booked for loss to the Govt exchequer in respect of Sowing on area 66 hectare at Jalo Gali Compartment No.12 of Shergarh forest sub division during spring 2021 under 10 BTAP, and a charge sheet as well as statement of allegation in this regard has been issued on 28-06-2022. The appellant has submitted proper reply to the charge sheet wherein the appellant negated all the allegation of the respondent and portrayed true picture before the concerned authority but even then the appellant has been illegally charged. (Copies of Charge sheet, Statement of allegation and reply are annexed as annexure "A, B & C")
- 4. That the appellant has been issued a show cause notice dated 6-02-2023, which has been properly replied by the appellant and denied all the allegation of the authorities and brought true and correct facts on scrren. (Copies of Showcause notice and reply are annexed as annexure "D, E")
- 5. That it is pertinent to menion here that the appellant had never remaind ignorant from his duty and regularly done his work, which is evident from the official records i.e. reports and attendants sheets/register of labour etc. the charges which occurs on the labour work has been properly written down in the labour attendant sheet which has been legally approved and sanctioned by the competent authority i.e. Divisonl Forest Officer Agror tanwal Fores division Mansehra. (Copies of official records i.e. reports, attendants sheet/register of labour and certificate/santions of Divisonl Forest Officer Agror tanwal Fores division Mansehra are annexed as annexure "F")
- 6. That inquiry has been conducted where the statement of appellant in shape of question and answer has been recorded wherein the appellant proved has

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innocences. (Copies of inquiry report and statement of appellant are annexed as annexure "G & H")

- 7. That inspite of the fact that the appellant has done no falt/offence but even than he was penalized u/s 4(I)(a)(iii) i.e. the amount of Rs 3,42,889/- shall be recovered from the appellant, vide impugned Order no.74 adted 7-06-2023 of the office of Divisional Forest Officer, Agror Tanawal Frocest Division Mansehra. (Copy of impugned Order no.74 adted 7-06-2023 of the office of Divisional Forest Officer, Agror Tanawal Frocest Division Mansehra annexed as annexure "I")
- 8. That the appellant has moved departmental appeal against the impugned Office Order No.74 dated 07-06-2023, which has been turned down by the respondents vide impugned order no.08 dated 31-08-2023 of the office of conservator of forest, upper hazara forest circle Mansehra. Which is not sustainable in the eye of law. (Copies of departmental appeal and impugned order no.08 dated 31-08-2023 of the office of conservator of forest, upper hazara forest circle Mansehra are annexed as annexure "J, K")
- 9. That from the above cited facts, the grievances, that comes into existence, having no other adequate remedy available, and forum to be addressed at, the Appellant approaches this Hon'ble Tribunal for setting aside the Impugned Orders, upon the following grounds, inter-alia:-

#### **GROUNDS:**

- A. That the impugned Orders are wrong, illegal, vide ab-initio and are not sustainable at all.
- **B.** That the Impugned Orders are unwarranted, illogical and against the Law and Rules, so therefore not maintainable at all.
- C. That it is pertinent to mention here that the sowing work on the designated area has been done, which is evident from the official record. Therefore the impugned orders are nullity in the eye of law.

- D. That no proper inquiry was ever conducted in case of the Appellant, nor the Appellant was properly heard in person, nor his hearing properly appreciated as well as neither the appellant was ever allowed to cross examine any witness and thus the Appellant was condemned unheard. Hence the impugned orders is liable to be turned down.
- E. That even the Departmental Appeal of the Appellant has been simply turn down without any rem or reason, which is not sustainable in the eye of law.
- **F.** That from every angle the Appellant is liable to be treated in accordance with law and by doing so the impugned penalty is liable to be set aside.
- **G.** That any other ground not raised here may graciously be allowed at the time of arguments.

It is therefore most humbly prayed that on acceptance of the instant service appeal, the Impugned Order No.74 Dated 7-06-2023 of the office of Divisional Forest Office, Agror Tanawal, Forest Division Mansehra and impugned Order No. 08 dated.31/08/2023 of the Office of Conservator of Forest, Upper Hazara Forest, may kindly be set aside, and by doing so the penalty imposed be declared as illegal and void.

Any other relief, which this August Tribunal deems fit and appropriate, may also be awarded in the favor of the Appellant.

Dated: 22-09-2023

Appellant

Through

Javed Iqbal/Gulbela

Advocate Supreme Court,

Pakistan.

Alamzeb Khan-

Advocate, Peshawar.

Saghir Igbal Gulbela

Advocate High Court,

Peshawar.

M.Arif Mohman

Advocate, Peshawar.

ADVOCATE

Note:- That as per information of my client, no such service appeal has been moved by the Appellant, prior to this ones.

# BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

$\alpha$	A 137	•	
5.	Appeal No.		/2023

Ghulam Muhammad

Versus

Govt of KPK & Others

### **AFFIDAVIT**

I, Ghulam Muhammad S/o Muhammad Akbar R/o Seri Kharyala, P/O Tehsil Ogi District Mansehra, do hereby solemnly affirm & declare on oath that all contents of the instant Service Appeal are true & correct to the best of my knowledge and belief & nothing has been concealed from this Hon'ble Tribunal.

DEPONENT

CNIC# 13504-0593097-9 Cell# 0343-9562899

Identified By:7

Javed Iqbal Gulbela Advocate, Supreme Court, of Pakistan



#### BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No	/202	3
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#### Ghulam Muhammad

Versus.

Govt. of KPK & Other

#### APPLICATION FOR TEMPORARY INJUNCTION.

#### Respectfully Sheweth:

- That the accompanying service appeal has been filed before this 1. Hon'ble tribunal, the contents of which may graciously be considered as integral part and parcel of the instant application.
- That the appellant has got a good prima facie case and is 2. pertinently sanguine of its success.
- That balance of convenience also lies in favour of the appellant. 3.
- That if the instant petition is not allowed the appellant shall 4. suffer irreparable loss.

It is, therefore, humbly prayed that on acceptance of the instant application, a status qou may kindly be granted in favor of the appellant and the respondents be restrained from deduction the penalty amount from the salaries of the appellant till the final disposal of the accompanying service appeal.

Dated: 22/09/2023

Appellant

Through

Javed Igbal/Gulbela

(ASC)

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# BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

S.	Appeal	No.	 /2023

Ghulam Muhammad

Versus

Govt of KPK & Others

### **AFFIDAVIT**

I, Ghulam Muhammad S/o Muhammad Akbar R/o Seri Kharyala, P/O Tehsil Ogi District Mansehra, do hereby solemnly affirm & declare on oath that all contents of the instant application are true & correct to the best of my knowledge and belief & nothing has been concealed from this Hon'ble Tribunal.

Jun 3

**DEPONENT** 

CNIC# 13504-0593097-9 Cell# 0343-9562899

Identified By:

Javed Iqbal Gulbela Advocate, Supreme Court, of Pakistan.



## BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal N	lo.	/2023
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#### Ghulam Muhammad

Versus -

Govt. of KPK & Other

#### **ADDRESSES OF THE PARTIES**

#### **ADDRESSES OF THE APPELLANT:**

Ghulam Muhammad (Forester), R/o Seri Kharyala P/O Tehsil Ogi, District Mansehra.

#### **ADDRESSES OF THE RESPONDENTS:**

- 1. Government of Khyber Pakhtunkhwa through Chief Secretary at Civil Secretariat, Peshawar.
- 2. Secretary, Forestary, Environment and Wild Life Department, Khyber Pakhtunkhw, a Peshawar.
- 3. Director General, Forestory and Wild Life, Khyber Pakhtunkhwa, Peshawar.
- 4. Chief Conservator, of Forestory Khyber Pakhtunkhwa Peshawar.
- 5. Divisional Forest Officer, Agror, Tanawal Forest, Division Mansehra.
- 6. The Conservator of Forest, Upper Hazara Circle, Mansehra.
- 7. *The SDFO*, Shergarh Forest, Sub Division, Upper Hazara Circle, Mansehra.
- 8. The Divisional Accountant, Forestory Upper Hazara Circle, Mansehra.

Dated: 22-09-2023

**Appellant** 

Through

Javed Iqbal Gulbela

Advocate Supreme Court,

Pakistan.

Wohammad Amjad Divisional Forest Officer Agror, Tanawal Forest Division Mansentanas icompetent authority hereby charge you Ghulam Muhammad

- Managenra as competent authority hereby charge you Ghulam Munammad hereby ester the the allocharge karori Block of Shergarh Forest is Sub-Division as follows:

  a. That while your posting as Incharge Karori Block Jalo Gali Compartment No. 12, 66) hectare Sowing was carried out in Jalo Gali Compartment No. 12 of Shergarh Forest Sub Division during Spring 202, under 10-BTAP and committed the following irregularities
- A huge amount was incurred on 66 hectare sowing at Jalo Gali Compartment Not-12-under 10-BTAP But due to your lack of interest, irresponsible behavior 80% sowing area has been failed Besides above you failed to carry out re-sowing in failed area through employed chowkidar as envisaged in PC-I.
  - You were required to protect the sowing area, but due to your un-professional behavior, poor performance, negligence and in-efficiency, Govt; exchequer has collectively sustained loss to the tune of Rs. 11,43,000/-
- By reason of the above you appear to be guilty of in-efficiency, Mis-conduct and Corruption under rule-3 of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all of ary of the penalties specified in rule 4 of the rule ibid.
- c You are therefore required to submit your written defense within 7 days of the receipt of this charge sheet to the inquiry officer/committee as the case may be
- Your Written defense, it any, should reach the inquiry officer/committee within the specified period failing which it shall be presumed that you have no defense to put in and in that case exparte action shall be taken against you.

क्षांत्रीति । वार्षा । वार्षा । वार्षा । वार्षा ।

Harry Land Control

अन्तर्भारिक अस्तर । अन ं क्षेत्रकृति होते १८ १८ १ ता पार्टिकारो

De la company de

e Intimate whether you wish to be heard in person.

A statement of allegation is enclosed.

Divisional Forest Officer.

Agror Tanaway Forest Division of the same Mansehra (Control of the same Mansehra (Control of the same Mansehra of

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MARKET TO THE STORY

الم المسكوا المرازي آفيسرصاحب DFO پيٹرول اسكوا اله اپر ہزارہ سركل عنوان ـ جواب چارج شيٹ نمبر 3736–378 مجريه مورخه 28/6/2022

جناب عالی۔

نكوره بالا جارج شيث ميں درج ذيل الزامات لكاكرفدوى سے جواب طلب كيا كيا ہے۔

ا۔ یہ کہ فدووی 2021 میں کروڑی بلاک پرتعینات تھا۔ Spring میں جالوگی کمپارٹمنٹ نمبر 12 میں 66 میکٹر رقبہ میں سوئنگ کی گئی جوفیل ہے

r اس من میں فدوی پرتین الزامات Mis-couduct in effeciency ور Coruption کے تحت جواب طلب کیا گہا ہے۔معروض ہوں کہ۔

س\_ پیکردرج بالانتیون الزامات باطل ہیں درج ذیل نکات کی ردشنی میں بلاجواز ہیں۔

In effeciencey . Mis counduct

- ۔ یہ کہ سوئنگ کا کام معین نذرگارسٹ گارڈ کی زیز نگرانی ہوا۔ جیسے ندوی وقا فو قا چیک کرتار ہا۔اور کام کوسل بخش پایا بخم کا معیار بنوائی بخر۔ بیجائی تخم ، سیج کا صلہ مزدوران کے کام کرنے صلاحیت مروجہ طریقہ دائج الوقت کے تحت درست پائی۔ یہ کہ رقبہ چیک کرکے درست پایا گیا تب ہی مسٹرولزود میگر دیکارڈ پرافسران کے دستخط موجود ہیں۔جنہوں نے خود مزدوران کوادائیگی کی۔اور با قاعدہ اس وقت کے افسران کو چیک کروایا گیا۔ جنہوں نے کام کوسلی بخش پایا۔
  - ۵۔ یہ کہ رقبہ فیل ہونے میں فدوی یا فارسٹ گارڈانچارج کی کوئی کوتا ہی نہیں پائی گئی۔جس بناء پر چارج شیٹ میں رقبہ فیل ہونے کی وجو ہات کا انداراج ہی نہیں ہے۔جوثابت کرتا ہے کہ رقبہ انسانی کوتا ہی نہیں بلکہ قدرتی امر سے جزوی طور پر فیل ہواہ ہے۔
- ۲۔ پیکہ فدوی کروڑی بلاک پر تعینات تھا۔ جوفدوی کی اصل ڈیوٹی تھی۔ 10BATAP کے کاموں پر فدوی نے اضافی ڈیوٹی دی۔ جو

  فارسٹ گارڈ سے لیکر اعلیٰ افسران تک سب کی اضافی ذمہ داری تھی۔ جوصر ف فارسٹ گارڈ اور بجھے الزام تھہرا کرائی فند شے کے

  تحت آنے والی 10BATAP ہے متعلق کسی بھی انکوائری ہے اپ آپ کو بری الذم قرار دینے کی کوشش کے سوا بچھ نہیں ۔ کیونکہ

  چارج شیٹ سے ثابت ہے۔ کہ رقبہ انسانی کو تا ہی ہے نہیں بلکہ قدرتی اسباب سے نیل ہوا۔ ورنہ چارج شیٹ میں اسباب کا ذکر ہوتا یہ

  رقبہ کے مزدوران کی مسٹرولز کی مالیت رویے ہے۔ جبکہ فدوی اور فارسٹ گارڈ کو =/11,43000 کے۔

نقصان کا ذمہ دارتھ ہرایا گیا۔ جوغریب ملازم کے ساتھ ناانصافی ہے۔

- ۸۔ یہ کہ مورخہ 28/8/2021 کواس وقت کے SDFO نے نہ کورہ رقبہ چیک کیااور تسلی بخش پایا۔ااگر کوئی بے قاعد گی ہوتی تواس وقت کارروائی کی جاتی۔ نقل ٹورڈ ائری لف ہے۔
  - ۔ یہ کہ فدوی نے بلاک کا چارج 23/11/2021 کودے دیا۔ اگر رقباس وقت فیل ہوتا تو چارج گریندہ لاز ماً SDFO کورپورٹ کرتا۔ جونہیں ہوئی جواس کا ثبوت ہے کہ اس وقت تک رقبہ فیل نہیں تھا۔ کا لی لف ہے۔ لہذا درج بالا حقائق سے Mis couduct In Effeciency ٹابت نہیں ہے۔

- یہ کے رقبہ SDFO کی طرف سے بنائے گے اسٹیمٹ ہے کم رقم پر مکمل ہوا۔ اور مزدران کو بے منٹ خود SDFO صاحب سنج کی اورریکارڈ پرایئے شفکیٹ دیئے۔لہذااگرفدوی یا متعلقہ فارسٹ گارڈ کوئی کرپٹن کرتا۔توابیا ہرگز نہ ہوتا۔
- یہ کتم بیجائی کے دیئے بنجر یاسرکاری رقبہ فدوی نے یا متعلقہ فارسٹ گارڈ نے فروخت نہیں گئے۔ جوافسران کی طرف سے لگائے گئے
- Coruption کاالزام میرے سے بلاجواز ہے اور 10BTAP کے جملہ کام ایک عددا بلکاران کے کنٹرول میں نہیں ہیں ۔اس میں افسران CF سے CF تک کہ آفیسر تک ٹیمیں۔ پیائش کی ٹیمیں۔غیرمکی ماشیرنگ ٹیمیں۔میڈیااورعوام علاقہ اور آڈٹ ٹیمیں۔ سخت مانیٹرنگ اور چکینگ میں کسی المکار کا کرپٹن کرنا فی حال ورناممکن ہے۔

درج بالاحقائق فدوی کی ہے گناہی ثابت کرتے ہیں۔فدوی اور متعلقہ فارسٹ گارڈ نے رقبہ میں اپنی مدداور اخراجات سے دوبارہ ہے الی کی ہے۔ جے ملا خطہ کیا جاسکتا ہے۔ رقبہ جو کہ کچھ فیصد کے حساب سے فیل ہوا۔ انسانی غفلت ، نااہلی ، کرپشن سے نہیں بلکہ قدرتی عوامل شامل تھے۔ جے از سرنو کا میاب کرنے کی کوششیں جاری ہیں۔

لہذا فدوی کواس ناکردہ کیس سے بری الذمة قرار دیکر شکریہ کاموقع دیں۔

غلام محدفارسر عميها 228.2022



#### DISCIPLINARY ACTION

I, Mohammad Amjad Divisional Forest Officer Agror Tanawal Forest Division as competent authority, am of the opinion that Ghulam Muhammad Forester the then Incharge Karori Block of Shergarh Forest Sub-Division has rendered himself liable to be proceeded against as he committed the following acts/omissions, with in the meaning of <u>rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011.</u>

#### STATEMENT OF ALLEGATION

- 1. That the SDFO Shergarh Forest Sub Division checked the said area on 09.07.2021, and found failure up-to 90% and reported vide his letter No. 01/SFSD dated 10.07.2021, (Annexure-I).
- 2. That your explanation was called upon vide DFO Agror Tanawal Forest Division Mansehra No. 87-88/B&A dated 13.07.202, (Annexure-II) to explain your position for above irregularities. And subsequently issued reminder No. 195-96/B&A dated 29.07.2021, No. 681-82/B&A dated 27.09.2021 and No. 866-67/B&A dated 20.10.2021, later on you submitted reply to the explanation on 28.06.2022 (Annexure-III).
- 3. The SDFO Shergarh has submitted your reply with his comments vide your letter No. nil dated 28.06.2022, (Annexure-IV) The SDFO commented there upon that the reply of accused is not satisfactory and he recommends initiate proper Disciplinary action against you.
- 4. That an amount of Rs. 11, 43,000/-. was incurred on above mentioned sowing area.
- 5. That being incharge of the sowing area you were duty bound to clear all short falls/deficiencies and protect/beat-up the sowing as per required standard in the PC-I, but you did not take any pain for checking/supervision of the sowing area, due to which the sowing area has shrunk from 66 hectare to 13 hectare and Govt; exchequer has sustained a huge loss, which indicates your Misconduct, in-efficiency and corruption.
- 6. That due to your un-professional behavior, poor performance, negligence and in-efficiency, Govt; exchequer has collectively sustained loss to the tune of Rs. 11, 43,000/-.
- 6. For the purpose of inquiry against the said accused with reference to the above allegation Mr. Saeed Anwar Divisional Forest Officer Patrol Squad Forest Division Mansehra appointed as Inquiry Officer/Committee under rules 10 (1) (a) of the rules ibid.

Mr. Saeed Anwar Divisional Forest Officer Patrol Squad Upper Hazara Circle Mansehra.

The enquiry officer shall, in accordance with the provisions of the Rules ibid, provide reasonable opportunity of hearing to the accused, record, its findings and make within thirty days of the receipt of this order, recommendations as to punishment, recovery or other appropriate action against the accused.

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.

No. 3736-38 /GE Dated Oghi the 28 /08/2022

#### Copy forwarded to: -

- 1. Mr. Saeed Anwar Divisional Forest Officer Patrol Squad Upper Hazara
  Circle Mansehra (Inquiry Officer) for initiating disciplinary proceedings
  against the accused under the provisions of Khyber Pakhtunkhwa
  Government Servant (Efficiency & Discipline) Rules 2011 and to finalize
  the case within prescribed period. Enquiry file from page-1 to is
  enclosed.
- 2. Ghulam Muhammad Forester the then Incharge Karori Block c/o Shergarh Forest Sub-Division for information. He is directed to submit his reply to the charge sheet direct to the Inquiry Committee within 7 days of receipt of this Charge Sheet and also appear before the Inquiry Committee on the date, time and venue to be fixed by the Inquiry Committee for the purpose of inquiry proceedings.
- 3. The SDFO Shergarh Forest Sub Division for information and necessary action with reference to his recommendation dated 28.06.2022. He is directed to appear before the Inquiry Officer as Prosecutor during the course of inquiry proceedings as and when called for by the Inquiry Officer/Committee.

Divisional Forest Officer
Agror Tanawal Forest Division
Mansehra

#### Ibrar Ahmad **Divisional Forest Officer**

/GB



Tanawal Forest Division Agrd Mansehra Phone # 0997-920144

Dated

/02/2023

Mr. Ghulam Muhammad Forester C/O SDFO Shergarh

Subject:

**SHOW CAUSE NOTICE** 

I, Ibrar Ahmad Divisional Forest Officer Agror Tanawal Forest Division Mansehra as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011, do hereby serve you Mr. Ghulam Muhammad Forester as follows:

- That consequent upon the completion of enquiry conducted against you by the enquiry officer/enquiry committee for which you were given opportunity of hearing on 19.10.2022.
  - On going through the findings and recommendations of the enquiry ii. officer/enquiry committee, the material on record and other connected papers including your defense before the inquiry officer/enquiry committee.

I am satisfied that you have committed the following acts/omissions specified in rule 3 of the said

- Mis-conduct.
- In-efficiency (a)
- As a result thereof, I, as competent authority, have tentatively decided to impose upon 2. you the recovery of Rs. 342, 889/- under rule 4 sub rule (a), (b) of the said rules.
- You are, thereof, required to show cause as to why the aforesaid benalty should not be 3. imposed upon you and also intimate whether you desire to be heard in person.
- 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 defense to put in and in that case an exparte action shall be taken against you.
- A copy of the findings of the enquiry officer/enquiry committee is enclosed.

prest Officer Agror Tanawal Forest Officer

Mansehra

/GE

Copy alongwith above letter forwarded to the SDFO Shergarh for information and necessary action. He is requested to deliver the letter to the official under proper receipt, which should be sent to this office for necessary action and record.

> Divisient Forest Officer Agror Tanawal Forest Officer

Mansehra

### بخدمت جناب DFO صاحب اگرور تناول مانسهره\_( 7 فيسر مجاز )\_

عنوان: شوكازنوش\_

حواله:- مجمعتى نمبر **2977/GB مورخه 202-00-06** 

جناب عالى!

، گزارش ہے کہ فدوی کو بروئے انکوائزی بذریعہ چھٹی مندرجہ بالا بدعملی اور اور نااہلی کا مرتکب ٹھیرا کرمبلغ-342889روپے کی ریکوری کا ذمہدارتھ ہرایا کیا گیااور وضاحت طلب کی کہ کیوں نہآ ہے بیرقم ریکورکی جائے۔

فدوی انگوائری رپورٹ کو مدنظر رکھ کر جناب کی خدمت میں مندرجہ ذیل معروضات پیش کرنے کی اجازت چاہتا ہے۔

ا۔ سید بات درست ہے کہ رقبہ مذکورہ میں تخم کاری فدوئی نے کی ہے۔ بلکہ تخم ریزی کا کام فارسٹ گارڈ انچارج ہیٹ کی نگرانی میں ہوا۔فدوئ بحسثیت بلاک آفیسر گائے بگائے کام کو چیک کرتا رہا۔ جسے درست پایااسی شمن میں فدوی نے مسٹرول پراپناسر ٹیفکیٹ بھی دیا۔

۲- یه که بمطابق رپورٹ ایس ڈی ایف اوشیر گڑھ مورخہ 2021-07-09 شجر کاری کردہ رقبہ 90% فیل ہے۔ جبکہ دوسری طرف چیک گیا اوشیر گڑھ مورخہ 2022-10-13 کورقبہ چیک کیا اور کامیابی کا تناسب 25سے 30 فیصد پایا۔ جبکہ دوبارہ مورخہ 2022-11-21 کو چیکنگ کرنے پرکامیابی کا تناسب 30/40 فیصد پایا۔ اس ہرتین رپورٹ میں تنظاد ثابت کرتا ہے کہ رقبہ ندکورہ کسی نے بھی مکمل چیک نہیں کیا تا کہ اصل زمین حقائق کا درست اندازہ کیا جاتا۔

۳- یہ کہ دقبہ مذکورہ تخم کاری کے بعدہم نے اپنی جیب سے اخراجات کر کے بیٹ اپ یعنی دوبارہ تخم کاری کرتے رہے گرجنگلی سور اور سہگ جو کہ اس علاقہ میں بہت زیادہ پائے جاتے ہیں باوجود دن رات ہرممکن نگہداشت کی تخم اوراُ گے گے بودہ جات کو بے بہا نقصان پہنچاتے رہے ۔جس سے کامیابی کے تناسب میں کمی ضرور ہوئی ہے گراتنی بھی نہیں جتنا چیکنگ پارٹیاں رپورٹ کرتی رہی ہیں ، کامیابی کے تناسب میں کمی ضرور ہوئی ہے گراتنی بھی نہیں جتنا چیکنگ پارٹیاں رپورٹ کرتی رہی ہیں ، کامیابی ہے کہتم کاری کردہ رقبہ میں اگر کمی ہوئی تو بھی فدوی ذمہ دار نہیں گھرایا جاتا کیونکہ مسٹرول کے مطابق جملہ رقم جناب ایس ڈی ایف اوصاحب خود بھی مطابق جملہ رقم جناب ایس ڈی ایف اوصاحب خود بھی

کام چیک کرتے رہے جس کو درست پایا جس ضمن میں انہوں نے مسٹرول پر با قاعدہ سر طیفکیٹ تحریر کیا کہ کام درست ہے اگر اس میں کوئی کمی پیشی ہوتی تو وہ اس کا ذمہ دارہے۔

۵۔ بیک تخم کاری کی کامیابی کا انحصار موسم پر ہوتا ہے اگر بارشیں بروقت ہوں اور خشک سالی نہ ہو تو تخم کاری کردہ رقبہ تب کامیاب ہوتا ہے مگر سال بدوران <u>202</u>2ء موسم بہار اور برسات میں بارشیں انہائی کم ہوئیں ۔ جبکہ دوسری طرف گری کی شدت انہائی زیادہ رہی جو کہ تخم کردہ رقبہ پر بہت بری طرح اثر انداز ہوئی ۔ لیکن اتنا بھی نہیں جتنار پورٹ کنندہ اور چیکنگ پارٹیوں نے بتائی ۔ جسکا فرکرا کو ائر کار ریوٹ میں کیا گیا ہے۔

۲۔ یہ کہ مذکورہ رقبہ کا جو جو حصہ نا کام ہواہے ہم آج بھی اس میں تخم ریزی کررہے ہیں۔

2۔ جناب عالیٰ! رقبہ آج بھی موقع پرموجود ہے۔ کوئی غیر جانبدار آفیسر مامور کیا جاوے تاکہ رقبہ کی اصل صورت حال ہماری موجودگی میں چیک کر کے جناب کو رپورٹ کریں اور اسی رپورٹ کو منظر رکھ کر فیصلہ صا در فرمایا جاوے۔

۸۔ یہاں جناب کی توجہ اس امر کی طرف مبذوں کروانا ضروری سمجھتا ہوں کہ اج تک رقبہ پر تعینات چوکیدار جو کہ دن رات کام کررہا ہیں کی اجرت ادانہیں کی گئی جو کہ ان کے ساتھ ناانصافی ہے ۔ جبکہ تخم ریزی کردہ رقبہ کی مکمل بحالی کے لیے جتنا بھی تخم خریدا گیا ہے اس کی ادائیگی اپنی جیب سے کی گئی ہے۔
 کی گئی ہے۔

مندرجہ بالاحقائق کی روشیٰ میں جناب سے گزارش کی جاتی ہے کہ فدوی کے اوپر لگائے گئے الزامات اور مختص کر دہ ریکوری سے بری فرمایا جادے ۔ فدوی کومزید گزارشات کرنے کے لیے زبانی شنوائی کا موقع بھی فراہم کیا جائے۔

الرقم: 23-23 الرقم

ادض غلامحمد فارسٹرشیر گڑھ فارسٹ سب ڈویٹرن مانسبمرہ سر کر ھ

Juno F

200 July 3

	Hun-F
2021	Along with concerned staff proceeded to Kalapahar Compart No. 6 Closure. Issued necessary instructions to staff. Later on back to Mansehra and halt.
	Time 1000 – 1800 hrs. 100 KM by Govt. Vehicle No. KH-5335
18 09.2021	Attended office and did office work.
14 09.2021	Attended office and did office work.
(15.09.2021	Along with concerned staff proceeded to Dewal gall and checked Dewal gall Afforestation. Then proceeded to Darband checked barrier staff. Then proceeded to Shergarh and halt.
	Time 1200 – 1800 hrs. 140 KM by Govt. Vehicle No. KH-5335
10.00.0004	
16.09.2021	Badral Compart-3 and Compart-4 and Issued necessary Instructions to staff. Later on back to office and halt.
	Time 1000 – 1900 hrs. 80 KM by Govt. Vehicle No. KH-5335
17.09.2021	
18.09.2021	Saturday. Proceeded to Oghi. Checked Arbora Afforestation. Issued necessary instructions to staff. Halt at Oghi.
	Time 1100 – 1900 hrs. 65 KM by Govt. Vehicle No. KH-5335
19.09.2021	Along with staff proceeded to Shamdara. Checked Shamdara Compart-4,5 and 6. Issued necessary instructions. Later on back to Mansehra and halt.
· .	Time 1000 – 2000 hrs. 75 KM by Govt. Vehicle No. KH-5335
.20.09.2021	
21.09.2021	Attended office and did office work
22.09.2021	
23.09.2021	** <del>***********************************</del>
	Time 1000 - 1900 hrs. 60 KM by Govt. Vehicle No. KH-5335
24.09.2021	
25.09.2021	Saturday
26.09.2021	
1	Time 1300 – 2200 hrs. 120 KM by Govt. Vehicle No. KH-5335
27.09.2021	Attended office and did office work.
28.09.2021	Attended office and did office work.
	Attended blice and did blice work.

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	) August 1	sharparh and half
	Altended office then printered to	YE HM by Govi. Vother No. KN-1994
30.09.2021		la Maira. Chacked Kala maira compart. 384 intiona. Later on back to Maneahra and hair.
, John J.	Time 1000 - 1700 hra.	75 KM by Govt. Vehicle No. KH-5235

#### ABSTRACT

-		16
11	No. of days spent on tour	13
2	No. of days attended office/meeting	09
3.	No. of Night outside headquarter	01
4.	No. of Holidays	

(Muhammad Amjad)
Divisional Forest Officer
Agror Tanawal Forest Division Mansehra

No 16 12/3 IE Dated Mansehra the 12 10 12022 Copy for favour of information and record forwarded to:

The Chief Conservator of Forests NFR-II Abbottabad
 The Conservator of Forests Upper Hazara Forest Circle Mansehra

Divisional Forest Officer Agror Tanawal Forest Division Mansellia

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28.09.2021 Mansehra to Jalogali, Karori & back

Visited Jalagali Deodar Plantations carried out in Jalogali Compartment-11 & sowing of kail in compartment-12. These two compartments were ruthlessly been clear felled during last one and halt decade and now looking every where irregular cut stamps. Efforts are being continued to rehabilitate the area through 10-BTTP. Field staff was directed to rehabilitate all areas. Plantation was in good condition & sowing need more attention.

Time: 0930 to 2130 hrs. Distance: 230 KM by Govt: Vehicle AB-2706

29.09.2021 Attended office and did office work.

30.09.2021 Mansehra to Havelian, Dargai and back

Mansehra to Havelian & Dargai. Visited both timber markets & instructed incharge depot staff for maintenance record & safe disposal of timber in markets.

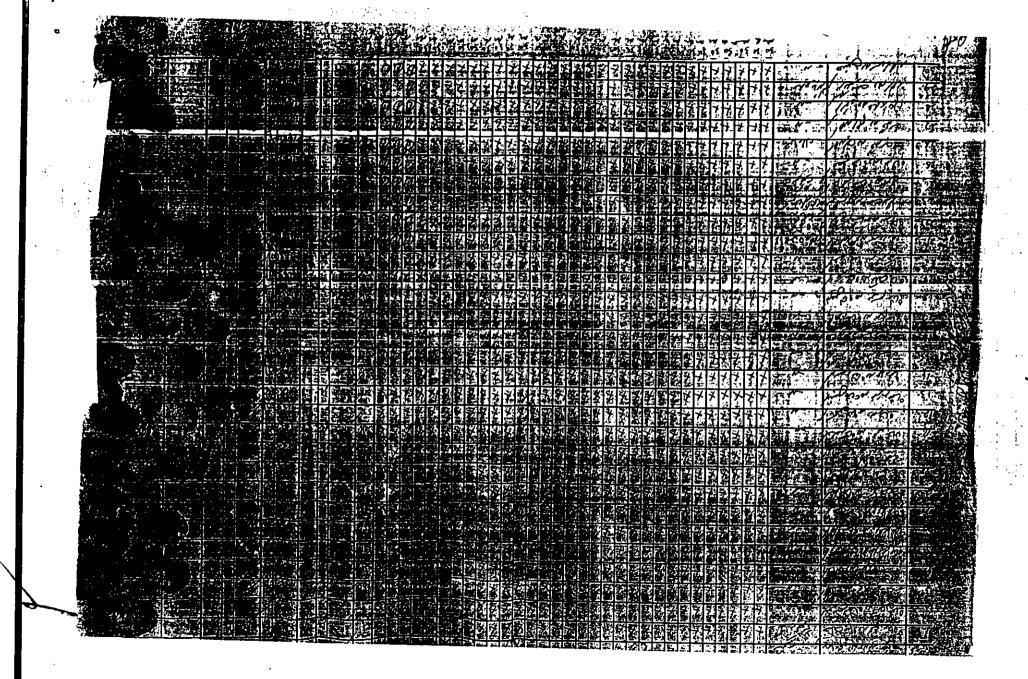
Time: 0800 to 2230 hrs. Distance: 650 KM by Govt: Vehicle AB-2706.

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ENQUIRY REPORT OF DISCIPLINARY PROCEEDING AGAINST MR. GHUL MUHAMMAD FORESTER OF AGROR TANAWAL FOREST DIVISION MANSEHRA

#### Read With:

3

Charge Sheet/Statement of Allegation DFO AT: No. 3736-38/GB dated 28 06 2022

Rectly to the Charge Sheet furnished by the accused Forester dated 22 08 2022.

Personal hearing dated 19,10,2022. 3

#### L BRIEF HISTORY OF THE CASE.

That Mr. Grukam Muhammad Forester (here in after called as accused) while posted as archarge Karpri Block of Shergarh Forest Sub Division committed the following irregularity.

Whereas the SDFO Shergarh Forest Sub Division checked the said area on 09.07.2021 and found failure up-to 90% and reported vide his letter No. 01/SFSD dated 10.07.2021 (Annexure-I).

Whereas DFO Agror Tanawal Forest Division was called upon explanation vide No. 87-88/B&A dated 13.07.2021, (Annexure-II), to explain your position for above irregularities. And subsequently issued reminder No. 195-96/B&A dated 29.07.2021, No. 681-82/8&A dated 27.09.2021 and No. 866-67/B&A dated 20.10.2021, later on you submitted reply to the explanation on 28.06.2022 (Annexure-III).

Whereas, the SDFO Shergarh has submitted your reply with his comments vide his tetter No. nil dated 28.06.2022, (Annexure-IV) the SDFO commented there upon that the reply of accused is not satisfactory and he recommends initiated proper D'sciplinary action against the accused official.

Whereas, an amount of Rs. 11,43,000/- was incurred on above mentioned sowing

v. Whereas, that being incharge of the sowing area you were duty bound to clear all short falls/deficiencies and protect/beat-up the sowing as per required standard in the PC-I, but the accused official did not take any pain for checking/supervision of the sowing area, due to which the sowing area has shrunk from 66 hectare to 13 hectare and Govt: exchequer has sustained a huge loss, which indicates your Misconduct, inefficiency and corruption.

vi. Whereas, due to your un-professional behavior, poor performance, negligence and inefficiency. Govt: exchequer has collectively sustained loss to the tune of Rs. 11, 43,000/-.

#### PROCEEDINGS/DISCUSSION

The accused submitted his defense reply. He was heard in person and was cross examined in presence of prosecutor. The undersigned visited the site on 13.10.2022 along with checking team where 25-30% survival was observed (Annexure-V). The Checking committee revisited on 21.11.2022 where survival rate was observed 30-40%. Furthermore the prosecutor/SDFO Shergarh was also verbally directed to visit the sowing area who submitted his findings (Annexure-VI).

The all available record on file was thrashed out/cruised.

The perusal of available record. Facts on ground and findings of the checking report of SDFO Shergarh reveal that.

"The Sowing area under question is badly failed and having almost 40% survival"

As calculated by DFO Agror Tanawal, the investment made so far right from raising 66 hectare to the stage of sowing is Rs. 11,43,000/-.

Now 40% survived area out of 66 hectare comes out to be 26.40 hectare.

The proportionate costs of these 40% survived area 26.40 hectare come out to be Rs: 457222 which is justified expenditure in the instant case.

Now the net unjustified amount comes out to be (11, 43,000 - 4,57,222) = Rs. 685778/-)

As Ghulam Muhammad Forester is co-accused in the same case then the un-justified amount judiciously needs to be accused. judiciously needs to be apportioned between them.

CamScanner

Therefore the shared amount cames out to be \$85778/-= Re-342860/- uach



#### FINDINGS/CONCILUSION

The foregoing discussion leads to the finding that the sowing area under reterence is busty failed and the fallures have not been beaten up by the accused despite the fact instructed had been repeatedly beefed up to do so.

The above finding leads to the conclusion that:

"Charges of Mis-conduct and in-efficiency stand proved beyond any doubt while charge of corruption does not stand proved as no monitory benefits on part of accused are vivid from the record".

#### RECOMMENDATION

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The enquiry committee with sky high confidence recommends that, the shared amount (Rs. 342889/-) may be recovered from the accused.

Dated: " papawi and ng lain

DFO patrol Squad (Enquiry Officer)

يرسنل صيرتك مترعام فرفارسترا في رح إلى كلاك مرجه 2023 . 30.5 In a grade to sign of the وار د عبال دا مان بورو م موال بر مزند آب م مواق کو 3 60 50 /2 mm VEB 12-13 وال د کون سے میں اور سال میں سونگ ہوئی تی ٠٤١-١٠ ص - ١٥٥٥١١ مي يري ي سوال ١٠ و١ مدى س كرئ لدنشين عي يو ي وي وا- ، ميس ص - وعلى عد فقيل ميس موى عالى سوال و. عربسين رنه كا معان مراكم موال معنات رفع صور مال . رقد مل بون فام مع الله الله و ووق ع راور " في الفرط الواقعيم جواب، ایم اس میں سور اور مادکوین کرانسرو فیرہ ماؤر کی جورات کا سا۔ ایک اس میں سور اور مادکوین کرانسرو فیرہ ماؤر کی جورات سوال برا المعامية المراد و و و و و المراس الما المراس الما المراس المرا وا - . . زانی مایا چه فربه کان دار سیری ای سرال و اس تصريم فيلار فن مح بوار و ه ورودار سین سوال و منزین من مرجم بو کمدار رفط ص وال د- مرسوس بم زنا مشم ع بريح زال في و وال يم الجع عي دعما عالم

المان من مال من المان من المان من المان من الم ن من المان المان من المان 
OFFICE ORDER NO TO DATIED MANGEHRA THE UT 109/2023 ISSUED BY ISRUP AHMAD, DIVISIONAL FOREST OFFICER, AGROR TANAWAL FOREST DIVISION MANSEHRA

Whereas, Mr. Ghulam Muhammad Forester Agrer Tanawal Forest Division vias charge sneeps under section-3 of the ESD 2011 with the allegations/charges mentioned in DFO Agror Tanawaendorsement No.3738-38/GE dated 28.06.2022.

Whereas, an enquiry committee was constituted and Mr. Saced Anwar Divisional Forest officer Patrol Squad Forest Division Manachra was appointed as anquiry officer vide this officer endorsement No. 3736-38/GE dated 28.08.2022 to conduct the enquiry against the accuses strictly under the provision of aforementioned E&D rules-2011.

Whereas, the enquiry officer conducted the enquiry proceedings against the official concerned within the ambiance of E&D Rules-2011, finalized and submitted vide his office No 1159/GE dated 27.01.2023 with the fully recommendations as under;

"The enquiry committee with sky high confidence recommends that the shared amount (Rs. 342, 889/-) may be recovered from the accused.

Whereas, Show cause Notice was served upon the accused vide DFO Agror Tanawal office letter No.2977/GE dated 05.02,2029.

Whereas, the accused Forester submitted reply to the show cause notice on 01.03.2023.

Whereas, accused was summoned for hearing in person vide DFO office No.4144-45/GE dated 22.05.2023.

Whereas, the accused was cross-examined/heard in person on 30.05.2023.

Whereas, the enquiry report was critically examined and found that charges of Misconduct and Inefficiency have been judiciously established by the enquiry officer.

And whereas I librar Ahmad Divisional Forest officer Agror Tenawal Forest Division in the capacity of competent authority agreed with the Findings/Recommandations of the enquiry officer and hereby imposed the penalty under Section 4 (I)(a)(iii) Le the amount of Rs.3, 42,889/- shall be recovered from the accused with in due course of law/time.

Sd/- (Ibrar Ahmad) Divisional Forest Officer Agror Tanawal Forest Division

#### Copy forwarded to:

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3.

The Conservator of Forests, Upper Hazara Circle for favor of information. The SDFO Shergarh Forest Sub Division for information. Ghulam Muhammad Forester C/o SDFO Shergarh for information. The Divisional Accountant for information and necessary action. He is directed to make sure recovery from the concerned official immediately.

Divisional Grest Officer
Agror Tanawat Horest Division

(29)

عدمت جناب منزرو يمرصاحب أير بزارة مركل ما المرادة المركل ما المردة عنوان ابيل برخلاف آفس آر درنمبر 75 مجرية 2023-06-7 منجانب دوية فل آفيبر صاحب آلم ورتناول فارست دوية في قرات منسوخي أفن آر درنمبر 25 مجرييه 2023-06-07 وداوري بوساطت جناب DFO صاب اگرورتناول فارست فوویژن جناب عالىٰ!ابيل برا ـ يُمنسوخي وداورتي برخلاف السم آر دُرنمبر 2025 - 06-07 دَرْجَه ذيل قانو لي حقا كَلْ بيش خدمت مي ا۔ پیکہ بیل کنندہ جوکروڑی بلاک کا آنچارج تھا جالوگی کمپار منٹ نمبر 12 میں 10BTAP کے تحت 66 میکٹر ڈفیر کمبالی ا Sawing Area ين 40 كامياب بتايا گيا ہے جبکی جبکا تناسب 40 كونسيم كيا گيااور 1.60 د تبه يجانى كرده كى اعوائر فاق دى كئى ہے يہاں سوال نسبت تناسب نہيں بنتار يغير قانونى زمين حقائق كے برعكس اور خلاف قانون ہے۔ ۲۔ پیر آفیر SDFO صاحب انچاری شرکر دست دویژن نے ابتدائی رپون و کے کر تبکویل قرار دیا ای آفید رکوازال بعد انگوائری آنیسرمغرر کردیا گیاہے جنفوں نے اپنی ابتدائی رپورٹ کودرست قرار دیے کے لئے انگوائر کی میں جانبداری کرئے آبال کنندہ کیے خلاف انگوائری کی سفارش کی -س۔ پیکراپیل کنندہ جارج شید کا جواب پوری وضاحت اور تھا گئی سے انکوائری افیسر صاحب کو میالین انکوائری آفیسر صاحب فدوی کے جواب کو بسرنظر انداز کر کے خلاف انکوائری رپورٹ تیا کر کے من پیند انکوائری کی سفارٹل کی جوخلاف قانون ہے۔ ٣ ۔ پيكه جناب وي ايف اوصاحب نے انگوائرى رپورٹ اور شفارش كومن وئنسلىم كر كے اپيلى كنده كو كينے اپيل كنتره كو بنيا دى قانون حق مے محروم کر کے انکوائری کاغیر قانونی بعیداز قیاس وانساف افل ار در نمبر 75 مورجه 2023 | 08-07 کوجازی کیا ہے۔ جناب عالى! مندرجه بالاحقائق سے صاف ہے كمتذكر بالا آفس آرؤز نبر 75 مجريد 2023-06 07 خلاف قانون سے اور انعیاف كے تفاضے بورے نيس كے لكے استدعاہے كم آفس آر در نمبر 75 مجربية 2023-06-07 كومنسوخ فرماكر أيبل كننده كى اورى فرمائي جاوے أور ذاتي طور تي مننوائی کاموقع فراہم کیاجائے۔ كالي المدوانس جناب كزرويترصاحب أير بزالة فيركل No 77 OREST



Ann-J/I

Dated: 13 /07/2023

Conservator of Forests
Upper Hazara Forest Circle



Jalalabad Chowk, Opp:NBP Shahrahe-Resham Mansehra Phone # 0997-920143 Fax # 0997-392287

No. 224 /E

The Divisional Forest Officer, Agror Tanawal Forest Division, Mansehra

Subject:

APPEAL AGAINST DFO AGROR TANAWAL OFFICE ORDER NO. 75 DATED 07/06/2023 PREFERRED BY GHULAM MUHAMMAD FORESTER

Photocopy of appeal dated 04/07/2023 preferred by Ghulam Muhammad Forester against DFO Agror Tanawal Office Order No. 75, dated 07/06/2023 is enclosed herewith for information.

Please expedite para-wise comments along with complete enquiry file so that further action could be taken accordingly.

Encl: as above.

CONSERVATOR OF FORESTS
UPPER HAZARA FORESTS CIRCLE
MANSHIRE

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# OFFICE ORDER NO. 09 DATED MANSEHRA THE 31 108/2023 ISSUED BY MR. FARRUKH SAIR CONSERVATOR OF FORESTS, UPPER HAZARA FOREST CIRCLE MANSEHRA

Whereas, Ghulam Muhammad Forester, hereinafter called appellant, preferred an appeal against the decision of DFO Agror Tanawal Forest Division Mansehra (Competent Authority) vide office order No. 75 dated 07.06.2023 whereby penalty for recovery to the tune of Rs. 342889/- was imposed upon the appellant for 60% failure of sowing area in Jalogali Forest Compartment No. 12 of Agror Tanawal Forest Division.

And whereas, the Competent Authority while offering comments vide letter No. 312/GE dated 26.07.2023 further justified the penalty imposed;

And whereas the appellant while pleading his appeal during personal hearing held on 21.08.2023 raised certain questions of equity and justice, but being Incharge of the Sowing area he was bound to clear all the short falls and carry out beat up of failure in the area but he did not take any interest for checking/inspection of sowing area and due to his lackadaisical behavior, huge loss of Rs: 1143000/- was sustained to the Government Exchequer.

And whereas, in addition to above DFO Agror Tanawal Forest Division (Competent Authority) further reported that as per monitoring report of PMU, survival of sowing in Jalogall Forest Compartment No. 12 is only 26% which depicts that already less penalty has been imposed upon the appellant, which needs to be increased.

And whereas during proceedings the appellant failed to produce concrete evidence in support of his stance and could not justify the failure in sowing area, which has not been restocked till date after a period of approximately 02 years.

Hence based on the above facts the appeal in hand is hereby rejected, the decision/recommendation of enquiry officer is hereby upheld and order the recovery of Rs: 342,889/- from the monthly salary of appellant in equal installments to be decided by DFO Agror Tanawal Forest Division (the Competent Authority).

Sd/-(FARRUKH SAIR) Conservator of Forests

Upper Hazara Forests Circle Mansehra

Copy forwarded to:

1. The DFO, Agror Tanawal Forest Division Mansehra for Information and necessary action. Enquiry file from page 01 to 61 is enclosed herewith for further course of action and record.

2. Mr. Ghulam Muhammad Forester for information and necessary action.

Conservator of Forests
Upper Hazara Forests Circle
Mansella

Minustration Accounts

چار دی ایورث مایسی فیداری مید رفتار خاری خارش کوری می سیر موس دو کان حالع کی سے وجیال بسک حال کی 10ء سے بیمای بن تھوڑ رین داورار اله س د لوداری سیستی کاکام طری به سرفی کمارنسد اقا ۱۵ میل دولون نارنسد اقا ۱۵ میل دولون نارنسط کارڈین کا يس دوار كوورى دسيط بالحسى بريد ، جاد كل يسيد ير ياسرفارسيد الرو جميال بسيط معين الاسعدط الارفر فقنيات سي المرسك برود رتا 8 ورت عار حره اق سالم والحل ع ١٥٥٥ الك اور ما تا المرادر على المرد و المراد المراد المردى عارج دهر ره 1) 6 23 H 2021 

🧣 و کالت ناه Sarrées Insural کو بدیں شرط وکیل مقرر کیا ہے۔ کہ میں ہرپیثی کا کودیا بزریعہ مختار خاص روبروعدالت حاضر ہوتا رہونگا۔اور بونت یکارے\_ ۔ جانے مقدرمہ وکیل صاحب موصوف کواطلاع دے کرحاضر دالت کرونگا، اگر پیٹی برمن مظہر حاضر نہ ہوااور مقدمہ بری غیر حاضری کی وجہ سے سی طور پرمیرے برخلاف ہوگیا تو صاحب موصوف اس کے سی طرح ذمہ دارنہ ہو تھے۔ نیز وکیل صاحب موصوف صدرمقام کچہری کی کسی اور جگہ یا کچہری کے مقررہ اوقات سے پہلے یا پیچھے یابروز تعطیل پیروی کرنے کے ذمددارنہ ہو نگے۔اگرمقدمہعلاوہ صدرمقام کچبری کے کسی اور جگہ ساعت ہونے یابروز تعطیل یا کچبری کے اوقات کے آگے پیچیے پیش ہونے برمن مظہر کوکوئی نقصان بہنچ تواس کے ذمہ داریااس کے داسطے سی معادضہ کے اداکر نے یا مختارانہ واپس کرنے کے بھی صاحب موصوف ذمه دارنه ہوئگے۔ مجھے کوکل بر داختہ صاحب موصوف مثل کردہ ذات خودمنظور وقبول ہوگا۔اورصاحب کو عرضی دعویٰ وجواب دعویٰ اور درخواست جرائے ڈگری ونظر ثانی اپیل وگلرانی ہرتتم کی درخواست پر دستخط وتصد لق کرنے کا بھی اختیار ہوگا ادر کسی تھم یا ڈگری کے اجراء کرانے اور ہرتتم کے روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہرتتم کے بیان دینے اورسیر و ٹالٹی وراضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کامھی اختیار ہوگا۔اوربصورت اپیل وبرآ مرگ مقدمه يامنسوخي وُكري بيكطرفه درخواست تتم امتناعي يا قرتي يا گرفتاري قبل از اجراء وُكري بھي موصوف كوبشر طاوا ئيگي عليحده مختارا نہ پیروی کا اختیار ہوگا۔اور بصورت ضرورت صاحب موضوف کوبھی اختیار ہوگا یا مقدمہ ندکورہ یااس کے کسی جزوکی کاروائی کے واسطے یا بصورت اپیل ، اپیل کے واسطے دوسرے وکیل یا بیرسٹر کو بجائے اپنے پالیے ہمراہ مقرر کریں اور ایسے مثیر قانون کے ہرامرد ہی اور ویسے ہی اختیارات حاصل ہو نکے جیسے کےصاحب موصوف کو حاصل ہیں۔اور دوران مقدمہ میں جو کچھ ہر جانہ التواءيزے گا۔ اور صاحب موصوف كاحق ہوگا۔ اگر وكيل صاحب موصوف كو يورى فيس تاريخ بيشى سے بہلے اوانه كرونگا تو صاحب موصوف کو بورااختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اورالی صورت میں میرا کوئی مطالبہ کی تنم کا صاحب موصوف کے برخلاف نہیں ہوگا۔لہذا مخارنامہ لکھ دیا کہ سندر ہے۔

مضمون مخارنامهن لبابءاوراجهي طرح سمجه لياب اورمنظور