


23.05.2023


Appellant alongwith his counsel present. Mr. Abdul Manan, DFO alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant seeks time for preparation. Adjourned. To come up for arguments on 25.07.2023 before the D.B at Camp Court Abbottabad. Parcha Peshi given to the parties.

SCANNED  
KPST  
Peshawar

\*Naeem Amin\*

  
(Muhammad Akbar Khan)  
Member (E)  
Camp Court Abbottabad

  
(Salah-ud-Din)  
Member (J)  
Camp Court Abbottabad

27.03.2023

Petitioner present through counsel.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Arguments on application seeking restoration of main appeal heard. Record perused.

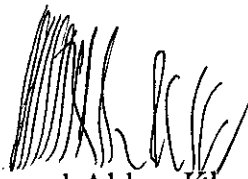
Application in hand was submitted on 12.10.2022 for restoration of main service appeal which was dismissed in default vide order dated 23.09.2022.

It was submitted by the learned counsel for petitioner that the petitioner had noted wrong date of hearing. Therefore, on the date of hearing, when the case was called, none appeared on behalf of petitioner due to the reason mentioned above and requested for restoration of the instant service appeal.

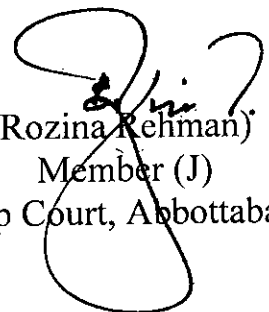
Learned District Attorney shows no objection on acceptance of the instant application seeking restoration of main appeal.

In view of the above, instant application is hereby accepted on cost of Rs.1000/-. Main service appeal stands restored. It be registered. To come up for arguments on 23.05.2023 before D.B at Camp Court, Abbottabad.

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Peshawar



(Muhammad Akbar Khan)  
Member (E)  
Camp Court, Abbottabad



(Rozina Rehman)  
Member (J)  
Camp Court, Abbottabad

22<sup>nd</sup> Nov, 2022

Counsel for the petitioner present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

This case pertains to camp court Abbottabad, let this case be fixed at camp court Abbottabad on 23.01.2023 before D.B.

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Peshawar



(Kalim Arshad Khan)  
Chairman

23.01.2023

Clerk to counsel for the appellant present. Muhammad Jan learned District Attorney for respondents present.

SCANNED  
KPST  
Peshawar

Lawyers are on strike today. To come up for arguments on 27.03.2023 before D.B at camp court Abbottabad



(Fareeha Paul)  
Member (E)  
Camp Court Abbottabad

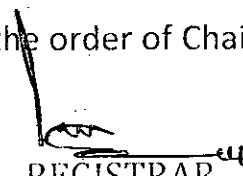



(Rozina Rehman)  
Member (J)  
Camp Court Abbottabad

Form-A  
FORM OF ORDER SHEET

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

Restoration Application No. 604/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	12.10.2022	<p>The application for restoration of appeal no. 1556/2019 submitted today by Mr. Abdur Rehman Qadar Advocate. It is fixed for hearing before Division Bench at A.Abad on <u>18-10-22</u>. Original file be requisitioned. Notices be issued to applicant and his counsel for the date fixed.</p> <p>By the order of Chairman  REGISTRAR.</p>
	18 <sup>th</sup> Oct., 2022	<p>Junior to counsel for the petitioner present. Notices be issued to the respondents. To come up for reply/arguments on restoration application on 22.11.2022 before S.B.</p> <p> (Fareeha Paul) Member(E)</p>


SCANNED  
KPST  
Peshawar

Service Appeal No. 1556/2019


23<sup>rd</sup> September, 2022 1. None present for the appellant. Mr. Kabirullah Khattak, Addl: AG for respondents present.

2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant service appeal is dismissed in default. Consign.

3. *Pronounced in open court in Abbottabad and given under our hands and seal of the Tribunal on this 23<sup>rd</sup> day of September, 2022.*

  
(Farzha Paul)  
Member (E)

Camp Court Abbottabad

  
(Kalim Arshad Khan)  
Chairman

Camp Court Abbottabad

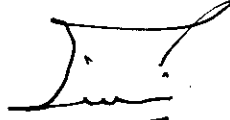
SCANNED  
KPST  
Peshawar

SCANNED  
KPST  
Peshawar



22<sup>nd</sup> July 2022

Mr. Abdur Rehman Qadir, Advocate present on behalf of the appellant and submitted that he will file wakalatnama and argue this appeal in some other date. Mr. Kabirullah Khattak, Addl: AG for the respondents present. To come up for arguments on 23.09.2022 before D.B at camp court Abbottabad.



(Salah Ud Din)  
Member (Judicial)



(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

16.03.2021

Learned counsel for the appellant present.

Riaz Khan Paindakheil learned Assistant Advocate General alongwith Muhammad Arshad Head Clerk for respondents present.

Written reply/comments was not submitted. Representative of respondents requested for time to submit written reply/comments. Time was given. To come up for written reply/comments on 17/06/2021 before S.B at Camp Court, Abbottabad.

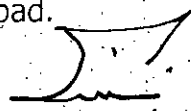


(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, A/Abad

13.10.2021

None present for the appellant. Mr. Muhammad Adeel Butt, Addl. AG alongwith Muhammad Arshad, H.C for the respondents present.

Respondents have furnished reply/comments. Placed on record. Notice be issued to appellant/counsel for submission of a copy of appeal alongwith annexures, complete in respect for use of the Hon'ble Member of the Bench. To come up for arguments on 15.02.2022 before the D:B at camp court, Abbottabad.



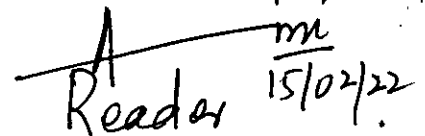
(Salah-ud-Din)  
Member(J)  
Camp Court, A/Abad



Chairman  
Camp Court, A/Abad

15.02.2022

Due to retirement of Hon'ble chairman, the Tribunal is unfuntional Hence, the case is adjourned to 22/7/2022.

  
Reader 15/02/22

18.11.2020

Appellant is present in person. Mr. Usman Ghani, District Attorney and Mr. Muhammad Arshed, Head Clerk, for the respondents are also present.


Written reply on behalf of respondents not submitted. Representative of the department requests for further time for submission of written reply/comments. Time is given. File to come up for written reply/comments on 15.02.2021 before S.B at Camp Court, Abbottabad.

  
(MUHAMMAD JAMAL KHAN)  
MEMBER  
CAMP COURT ABBOTTABAD

15.02.2021

Learned counsel for the petitioner and Mr. Riaz Khan Paindakhel learned Assistant Advocate General alongwith Mr. Arsalan Tariq DFO for respondents present.

Written reply on behalf of respondents not submitted. Representative of the respondents requested for further time for submission of written reply/comments. Time was sought. To come up for written reply/comments on 16.03.2021 before S.B at Camp Court, A/Abad.

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



18.09.2020

Mr. Qaiser Rehman Khan, Advocate, for appellant is present. According to the learned counsel for appellant on attaining the age of superannuation he has get retired after rendering of forty years of service. That during the period when he was in service, as a result of a theft an amount of Rs. 120000/- and a Kalashnikov alongwith certain number of cartridges of 7.62 Caliber were found missing and FIR bearing no. 384 dated 17.10.2012 was lodged. According to appellant a conditional retirement order was passed on 10.04.2018 by the Chief Conservator of Forest Central, Southern Region-I Khyber Pakhtunkhwa for making recovery of an amount of Rs. 72490/- from appellant for alleged missing of timbers as well as one number of Kalashnikov. On applying for issuance of NOC from Agror Tanawal Forest Division it was declined and still he was asked to remit the referred to amount alongwith the value of stolen one number of government Kalashnikov without conducting of any inquiry by thrusting of burden on his shoulders. The Chief Conservator of Forest just referred to above forwarded his pensionary documents to Director Budget & Account Government of KPK Forestry, Environment and wildlife Peshawar, with an additional note by making reference to the aforementioned amount to be outstanding against him which has to be recovered from his gratuity.

The point raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 18.11.2020 before S.B at Camp Court, Abbottabad.

Appellant Deposited  
Security & Process Fee

(MUHAMMAD JAMAL KHAN)  
MEMBER  
CAMP COURT ABBOTTABAD

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

Reader



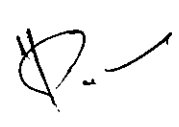
Due to summer vacation case to come up for the same on  
18 19 / 20 at camp court abbottabad.

  
Reader

Form-A  
FORM OF ORDER SHEET

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

Case No. 1556/2019

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	18/11/2019	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court Abbottabad Bench and the Hon'ble High Court vide its order dated 07.11.2019 treated the Writ Petition into an appeal and sent the same to this Tribunal for decision in accordance with law. The same may be entered in the Institution Register and put up to the worthy Chairman for further order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>24-1-2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>24.01.2020 Clerk to counsel for the appellant present and seeks adjournment on the ground that learned counsel for the appellant is not in attendance. Adjourn. To come up for preliminary hearing on 20.03.2020 before S.B at Camp Court Abbottabad.</p> <p style="text-align: right;"> Member Camp Court, A/Abad</p>



THE  
**PESHAWAR HIGH COURT,**  
**ABBOTTABAD BENCH**

Ph: 0992-9310058  
Fax: 0992-9310055

No: ///

Dated Abbottabad 13 - November, 2019

From

The Additional Registrar,  
Peshawar High Court,  
Abbottabad Bench.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1194

Date 18-11-2019

To

The Honourable Chairman Service Tribunal,  
KPK Peshawar.

Subject :

WRIT PETITION NO. 846-A/2019.

SULTAN MEHMOOD

PETITIONER

VERSUS

SECRETARY FOREST & OTHERS

RESPONDENTS

Sir,

I am directed to forward herewith Writ Petition No. 846-A/2019 titled "Sultan Mehmood Vs Secretary Forest & others" total sheets (49) alongwith a copy of judgment of the Honourable Division Bench dated 07.11.2019 for necessary action please.

Yours Faithfully,

  
(Additional Registrar)

**PESHAWAR HIGH COURT, ABBOTTABAD BENCH.****FORM OF ORDER SHEET**

Court of.....

Case No.....of.....

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
07.11.2019	<p><b><u>WP No. 846-A/2019.</u></b></p> <p>Present: M/s. Qaiser Rehman Khan and Usman Ali Khan, Advocates, for petitioner.</p> <p style="text-align: center;">***</p> <p><b><u>IJAZ ANWAR, J.</u></b> Through this petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner namely <i>Sultan Mehmood</i> has made the following prayer:-</p> <p style="text-align: center;"><i>That on acceptance of instant writ petition, respondents/ forest department Govt of KPK, Peshawar may graciously be directed to exonerate the illegal and unfounded allegations levelled against the petitioner regarding missing timber and stolen Kalashnikov and respondent No. 3 i.e Budget and Pension Department of Govt of KPK Peshawar, be directed to release the Pension/Post retirement emoluments of the petitioner forthwith, in the best interest of justice.</i></p> <p>2. Learned counsel for petitioner heard at some length in motion, while the record available gone through.</p> <p>3. It is evident from record of the case, that the</p>

**SCANNED**

petitioner has submitted departmental appeal against the order of recovery after the lapse of statutory period of 90 days, the petitioner was required to have approached service tribunal but instead he approached this Court through the instant petition. Therefore, in the peculiar facts and circumstances of the present writ petition, this Court in the larger interest of justice treat this petition as service appeal and send it to the Khyber Pakhtunkhwa Service Tribunal for its decision, in accordance with the law.



**JUDGE**



**JUDGE**

# BEFORE THE PESHAWAR HIGH COURT, ABBOTTABD BENCH

## Advocate Detail

Full Name: QAISER REHMAN KHAN

Father's Name: GOHAR REHMAN KHAN

Date of Birth: 10.10.1966 CNIC # 13101-7670136-9

Permanent Address: MANSEHRA ROAD, MANDIAN, TEHSIL & DISTRICT,  
ABBOTTABAD

Present Address: AS ABOVE,

Email: Qaiserkhan7@gmail.com District: ABBOTTABAD

Mobile # 0313-5837689

License No. DC: BC- 14-4988 Issue Date: 24-4-2015

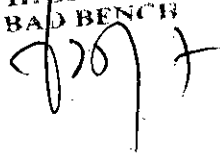
License No. HC: \_\_\_\_\_ Issue Date: July 2017

License No. SC: \_\_\_\_\_ Issue Date: \_\_\_\_\_

### MENTION YOUR PENDING CASES:

Case No.	Petitioner	Respondent
WP No. 269-A/16	Dr. Asad Mahmood	Govt of KPK Etc

**FILED TODAY**  
**ADDITIONAL REGISTRAR**  
**PESHAWAR HIGH COURT**  
**ABBOTTABAD BENCH**



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

Case No. WT-246/19  
Date of Filing: \_\_\_\_\_  
District: Abbottabad

Case Type: WRIT PETITION

Nature of Original Proceedings: \_\_\_\_\_

Category Code:

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

Review/ Contempt of Court in respect of

Writ of;

Heabus Corpus     Prohibition     Mandamus     Quo Warranto     **Certiorari**

If Certiorari;

Forum	Date	Interlocutory /Final Order

Caste Pertains to

SB  
 DB

Petitioner Name	Sultan Mehmood
Mobile No.	
Address	Gulfam Town, Mian-de-Seri, Tehsil & District, Abbottabad.
CNIC No.	
Email Address	Nil

Counsel for Petitioner(s)	Qaiser Rehman Khan
Mobile No.	0313-5837689
Address	Opposite Sherpao Lawyers Plaza, District Court Abbottabad
CNIC No.	13101-7670136-9
Email Address	Qaiserkhan7@gmail.com

Respondent(s)	Chief Conservator of Forest, Central Southern Region-I, Shami Road, Peshawar and Others.
Address	As Mentioned in the heading of the Writ Petition

**Original Order/ Action/ Inaction Complained of;** The petitioner retired on 07/04/2018. but till now the petitioner has not been paid his pension / post retirement emoluments by the Budget and Accounts (pension) Department KPK (respondent No.3).


**Prayer:** On acceptance of instant writ petition, Respondents / Forest Department Govt of KPK, Peshawar may graciously be directed to exonerate the illegal and unfounded allegations leveled against the petitioner regarding missing timber and stolen Kalashnikov and Respondent No.3, i.e. Budget and Pension Department of Govt of KPK Peshawar, be directed to release the pension / post retirement emoluments of the petitioner forthwith in the best interest of justice.

**Law/Rules/Governing the original proceedings/action/Inaction:**

1. The petitioner has been condemned unheard on allegations of missing Timber as well as one number Govt Kalashnikov stolen from Range office Shergarh.

**FILED TODAY**  
**ADDITIONAL REGISTRAR**  
**PESHAWAR HIGH COURT**  
**ABBOTTABAD BENCH**

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





**BEFORE THE PESHAWAR HIGH COURT,**  
**PESHAWAR.**

W.P.No. 846 /2019

Appeal No. 1556/2019

Sultan Mehmood S/o Fida Mohammad, resident of Gulfam Town, Mian-de-Seri,  
Tehsil and District, Abbottabad.

...PETITIONER

**V E R S U S**

Secretary Forest (Environment) Department, Govt of KPK, Peshawar.  
& Others.

...RESPONDENTS

**WRIT PETITION**  
**INDEX**

S.No.	Description of Document	Annexure	Page No.
1.	Writ Petition alongwith affidavit, Certificate, Addresses of Parties and list of books	--	1-12
2.	Application (CM) for release of pension/ post retirement emoluments of petitioner.	--	13-14
3.	Retirement order of the petitioner dated 10/04/2018.	"A"	15
4.	Letter issued by Respondent No. 1 to respondent No. 3.	"B"	16
5.	Letter dated 22/04/2019 sent to the petitioner by respondent No.2 to deposit the outstanding amount of Rs. 172,490/-	"C"	17-19
6.	Application alongwith enclosures	"D"	20-28
7.	Reply submitted by the petitioner to Divisional Forest Officer Agror Tanawal Forest Division Mansehra denying all the allegations in detail	"E"	29-31
8.	Copies of the Appeal by Dost Muhammad and other relevant document	"F"	32-44
9.	Copy of Notices to respondents alongwith postal receipt.	"G"	45
10.	Court fee stamp paper worth Rs.500/-		46
11.	Vakalat Nama		47

SCANNED FILE

Date 25/07/19

Sign [Signature]

Dated:- 26.7 /2019

Through:

[Signature]  
...PETITIONER

(QAISER REHMAN KHAN)  
Advocate High Court, Abbottabad

FILED TODAY

ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTTABAD BENCH

9/25/19

[Signature]

**BEFORE THE PESHAWAR HIGH COURT,**  
**PESHAWAR.**

*Appeal no. 1556/2019*

W.P.No. 846 /2019

Sultan Mehmood S/o Fida Mohammad, resident of Gulfam Town, Mian-de-Seri, Tehsil and District, Abbottabad.

...PETITIONER

**V E R S U S**

1. Secretary Forest (Environment) Department, Govt of KPK, Peshawar.
2. Divisional Forest Officer, Agror and Tanawal, Mansehra.
3. Head of Budget and Accounts (Pension) Forestry, Environment and Wildlife Department, Peshawar.
4. Chief Conservator of Forest, Central Southern Region-I, Shami Road, Peshawar.
5. Chief Conservator of Forest Region-II, Abbottabad.
6. Conservator / Project Director Watershed Management Abbottabad.
7. Divisional Forest Officer, Unhar Watershed, Mansehra.

.... RESPONDENTS

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WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973, TO THE EFFECT THAT THE PETITIONER SERVED IN THE FOREST DEPARTMENT OF GOVT OF KPK FOR 40 YEARS AND RETIRED ON 07/04/2018, BUT TILL NOW THE PETITIONER HAS NOT BEEN PAID HIS PENSION / POST RETIREMENT EMOLUMENTS BY THE BUDGET AND ACCOUNTS (PENSION) DEPARTMENT GOVT OF KPK (RESPONDENT NO.3), WHICH IS ILLEGAL, PERVERSE, ARBITRARY, UNILATERAL, AGAINST THE SETTLED LAW, RULE AND POLICY.

**PRAYER:**

ON ACCEPTANCE OF INSTANT WRIT PETITION, RESPONDENTS / FOREST DEPARTMENT GOVT OF KPK, PESHAWAR MAY GRACIOUSLY BE DIRECTED TO

*No. 4357*  
*25/7/19*

**TODAY**  
**ADDITIONAL REGISTRAR**  
**PESHAWAR HIGH COURT**  
**ADMINISTRATIVE OFFICE**

*25*

EXONERATE THE ILLEGAL AND UNFOUNDED ALLEGATIONS LEVELED AGAINST THE PETITIONER REGARDING MISSING TIMBER, AND STOLEN KALASHNIKOV AND RESPONDENT NO.3, I.E. BUDGET AND PENSION DEPARTMENT OF GOVT OF KPK PESHAWAR, BE DIRECTED TO RELEASE THE PENSION / POST RETIREMENT EMOLUMENTS OF THE PETITIONER FORTHWITH IN THE BEST INTEREST OF JUSTICE ALONWITH THE COMPENSATION AT THE RATE, PREVAILING AT PRESENT IN THE COMMERCIAL BANKS OF PAKISTAN.

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*Respectfully Sheweth,*

*Facts giving rise to the instant petition are as under:-*

1. That, the petitioner is a respectable citizen of Pakistan who served in the Forest Department of Govt of KPK, for 40 years and retired on 07/04/2018 at the age of superannuation.
2. That, since petitioner's retirement on 07/04/2018, till date the petitioner has not been paid his pension / post retirement emoluments by the Budget & Accounts (Pension) Department Govt of KPK (Respondent No.3).
3. That, Chief Conservator of Forests, Central Southern Region-I KPK (Respondent No.1), issued petitioner's retirement order on 10/04/2018 with a copy forwarded to Chief Conservator of

ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTTABAD BENCH

Forests Region-II, Abbottabad with instructions to recover an amount of Rs.72,490/- from petitioner for an alleged missing timber as well as one number Govt Kalashnikov stolen from Range office Shergarh before submission of petitioner's pension case. The same copy was also sent to Director Budget and Accounts, Govt of KPK Forestry Environment and Wildlife Department. **(Copy of the retirement order, is attached as Annexure "A")**

4. That, on receipt of retirement order, when petition applied to obtain NOC from Agror Tanawal Forest Division, the petitioner was refused NOC and instead he was asked to remit an amount of Rs. 72,490/- as recovery of missing Timber as well as price /value of stolen one number Govt Kalashinkov without conducting any enquiry to this effect.
5. That, Chief Conservator Forest Central Southern Forest Region-I, Govt of KPK (Respondent No.4), forwarded petitioner's pension documents to Director Budget and Accounts, Govt of KPK Forestry, Environment & Wildlife Department, Peshawar (Respondent No.3) with an additional note that there is an amount of Rs. 72,490/- is outstanding against the petitioner with a copy to Chief Conservator of Forests, Region-II, Abbottabad to intimate price / value of the Kalashnikov so that the same could be recovered from the gratuity /pension **(Copy of the letter issued by Respondent No. 4 vide which the pension**

FILED TODAY

ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTTABAD BENCH

025/2

Page 42.

سائنس سے توئی تو پورے میں نہیں ہے صرف اس  
میں دوستی ہے جو وہاں سے ہے۔

! سائنس کی عظمت  
- Reply - 42 -

- Page 20 - 6-11-2018.

- Formal inquiry - one way announced  
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responsible

understand -

ایسی سائنس میں دوستی

22-4-2019

- Formal inquiry -

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Range of work.

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as loan by own pocket.

FIR

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- 2016. inquiry & spoken Amber

دوست محمد علی سے مل کر  
جو کہ ان کی گواہی ہے۔  
2-9-2017 letter.



documents of the petitioner was forwarded to Respondent No. 3, is annexed as Annexure "B")

6. That, Divisional Forest Officer Unhar Watershed Division Mansehra (Respondent No.7), sent a letter dated 22/04/2019 to the petitioner with the direction to deposit the outstanding amount of Rs. 172,490/- (regarding missing timber as well as one number stolen Kalashnikov) into Govt Treasury so that petitioner's pension case could be re-submitted to the Budget & Accounts Officer Environment (Respondent No.3) for issuance of pension admissibility certificate. (Copy of letter dated 22/04/2019 sent to the petitioner by Respondent No.7 with regard to deposit the outstanding amount of Rs. 172,490/-, is attached as Annexure "C")

7. That, petitioner had submitted a written application dated 06/11/2018 to Chief Conservator Forests Peshawar denying his involvement in the alleged missing timber worth Rs. 72,490/- as well as one number Kalashnikov (worth Rs.100,000/-), which was stolen from the Range Office Shergarh for which an FIR of theft was also lodged in Police Station Ogi, District Mansehra. (Copy of the application alongwith enclosures is attached as

**FILED TODAY**

Annexure "D")

ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTABAD BENCH

8. That, a theft took place at Range office Shergarh in 2012 in which a Govt Kalashnikov and cash amount Rs. 120,000/-, (recovered



from defaulters), was stolen. An FIR dated 17/10/2012, was lodged with Police Station Ogi to this effect. The petitioner deposited an amount of Rs. 120,000/- from his own pocket to make good the amount which was stolen from the Range Office, Shergarh.

9. That, despite clear Rules on payment of pension to Govt Servants, the petitioner is being denied / delayed his rightful pension / post retirement emoluments on the basis of frivolous and unfounded allegations for which no formal enquiry has been conducted by the Forest Department, instead directly charge sheeted the petitioner for the missing timber as well as stolen Kalashnikov to which the petitioner had given detailed reply in his application as mentioned in Para-7 above. **(Reply submitted by the petitioner to Divisional Forest Officer Agror Tanawal Forest Division Mansehra denying all the allegations in detail, is attached as Annexure "E")**

10. That, it is pertinent to mention that an enquiry was held against Mr. Dost Muhammad, Forester Shergarh, who was alleged for the same missing timber, however, Dost Muhammad Khan was exonerated on the basis of an appeal and Personal hearing from

FILED TODAY the charges and instead Petitioner was held guilty / responsible  
ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTABAD BENCH  
for the missing timber without affording the petitioner a chance /  
opportunity of personal hearing, which is against the prescribed  
Rules/ Procedure. **(Copies of the Appeal submitted by Dost**

Muhamamd and other relevant document are attached as Annexure "F")

11. That, no other efficacious remedy is available to the petitioner, hence this writ petition inter-alia on the following grounds amongst others:-

**GROUND:-**

- i. That, stoppage of petitioner's pension, without any reason, is illegal, unlawful and against the Govt Servants (Efficiency and Disciplinary Rules 2011 (Rule-5).
- ii. That, the petitioner has served unblemished for almost 40 years in the Forest Department and such baseless allegations of missing timber worth Rs. 72,490/- without conducting any enquiry or proving any misconduct on the part of petitioner as well as recovery of Rs. 100,000/- for the stolen one number Govt Kalashnikov is constant source of mental agony and stress.
- iii. That, the petitioner has been condemned un-heard, which is violative of the principle of natural justice and as much as the Forest Department's high officials did not follow the prescribed procedures and charge sheeted the petitioner without any incriminating evidence regarding the missing timber as was as stolen Govt Kalashnikov.
- iv. That, petitioner's detailed reply against the charge sheet has not been paid any heed by the Forest Department officials nor

FILED TO DAY  
 ADDITIONAL REGISTRAR  
 PESHAWAR HIGH COURT  
 ABBOTTABAD BENCH

*[Handwritten signature]*

petitioner was provided an opportunity of Personal Hearing. Instead Forest Department issued order to petitioner for depositing Rs. 172,490/- without giving any reason. (Annexure "C")

v. That, this high handedness and illegal and unlawful act on the part of respondents, is causing delay into release of the pension / post retirement emoluments of the petitioner which is causing grave inconvenience and financial hardship to the petitioner.

vi. That, this Honourable Court has to determine the quantum of financial sufferings and mental agony being faced by the petitioner at the hands of rigid, illegal and unlawful acts committed by the forest officials / Respondents.

vii. That, the petitioner's pension / post retirement emoluments are held by the respondents illegally for which petitioner needs to be compensated at the current rate of interest as prevailing in the commercial banks.

viii. That, petitioner also reserves a legal right to claim heavy damages against the Forest Department/Respondents for illegally / unlawfully delaying his pension / post retirement emoluments thereby causing the petitioner an extreme financial loss / hardship and severe mental agony.

~~FILED TODAY~~  
ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABDUL B. B. BENCH

ix. That, without conducting any formal enquiry, how can forest depart charge sheet the petitioner and blamed the petitioner for an unfounded and baseless allegation of missing timber as well as

stolen Kalashnikov for which an FIR had already been registered with the concerned Police Station.

- x. That, rest of the points would be raised at the time of arguments.
- xi. That, proper court fee is attached and notices has been sent to the respondents. (Copies of Notice and Postal receipt are annexed as Annexure "G")


*It is, therefore, humbly prayed that on acceptance of instant writ petition, respondents / forest department Govt of KPK, Peshawar, may graciously be directed to exonerate the illegal and unfounded allegations leveled against the petitioner regarding missing timber and stolen Kalashnikov and respondent no.3, i.e. Budget and Pension Department of Govt of KPK Peshawar, be directed to release the Pension / Post retirement emoluments of the petitioner forthwith, in the best interest of justice.*

Through:

...PETITIONER  


Dated:- 24.7/2019

QAISER REHMAN KHAN  
 &  
 USMAN ALI KHAN  
 Advocates High Court, Abbottabad



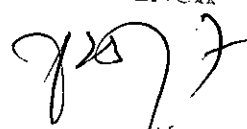
**VERIFICATION:-**

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

Dated:- 24.7 /2019

...PETITIONER

RECEIVED  
 ADDITIONAL REGISTRAR  
 PESHAWAR HIGH COURT  
 ABBOTTABAD BENCH



**BEFORE THE PESHAWAR HIGH COURT,**

**PESHAWAR.**

W.P.No. 846 /2019

Sultan Mohammad S/o Fida Mohammad, resident of Gulfam Town,  
Mian-de-Seri, Tehsil and District, Abbottabad.

...PETITIONER

**V E R S U S**

Secretary Forest (Environment) Department, Govt of KPK, Peshawar.  
& Others.

...RESPONDENTS.

**WRIT PETITION**

**AFFIDAVIT**

I, Sultan Mehmood S/o Fida Mohammad, resident of Gulfam Town, Mian-de-Seri, Tehsil and District, Abbottabad, *Petitioner*, do hereby solemnly affirm and declare on Oath that the contents of instant *Writ Petition* are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

Dated:- 24-07-2019

  
...DEPONENT

**IDENTIFIED BY:-**



(KAISER REHMAN KHAN)  
Advocate High Court,  
Abbottabad

13504-0347543-3

**AFFIDAVIT**

S.No: 8610/101 Receipt No: 101

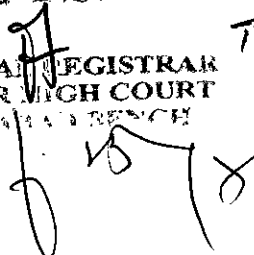
Certified that the above was verified on Solemn affirmation A/o before me on this

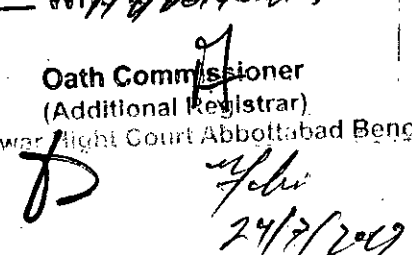
24 day of July 2019 by Sultan Mehmood S/o Fida Mohammad

R/o Gulfam who's identity is verified by Ser  
Teh & Dist who's person I know is me

ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTTABAD BENCH

Oath Commissioner  
(Additional Registrar)  
Peshawar High Court Abbottabad Bench





**BEFORE THE PESHAWAR HIGH COURT,**

**PESHAWAR.**

W.P.No. 846 /2019

Sultan Mohammad S/o Fida Mohammad, resident of Gulfam Town,  
Mian-de-Seri, Tehsil and District, Abbottabad.

...PETITIONER

**VERSUS**

Secretary Forest (Environment) Department, Govt of KPK, Peshawar.  
& Others.

...RESPONDENTS

**WRIT PETITION**  
**CERTIFICATE**

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



...PETITIONER

Through:



(QAISER REHMAN KHAN)  
Advocate High Court,  
Abbottabad

Dated:- 24.7./2019

FILED TODAY

ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTTABAD BENCH



**BEFORE THE PESHAWAR HIGH COURT,**

**PESHAWAR.**

W.P.No. 846 /2019

Sultan Mohammad S/o Fida Mohammad, resident of Gulfam Town,  
Mian-de-Seri, Tehsil and District, Abbottabad.

...PETITIONER

**V E R S U S**

Secretary Forest (Environment) Department, Govt of KPK, Peshawar.  
& Others.

...RESPONDENTS

**WRIT PETITION**

**ADDRESSES OF THE PARTIES**

***Respectfully Sheweth;***

The addresses of the parties are as under:

**PETITIONER:**

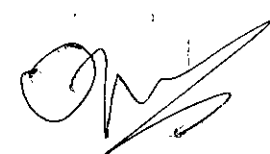
Sultan Mohammad S/o Fida Mohammad, resident of Gulfam Town, Mian-de-Seri,  
Tehsil and District, Abbottabad

**RESPONDENTS:**

1. Secretary Forest (Environment) Department, Govt of KPK, Peshawar.
2. Divisional Forest Officer, Agror and Tanawal, Mansehra.
3. Head of Budget and Accounts (Pension) Forestry, Environment and  
Wildlife Department, Peshawar.
4. Chief Conservator of Forest, Central Southern Region-I, Shami Road,  
Peshawar.
5. Chief Conservator of Forest Region-II, Abbottabad.
6. Conservator / Project Director Watershed Management Abbottabad.
7. Divisional Forest Officer, Unhar Watershed, Mansehra.

  
...PETITIONER

**Through:**

  
(QAISER REHMAN KHAN)  
Advocate High Court,  
Abbottabad

Dated: 24.7./2019

REGISTERED  
ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
JUDICIAL OFFICE BENCH



**BEFORE THE PESHAWAR HIGH COURT,**

**PESHAWAR.**

W.P.No. 846 /2019

Sultan Mohammad S/o Fida Mohammad, resident of Gulfam Town,  
Mian-de-Seri, Tehsil and District, Abbottabad.

...PETITIONER

**VERSUS**

Secretary Forest (Environment) Department, Govt of KPK, Peshawar.

& Others & Others.

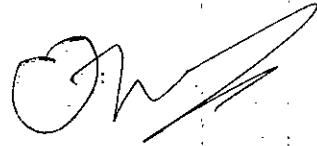
...RESPONDENTS

**WRIT PETITION**

**LIST OF BOOKS**

1. The Constitution of Islamic Republic of Pakistan, 1973.
2. Other case law related books will be cited at the Bar.

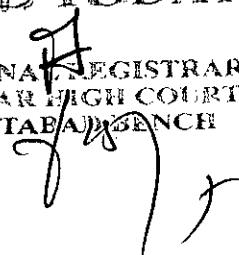
Dated: 24.7. /2019



(KAISER REHMAN KHAN)  
Advocate High Court.  
Abbottabad

**FILED TODAY**

**ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTTABAD**





**LIST OF FAMILY MEMBERS OF MR. SULTAN MEHMOOD EX- FOREST RANGER**

I solemnly declare and affirm that detail of family members is as under

S.No	Name	Relationship	Married/un Married	CNIC No
1	Khalida Sultana	Wife	Married	13504-2168685-2
2	Nayyar Sultana	Daughter	Married	13504-2807903-2
3	Umar khayyam	Son	Single	13504-8043739-1
4	Rabbia Sultana	Daughter	Married	13504-5558459-4
5	Ussama Ali	Son	Single	13504-3514781-9
6	Zulqarnain Haider	Son	Single	Nil

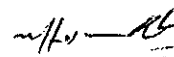
I further declare that there are no other family members except those mentioned above.

Signature



(Mr. Sultan Mehmood)  
Ex- Forest Ranger  
Unhar Watershed Division  
Mansehra

Verified by,  
V.C Chairman  
Gujjarbandi

  
Muhammad Feroz  
Naib Nazim  
V/C Gujjar Bandi  
Tehsil Oghi

**BEFORE THE PESHAWAR HIGH COURT,**  
**PESHAWAR.**

CM. No. 242 /2019

IN

W.P.No. 846 /2019

Sultan ~~Mehmood~~ S/o Fida Mohammad, resident of Gulfam Town,  
Mian-de-Seri, Tehsil and District, Abbottabad.

...PETITIONER

**V E R S U S**

Chief Conservator of Forest, Central Southern Region-I, Shami Road,  
Peshawar & Others.

...RESPONDENTS

-----  
**Application seeking issuance of directions to Respondent No. 3  
to release the pension / post retirement emoluments of the  
petitioner forthwith which has been stopped by Respondent.3  
without any lawful justification.**  
-----

**Respectfully Sheweth,**

1. That, the captioned writ petition is being filed before this Honourable court. The instant application be considered as the integral part of writ petition.
2. That, since petitioner's retirement on 07/04/2018, till date the petitioner has not been paid his pension / post retirement emoluments by the Budget &Accounts (Pension) Department Govt of KPK (Respondent No.3) due to which the petitioner is facing huge financial hardship and mental agony.
3. That, the act of Respondent No.3 is illegal, unlawful and without any lawful authority.
4. That, the valuable rights of the petitioner are involved.

***It is, therefore, humbly prayed that Respondent No.3  
may graciously be directed to release the pension/ post  
retirement emoluments of the petitioner forthwith.***

**APPLICANT / PETITIONER**

Through:

Dated: 24.7. /2019

**(Qaiser Rehman Khan)**  
Advocate High Court.  
Abbottabad

14

**BEFORE THE PESHAWAR HIGH COURT,**

**PESHAWAR.**

W.P.No. 846 /2019

Sultan ~~Mehmood~~ S/o Fida Mohammad, resident of Gulfam Town,  
Mian-de-Seri, Tehsil and District, Abbottabad.

...PETITIONER

**V E R S U S**

Chief Conservator of Forest, Central Southern Region-I, Shami Road,  
Peshawar & Others.

...RESPONDENTS

**APPLICATION FOR RELEASE OF PENSION**

**AFFIDAVIT**

I, Sultan ~~Mehmood~~ S/o Fida Mohammad, resident of Gulfam Town,  
Mian-de-Seri, Tehsil and District, Abbottabad, **Applicant /**  
**Petitioner**, do hereby solemnly affirm and declare on oath that  
the contents of instant **Application** are true and correct to the  
best of my knowledge and belief and that nothing has been  
concealed from this Hon'ble Court.

DEPONENT

Dated:- 24.7/2019

CNIC-13504-0347543-3 **APPLICANT / PETITIONER**

**AFFIDAVIT**

S.No: 8628/19

Receipt No: 179

Certified that the above was verified on Solemn  
affirmation At before me on this

25 day of July 2019 by  
Sultan Mehmood S/o Fida Mohammad  
R/o Mian De Seri Tehsil and District Abbottabad  
Abbottabad who is personally know is me

Oath Commissioner  
(Additional Registrar)  
Peshawar High Court Abbottabad Bench

Mehi  
25/7/2019

(15) *Annexure - A*

OFFICE ORDER NO. 139 DATED PESHAWAR THE 10 /04/2018 ISSUED BY  
 MUHAMMAD SIDDIQUE KHAN KHATTAK CHIEF CONSERVATOR OF FORESTS  
 CENTRAL SOUTHERN FOREST REGION-I, KHYBER PAKHTUNKHWA PESHAWAR.

On attaining the age of 60 years Mr. Sultan Mehmood Forest Ranger (BPS-16) is hereby retired from Government service with effect from 07-04-2018. He is allowed encashment of leave salary in lieu of leave preparatory to retirement equal to 365 days as admissible to him vide Rule-20 of the Khyber Pakhtunkhwa Civil Servants revised leave Rules-1981 as amended vide Government of Khyber Pakhtunkhwa Finance Department Notification No. FT-SO (SR-V) 5-54/81-Vol-II, dated 24/8/1983 and No. FD-SO (SR-V) 5-54/80Vol-III, dated 12/4/1988 and No. SO (FR) FD/5-92/2005/Vol-5, dated 13/12/2012.

Sd/-


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

*3909-10*  
 No. P.P /E,

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Abbottabad. He is requested to recover the missing timber amounting to Rs.72,490/- as well as one No. Government Kalishonkove from the Forest Ranger as reported by DFO Agror Tanawal before submission of his pension case to this office.
2. Director Budget & Accounts Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department Peshawar.

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

Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Ph: 091-9212177, Fax # 9211478 E-mail: ccforests.pesh@gmail.com
No. 3401 /E	Dated Peshawar the 6 /03/2019	

To

The Director Budget and Accounts,  
Government of Khyber Pakhtunkhwa  
Forestry, Environment & Wildlife Department  
Peshawar

*Annexure 'B'*

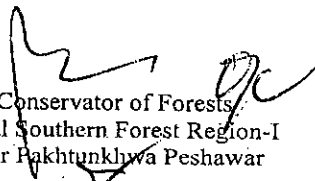
**Subject: - PENSION CASE OF MR.SULTAN MEHMOOD EX-FOREST RANGER.**

Memo:-

Enclosed please find herewith the following documents in respect of Mr. Sultan Mehmoood Ex-Forest Ranger for information and further necessary action.

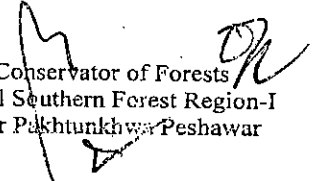
S.No	Forms	Total
1.	Pension application form	In duplicate
2.	Statement showing calculation of Pension	In duplicate
3.	Specimen Signature of Officer	In duplicate
4.	Finger impression	In duplicate
5.	Undertaking	In duplicate
6.	Declaration	In duplicate
7.	No Demand Certificate	In duplicate
8.	Photo copy of National Identity Card	In duplicate
9.	Photographs	In duplicate
10.	Last pay certificate	In duplicate
11.	Option	In duplicate
12.	List of Family members	In duplicate
13.	Copy of retirement order	In duplicate

It is pertinent to mention that as per No Demand Certificate there is an amount due of Rs.72,490/- on account of missing timber and one number of Government Kalashnikov is also outstanding against the Ex-Forest Ranger.

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

No. 3402 /E,

Copy forwarded to Chief Conservator of Forests Northern Forest Region-II, Abbottabad for information with reference to his letter No. 4685/E, dated 20/2/2019. He is requested to intimate the price/ value of the Kalashnikov, so that the same could be recovered from the gratuity/ Pension.


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

Establishment-20

*Handwritten note:*  
155  
B&A Peshawar  
13/03/2019. For  
the record of Pension  
from cc & I Peshawar

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Annexure: C

FOREST DEPARTMENT UNHAR WATERSHED DIVISION MANSEHRA		Phone # 0997-381022 No. <u>2179</u> /UWS Dated <u>22/04/2019</u>
---	---	---

To

Mr. Sultan Mehmood Ex-Forest Ranger  
Residence of Village Gulfam Town (Mian De Seri),  
Post Office: Abbottabad Public School  
Tehsil & District: Abbottabad.

Subject: PENSION CASE IN RESPECT OF MR. SULTAN MEHMOOD EX-FOREST RANGER.

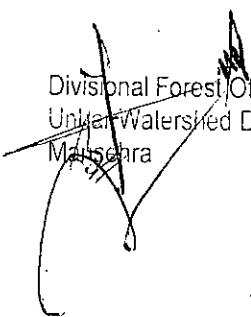
Memo:

Enclosed please find herewith Conservator of Forests/PD Watershed Management Circle Abbottabad endstt. No. 6033/E-21 dated 05.04.2019 alongwith its enclosure for information and further necessary action.

You are directed either to remit the outstanding amount viz: Rs. 172490/- into Govt. Treasury on Challan or supply affidavit on stamp paper regarding deduction of amount in question from your pension commutation at the earliest so that pension case could be re-submitted to Budget & Account Officer Environment for issuance of pension admissibility certified

Encl: As Above

Divisional Forest Officer  
Under Watershed Division  
Mansehra



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Copy of Chief Conservator of Forests, Northern Forest Region-II Abbottabad letter No.6015/E dated 02/04/2019 addressed to this office.

Subject: **PENSION CASE IN RESPECT OF MR. SULTAN MEHMOOD EX-FOREST RANGER**

Reference this office endorsement No.4686/E, dated 20/02/2019.

Enclosed please find herewith copy of Chief Conservator of Forests Central Southern Forest Region-I Peshawar letter No.3764/E dated 28/03/2019, alongwith its enclosures in original for information and further necessary action.

Sd/-  
Chief Conservator of Forests  
NFR-II, Abbottabad

Encl: As above

*Regd.*

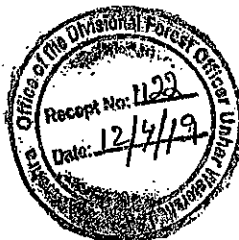
No. 6033 /E-21, dated Abbottabad the 05/04/2019

Copy alongwith its enclosures (in original) forwarded to Divisional Forest Officer Unhar Watershed Division Mansehra for information and necessary action as desired by high ups.

*[Signature]*  
Conservator of Forests/PD  
Watershed Management Circle  
Abbottabad

Encl: As above

*Estl.*  
*[Signature]*



Endorsements

19

Government of Khyber Pakhtunkhwa  
Forestry, Env't & Wildlife Department

No. B&A/Pen-I(A.125)/ 961-62  
Dated Peshawar the 25/3/2018

P.P  
25/3/18  
EA-PR

To, The Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa, Peshawar.

P-154

P-163

Subject:- PENSION CASE IN RESPECT OF MR. SULTAN MEHMOOD, EX-FOREST RANGER.

Memo: Kindly refer to your letter No. 3401/E, dated 06.03.2019 and No. 3575/E, dated 18.03.2019 on the subject noted above.

The pension claim papers and connected documents in respect of above named Ex-Forest Ranger received with your memo: under reference are returned in original with the following remarks:-

1. Pension papers received from your office on old format, according to Govt: instructions the same may be prepared on new format and furnished with pension case.
2. As regard deduction/recovery of Rs.172,490/- from his pension on account of (missing timber of Rs.72,490/- and Rs.100,000/- one No. Govt. Kalashnikov) is concerned Ex-Forest Ranger has not given affidavit for the said deduction, therefore this office is not in a position to make effect any recovery without his consent.

In his retirement order it was reflected that before recovery of the outstanding amount the pension case will not be processed by your office, which was ignored.

It is requested that the outstanding dues of the Govt: may either be recovered from him and documentary evidence may be furnished or Affidavit regarding deduction from his pension commutation on stamp paper may be furnished.

BUDGET AND ACCOUNTS OFFICER

Regd

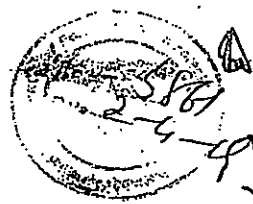
No. 3764 /E,

Dated Peshawar the 28/03/2019.

Copy alongwith its enclosures (in original) forwarded to the Chief Conservator of Forests Northern Forest Region-II, Abbottabad for information and further necessary action.

Encl: As above.

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



Handwritten initials and signature: P, 25/3, CCF-I



## بخدمت جناب چیف کنزرویٹر صاحب ماحولیات (جنگلات) KPK پشاور

مضمون: درخواست برائے حصول انصاف تھرور پراجیکٹ

جناب عالی!

مودبانہ گزارش ہے کہ سائل نے تقریباً 40 سال محکمہ میں مکمل کئے ہیں۔ سائل نے دوران سروس کوئی ایسا کام نہیں کیا۔ جس سے سائل اور محکمہ کے ساکھ مجروح ہو، اپنی ڈیوٹی بڑی دیانتداری اور لگن سے انجام دی ہے۔ افسران بالانے جہاں بھی پوسٹ کیا۔ خوشی احسن قبول کر کے ڈیوٹی جان کی اور اپنا کام خوش اسلوبی سے انجام دیا ہے۔ کوئی ناخوشگوار واقعہ دوران سروس پیش نہیں آیا۔ سائل نے سال 2012ء میں شیرگرھ سب ڈویژن کا چارج سنبھالا۔ اگرچہ حالات ناگفتہ بہ تھے۔ لیکن سائل نے اپنا ایک سال مکمل کیا۔

۱۔ ریٹائرمنٹ کے وقت جب NOC کے لیے اگرورتاؤل فارسٹ ڈویژن سے رابطہ کیا۔ تو NOC تو نہ دی گئی بلکہ ایک الزام جو کہ سال 2012ء کا تھا۔ لگا کر کہ اس دوران کچھ لکڑا غائب ہو گئی تھی۔ اور 72490 روپے کی Recovery مجھ پر ڈالی گئی۔

میں نے اس کا جواب بھی دے دیا ہے۔ ساتھ منسلک ہے۔ جبکہ فارسٹ دوست محمد اپنے جواب میں تسلیم کرتا ہے کہ وہ لکڑ فارم نمبر D 28 تاریخ 01-06-2012 اور فارم نمبر F99/20 تاریخ 23-06-2012 سینٹرل ڈپو مانسہرہ پہنچا چکا ہے۔ اُس وقت ڈی ایف اوصاحب نے نیلامی کر کے لکڑ واہگوار کر دی۔ انکواری افسر نے بھی ذمہ داری دوست محمد فارسٹ پر ڈالی اور اس سے Recovery کا لکھا۔ لیکن سائل کو معلوم نہیں کہ کس طرح جناب کنزرویٹر صاحب Uper Hazara بغیر انکواری اور ریکارڈ کے تصدیق کرنے سے Recovery سائل پر ڈال دی۔ جو کہ سراسر زیادتی اور قانونی تقاضے پورا نہیں کرتی اور ریکارڈ بغیر چیک کرنے کے وہ Recovery سائل پر ڈال دی گئی۔ سائل اُمید کرتا ہے کہ آپ جیسا ایماندار افسر انصاف کے تقاضے کے تحت اس پر غور فرمائیں اور انصاف مہیا کریں گے۔ فارسٹ دوست محمد کا جواب ساتھ منسلک ہے۔

۲۔ کلاشکوف جو کہ دفتر ریج میں پڑی تھی سائل گشت پر تھا۔ ریج آفس کا دروازے کا لاک توڑ کر چوکیدار کی ملی بھگت کلاشکوف چوری کر دی گئی تھی۔ میں نے چوکیدار سے دواڑہ توڑنا اور چوری کی مکمل چھان بین کی تو معلوم ہوا۔ کہ چوکیدار نے یہ کام کیا تھا۔ جسکی کی FIR پولیس سٹیشن اوگی میں درج کروائی گئی اور DFO کو بھی تحریری آگاہ کیا۔ FIR ساتھ منسلک ہے۔ سائل بے گناہ ہے اور آپ جیسے ایماندار و مخلص افسر سے توقع رکھتا ہے کہ آپ IDFO اگرورتاؤل اور کنزرویٹر صاحب Uper Hazara کو ہدایت جاری کریں تاکہ وہ NOC جاری کرے کیونکہ 06 ماہ گزر گئے ہے مگر پینشن کے کاغذات برائے منظوری مجاز اتھارٹی کو ارسال نہیں کیے گئے۔ سائل کی مالی پوزیشن بہت ہی خراب ہو چکی ہے۔ سائل کا خاندان بھی بڑی طرح متاثر ہو چکا ہے۔ اور سائل آپ سے انصاف کی توقع رکھتا ہے کہ آپ ضرور انصاف کریں گے۔ سائل دعا گو رہے گا۔

العارض

سلطان محمود (EX. Forest Ranger) 6111018

محکمہ جنگلات انہارواٹرشید ڈویژن مانسہرہ  
RANGE RANGER

(۱) کاپی برائے اطاع IDFO اگرورتاؤل

(۲) کاپی برائے اطاع Uper Hazara CF

(۳) کاپی برائے اطاع CCF II ایٹ آباد ہزارہ

(۴) کاپی ایڈوانس CCF I پشاور KPK

✓ (21)

To

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH  
FOREST SUB DIVISION – RECOVERY THEREOF.

Memo:

Reference your office letter No. 1603/GE dated 21.09.2017.

In response to the letter under reference the undersigned clarified my position as under:

1. The following timber confiscated from various places of Shergarh Forest Sub Division was carried to Sub Divisional headquarter at Shergarh and subsequently transported to Central Sale Depot Mansehra vide Form-D No. 28 dated 01.06.2012 & Form-F No. 99/20 dated 23.06.2012 through Mr. Dost Muhammad Forester and handed over to Mr. Mir Afzal Forester I/C of the depot under proper receipt.

i.	12 Kail Scants	=	66.0 Cft
ii.	21 Kail Scants	=	<u>73.29 Cft</u>
	Total	=	<u>139.29 Cft</u>

On pointing out of short fall during 2016 DFO Siran was appointed as Enquiry Officer, who conducted proceeding and recommended recovery of Rs. 72490/- @ Rs. 1000/- per Cft as sale value of 72.49 Cft miss-appropriated timber, vide your Office Order No. 396 dated 15.06.2017. On acceptance of appeal preferred by Mr. Dost Muhammad Forester dated 06.7.2017 against the said order, the Conservator of Forests Upper Hazara vide his Office Order No. 2 dated 15.09.2017 has ordered that:

- i. DFO Agror Tanawal Office Order No. 396 dated 15.06.2017, is hereby set-aside and Mr. Dost Muhammad Forester is exonerated from the charges resulted into recovery of Rs. 72490/-.
- ii. The depot: I/C as recommended by the DFO Agror Tanawal in his letter referred is not responsible for the mentioned timber. The SDFO Shergarh shall have to consult record pertaining to the said timber and its further status. In case of failure recovery should be made from the then SDFO Shergarh after fulfillment of pre-requisites as per rules.

In view of the above:

- a. The undersigned did not provided opportunity to consult record of said timber.
- b. The CF Upper Hazara or DFO Agror Tanawal has not conducted Denove enquiry to probe the matter and fix the responsibility.
- c. The CF Upper Hazara Circle Mansehra has not ordered for recovery from the undersigned rather asked for fulfillment of pre-requisite as per rules.

- d. Has any procedure adopted by the competent forum and undersigned provided with opportunity of personal hearing or made a part and parcel of any enquiry proceedings, if not then how he can be held guilty for miss-appropriation of timber or imposed hypothetical penalty of recovery. This is against the natural justice and fundamental law of the country.
- e. As the consignment of 33 Scants = 139.29 Cft timber reached the depot under a single and same Form-D out of which 12 Scants = 66 Cft disposed off through open auction then how the remaining timber i.e. 21 Scants = 73.29 Cft is miss-appropriated.

It is requested to re-enquire the subject case for providing justice to all stack holder of the case.

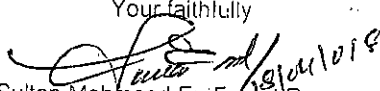
The case of Kalashnikov so far is concerned the undersigned on the telephonic directions of the then DFO Agror was on visit to Darband on 15 & 16.10.2012. The Chowkidar of Shergarh Forest Sub Division was directed for proper look after but he being suffering complex mentally did not paid due care properly. When I came back to office/residence found missing one Kalashnikov bullets and amount of Rs. 120000/- as compensation recovered from various offenders.

The undersigned immediately lodged FIR No. 384 dated 17.10.2012 in Police Station Oghi and reported the matter to Divisional Office vide SDFO Shergarh No. 43 dated 17.10.2012 and 31.01.2013. The theft amount of Rs. 120000/- was remitted into the Govt. account from my own pocket and case of Kalashnikov was under enquiry with Police.

The undersigned was subsequently transferred from Shergarh Sub Division during January 2013, therefore neither Department nor Police has contacted/called for any investigation/enquiry. After my transfer the DFO Agror Tanawal & SDFO Shergarh were duty bound to pursue the case with concerned Police Station for recovery of theft assets.

It is therefore requested that the charges of Rs. 72490/- and one Kalashnikov against the undersigned be withdrawn please.

Your faithfully

  
Sultan Mehmood Ex-Forest Ranger

Copy to DFO Unhar Watershed Division Mansehra for favor of information and further needful into the case please.

  
Sultan Mehmood Ex-Forest Ranger

(23)



10

The DFO  
Agror Tanawal,

Subject: Non-Preparation of lot Confiscated Timber  
of Shergarh Sub-division.

Ref:- No 1603/GE Dated 21/9/17

Sir,  
It is stated that in the reply of Mr. Dost Muhammad Forester, he confessed that the said timber i.e. 21 Kail Scants he had carried from Shergarh to Manshera Central Timber Depot through Form D No: 28 dated: 01-06-2012 & obtained Form F No. 99/20 dated: 23-06-2012 from the incharge of central Depot. and also admitted that at that time he fulfilled all the formalities and DFO Agror Tanawal (authority for Auction) has auctioned the Timber accordingly.


So, it is clear that at that time Forest had performed his duty on behalf of SDFO Shergarh. He also mentioned that after preparing the lot & size wala and informed the DFO Agror Tanawal for auction - The Timber had been auctioned by DFO Agror Tanawal. The Forester also obliged to say that the Timber have been auctioned and Timber form NO 17 have been mentioned at that time. So may kindly re-check the record.

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and if any deficiency pointed out. The DFO and HC were responsible and this is question mark on them -

I again request - that how your office dragged me in this matter after five years of relinquishment of the the charge of Shergarh Sub-Division

Therefore, I hope that you will drop the allegations altogether. I will be obliged. The reply of Mr. Dost Mohammad Forester here attached.

Yours Faithfully,  
  
Sultan Mehmood, FI  
Ranger I/c of Allai  
w/shed Range  
Dinaha, w/shed DIV.  
Mansehra.

خدمت خباب ڈویژنل ماسٹر انیسٹرل سکن ماسٹ ڈویژنل ماسٹر  
(انٹروائری آفیسر)

عنوان  
رجسٹرڈ

جناب کے سرکار میں حضور ہنگم مذوی کے خلاف خباب ڈی ایف او صاحب آرڈر تناول نے  
اس بات پر افسانہ کاروائی کا اجرا کیا کہ مذوی بدوزن یکم مارچ 2012 تا 31 جنوری  
2015 کے دوران میں ہی کلر شپرز سب ڈویژن سے ڈھلائی پندر سنٹرل ڈیو ماسٹر لائی  
گئی ہے کہ نہ تو کوئی ریکارڈ موجود ہے اور نہ ہی موقع پر لکھی باوجود اسے کہنے  
اس ضمن میں باقاعدہ ایک چھٹی بھی تحریر کی گئی ہے۔

مذوی مندرجہ بالا کے لئے سب سے الزامی گھٹ سے باوجود ذیل الٹاری ہے کہ تمام  
الزام لیسڈاز قیام سے ان گھٹ اور مذوی کی سابقہ ذمہ داری کو داغدار کرنے  
کی نیت نامکمل سازش ہے۔

1۔ یہ کہ کلری مندرجہ ذیل سب سے الزامات شہر گڑھ ماسٹ سب ڈویژن کے مختلف بلڈنگ  
سب سے ہائے سے ضبط کر کے شہر گڑھ سب ڈویژنل آفس میں منتقل بلڈنگ آفیسر  
سب سے گاڑ ڈیپانچا ہے رہے۔ جبکہ بعد میں ایس ڈی ایف او شہر گڑھ کے حکم پر  
زیریں فارم ڈی ماسٹر ڈھلائی کرتے اور نام "آ" حاصل کرنے کے بعد لاٹ وارہ  
جناب ایس ڈی ایف او صاحب کے والہ کرنا میر کی ذمہ داری تھی جو میں نے اس لئے  
سے سرانجام دی۔ رقم 2587.55 کلرٹ کلر سے کلر شہر ماسٹر کے  
زیر نگرانی ڈھلائی گئی تھی اور کچھ مندرجہ ذیل ماسٹ گاڑی۔

2۔ جب نام "آ" ایف او ماسٹر ڈیو ماسٹر جاری کرتا ہے تو اس کے بعد اس کلر کی  
جملہ ذمہ داری اس پر عائد ہوتی ہے۔ اس کے لئے کسی زیر نگرانی باقاعدہ ڈیو ماسٹر میں موجود  
جملہ کلر کی جو کچھ جاری کرتا ہے۔ اس کلر کی ذمہ داری ہے جو ایف او ماسٹر کے تعاون سے سرکاری

3۔ اگر حضرت DF صاحب آرڈر تناول کلر جو ماسٹر ڈھلائی کی تھے کے بعد مندرجہ ذیل کے  
جملہ ریکارڈ تفصیل سے چیک کرتے تو زیر نگرانی انٹروائری کی نوبت ہی نہ آتی۔ اس لئے  
سب سے الزامات میں ذمہ دار باقاعدہ چھٹی چھٹی لکھوں کی شکل میں مندرجہ  
ہونے کے بعد ذمہ دار کی نہ واجبات۔ چھ کرنے کے آگے ہیں مگر اس کے باوجود

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زیر تجویز انٹوائزی کا اجرا کرنے میں دستخط کی شہرت۔ وہ اندازی کو داغدار کر  
 گا راہ ہموار کی گئی۔ جیسے جملہ ریکارڈ دفتر میں موجود ہیں اور بجائے زیر تجویز انٹوائزی  
 کے اجرا کے متعلقہ دفتری اہلکار سے پوچھ گچھ کی برقی تو حقیقت سامنے آسکتی۔

4- جناب ڈی ایف او صاحب نے دفتر میں بار بار اس بات کی طرف توجہ دینے کی کوشش کی  
 کہ دفتر میں موجود ریکارڈ نیلڈی کے ریکارڈ کو حلف لیا جاوے تاکہ حقائق سامنے آسکیں  
 لیا جاتا ہے تو اس سے جملہ کوائف کو ہی ذمہ دار ٹھہرایا گیا۔ حالانکہ جیب لاک وارہ دیکھ  
 نہ پیدا ہو۔

5- فزوی نے کارس کا ذمہ داری سے سرانجام دیا ہے۔ جملہ ریکارڈ کی تفصیل لیدر ڈھلانی  
 سٹریٹ ڈیو اور وہولٹی قائم ایف واک وارہ مرتب کرتے ہیں اور اس ڈی ایف او صاحب  
 شہر ڈھلانی دفتر ڈی ایف او صاحب ارسال کرتے رہے۔ اگر مئی 2012ء تا جنوری 2015ء  
 کا جملہ ریکارڈ حلف لیا جائے تو حقیقت سامنے آجائے گی۔

6- یہاں ریکارڈ سٹریٹ ڈیو ماہرہ جائزہ شدت سے درج جملہ ریکارڈ لیدر ڈھلانی  
 نیز یہ مختلف لاکھ ہائے ضروریہ آٹھا کر لے گئے ہیں۔ جس کی تفصیل لیدر ڈھلانی  
 افسوس اس بات کا ہے کہ جملہ ریکارڈ دفتر میں موجود ہونے کے باوجود فزوی  
 کا حقیقت کو بنام کرنے کی فزوم کو شش کی گئی جس کے نتیجے میں زیر عمل انٹوائزی  
 کا اجرا کیا گیا۔ جو فزوی کے ساتھ سرانظر ظلم اور نا انصافی ہے۔  
 فزوی نے ہمیشہ اپنی ڈیوٹی نہایت اہسن کر لیا ہے سرانجام دینے کی کوشش کی اور  
 کو پتہ ہے جی اس پر کاربند رہوں گا۔

یہاں جناب سے التماس کی جاتی ہے فزوی کے ادب کے لئے جملہ  
 الزامات جو حقائق کے بالکل منافی ہیں بری فرمایا جاوے۔

ال دہرہ  
المستقرم

روستہ ٹرمارٹر شہر ڈھلانی نارنگ سب ڈویژن۔

31/05/2016

Handwritten marks and initials at the bottom left corner.





(27)

to

The Divisional Forest Officer Aggar-Jamand Forest Division

Subject: Non preparation of lot of confiscated timber

Letter No 160345 dated 2-09-07

Sir. With due respect I beg to

submit that your letter received

on 25/09/07 in which you inform

that the lot was not prepared

during Jan 07, therefore please

note the following instructions regarding

that timber.

1. Copy of Form No 28

2. Copy of Form No 9120 dt. 23-06-07

3. Reply of Mr. Dood and Sr.

4. Order of auction report

5. The official who designated for

action during that time

Yours faithfully,

*[Signature]*

Mr. Sultan Member of the  
the of Area stated range



(29)

Annexure: E ✓

FOREST DEPARTMENT UNHAR WATERSHED DIVISION MANSEHRA	Phone # 0997-920142
No. <u>    </u> /UWS, Dated <u>27/4</u> /2018	

To

Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FOREST SUB DIVISION - RECOVERY THEREOF.

Memo:

Reference your office letter endstt: No. 1604-6/GE dated 21.09.2017.

Enclosed please find herewith reply of your office letter No. 1603/GE dated 21.09.2017 furnished by Mr. Sultan Mehmood Ex-Forest Ranger for further necessary action in your office. In this connection also link this office letter No. 2156/UWS dated 19.04.2018.

Encl: As Above

Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

No. 2204-09 /UWS

Copy alongwith photo copy of reply of the Ex-Forest Ranger in-continuation of this office endstt: No. 2157-59/UWS dated 19.04.2018 forwarded for favor of information to:-

1. Chief Conservator of Forests Central Southern Forests Region-I Peshawar.
2. Chief Conservator of Forests Northern Forests Region-II Abbottabad.
3. Director Budget & Account Forestry, Environment & Wildlife Department Peshawar.
4. The Conservator of Forests/PD Watershed Management Circle Abbottabad.
5. The Conservator of Forests Upper Hazara Forests Circle Mansehra.
6. Mr. Sultan Mehmood Forest Ranger.

Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

(30)

To

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FOREST SUB DIVISION - RECOVERY THEREOF.

Memo:

Reference your office letter No. 1603/GE dated 21.09.2017.

In response to the letter under reference the undersigned clarified my position as under:

1. The following timber confiscated from various places of Shergarh Forest Sub Division was carried to Sub Divisional headquarter at Shergarh and subsequently transported to Central Sale Depot, Mansehra vide Form-D No. 28 dated 01.06.2012 & Form-F No. 99/20 dated 23.06.2012 through Mr. Dost Muhammad Forester and handed over to Mr. Mir Afzal Forester I/C of the depot under proper receipt.

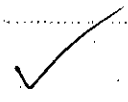
i.	12 Kail Scants	=	66.0 Cft
ii.	21 Kail Scants	=	<u>73.29 Cft</u>
	Total	=	<u>139.29 Cft</u>

On pointing out of short fall during 2016 DFO Siran was appointed as Enquiry Officer, who conducted proceeding and recommended recovery of Rs. 72490/- @ Rs. 1000/- per Cft as sale value of 72.49 Cft miss-appropriated timber vide your Office Order No. 396 dated 15.06.2017. On acceptance of the said order by the Conservator of Forests Upper Hazara dated 06.7.2017 against the said order, the Conservator of Forests Upper Hazara vide his Office Order No. 2 dated 15.09.2017 has ordered that:

- i. The Agror Tanawal Office Order No. 396 dated 15.06.2017, is hereby set-aside and Mr. Dost Muhammad Forester is exonerated from the charges resulted into recovery of Rs. 72490/-
- ii. The depot I/C as recommended by the DFO Agror Tanawal in his letter referred is not responsible for the mentioned timber. The SDFO Shergarh shall have to consult record pertaining to the said timber and its further status. In case of failure recovery should be sought from the then SDFO Shergarh after fulfillment of pre-requisites as per rules.

In view of the above:

- a. The undersigned did not provided opportunity to consult record of said timber.
- b. The CF Upper Hazara or DFO Agror Tanawal has not conducted Denove enquiry to probe the matter and fix the responsibility.
- c. The CF Upper Hazara Circle Mansehra has not ordered for recovery from the undersigned rather asked for fulfillment of pre-requisite as per rules.



- d. Has any procedure adopted by the competent forum and undersigned provided with opportunity of personal hearing or made a part and parcel of any enquiry proceedings, if not then how he can be held guilty for miss-appropriation of timber or imposed hypothetic penalty of recovery. This is against the natural justice and fundamental law of the country.
- e. As the consignment of 33 Scants = 139.29 Cft timber reached the depot under a single and same Form-D out of which 12 Scants = 66 Cft disposed off through open auction then how the remaining timber i.e. 21 Scants = 73.29 Cft is miss-appropriated.

It is requested to re-enquire the subject case for providing justice to all stack holder of the case.

The case of Kalashnikov so far is concerned the undersigned on the telephonic directions of the then DFO Agror was on visit to Darband on 15 & 16.10.2012. The Chowkidar of Shergarh Forest Sub Division was directed for proper look after but he being suffering complex mentally did not paid due care properly. When I came back to office/residence found missing one Kalashnikov bullets and amount of Rs. 120000/- as compensation recovered from various offenders.

The undersigned immediately lodged FIR No. 384 dated 17.10.2012 in Police Station Oghi and reported the matter to Divisional Office vide SDFO Shergarh No. 43 dated 17.10.2012 and 31.01.2013. The theft amount of Rs. 120000/- was remitted into the Govt. account from my own pocket and case of Kalashnikov was under enquiry with Police.

The undersigned was subsequently transferred from Shergarh Sub Division during January 2013, therefore neither Department nor Police has contacted/called for any investigation/enquiry. After my transfer the DFO Agror Tanawal & SDFO Shergarh were duty bound to pursue the case with concerned Police Station for recovery of theft assets.

It is therefore requested that the charges of Rs. 72490/- and one Kalashnikov against the undersigned be withdrawn please.

Your faithfully

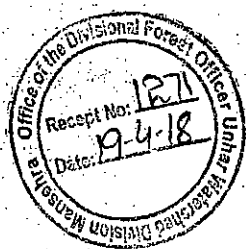
*[Signature]*  
Sultan Mehmood Ex-Forest Ranger 18/04/2018

Copy to DFO Unhar Watershed Division Mansehra for favor of information and further needful into the case please.

*Write to DFO AT. in the context the letter of the Officer with copy to all concerned.*

*DFO 19/04/2018*

*[Signature]*  
Sultan Mehmood Ex-Forest Ranger 18/04/2018



(32)

Annexure: F ✓

OFFICE OF THE CONSERVATOR FOR FORESTS UPPER HAZARA FOREST  
CIRCLE MANSEHRA.

To,

The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi.

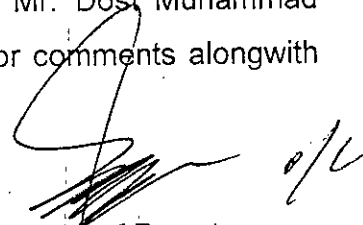
No. 204 /GE, dated Mansehra the 11/07/2017.

Subject: APPEAL AGAINST OFFICE ORDER NO.396, DATED 15/6/2017  
PREFERRED BY MR. DOST MUHAMMAD FORESTER.

Memo:

Enclosed please find herewith an appeal preferred by Mr. Dost Muhammad Forester against office order No.396, dated 15/6/2017 for comments alongwith enquiry file for further necessary action.

Encl: as above.

  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

# بخدمت جناب کنزرویٹر صاحب محکمہ جنگلات اپر ہزارہ فارسٹ سرکل مانسہرہ

عنوان: اپیل برخلاف آفس آرڈر نمبر 396 مجریہ مورخہ 15.06.2017 از دفتر DFO اگرورتاول فارسٹ ڈویژن اوگی

بوساطت: جناب DFO صاحب اگرورتاول

جناب عالی

اپیل کنندہ کسٹیت فارسٹ شیر گڑھ سب ڈویژن میں ڈیوٹی سرانجام دے رہا تھا۔ اس نے اپنی ڈیوٹی کے دوران کچھ ضبط شدہ لکڑی سنٹرل ڈپو مانسہرہ پہنچائی۔ جسکی بعد ازاں نیلامی ہو کر خریداروں کو واہگذا کی گئی۔

اس پر اپیل کنندہ کو 4 یا 5 سال بعد چارج شیٹ دیکر انکوائری کا حکم جاری کیا۔ جس میں تمام لکڑی بمطابق ریکارڈ سنٹرل ڈپو وصول ہو کر نیلام ہو چکی پائی گئی۔ ماسوائے 21 نگ 72.49 مکعب فٹ قسم بیٹا جس کی بابت فاضل انکوائری افسر نے لکھا کہ اپیل کنندہ اس کا کوئی ریکارڈ نہ پیش کر سکا۔ اس پر فاضل انکوائری آفسر نے اپیل کنندہ سے اس لکڑی کی قیمت کی وصولی کی سفارش کی۔ جس پر اپیل کنندہ کو شوکاژ نوٹس جاری ہوا۔ جس کا اپیل کنندہ نے نہ صرف مفصل جواب دیا بلکہ 7 فارم F 99/20 مورخہ 23.06.2012 کی عکسی نقل بھی شامل کی۔ اور اصالتاً پیش ہو کر فارم F 99/20 کی اصل کاپی بھی DFO صاحب کو ملاحظہ کرائی۔ لیکن اس کے باوجود جناب DFO صاحب نے اپیل کنندہ پر 21 نگ قسم بیٹا 72.49 مکعب فٹ کی قیمت کی ریکوری بحوالہ آفس آرڈر نمبر 396 مجریہ مورخہ 15.06.2017 ڈال دی۔

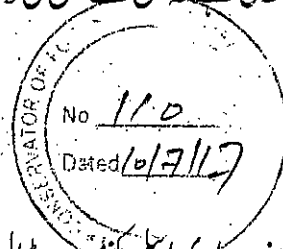
جناب عالی آفس آرڈر نمبر 396 مجریہ مورخہ 15.06.2017 جانبدارانہ ہے۔ جس کی بنا پر قابل تسیح ہے۔ لہذا اپیل کی جاتی ہے کہ آفس آرڈر متذکرہ عنوان منسوخ فرما کر اپیل کنندہ کی سزا معاف فرمائی جائے۔

## وجوہات اپیل:

- ۱- یہ کہ اپیل کنندہ نے لکڑی متذکرہ بالا 21 نگ 72.49 مکعب فٹ بذریعہ فارم D نمبر 28 مجریہ مورخہ اپیل کنندہ 01.06.2012 سنٹرل ڈپولا کر ڈپو آفسر کے حوالہ کر کے فارم F نمبر 99/20 مجریہ مورخہ 23.06.2012 حاصل کر کے جناب SDFO صاحب شیر گڑھ کے حوالہ کی۔
- ۲- یہ کہ اپیل کنندہ نے وہ لکڑی نہ تو خورد برد کی اور نہ ہی اپنی ڈیوٹی میں کوئی کوتاہی کی۔
- ۳- یہ کہ لاٹ بندی کرنا SDFO شیر گڑھ یا ڈپو افسر سنٹرل ڈپو کا کام ہے نہ کہ اپیل کنندہ کا۔
- ۴- یہ کہ لکڑی متذکرہ 21 نگ 72.49 مکعب فٹ ڈپو سے DFO اگرورتاول کی ریلیز آرڈر کے بغیر واہگذا نہیں ہو سکتی۔
- ۵- یہ کہ اپیل کنندہ کو 605 نگ 2587.55 مکعب فٹ کی چارج شیٹ دی گئی جیسا کہ فاضل انکوائری افسر نے لکھا ہے کہ

یہ دفتر IDFO اگر درتاول کا کام تھا کہ وہ ریکارڈ کی پڑتال کرتے۔ جو بغیر پڑتال ریکارڈ اپیل کنندہ کو چارج شیٹ کر دیا گیا۔  
 جملہ لکڑی حوالہ ڈپو انچارج سنٹرل ڈپو کر کے فارم F وصولی لکڑی SDFO صاحب شیر گڑھ کو دے دئے گئے۔  
 ۶۔ یہ کہ اگر 21 نگ 72.49 مکعب فٹ لکڑی ریکارڈ سے پتہ نہیں چلتا تو اس کا اپیل کنندہ کسی بھی طرح ذمہ دار نہیں  
 کیوں کہ اپیل کنندہ نے وہ لکڑی سنٹرل ڈپو پہنچا کر فارم F نمبر 99/20 مجریہ مورخہ 23.06.2012 حوالہ SDFO  
 شیر گڑھ کر دیا اپیل کنندہ کی ذمہ داری اتنی ہی تھی۔

۷۔ یہ کہ اپیل کنندہ نہ تو ڈپو انچارج تھا اور نہ ہی یہ لکڑی اس کی تحویل میں تھی۔ لہذا اس کی ذمہ داری اگر ریکارڈ سے پتہ نہیں  
 چلتا تو سنٹرل ڈپو انچارج یا SDFO شیر گڑھ کی ہے کہ اس نے اس کی لاٹ بندی کی یا نہ۔ لیکن اپیل کنندہ کسی بھی طرح  
 اس کا ذمہ دار نہیں۔



عالیجاہ:

درج بالا حقائق سے واضح ہوتا ہے کہ کسی اور کی ذمہ داری اپیل کنندہ پر ڈال دی گئی ہے جس سے صاف ظاہر ہے کہ آفس آرڈر نمبر  
 396 مجریہ مورخہ 15.06.2017 جانبدارانہ ہے۔ اور قابل تنسیخ ہے۔  
 لہذا اپیل کی جاتی ہے کہ آفس آرڈر نمبر متذکرہ بالا منسوخ فرما کر اپیل کنندہ کو بری فرمایا جاوے۔ مزید اپیل کی جاتی ہے کہ اپیل  
 کنندہ کو اصالتاً پیش ہو کر مزید وضاحت کی اجازت مرحمت فرمائی جاوے۔

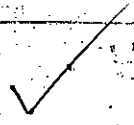
اپیل کنندہ  
 6/07/2017  
 دوست محمد فارستر

شیر گڑھ بلاک

EC  
 10/7



35



FORM NO. F. D. 27-E.

Exploitation Form No. *Sub No. 99* District No. *99*

Book No. 20 Forest Officer  
Department N.W.F.P.

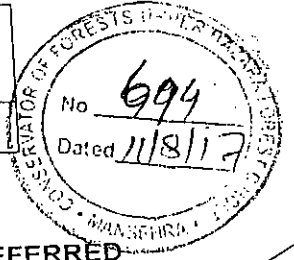
The timber detailed below has been handed over to me from Exploitation Sub-Section No. .... of the ..... Hazara Exploitation Sub-Division for delivery at the Sale/Intermediate Depot at .....  
(Triplicate)

KIND OF TIMBER	Dimensions	No. of pieces
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<i>Handwritten timber description</i>	<i>Handwritten dimensions</i>	<i>Handwritten number</i>
<b>TOTAL</b>	<i>Handwritten total dimensions</i>	<i>Handwritten total pieces</i>

Dated *23/6/2017* .....  
The ..... 198 ..... Carriage Contractor  
(To be sent to Officer-in-charge. Sale/Intermediate Depot concerned)

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Mohammad Siddique Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. <u>630</u> /GE		Dated <u>10</u> /08/2017



The Conservator of Forests  
Upper Hazara Forest Circle Mansehra

Subject: APPEAL AGAINST OFFICE ORDER NO. 396 DATED 15-6-2017 PREFERRED BY MR. DOST MUHAMMAD FORESTER.

Reference Your office letter No. 204/GE dated 11-7-2017

The exposition narrated by appellant in the introductory / preliminary para of his appeal is correct as per record of this office.

Now Para wise comments are furnished as under:-

1. It is correct to the extent of references quoted by the appellant but he would have been a " proactive official" if he would have processed the lot of missing timber despite the fact that this was not the mandatory obligation of the appellant.
2. Correct.
3. Correct to the extent of explanation given in para No. 1.
4. Correct but this office is silent about any such release order entailing the detail of timber in question.
5. No, the appellant alongwith SDFO Shergarh of that era would have provided the exact detail of timber in question.
6. Correct to the extent of explanation given in para-1 consented with para-3
7. Correct to the extent that now present incharge of Central Sale Depot Mansehra can exactly locate the position of the consignment under reference.

To sum up and connect above paras, it is easily concluded that:-

1. The contentious consignment has been surely transported to its destiny at Central Sale Depot Mansehra .
2. The contents of the appeal of the appellant carry weight in the eyes of law and merit/ qualify for sympathetic consideration.
3. The whereabouts of the missing timber ( 21 Kail Scants = 72.49-Cft) need to be ascertained from the concerned corner.

Hence keeping in view above exposition, it is requested/ recommended that:-


- a. The instant appeal may be valued and thumbed up.
- b. In order to ascertain the factual position of the missing timber, DFO Siran may kindly be approached to get the matter probed through present Incharge Sale Depot Mansehra.

The original enquiry file from page-01 to 70 is enclosed herewith for necessary action and returned when the same are no longer required, please.

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

Encl: As Above:

(37)

Muhammad Younas Conservator of Forests Upper Hazara Forest Circle Mansehra		Jalalabad Chowk, Opp: NBP Shahrahe-Resham Mansehra Phone # 0997-920143 Fax # 0997-381409
No. 1234 /GE		Dated 18/8/2017

To,

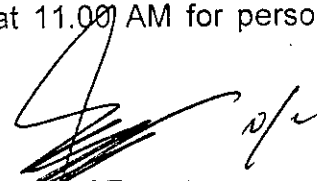
Mr. Dost Muhammad Forester  
c/o Divisional Forest Officer,  
Agror Tanawal Forest Division Oghi.

**Subject: APPEAL AGAINST OFFICE ORDER NO.396, DATED 15/06/2017  
PREFERRED BY MR. DOST MUHAMMAD FORESTER.**

Memo:

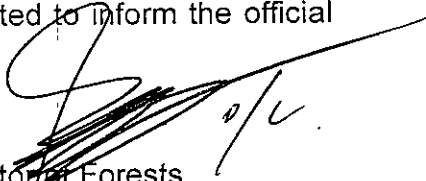
Reference this office No.1009/GE, dated 18/8/2017

Please appear before the undersigned on 08/09/2017 at 11.00 AM for personal hearing in connection with the subject case.

  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

No: 1235/GE

Copy in continuation of this office No.1010/GE, dated 18/8/2017, forwarded to DFO Agror Tanawal Forest Division Oghi for information. He is directed to inform the official for personal hearing on due date.

  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

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Muhammad Younas Conservator of Forests Upper Hazara Forest Circle Mansehra		Jalalabad Chowk, Opp: NBP Shahrache-Resham Mansehra Phone # 0997-920143 Fax # 0997-381409
No. <u>1009</u> IGE	Dated <u>18</u> /8/2017	

To,

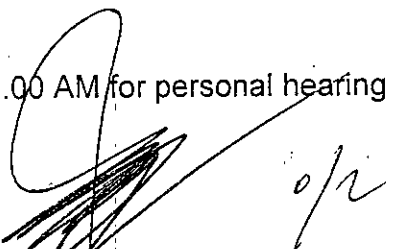
Mr. Dost Muhammad Forester  
 c/o Divisional Forest Officer,  
 Agror Tanawal Forest Division Oghi.

**Subject: APPEAL AGAINST OFFICE ORDER NO.396, DATED 15/06/2017  
 PREFERRED BY MR. DOST MUHAMMAD FORESTER.**

Memo:

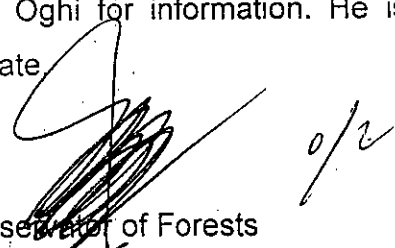
Reference your appeal dated 6/7/2017 and comments of DFO Agror Tanawal vide No.630/GE, dated 10/8/2017.

Please appear before the undersigned on **05/09/2017** at 11.00 AM for personal hearing in connection with the subject case.


  
 Conservator of Forests  
 Upper Hazara Forest Circle  
 Mansehra

No: 1010 IGE

Copy forwarded to DFO Agror Tanawal Forest Division Oghi for information. He is directed to inform the official for personal hearing on due date.

  
 Conservator of Forests  
 Upper Hazara Forest Circle  
 Mansehra

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Muhammad Younas Conservator of Forests Upper Hazara Forest Circle Mansehra		Jalalabad Chowk, Opp: NBP Shakrahe-Resham, Mansehra Phone # 0997-920143 Fax # 0997-381409
No. <u>1616</u> IGL	Dated <u>19/9/2017</u>	

To,

The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi.

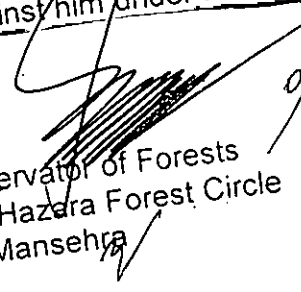
Subject: OFFICE ORDER NO.02, DATED 15/9/2017.

Memo: Reference this office order No.02, dated 15/9/2017.

As cleared from the enquiry proceeding by the enquiry committee that the responsibility of making lots in the depot and accordingly send of the Divisional office is of SDFO concerned.

In the instant case, the timber Form-D No.28, dated 01/6/2012 and Form-F No.99/20, dated 23/6/2012 properly carriage to Central Timber Depot Mansehra, out of which 12 Kail scants=66.00 cft has already been auctioned, whereas 21 Kail scants=73.29 cft was not put to auction by the reason best known by the SDFO concerned and the then DFO Agror Tanawal.

It is, therefore, you are requested to probe into the matter and thresh out the SDFO of that time and ask him to show the reason for that irregularity. In case he can give any reason for the same, otherwise take necessary legal action against him under intimation to this office please.

  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

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OFFICE ORDER NO. 02 DATED MANSEHRA THE 15 /09/2017, ISSUED BY  
MUHAMMAD YOUNAS, CONSERVATOR OF FORESTS, UPPER HAZARA FOREST CIRCLE  
MANSEHRA.

**READ WITH:**

- i. Charge Sheet bearing No.3871-73/GE, dated 16/02/2016.
- ii. Statement of allegation No.3859-61/GE, dated 16/02/2016.
- iii. Reply to the charge sheet/statement of allegation furnished by Dost Muhammad Forester dated 31/05/2016.
- iv. Personal hearing of accused dated 24/11/2016.
- v. Report of enquiry officer vide letter No.4398/GE, dated 29/11/2016.
- vi. DFO Agror Tanawal show cause notice No.2407/GE, dated 12/01/2017.
- vii. Reply to the show cause notice dated 24/4/2017.
- viii. Personal hearing of the accused dated 18/5/2017.
- ix. Appeal of the accused official.
- x. Comments submitted vide DFO Agror Tanawal letter No.630/GE, dt: 10/8/2017.
- xi. Personal hearing of the accused dated 08/09/2017.

**BRIEF HISTORY OF THE CASE**

Consequent upon detection of shortage in timber transported from various localities of Agror Tanawal Forest Division to Central Timber Sale Depot Mansehra through Form-D, Mr. Dost Muhammad Forester was charge sheeted vide DFO Agror Tanawal Forest Division endorsement No.3871-73/GE, dated 16/02/2016 and Mr. Muhammad Riaz DFO Siran was appointed as an Enquiry Officer to initiate disciplinary proceedings against the accused official.

After detail enquiry under the domain of Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 and in pursuance with the recommendation of Enquiry Officer contained in enquiry report, the DFO Agror Tanawal in the capacity of Authority after completion of coddle formalities imposed recovery of Rs.72490/- on the accused Forester on account of shortage of 72.49 Cft Kail timber at prevailing market rates of Rs.1000/- vide office order No.396, dated 15/6/2017.

Being aggrieved, Mr. Dost Muhammad Forester preferred an appeal dated 06/7/2017 before the undersigned being Appellate Authority which was sent to DFO Agror Tanawal vide Conservator of Forests, Upper Hazara Forest Circle letter No.240/GE, dated 11/7/2017 for comments. In compliance, the DFO Agror Tanawal Forest Division Oghi vide his letter No.630/GE, dated 10/8/2017 furnished para-wise comments with the following recommendations:

- a. The instant appeal may be valued and thumbed up.
- b. In order to ascertain the factual position of the missing timber, DFO Siran may be approached to get the matter probed through present Incharge Sale Depot Mansehra.

The appellant also heard in person on 8/9/2017 as per provision of rules during which he substantiated and reviewed his stance as mentioned in the appeal.

**DISCUSSION**

According to the rules and procedure in vogue, it was the prime responsibility of SDFO Shergarh to arrange transportation of seized/confiscated or departmentally procured timber either from Sub-Divisional headquarter or elsewhere to Timber Sale Depot at Mansehra through Form-D to be signed under his own signature and then assigned the task to any official to

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accompany the vehicle loaded with timber upto the mentioned destination and get the said consignment acknowledged from Depot Incharge on Form-F. Thereafter it was sole responsibility of SDFO Shergarh to prepare lot and transmit lot-wara to Divisional Office for its further processing for disposal/sale under the settled procedure. The appellant in compliance with the directives of his incharge, SDFO Shergarh, has transported 21 Kail Scants=73.29 Cft from Shergarh Forest Sub-Division to Central Sale Depot Mansehra alongwith other consignment through Form-D bearing No.28 and handed over the same in Central Sale Depot Mansehra by obtaining proper Form-F bearing No.99/20 on 23/6/2012 which indicates that the appellant Mr. Dost Muhammad Forester accomplished the assigned task most swiftly. It was the liberty of SDFO Shergarh to prepare proper sizewara of timber/lot for submission to Divisional Office and to ensure its disposal through open auction on scheduled date but he failed.

### CONCLUSION

The crux of the above discussion invariable concludes that the appellant has accomplished the assigned task properly and dedicatedly therefore the punishment so awarded by the DFO Agror Tanawal is not justified. It was the liberty of SDFO Shergarh to follow the matter with regard to disposal of mentioned consignment after its receipt in Central Timber Sale Depot Mansehra for which he shall be asked for.

### ORDER

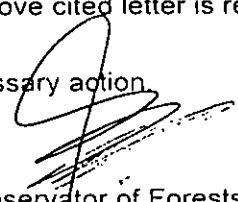
Keeping in view the above discussion and conclusion, the undersigned in the capacity of Appellate Authority do hereby order that:

1. The DFO Agror Tanawal Forest Division Oghi office order No.396, dated 15/6/2017 is hereby set-aside and Mr. Dost Muhammad Forester is exonerated from the charges which resulted into the recovery of Rs.72490/-.
2. The Depot incharge as recommended by the DFO Agror Tanawal in his referred letter is not responsible for the mentioned timber. The SDFO Shergarh shall have to consult record pertaining to the said timber and its further status. In case of failure recovery should be made from the then SDFO Shergarh after fulfillment of pre-requisites as per rules.

Sd/-  
(Muhammad Younas)  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

Copy forwarded to:

1. Divisional Forest Officer, Agror Tanawal Forest Division Oghi for information and necessary action. The enquiry file received vide your above cited letter is returned herewith.
2. Mr. Dost Muhammad Forester for information and necessary action.
3. Office order file.

  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

42



<b>Mohammad Siddique</b> Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. _____ /GE		Dated 21 /09/2017

Mr. Sultan Mehmood  
 Deputy Ranger the then  
 Incharge Shergarh Forest Sub-Division  
 c/o DFO Unhar Watershed Division  
 Mansehra

Subject: **NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FOREST SUB-DIVISION- RECOVERY THEREOF.**

The timber i.e 21 Kail Scants = 72-49 of Form- D No. 28 dated 1-6-2012 was transported from Shergarh Forest Sub-Division to Central Sale Depot Mansehra by you, but lot was not prepared due to which the timber was missed without auctioning, in this regard disciplinary proceedings was initiated against M/S Zulfaqar Khan Forester the then Incharge Shergarh Forest Sub-Divison, Mr. Dost Mohammad and Mr. Sher Badhar Foresters and appointed Mr. Muhammad Riaz Divisional Forest Officer Siran Forest Division Mansehra as enquiry officer to initiate disciplinary proceedings against the accused official. After detail enquiry under the domain of Khyber Pakhtunkhwa Government Servant ( E&D) Rules 2011 and in pursuance with recommendation of Enquiry Officer contained in enquiry report, imposed recovery of Rs. 72490/- on Mr. Dost Mohammad Forester on account of shortage of 72.49-Cft Kail timber at prevailing market rates of Rs. 1000/- vide office order No. 396 dated 15-6-2017.

The Forester preferred an appeal to the appellate authority (Conservator of Forests Upper Hazara Forest Circle Mansehra, who decided the case vide office order No. 02 dated 15-9-2017 ( Copy enclosed) that according to the rules and procedure in vogue, it was the prime responsibility of SDFO Shergarh to arrange transportation of seized/ confiscated or departmentally procured timber either from Sub-Divisional headquarter or elsewhere to timber Sale Depot at Mansehra through Form-D to be signed under his own signature and then assigned the task to any official to accompany the vehicle loaded with timber upto the mentioned destination and get the said consignment acknowledged from Depot Incharge on Form-F. Thereafter it was sole responsibility of SDFO Shergarh to prepare lot and transmit lot-wara to Divisional Office for its further processing for disposal/ sale under the settled procedure. The Forester namely Dost Muhammad in compliance with your directives has transported 21 Kail Scants = 72.49-Cft from Shergarh Forest Sub-Division to Central Sale Depot Mansehra alongwith other consignment through Form-D bearing No. 28 and handed over the same in Central Sale Depot Mansehra obtaining proper Form-F bearing No. 99/20 on 23-6-2012 which indicates that the Forester accomplished the assigned task swiftly. It was your responsibility being Incharge Sub-Division to prepare proper sizewara of timber / lot for submission to Divisional Office and to ensure its disposal through open auction on scheduled date but you failed to do so.



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The appellate authority ordered that DFO A.T office-order No. 396 dated 15-9-2017 is hereby set-aside and Mr. Dost Muhammad Forester is exonerated from the charges which resulted into the recovery of Rs. 72490/- and the Depot Incharge as recommended by the DFO A.T in his referred letter is not responsible for the mentioned timber. The SDFO Shergarh at that time shall have to consult record pertaining to the said timber and its further status and recovery should be made from the then SDFO Shergarh.

To conclude above ex-position you being the then Incharge Shergarh Forest Sub-Division guilty/responsible for the said missing timber from Central Sale Depot Mansehra with.

You are therefore directed to immediately deposit the recovery amount viz Rs. 72490/- into Government Treasury immediately and provide Treasury Challan to this office, so that further action could be taken in the matter accordingly, in case of failure disciplinary proceeding will be initiated against you under the provision of E&D Rules, 2011.

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

No. 1604-06 /GE

Copy forwarded to :-

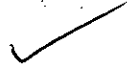
1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information with reference to his office order No. 02 dated 15-9-2017 & No. 1616/GL dated 19-9-2017 please.
2. The Divisional Forest Officer Unhar Watershed Division Mansehra for information and necessary action. He is requested to deliver the above letter to the above named Deputy Ranger under proper receipt which should be sent to this office for further course of action please,
3. Divisional Accountant for information and necessary action.


1844  
25/9/17  
ER  
CF 25/9

Encl: As Above:

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

44



Muhammad Younas Conservator of Forests Upper Hazara Forest Circle Mansehra		Jalalabad Chowk, Opp: NBP Shahrahe-Resham, Mansehra Phone # 0997-920143 Fax # 0997-381409
No. 1850 /GE		Dated 02 <sup>10</sup> /9/2017

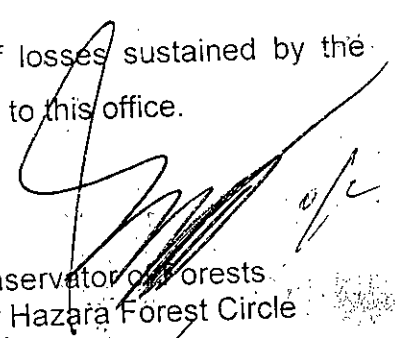
To,

The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi.

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FOREST SUB-DIVISION- RECOVERY THEREOF.

Memo: Reference your endorsement No.1604-06/GE, dated 21/9/2017.

Please pursue the case vigorously and ensure recovery of losses sustained by the Govt: amounting to Rs.72490/- at the earliest under intimation to this office.

  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

(45)

615 61

OFFICE OF:

QAISER REHMAN KHAN

Advocate High Court

Office: Opposite Sherpao Lawyers Plaza, District Courts, Abbottabad.

Mob# 0313-5837689

**NOTICE UNDER REGISTERED A.D**

To

1. Secretary Forest (Environment) Department, Govt of KPK, Peshawar.
2. Divisional Forest Officer, Agror and Tanawal, Mansehra.
3. Head of Budget and Accounts (Pension) Forestry, Environment and Wildlife Department, Peshawar.
4. Chief Conservator of Forest, Central Southern Region-I, Shami Road. Peshawar.
5. Chief Conservator of Forest Region-II, Abbottabad.
6. Conservator / Project Director Watershed Management Abbottabad.
7. Divisional Forest Officer, Unhar Watershed, Mansehra.

**SUBJECT: INTIMATION NOTICE REGARDING THE WRIT PETITION**

*Undersigned* has filed a Writ Petition titled "Sultan Mohammad VERSUS "Chief Conservator of Forest, Central Southern Region-I, Shami Road. Peshawar & Others" before the Honourable Peshawar High Court, Peshawar. You are hereby served with the instant notice under the requirement of law for information please.

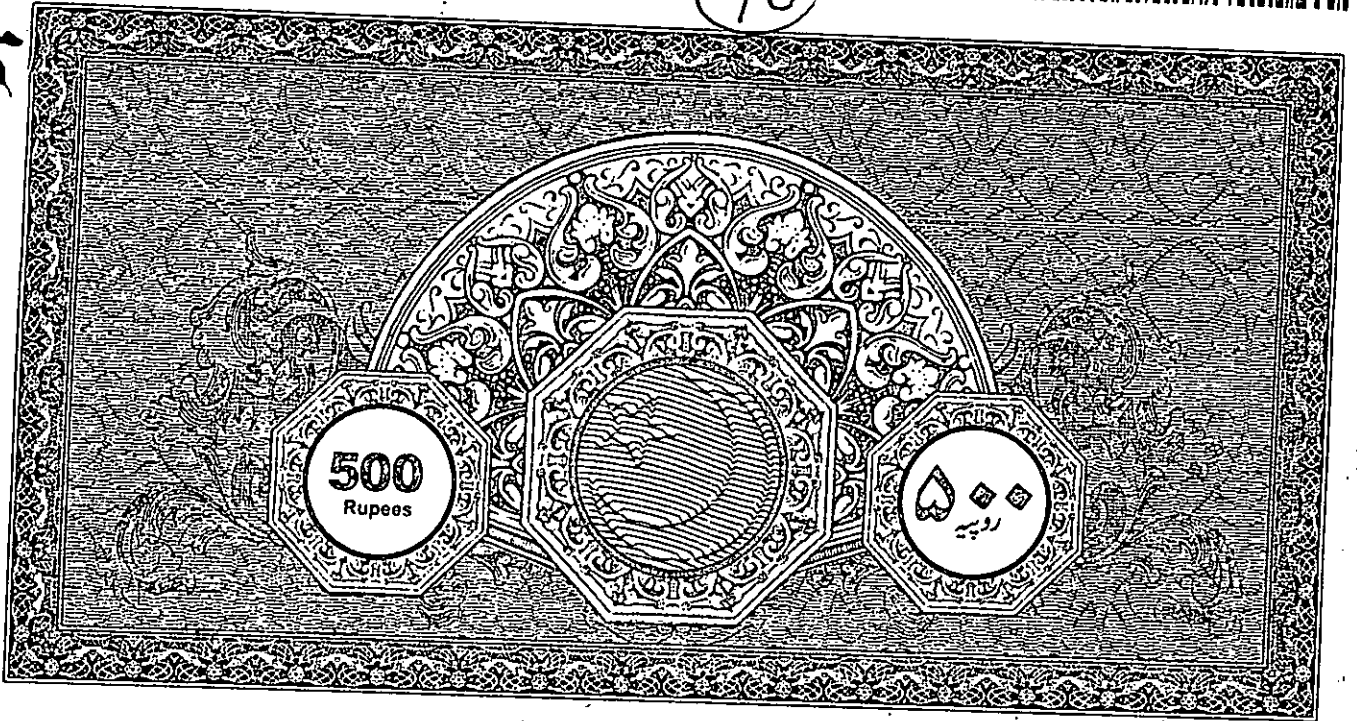
*Copy of the writ petition is also annexed herewith for ready reference.*



(QAISER REHMAN KHAN)

Advocate High Court,  
Abbottabad

Dated:- 23 / 7 / 2019



PAKISTAN COURT FEE

پاکستان کورٹ فیس 500 روپے

سلطان محمود vs صرف کٹنگ اور کٹنگ کے لئے

5 روپے

24.7.19 . اس کے لئے

سلطان محمود

0313-5837689  
0314-4408943

47

کورٹ فیس

وکالت نامہ

لشاور پٹی کورٹ، ایبٹ آباد - بیچ  
عنوان: سلطان محمود بنام چیف کنزرویٹو آف فارمسٹ وغیرہ  
منجانب: پیشتر  
نوعیت مقدمہ: رجسٹریشن

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسے پیروی و جواب دہی کل کاروائی متعلقہ آس مقام  
میسور محمد خان ایڈووکیٹ، عثمان علی خان ایڈووکیٹ

کو وکیل مقرر کر کے اقرار کرے۔  
موصوف کو کرنے راضی نامہ  
وصولی چیک روپیہ و عرضی ذ  
کی کل یا کسی جزوی کاروائی  
بھی ہوگا اور صاحب مقرر  
قبول ہوگا۔ دوران مقدمہ  
نیز بقایا رقم وصول کرنے کا حق اختیار ہوگا۔  
پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف  
مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست براد استجارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کے  
پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔  
لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

رکاز اختیار  
تھ کو منظور  
ہوں گے۔  
ب موصوف

HIGH COURT BAR ASSOCIATION  
ABBOTTABAD BENCH

S. No. 10645 Date of Issue: 24/7/19  
Name of Advocate: محمد سعید  
B.C. No. 24-5094 H.C.B.A. No. 648A  
Other Bar Adv's I.D. No.  
Place of Practice: ATD  
Sign. of Issuing Authority: [Signature]

الرقوم: 24.7.19

بمقام مسٹر سعید

Accepted  
[Signatures]

313-5837689-5  
1717-4408943  
[Signature]

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

**Appeal No. 1556/2019**

**W.P No. 846/2019**

Sultan Mehmood S/O Fida Muhammad, resident of Gulfam Town, Mian-de-seri,  
Tehsil and District, Abbottabad.

(Petitioner)

Versus

- 1) Secretary Forest (Environment) Department, Govt: of KPK, Peshawar.
- 2) Divisional Forest Officer Agror Tanawal Forest Division Mansehra.
- 3) Head of Budget and Accounts (Pension) Forestry, Environment and Wildlife Department, Peshawar.
- 4) Chief Conservator of Forest, Central Southern Region-I, Shami Road, Peshawar.
- 5) Chief Conservator of Forest, Northern Forest Region-II Abbottabad
- 6) Conservator of Forests Watershed management Circle Abbottabad.
- 7) Divisional Forest Officer Unhar Watershed Division, Mansehra

(Respondents)

REPLY/PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO.1 TO 7

Respectfully Sheweth

PRELIMINARY OBJECTIONS

1. That the instant petition is not maintainable.
2. That the instant petition is barred by law and badly time barred.
3. That the petitioner has got no cause of action.
4. That the petitioner has got no locus standi.
5. That the petition is bad for mis-joinder and non-joinder of necessary and proper party.
6. That the petitioner has not come to this court with clean hands.

REPLY ON FACTS

- 1) It is correct that the petitioner had served in the Forest Department for about 39 years, 7 month and 11 days and retired from service vide Chief Conservator of Forests Central Southern Forest Region-I Peshawar Office Order No. 139 dated 10.04.2018. Copy attached as **Annex-A.**

- 2) It is correct. But an amount of Rs. 72490/- was outstanding against the petitioner on account of missing timber i.e. 21 Kail Scants = 72.49 Cft. It is also pertinent fact that Rs. 120000/- on account of Compensation Money and one number Government Kalashnikov was stolen from office of Petitioner SDFO Shergarh Forest Sub Division of Agror Tanawal Forest Division Mansehra for which the petitioner in the capacity of SDFO Shergarh Forest Sub Division lodged FIR No. 384 dated 17.10.2012 under Section 380/34-PPC (Copy enclosed as **Annex-B**) in Police Station Oghi against unknown accused. After investigation, the Police Investigation Officer submitted Challan against the accused Shams-ud-din alias Papu & Qadeer Ahmed S/O Muhammad Bashir of Shergarh in the court. The case remained under trial and finally the Court of Civil Judge-Cum Judicial Magistrate 1<sup>st</sup> Class Oghi acquitted the accused vide Judgment dated 26.03.2014 (Copy enclosed as **Annex-C**). Thereafter the petitioner had not challenged the court judgment and remitted the Government Money viz: Rs. 120000/- into Government treasury but the Government Kalashnikov remained outstanding against the petitioner. Therefore the DFO Agror Tanawal Forest Division Mansehra had not issued NOC hence the Budget & Account Officer (Pension)/ Department has not paid his emoluments till date.
- 3) It is correct. The Chief Conservator of Forests, Central Southern Forest Region-I has correctly directed the Chief Conservator of Forests Region-II Abbottabad for recovery of Rs. 72490/- on account of missing timber and one number Government Kalashnikov stolen from the office of petitioner as the amount in question and one Kalashnikov are outstanding against the petitioner.
- 4) It is in-correct. Before issuance of retirement office order No. 139 dated 10.04.2018 the petitioner had repeatedly been directed to remit outstanding amount of recovery viz: Rs. 72490/- on account of missing timber vide DFO Agror Tanawal Forest Division letter No.1603-06/GE dated 21.09.2017 (handed over to petitioner on 25.09.2017), letter No. 1803-06/GE dated 10.10.2017 (Handed over to petitioner on 19.10.2017), letter No. 1442-45/GE dated 22.01.2018, (handed over to petitioner on 23.01.2018), letter No. 5844-46/GE dated 22.03.2018 (Handed over to the petitioner on 29.03.2018. Acknowledgements of the above Four (04) letters obtained from the petitioner are attached as (**Annex-D, E, F & G**) thus the DFO Agror Tanawal Forest Division Mansehra had correctly refused the NOC and asked to remit Rs. 72490/- on account of missing timber and price/value of one number stolen Kalashnikov.
- 5) It is correct. Detail reply already given in above Paras.

- 6) It is correct. Detail reply given in Paras ibid.
- 7) Already explained in Para No. 2 above.
- 8) It is correct. The petitioner admitted the offence and stolen amount viz Rs. 120000.00 was remitted in treasury but he failed to pay the price of one number Government Kalashnikov stolen from office of petitioner.
- 9) It is in-correct. Proper enquiry relating to missing timber was conducted (Annexure – H ) and the petitioner was held responsible for missing timber vide Conservator of Forests Upper Hazara Forest Circle Mansehra Office Order No. 02 dated 15.09.2017 (Annexure-I)
- 10) It is in-correct. As per Office order No. 02 dated 15.09.2017 of Conservator of Forests, Upper Hazara Forest Circle Mansehra the petitioner was bound to consult the record pertaining to missing timber but he failed to do so therefore the amount of Rs. 72490/- is required to be recovered from petitioner.
- 11) That the petitioner / appellant has no cause of action and locus standi to file the instant petition.

REPLY ON GROUNDS:-

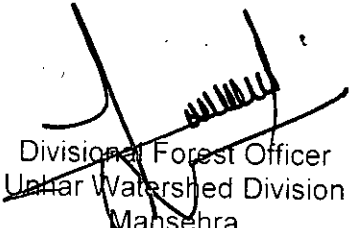
- i. It is in-correct. The Government money amounting to Rs. 72490/- on account of missing timber and one number Kalashnikov out standing against the petitioner is recoverable from him for which he had time and again directed to made good the Govt. money but he is reluctant to do so.
- ii. It is in-correct and own views of the petitioner. Detail reply already explained above.
- iii. Incorrect. Already explained above.
- iv. The petitioner himself admitted that his reply to the charge sheet has not been paid attention thus the question of not conducting proper enquiry is baseless.
- v. It is in-correct. As stated in reply on Facts Para 2 & 4.
- vi. As stated is incorrect.
- vii. It is incorrect.
- viii. Incorrect. Detail reply already given in reply on facts.




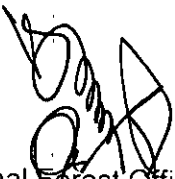
- ix. As explained in Para-iv above.
- x. That any other ground deem proper shall be raised before this Honorable Tribunal during the arguments.
- xi. Pertains to record.

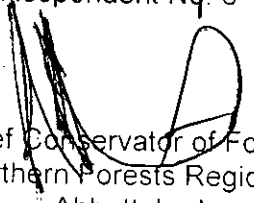
PRAYERS

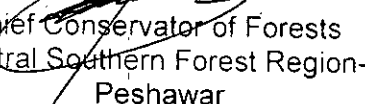
In view of the aforementioned facts it is humbly prayed that petition of petitioner being based on conjectures, surmises and without legal footing may kindly be dismissed.

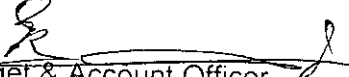
  
Divisional Forest Officer  
Upper Watershed Division  
Mansehra  
Respondent No. 7


  
Conservator of Forests  
Watershed Management Circle  
Abbottabad  
Respondent No. 6

  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra  
Respondent No. 2

  
Chief Conservator of Forests  
Northern Forests Region-II  
Abbottabad  
Respondent No. 5

  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar  
Respondent No. 4

  
Budget & Account Officer  
Forestry Environment & Wildlife  
Department, Peshawar  
Respondent No. 3

  
Secretary to Government of Khyber  
Pakhtunkhwa Forestry, Environment &  
Wildlife Department, Peshawar  
Respondent No. 1

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Appeal No. 1556/2019

W.P No. 846/2019

Sultan Mehmood S/O Fida Muhammad, resident of Gulfam Town, Mian-de-seri,  
Tehsil and District, Abbottabad.

(Petitioner)

Versus

- 1) Secretary Forest (Environment) Department, Govt. of KPK, Peshawar.
- 2) Divisional Forest Officer Agror Tanawal Forest Division Mansehra.
- 3) Head of Budget and Accounts (Pension) Forestry, Environment and Wildlife Department, Peshawar.
- 4) Chief Conservator of Forest, Central Southern Region-I, Shami Road, Peshawar.
- 5) Chief Conservator of Forest, Northern Forest Region-II Abbottabad
- 6) Conservator of Forests Watershed management Circle Abbottabad.
- 7) Divisional Forest Officer Unhar Watershed Division, Mansehra

(Respondents)

REPLY/PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO.1 TO 7  
*Respectfully Sheweth,*  
PRELIMINARY OBJECTIONS

1. That the instant petition is not maintainable.
2. That the instant petition is ~~barred by time~~ *barred by Law and badly time barred.*
3. That the petitioner has got no cause of action.
4. That the petitioner has got no locus standi.
5. That the petition is bad for mis-joinder and non-joinder of necessary *and proper* party.
6. That the petitioner has not come to this court with clean hands.

Respectfully Sheweth

*Reply on* FACTS OF THE CASE

~~Para wise comments are as under~~

- 1) It is correct that the petitioner had served in the Forest Department for about 39 years, 7 month and 11 days and retired from service vide Chief Conservator of Forests Central Southern Forest Region-I Peshawar Office Order No. 139 dated 10.04.2018. Copy attached as Annex-A. ✓

- 2) It is correct But an amount of Rs. 72490/- was outstanding against the petitioner on account of missing timber i.e. 21 Kail Scants = 72.49 Cft. It is also pertinent fact that Rs. 120000/- on account of Compensation Money and one number Government Kalashnikov was stolen from office of Petitioner SDFO Shergarh Forest Sub Division of Agror Tanawal Forest Division Mansehra for which the petitioner in the capacity of SDFO Shergarh Forest Sub Division lodged FIR No. 384 dated 17.10.2012 under Section 380/34-PPC (Copy enclosed as **Annex-B**) in Police Station Oghi against unknown accused. After investigation, the Police Investigation Officer submitted Challan against the accused Shams-ud-din alias Papu & Qadeer Ahmed S/O Muhammad Bashir of Shergarh in the court. The case remained under trial and finally the Court of Civil Judge-Cum Judicial Magistrate 1<sup>st</sup> Class Oghi acquitted the accused vide Judgment dated 26.03.2014 (Copy enclosed as **Annex-C**). Thereafter the petitioner had not challenged the court judgment and remitted the Government Money viz: Rs. 120000/- into Government treasury but the Government Kalashnikov remained outstanding against the petitioner. Therefore the DFO Agror Tanawal Forest Division Mansehra had not issued NOC hence the Budget & Account Officer (Pension)/ Department has not paid his emoluments till date.
- 3) It is correct. The Chief Conservator of Forests, Central Southern Forest Region-I has correctly directed the Chief Conservator of Forests Region-II Abbottabad for recovery of Rs. 72490/- on account of missing timber and one number Government Kalashnikov stolen from the office of petitioner as the amount in question and one Kalashnikov are outstanding against the petitioner.
- 4) It is in-correct. Before issuance of retirement office order No. 139 dated 10.04.2018 the petitioner had repeatedly been directed to remit outstanding amount of recovery viz: Rs. 72490/- on account of missing timber vide DFO Agror Tanawal Forest Division letter No.1603-06/GE dated 21.09.2017 (handed over to petitioner on 25.09.2017), letter No. 1803-06/GE dated 10.10.2017 (Handed over to petitioner on 19.10.2017), letter No. 1442-45/GE dated 22.01.2018, (handed over to petitioner on 23.01.2018), letter No. 5844-46/GE dated 22.03.2018 (Handed over to the petitioner on 29.03.2018. Acknowledgements of the above Four (04) letters obtained from the petitioner are attached as **(Annex-D, E, F & G)** thus the DFO Agror Tanawal Forest Division Mansehra had correctly refused the NOC and asked to remit Rs. 72490/- on account of missing timber and price/value of one number stolen Kalashnikov.
- 5) It is correct. *Detail reply already given in above paras.*

- 6) It is correct. *Detail reply given in paras ibid.*
- 7) ~~Needs no comments as the facts~~ <sup>Para</sup> Already explained in serial No. 2 above.
- 8) It is correct. The petitioner admitted the offence and stolen amount viz Rs. 120000.00 was remitted in treasury but he failed to ~~made~~ <sup>pay</sup> ~~good~~ the price of one number Government Kalashnikov stolen from office of petitioner.
- 9) It is in-correct. Proper enquiry relating to missing timber was conducted <sup>(Annexure - H)</sup> and the petitioner was held responsible for missing timber vide Conservator of Forests Upper Hazara Forest Circle Mansehra Office Order No. 02 dated 15.09.2017 <sup>(Annexure - I)</sup>
- 10) It is in-correct. As per Office order No. 02 dated 15.09.2017 of Conservator of Forests, Upper Hazara Forest Circle Mansehra the petitioner was bound to consult the record pertaining to missing timber but he failed to do so therefore the amount of Rs. 72490/- is required to be recovered from petitioner. ✓
- 11) ~~Needs no comments.~~ *That the petitioner (appellant) has no cause of action and locus standi to file the instant petition.*

Reply on GROUNDS :-

- i. It is in-correct. The Government money amounting to Rs. 72490/- on account of missing timber and one number Kalashnikov out standing against the petitioner is recoverable from him for which he had time and again directed to made good the Govt. money but he is reluctant to do so. ✓
- ii. It is in-correct and own views of the petitioner. *Detail reply already explained above.*
- iii. ~~Need no comments. (AT Division))~~ *Incorrect. Already explained above.*
- iv. The petitioner himself admitted that his reply to the charge sheet has not been paid attention thus the question of not conducting proper enquiry is baseless.
- v. It is in-correct ~~and needs no comments.~~ *As stated in <sup>Reply on</sup> Facts para 2 & 4.*
- vi. *As stated is incorrect.*  
~~Needs no comments.~~
- vii. It is incorrect ~~and needs no comments.~~  
*Incorrect. Detail reply already given in reply on facts.*
- viii. ~~Needs no comments.~~



ix. As explained in Para-iv above.

x. ~~Needs no comments~~ *That any other ground deem proper shall be raised before this Honorable Tribunal during the arguments.*

xi. ~~Needs no comments~~ *Pertains to record*

PRAYERS

In view of the aforementioned facts it is humbly prayed that petition of petitioner being based on conjectures, surmises and without legal footing may kindly be dismissed.

*[Signature]*  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra  
Respondent No. 7

*[Signature]*

Conservator of Forests  
Watershed Management Circle  
Abbottabad  
Respondent No. 6

*[Signature]*

Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra  
Respondent No. 2

*[Signature]*

Chief Conservator of Forests  
Northern Forests Region-II  
Abbottabad  
Respondent No. 5

Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar  
Respondent No. 4

Budget & Account Officer  
Forestry Environment & Wildlife  
Department, Peshawar  
Respondent No. 3

Secretary to Government of Khyber  
Pakhtunkhwa Forestry, Environment &  
Wildlife Department, Peshawar  
Respondent No. 1

*Please vet  
Vet subject to  
Correction, annex the entire  
Record, prepare index and  
Submit in time with  
proper affidavit.*  
*[Signature]*  
15/3/2021

*15/3/21*  
*AAG*

*Agreed as above*  
*for perusal and further directions, pl*  
*[Signature]*  
Additional Advocate General  
Khyber Pakhtunkhwa  
Service Tribunal Peshawar  
15/3/21

Annex-A

OFFICE ORDER NO. 134 DATED PESHAWAR THE 10 /04/2018 ISSUED BY  
MUHAMMAD SIDDIQUE KHAN KHATTAK CHIEF CONSERVATOR OF FORESTS  
CENTRAL SOUTHERN FOREST REGION-I, KHYBER PAKHTUNKHWA PESHAWAR.

On attaining the age of 60 years Mr. Sultan Mehmood Forest Ranger (BPS-16) is hereby retired from Government service with effect from 07-04-2018. He is allowed encashment of leave salary in lieu of leave preparatory to retirement equal to 365 days as admissible to him vide Rule-20 of the Khyber Pakhtunkhwa Civil Servants revised leave Rules-1981 as amended vide Government of Khyber Pakhtunkhwa Finance Department Notification No. FT-SO (SR-V) 5-54/81-Vol-II, dated 24/8/1983 and No. FD-SO (SR-V) 5-54/80Vol-III, dated 12/4/1988 and No. SO (FR) FD/5-92/2005/Vol-5, dated 13/12/2012.

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

3909-10

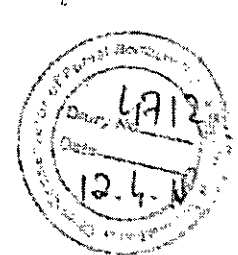
/E,

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Abbottabad. He is requested to recover the missing timber amounting to Rs.72,490/- as well as one No. Government Kalishonkove from the Forest Ranger as reported by DFO Agror Tanawal before submission of his pension case to this office.
2. Director Budget & Accounts Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department Peshawar.

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

12/4



**ATTESTED**

(P.T.O)

Divisional Forest Officer  
Unharwar Forest Division  
Manshra



Annexure VII

(33)

101  
133

IN THE COURT OF MR. AFZAL AHMAD JMIC OGHI

Case No: .....16/2  
Date of Institution:.....06.02.2013  
.....26.03.2014



The State.....(Through Sultan Mohammad Khan SDFO Shergrah Range)

VERSUS

Shams-ud-Din Alias Papu & Qadeer Ahmad sons of Mohammad Bashir R/O Shergrah Tehsil Oghi, District Manselhra..... (ACCUSED)

FIR No: 384 Dated:17.10.2012 U/S: 380/34-PPC PS Oghi

JUDGMENT:

Through this judgment I intend to dispose of instant criminal case vide FIR No.384 dated: 17.10.2012 u/s: 380/34-PPC registered at PS Oghi.

Brief facts in the light of FIR are that Sultan Mohammad Khan SDFO Shergrah Range herein after called complainant charged Shams-ud-Din & Qadeer Ahmad sons of Mohammad Bashir herein after called accused, in his application addressed to the SHO PS Oghi for commission of theft wherein contended that at midnight of 15/16-10.2012 he alongwith Mohammad Arshid Forest Guard went to Darband for performing official duty. That at the time of departure he directed Dost Mohammad forest guard for protection of his office. That on 16.10.2012 when he came back to his office at 12:30hrs he saw that one Yastr S/O Gul Mohammad R/O Shergrah was sleeping there and the lock of side door of the office was broken. Upon search of room he found that some articles i.e weapon, bullets 7.62 bore & amount Rs:1,20,000/- were missing, hence the instant application and upon the said application the instant FIR was lodged.

After completion of investigation, complete challan against the accused was submitted before the court.

25/3/2014  
P-2  
Sub-divisional Officer Manselhra  
26/3/14

*Attested*

W.C.N. S/O  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Manselhra.

**ATTESTED**

*[Signature]*  
Divisional Officer  
Unhar Watershed Division  
Manselhra

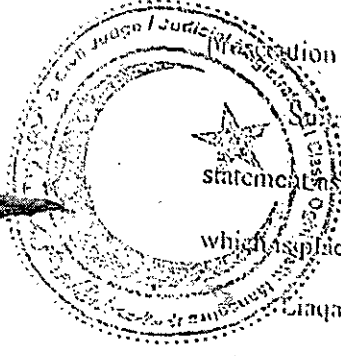


Annexure -11

239

103

The accused were summoned. On appearance copies were handed over to the accused u/s: 241-A Cr.PC. Formal charge was framed against the accused framed, to which they did not plead their guilt and claimed trial. During trial prosecution was allowed to produce its evidence in support of its contentions.



Sultan Mahmood SDFO appeared before the court and recorded his statement as PW-1 who confirmed his application addressed to the SHO PS Oghi which is placed on file as Ex:PW1/1.

Liaqat Shah MHC PS Oghi appeared before the court and was examined as PW-2 who lodged the FIR Ex:PW2/1 and he also confirmed the signature of SHO Sohail Khan upon the challan form which is Ex:PW2/1.

Mohammad Gulzar MHC PS Oghi appeared before the court and recorded his statement as PW-3 who prepared site plan Ex:PW3/1, recovery memo Ex:PW3/2 and he also prepared card of arrest of the accused which is Ex:PW3/3.

After closing the evidence of prosecution, statement of accused recorded u/s:342 Cr.PC. The accused facing trial neither willing to produce any defense nor desired to be examined on oath. So the case was fixed for arguments.

After hearing the arguments and from perusal of the record it was observed that the complainant himself did not see the accused facing trial committing the offence. Further there is no eyewitness of the occurrence and none of the PWs deposed before the court that he saw the accused facing trial committing the theft. Similarly when I.O appeared before the court he recorded his statement as PW-3 who deposed during cross examination that complainant is not eyewitness of the occurrence. He further stated that during his investigation he could not collect any evidence either direct or circumstantial which could connect the accused facing trial with the commission of offence. He further admitted that Dost Mohammad Forest guard who was assigned the duty of look after the Office/Range Quarter was not cited as witness in the instant case. The other important PWs were abandoned by the prosecution. Further it is also observed that no stolen articles were recovered from possession of the accused. There is no confession of the accused on case file.

Chief Justice - Commercial  
Magistrate 1st Class Oghi  
26/3/2014

P-3  
26-7-14

Attested  
M. A. D. M. C.  
Divisional Forest Officer  
Anwar Tarawal Forest Division  
Manshera.

**ATTESTED**

Divisional Forest Officer  
Unhar Watershed Division  
Manshera

35

3 Annexure - VII

105  
241



In the light of statement of PWs coupled with available record it is established that the occurrence is un-suspect one and there is no iota of evidence available on case file which could connect the accused facing trial with commission of offence. One slightest doubt is sufficient for acquittal of accused whereas in the instant case there are so many reasonable doubts in the prosecution case. Both the accused facing trial are hereby acquitted in the instant case. They are to be discharged and case property if any, be treated in accordance with law.

Civil Judge-cum-Judicial Magistrate 1st Class, Oghi  
Announced:  
26.03.2014

JMC  
offi

*Afzal Ahmad*  
AFZAL AHMAD  
JMC-Oghi

Civil Judge-cum-Judicial Magistrate 1st Class, Oghi

Certificate:

Certified that this judgment consist of (03) pages, each of which has been read, signed and corrected by me wherever it was necessary.

Announced:  
26.03.2014

*Afzal Ahmad*  
AFZAL AHMAD  
JMC-Oghi

Civil Judge-cum-Judicial Magistrate 1st Class, Oghi

ATTESTED

Signature: \_\_\_\_\_  
Date: 2-4-14

61  
2-4-14  
2-4-14  
2-4-14

*Attested*

*Md. No. Bnd*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Manshera.

ATTESTED

*[Signature]*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Manshera

Announced (107)

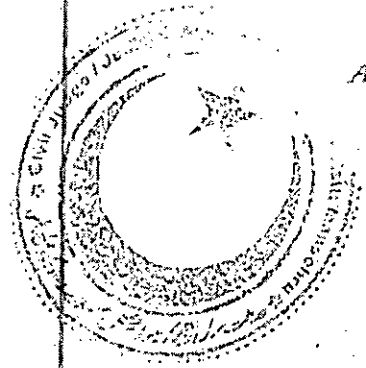
943

Order No: 17  
26.03.2014

App for State present. Accused on bail present. Vide my detailed judgment consisting upon (03) pages, it is established that the occurrence is un-scene one and there is no iota of evidence available on case file which could connect the accused facing trial with commission of offence. One slightest doubt is sufficient for acquittal of accused whereas in the instant case there are so many reasonable doubts in the prosecution case. So both the accused facing trial are hereby acquitted in the instant case. There sureties be discharged and case property if any, be treated in accordance with law.

Case file be consigned to record room after completion and compilation.

Announced:  
26.03.2014




*Afzal Ahmad*  
JMJC-Ojhi

*Attested*

*W. A. R. Khan*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Manshara

**ATTESTED**  
*[Signature]*  
Divisional Forest Officer  
Baker Watershed Division  
Manshara


<b>Mohammad Siddique</b> Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. /GE		Dated 21 /09/2017

Mr. Sultan Mehmood  
Deputy Ranger the then  
Incharge Shergarh Forest Sub-Division  
c/o DFO Unhar Watershed Division  
Mansehra

Subject: **NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FOREST SUB-DIVISION- RECOVERY THEREOF.**

The timber i.e 21 Kail Scants = 72.49 of Form- D No. 28 dated 1-6-2012 was transported from Shergarh Forest Sub-Division to Central Sale Depot Mansehra by you, but lot was not prepared due to which the timber was missed without auctioning, in this regard disciplinary proceedings was initiated against M/S Zulfaqar Khan Forester the then Incharge Shergarh Forest Sub-Divison, Mr. Dost Mohammad and Mr. Sher Badhar Foresters and appointed Mr. Muhammad Riaz Divisional Forest Officer Siran Forest Division Mansehra as enquiry officer to initiate disciplinary proceedings against the accused official. After detail enquiry under the domain of Khyber Pakhtunkhwa Government Servant ( E&D) Rules 2011 and in pursuance with recommendation of Enquiry Officer contained in enquiry report, imposed recovery of Rs. 72490/- on Mr. Dost Mohammad Forester on account of shortage of 72.49-Cft Kail timber at prevailing market rates of Rs. 1000/- vide office order No. 396 dated 15-6-2017.

The Forester preferred an appeal to the appellate authority (Conservator of Forests Upper Hazara Forest Circle Mansehra, who decided the case vide office order No. 02 dated 15-9-2017 ( Copy enclosed) that according to the rules and procedure in vogue, it was the prime responsibility of SDFO Shergarh to arrange transportation of seized/ confiscated or departmentally procured timber either from Sub-Divisional headquarter or elsewhere to timber Sale Depot at Mansehra through Form-D to be signed under his own signature and then assigned the task to any official to accompany the vehicle loaded with timber upto the mentioned destination and get the said consignment acknowledged from Depot Incharge on Form-F. Thereafter it was sole responsibility of SDFO Shergarh to prepare lot and transmit lot-wara to Divisional Office for its further processing for disposal/ sale under the settled procedure. The Forester namely Dost Muhammad in compliance with your directives has transported 21 Kail Scants = 72.49-Cft from Shergarh Forest Sub-Division to Central Sale Depot Mansehra alongwith other consignment through Form-D bearing No. 28 and handed over the same in Central Sale Depot Mansehra obtaining proper Form-F bearing No. 99/20 on 23-6-2012 which indicates that the Forester accomplished the assigned task swiftly. It was your responsibility being Incharge Sub-Division to prepare proper sizewara of timber / lot for submission to Divisional Office and to ensure its disposal through open auction on scheduled date but you failed to do so.

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

The appellate authority ordered that DFO A.T office order No. 396 dated 15-9-2017 is hereby set-aside and Mr. Dost Muhammad Forester is exonerated from the charges which resulted into the recovery of Rs. 72490/- and the Depot Incharge as recommended by the DFO A.T in his referred letter is not responsible for the mentioned timber. The SDFO Shergarh at that time shall have to consult record pertaining to the said timber and its further status and recovery should be made from the then SDFO Shergarh.

To conclude above ex-positon you being the then Incharge Shergarh Forest Sub-Division guilty/responsible for the said missing timber from Central Sale Depot Mansehra with.

You are therefore directed to immediately deposit the recovery amount viz Rs. 72490/- into Government Treasury immediately and provide Treasury Challan to this office, so that further action could be taken in the matter accordingly, in case of failure disciplinary proceeding will be initiated against you under the provision of E&D Rules, 2011.

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

No. 1604-06/GE

Copy forwarded to :-

1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information with reference to his office order No. 02 dated 15-9-2017 & No. 1616/GL dated 19-9-2017 please.
2. The Divisional Forest Officer Unhar Watershed Division Mansehra for information and necessary action. He is requested to deliver the above letter to the above named Deputy Ranger under proper receipt which should be sent to this office for further course of action please.
3. Divisional Accountant for information and necessary action.

Encl: As Above:

*[Signature]*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

*E.C*  
*Please hand over this letter to the officer concerned under proper receipt and send the receipt to DFO A.T. for his record. Keep a photocopy of this letter in your record.*  
*[Signature]*  
28/09/2012

250  
25-9-17

**ATTESTED**

*[Signature]*  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

FOREST DEPARTMENT  
UNHAR WATERSHED DIVISION  
MANSEHRA



Phone # 0997-920142

No. 624 JUVIS, Dated 25/9/2017

To

The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

Subject:

NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
SHERGARH FORESTS SUB DIVISION RECOVERY THEREOF

Memo:

Reference your office endstt No. 1604-06/GE dated 21.09 2017.

Your office letter No. 1603/GE dated 21.9.2017 has been handed over to  
Mr. Sultan Mehmood Deputy Ranger on 25.9.2017. Receipt obtain from the Deputy Ranger is  
enclosed herewith in original for further necessary action and record in your office please

Encl: As Above

Divisional Forest Officer  
Unhar Watershed Division  
Mansehra


**ATTESTED**

  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

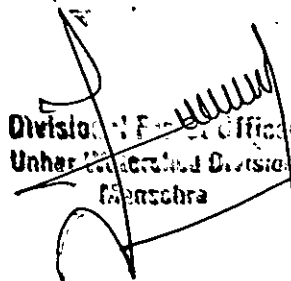
Receipt

313 (4)

Received Divisional Forest Officer Agror Tangwal Forest Division Oghi  
Letter No. 1603/GB dated 21 09 2017 from the office of Unhar Watershed  
Division Mansohra on 25 9 2017

  
Mr. Sultan Mehmood  
Deputy Ranger 25/09/2017

**ATTESTED**

  
~~Divisional Forest Officer  
Unhar Watershed Division  
Mansohra~~

<b>Mohammad Siddique</b> Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. /GE		Dated 10/10/2017

Mr. Sultan Mehmood  
 Deputy Ranger the then  
 Incharge Shergarh Forest Sub-Division  
 c/o DFO Unhar Watershed Division  
 Mansehra

Subject: **NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FOREST SUB-DIVISION- RECOVERY THEREOF.**

Reference This office letter No. 1603/GE dated 21-9-2017

Please refer to the above cited letter and you are once again directed to immediately deposit the recovery amount viz Rs. 72490/- into Government Treasury and provide Treasury Challan to this office, so that further action could be taken in the matter accordingly, in case of failure disciplinary proceeding will be initiated against you under the provision of E&D Rules, 2011.

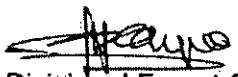
Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Oghi

No. 1804-06/GE

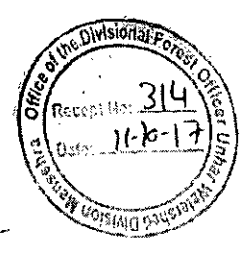
Copy forwarded to :-

1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information with reference to his No. 1850/GE dated 02-10-2017 please.
2. The Divisional Forest Officer Unhar Watershed Division Mansehra for information and necessary action. He is requested to deliver the above letter to the above named Deputy Ranger under proper receipt which should be sent to this office for further course of action please,
3. Divisional Accountant for information and necessary action.

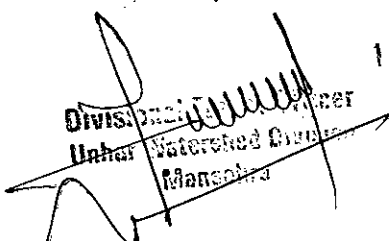
**Encl: As Above:**

  
 Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Oghi

*Acctt/ Ec*  
*HA/*  
*For receipt of*  
*DFO 11/10/2017*



**ATTESTED**

  
 Divisional Forest Officer  
 Unhar Watershed Division  
 Mansehra



- 519 (2)

FOREST DEPARTMENT  
UNHAR WATERSHED DIVISION  
MANSEHRA



Phone # 0997-920142

No. 803 /UWS, Dated 20/10/2017

To  
The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi.

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
SHERGARH FORESTS SUB DIVISION RECOVERY THEREOF

Memo:  
Reference your office endstt: No. 1804-06/GE dated 10.10.2017  
Your office letter No. 1803/GE dated 10.10.2017 has been handed over to  
Mr. Sultan Mahmood Deputy Ranger on 19.10.2017. Receipt obtain from the Deputy Ranger is  
enclosed herewith in original for further necessary action and record in your office please

Encl: As Above

*[Signature]*  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

**ATTESTED**  
*[Signature]*  
Divisional Forest Officer  
Unhar Watershed Division,  
Mansehra

521

3

# Receipt

Received Divisional Forest Officer Agror Tanawal Forest Division Oghi

Letter No 1803/GE dated 10.10.2017 from the office of Unhar Watershed

Division Mansehra on *I have applied and application*  
*for requirement of relative documents.*

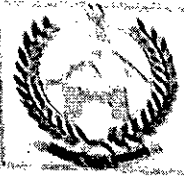
*Sultan*  
19/10/2017

Mr. Sultan Mehmood  
Deputy Ranger

**ATTESTED**

~~Divisional Forest Officer  
Unhar Watershed  
Mansehra~~

Muhammad Siddique  
Divisional Forest Officer



Agror Tanawal Forest Division  
Oghi

Phone # 0997-321244

Dated 22/01/2018

No. \_\_\_\_\_ /GE

Mr. Sultan Mahmood  
Deputy Ranger the then  
Incharge Shergarh Forest Sub-Division  
c/o DFO Unhar Watershed Division  
Mansehra

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
SHERGARH FOREST SUB-DIVISION - RECOVERY THEREOF.

Reference This office No. 1603/GE dated 21-9-2017 & No. 1803/GE dated  
10-10-2017

Please refer to the above cited letters and you are once again directed to immediately  
deposit the recovery amount viz Rs. 72490/- into Government Treasury and provide  
Treasury Challan to this office, so that further action could be taken in the matter  
accordingly, in case of failure disciplinary proceeding will be initiated against you under  
the provisions of E&D Rules, 2011.

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

No. 1443-45 /GE  
Copy forwarded to:-

1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information and necessary action please.
2. The Divisional Forest Officer Unhar Watershed Division Mansehra for information and necessary action. He is requested to deliver the above letter to the addressee under proper receipt which should be sent to this office for further course of action please.
3. Divisional Accountant for information and necessary action.


Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

*Hand it over to the officer concerned under proper receipt which must be sent to DFO AF, for his record. 24/01/2018*

**ATTESTED**

Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

(527) (2)

<p>FOREST DEPARTMENT UNHAR WATERSHED DIVISION MANSEHRA</p>		<p>Phone # 0997-920142 No. <u>1539</u> /UWS, Dated <u>26/1</u> /2018</p>
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
To  
The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi.

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
SHERGARH FORESTS SUB DIVISION RECOVERY THEREOF

Memo:  
Reference your office endstt: No. 1443-45/GE dated 22.01.2018.

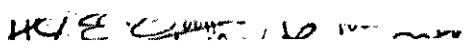
Your office letter No.1442/GE dated 22.01.2018.has been handed over to  
Mr. Sultan Mehmood Range Forest Officer on 23.01.2018. Receipt obtain from the Range  
Forest Officer is enclosed herewith in original for further necessary action and record in your  
office please.

Encl: As Above

  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra 

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





Received Divisional Forest Officer Agror Tanawal Forest Division Oghi Letter No. 1442/GE

dated 22.01.2018 from the office of Unhar Watershed Division Manshira on 23.01.2018

As I demanded my relevant record and I have already approach to your office for the same record, but your office failed to provide me the record


from Nof & Timber Farm

*[Signature]*  
Mr. Sultan Mahmood  
Range Officer 23/01/2018

**ATTESTED**

*[Signature]*  
Divisional Forest Officer  
Unhar Watershed Division  
Manshira

Annex-G  
(P-1 to 3)

<b>Mohammad Siddiquo</b> Divisional Forest Officer		Agror Tanawal Forest Division Oghi
No. /GE		Phone # 0997-321244
		Dated 22/03/2018

The Mr. Sultan Mahmood Range Forest Officer  
c/o Divisional Forest Officer Unhar Watershed Division  
Manshra

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FOREST  
SUB-DIVISION - RECOVERY THEREOF.

Reference: Your reply dated nil received in this office on 20-3-2018

Mr. Dost Muhammad Ex-Forester was exonerated from the charges which resulted into the recovery of Rs. 72490/- vide Conservator of Forests Upper Hazara Forest Circle Manshra ( Appellate Authority) office order No. 02 dated 15-9-2017 with the directive that the recovery in question shall be effected from you, the SDFO Shergarh of that ~~asa~~ era .

You being the then Incharge Shergarh Forest Sub-Division guilty/responsible for the said missing timber from Central Sale Depot Mansehra and Government sustained huge loss viz Rs. 72490/- due to your dis-interest for performing in your official duty.

Hence your reply not based on fact which is turned down and you are once again and finally directed to immediately deposit the recovery amount viz: Rs. 72490/- into Government Treasury and provide Treasury Challan to this office, so that long outstanding issue would be disposed off accordingly. This is with reference to this office letter No. 1603/GE dated 21-09-2017, No. 1803/GE dated 10-10-2017, No. 1442/GE dated 22-1-2018 & No. 5786-88/GE dated 20-3-2018.

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

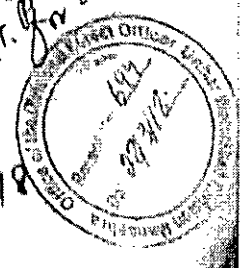
No. 5844-46 IGE

Copy forwarded to :-

1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information and necessary action please.
2. The Conservator of Forests/PD Watershed Management Circle Abbottabad for favour of information and necessary action please.
3. The Divisional Forest Officer Unhar Watershed Division Manshra for information and necessary action . He is requested to deliver the attached letter to the above addressee on proper receipt which should be sent to this office for further action and record please.

*[Signature]*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

*Hand Over the attached letter to the Officer concerned under proper receipt for his DFAT. must be sent to DFAT. need 28/03/2018*




**ATTESTED**

*[Signature]*  
Unhar Watershed Division  
Manshra

533

2

FOREST DEPARTMENT UNHAR WATERSHED DIVISION MANSEHRA		Phone # 0997-920142  No. <u>2003</u> /UWS, Dated <u>29/3/2018</u>
---	---	---

To

The Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Oghi

Subject:

NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
 SHERGARH FORESTS SUB DIVISION RECOVERY THEREOF

Memo:

Reference your office endstt: No. 5844-46GE dated 22.03.2018.

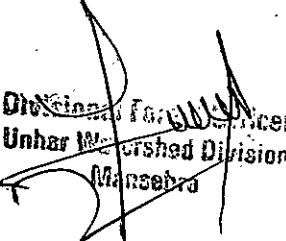
Your office letter No:5843/GE dated 22.03.2018 has been handed over to  
 Mr. Sultan Mehmood Range Forest Officer on 29.03.2018. Receipt obtain from the Range  
 Forest Officer is enclosed herewith in original for further necessary action and record in your  
 office please.

Encl: As Above



Divisional Forest Officer  
 Unhar Watershed Division  
 Mansehra

**ATTESTED**



Divisional Forest Officer  
 Unhar Watershed Division  
 Mansehra

RECEIPT

535

3

Received Divisional Forest Officer Agror Tanawal Forest Division Oghi Letter No. 5843/GE  
dated 22.03.2018 from the office of Unhar Watershed Division Mansehra on 29.03.2018.

*[Signature]*  
Mr. Sultan Mahmood 29/03/2018  
Range Officer

ATTESTED

*[Signature]*  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra



①

CHARGE SHEET

1. Mohammad Siddique Divisional Forest Officer Agror Tanawal Forest Division Oghi as competent authority hereby charge you, Dost Mohammad Forester Incharge Shergarh Block of Shergarh Forest Sub-Division as follows:


That you while posted on as Incharge Sub-Division committed the following irregularities:


- a. That You Dost Mohammad Forester while posted as Block Officer Shergarh Block of Shergarh Forest Sub-Division has transported 605 Scants/Logs = 2587.55Cft confiscated from Shergarh Forest Sub-Division to Central Sale Depot Mansehra ,during the period 01-5-2012 to 31-1-2015, but neither the record of its auction nor the timber is available in Central Sale Depot Mansehra. The detail of above timber was supplied to you for clarification about its disposal with the directive to intimate lot No , vide this office letter No. 5275-77/GB dated 15-6-2015, through which the timber in question was auctioned.
- b. In spite of issuance of repeated reminders for submission of clarification vide this office No. 5462-64/GB dated 29-6-2015, No. 318-20/GB dated 28-7-2015 & No. 2228-30/GB dated 12-11-2015 you have failed to supply the requisite clarification after passage of 06 months period.
- c. Whereas you are found deliberately involved in mis-appropriation of confiscated timber , therefore, you have rendered your-selves guilty of In-efficiency, Misconduct & Corruption.
2. 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 or any of the penalties specified in rule-4 of the rule ibid.
3. 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.
4. Your written defense, if 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.
5. Intimate whether you wish to be heard in person.
6. A statement of allegation is enclosed.

No. 3871-73 /GE Dated Oghi the 16/02/2016

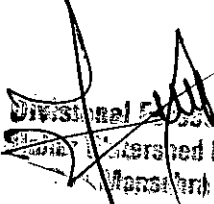
Copy forwarded to: -

1. Mr. Mohammad Riaz Divisional Forest Officer Siran Forest Division 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. Dost Mohammad Forester Incharge Shergarh c/o SDFO 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 Agror Forest Sub Division for information and necessary action. 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  
Oghi

  
DFO  
771

**ATTESTED**

  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra

3

**DISCIPLINARY ACTION**

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

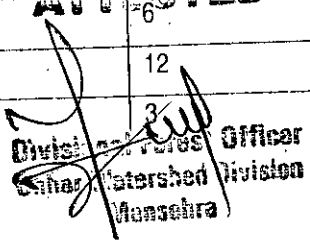
**STATEMENT OF ALLEGATION**

- i. That Mr. Dost Mohammad Forester Incharge Shergarh of Forest Sub-Division has transported 605 Scants/ Logs = 2587.55 Cft confiscated from Shergarh Forest Sub-Division to Central Sale Depot Mansehra as per following detail, during the period 01-5-2012 to 31-1-2015, but neither the record of its auction nor the timber is available in Central Sale Depot Mansehra. The detail of above timber was supplied to him for clarification about its disposal with the directive to intimate lot No, vide this office letter NO. 5275-77/GB dated 15-6-2015 through which the timber in question was auctioned.

**DETAIL OF SEIZED/ CONFISCATED TIMBER**

Form D No.	Date	Location from where timber transported	Species	No. of Scants / Logs	Volume (Cft)
57	11-10-2013	Karori	Kail	8	78.98
35	27-6-2012	Karori	Kail	18	69.55
38	16-7-2012	Shergarh	Chir	10	70.25
			Kail	09	36.44
40	-	Karori	Kail	36	139.32
41	23-10-2012	Shergarh	Chir	10	43.93
			Kail	15	62.11
			Kail	2	10.11
61	6-1-2014	Bandian Phulra	Fir	22	46.89
62	12-1-2014	Harian Shergarh	Chir	22	96.47
			Kail	6	14.38
63	28-1-2014	Shergarh	Kail	21	102.35
64	28-1-2014	Shergarh	Kail	22	105.0
67	21-4-2014	Shergarh	Kail	15	59.6
69	24-4-2014	Karori	Kail	4	67.8
70	5-5-2014	Shergarh	Kail	27	119.01
89	29-5-2015	Shergarh	Kail	6	21.99
27	19-5-2012	Shergarh	Kail	25	117.63
28	1-6-2012	Shergarh	-	21	72.49
29	3-6-2012	Shergarh	-	8	35.02
30	18-6-2013	Shergarh	Chir	15	129.04
31	19-6-2013	Shergarh	Chir	11	159.96
33	30-12-2013	Police Station Lassan	Kail	121	408.02
			Fir	24	89.71
43	29-6-2014	Shergarh	Chir	12	52.68
44	1-7-2014	Shergarh	Kail	6	24.87
46	8-7-2014	Shergarh	Kail	12	43.94
48	25-7-2014	Shergarh	Chir	3	36.13

**ATTESTED**

  
 Divisional Forest Officer  
 Shergarh Watershed Division  
 Mansehra

49	7-8-2014	Shergarh	Kail	15	42.99
50	8/2014	Shergarh	Kail	14	35.63
			Chir	2	8.35
51	17-8-2014	Shergarh	Kail	10	47.8
			Chir	8	20.23
54	25-8-2014	Shergarh	Kail	14	35.7
55	30-8-2014	Shergarh	Kail	16	43.09
59	20-12-2014	Shergarh	Kail	15	40.09
<b>Total:-</b>				<b>605</b>	<b>2587.55</b>

ii. In spite of issuance of repeated reminders vide this office No. 5462-64/GB dated 29-6-2015, No. 318-20/GB dated 28-7-2015 & No. 2228-30/GB dated 12-11-2015 he was intentionally failed to supply the requisite clarification.

iii. Whereas he was found deliberately involved in mis-appropriation of confiscated timber, therefore, they have rendered them-selves guilty of **In-efficiency, Misconduct & Corruption.**

2. For the purpose of inquiry against the said accused with reference to the above allegation Mr. Mohammad Riaz Divisional Forest Officer Siran Forest Division Mansehra appointed as Inquiry Officer/Committee under **rules 10 (1) (a) of the rules ibid.**

3. The Enquiry Officer/Committee shall, in accordance with the provisions of the rules ibid, provide reasonable opportunity of hearing to the accused, record his findings and make, within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

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  
Agror Tanawal Forest Division  
Oghi

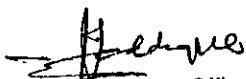
No. 3859-61 /GE Dated Oghi the 16/02/2016

Copy forwarded to :-

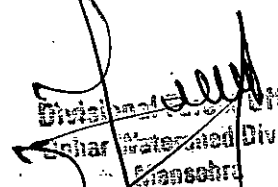
1. ✓ Mr. Mohammad Riaz Divisional Forest Officer Siran Forest Division Mansehra (Inquiry Officer) for initiating disciplinary proceedings against the accused under the provisions of Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011 and to finalize the case within prescribed period. Enquiry file from page-1 to \_\_\_ is enclosed.

2. Dost Mohammad Forester Incharge Shergarh c/o Forest Sub-Division Forest Officer Shergarh 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 Agror Forest Sub Division for information and necessary action. 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  
Oghi

**ATTESTED**

  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra

7

<p><b>SIRAN FOREST DIVISION MANSEHRA FOREST DEPARTMENT KHYBER PAKHTUNKHWA Ph. &amp; Fax #. 0997-920140</b></p>		<p>NO. <u>7483</u> /GE Dated <u>02/03/2016</u></p>
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Mr. Dost Muhammad Forester  
C/O,  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

Subject: **DISCIPLINARY PROCEEDING ON ACCOUNT OF MIS-APPROPRIATION OF 2587-55 CFT TIMBER.**

Reference: Divisional Forest Officer Agror Tanawal Forest Division Oghi office endorsement No.3871-73/GE and No.3859-61/GE dated 16.02.2016.

The undersigned has been appointed as enquiry officer in the subject case. Therefore, you are directed to submit your defensive reply at the earliest without further delay, so that proper disciplinary proceeding could be conducted accordingly. In case of any delay, the proceeding will be finalized exparte.

Divisional Forest Officer  
Siran Forest Division Mansehra *ge*  
No. 7484 /GE *to*

Copy forwarded to the Divisional Forest Officer Agror Tanawal Forest Division Oghi for information. Please deliver the enclosed letter to the addressee under proper receipt and send the same to this office alongwith acknowledgement receipt of charge/statement of allegations for further course of action.

Divisional Forest Officer  
Siran Forest Division Mansehra *ge*

**ATTESTED**

Divisional Forest Officer  
Unhar Mansehra Division  
Mansehra

*ہوئے کہ یہ فیصلہ راجح و اجابہ ہے۔ اس کے ساتھ ساتھ اس کے بارے میں بھی جاننا ضروری ہے۔*

<p><b>SIRAN FOREST DIVISION MANSEHRA FOREST DEPARTMENT KHYBER PAKHTUNKHWA Ph. &amp; Fax #. 0997-920140</b></p>		<p>NO. <u>7733</u> /GE Dated <u>08</u> /03/2016</p>
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Mr. Dost Muhammad Forester  
C/O  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi



Subject: **DISCIPLINARY PROCEEDING ON ACCOUNT OF MIS-APPROPRIATION OF 2587.55 CFT TIMBER.**

Reference: Divisional Forest Officer Agror Tanawal Forest Division Oghi office endorsement No.3868-70/GE and No.3856-58/GE dated 16.2.2016 and this office letter No.7483/GE dated 02.03.2016.


You were directed vide above cited letters to submit your written/defensive report/reply to the undersigned, so that disciplinary proceeding could be started and finalized accordingly but it is regretted to note that you are using delay tactics and lingering on the proceeding for your unknown reasons

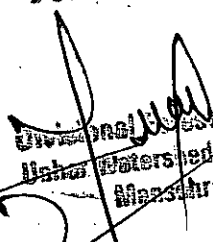
You are therefore, once again and finally directed to submit your reply to the charge sheet/statement of allegations within 3 days of receipt of this letter positively failing which it will be presumed that you have nothing to put in your defense and disciplinary proceedings will be decided exparte.

**Please acknowledge receipt.**

  
Divisional Forest Officer  
Siran Forest Division Mansehra  
No. 7134 /GE 

Copy forwarded to the Divisional Forest Officer Agror Tanawal Forest Division Oghi for infoatmion and necessary action. Please deliver the attached letter to the addressee under proper receipt and send the same to this office for record and further course of action. This in continuation of this office endorsement No.7484/GE dated 23.2016.

  
Divisional Forest Officer  
Siran Forest Division Mansehra 

**ATTESTED**  
  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra

*Handwritten notes in Urdu at the bottom of the page.*

11


Muhammad Siddique Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. 4304 /GE		Dated 16 /03/2016

Divisional Forest Officer  
Siran Forest Division, Mansehra



Subject: DISCIPLINARY PROCEEDINGS ON ACCOUNT OF MIS-APPROPRIATION OF 2587-55 CFT TIMBER

Reference: Your office letter No.7483/GE dated 02.03.2016

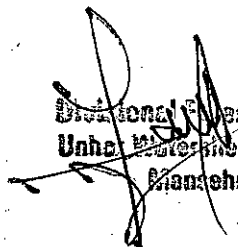
Enclosed please find herewith acknowledgement receipt of your letter No.7483/GE dated 02.03.2016 obtained from Mr. Dost Muhammad Forester for further course of action in your office.

  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

EQ  
  
13

  
may be seen at file please  
 21/3

**ATTESTED**

  
Divisional Forest Officer  
Unha Forest Division  
Mansehra

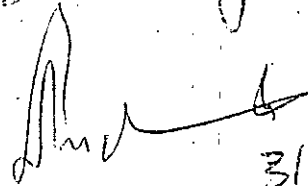
Receipt

32  
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Received DFO Siran Forest Division

Manshera. Letter No. 7483/9E dt 2/3/2016.

Mr. Dost. Muhammad Forester  
C/o SDFO Shergarh



3/03/2016

ATTESTED

  
Divisional Forest Officer  
Unhar Watershed Division  
Manshera

SIRAN FOREST DIVISION MANSEHRA  
FOREST DEPARTMENT  
KHYBER PAKHTUNKHWA  
Ph. & Fax #. 0997-920140



NO. 8743 /GE  
Dated 05 /04/2016

Mr. Dost Muhammad Forester  
C/O,  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

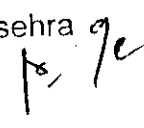
Subject: DISCIPLINARY PROCEEDING ON ACCOUNT OF MIS-  
APPROPRIATION OF 2587-55 CFT TIMBER.

Reference: Divisional Forest Officer Agror Tanawal Forest Division Oghi office  
endorsement No.3871-73/GE, No.3859-61/GE dated 16.02.2016,  
this office letter No.7483/GE dated 02.03.2016 and No.7733/GE  
dated 08.03.20156


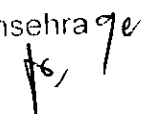
You were directed vide above cited letters to submit your written/defensive reply to  
the undersigned, so that disciplinary proceedings could be stated and finalized  
accordingly but it is regretted to note that you are deliberately using delay tactics  
and lingering the proceeding for your unknown reasons.

You are therefore, once again and finally directed to submit your reply to the  
charge sheet/statement of allegations within 3 days of receipt of this letter  
positively failing which it will be presumed that you have nothing to put in your  
defense and disciplinary proceeding will be decided exparte.

  
Divisional Forest Officer  
Siran Forest Division Mansehra

No. 8743 /GE 


Copy forwarded to the Divisional Forest Officer Agror Tanawal Forest Division  
Oghi for information. Please deliver the enclosed letter to the addressee under  
proper receipt and send the same to this office alongwith acknowledgement  
receipt of charge/statement of allegations for further course of action.

  
Divisional Forest Officer  
Siran Forest Division Mansehra 

**ATTESTED**

  
Divisional Forest Officer  
Unhar Manshered Division  
Mansehra



<b>Muhammad Siddique</b> Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. <u>4981</u> /GE		Dated <u>10</u> /04/2016

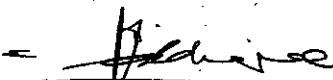
17

Mr. Muhammad Riaz  
 Divisional Forest Officer  
 Siran Forest Division  
 Mansehra


Subject: **DISCIPLINARY PROCEEDING AGAINST MR. DOST MUHAMMAD FORESTER**

Reference: This office, office letter No.3871-73/GE dated 16.02.2016, No.3859-61/GE dated 16.02.2016 and No. 3945/GE dated 19.02.2016.

Attention is invited to the above cited letter and you are once again and finally requested to finalize the enquiry proceedings within a week time positively please.

  
 Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Oghi

EF  
 27/4

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

SIRAN FOREST DIVISION MANSEHRA  
FOREST DEPARTMENT  
KHYBER PAKHTUNKHWA  
Ph. & Fax #. 0997-920140



NO. 9573 /GE  
Dated 28 /04/2016

Mr. Dos Muhammad Forester  
C/O,  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

**FINAL NOTICE**

Subject: **DISCIPLINARY PROCEEDING ON ACCOUNT OF MIS-APPROPRIATION OF 2587-55 CFT TIMBER.**

Reference: Divisional Forest Officer Agror Tanawal Forest Division Oghi office endorsement No.3871-73/GE, No.3859-61/GE dated 16.2.2016, this office letter No.7483/GE dated 2.3.2016, No.7733/GE dated 08.03.2016 and No.8742/GE dated 05.04.2016.

You were directed vide above cited letters to submit your written/defensive reply to the undersigned, so that disciplinary proceedings could be stated and finalized accordingly but it is regretted to note that you are deliberately using delay tactics and lingering the proceeding for your unknown reasons.

You are therefore, once again and finally directed to submit your reply to the charge sheet/statement of allegations within 3 days of receipt of this letter positively failing which it will be presumed that you have nothing to put in your defense and disciplinary proceeding will be decided exparte.

Divisional Forest Officer  
Siran Forest Division Mansehra

No. 9574 /GE

Copy forwarded to the Divisional Forest Officer Agror Tanawal Forest Division Oghi for information. Please deliver the enclosed letter to the addressee under proper receipt and send the same to this office alongwith acknowledgement receipt of charge/statement of allegations for further course of action. This is in continuation of his letter No.4981/GE dated 20.04.2016.

Divisional Forest Officer  
Siran Forest Division Mansehra

**ATTESTED**

Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra

21

<p>SIRAN FOREST DIVISION MANSEHRA FOREST DEPARTMENT KHYBER PAKHTUNKHWA Ph. &amp; Fax #. 0997-920140</p>		<p>NO. <u>9984</u> /GE Dated. <u>10</u> /05/2016</p>
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The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

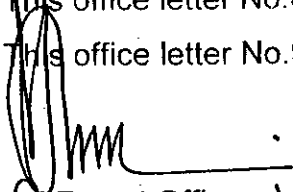
Subject: DISCIPLINARY PROCEEDINGS AGAINST MR. DOST MUHAMMAD FORESTER.

The accused official, was required to expedite his reply to the statement of allegation within-07 <sup>days</sup> but despite issuance of repeated reminders through your office he deliberately failed to do the needful till date which depicts that the accused official has nothing to say in his defense.

It is therefore, requested to supply the acknowledgement receipts of following letters enabling the undersigned to decide the standing enquiry/disciplinary case exparte.

1. This office letter No.7733/GE dated 08.03.2016
2. This office letter No.8742/GE dated 05.04.2016
3. This office letter No.9573/GE dated 28.04.2016

Divisional Forest Officer  
Siran Forest Division Mansehra



*ge*

**ATTESTED**

Divisional Forest Officer  
Umsar Wazirshah Division  
Mansehra



<p><b>SIRAN FOREST DIVISION MANSEHRA FOREST DEPARTMENT KHYBER PAKHTUNKHWA Ph. &amp; Fax #. 0997-920140</b></p>		<p>NO. <u>10447</u> /GE Dated <u>27</u> /05/2016</p>
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Mr. Dost Muhammad Forester  
C/O  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi


Subject: **DISCIPLINARY PROCEEDING ON ACCOUNT OF MIS-APPROPRIATION OF 2587.55 CFT TIMBER**

Reference: Divisional Forest Officer Agror Tanawal Forest Division Oghi office endorsement No.3871-73/GE, No.3859-61/GE dated 16.02.2016, this office letter No.7483/GE dated 02.03.2016, No.7733/GE dated 08.03.2016, No.8742/GE dated 05.04.2016 and No.9573/GE dated 28.04.2015

Despite issuance of repeated reminders you have badly failed to expedite your reply to the Charge sheet/statement of allegations which clearly indicates that you are lingering on the disciplinary proceeding for your unknown reason.

You are once again and finally directed to submit your written/defensive reply to the charge sheet/statement of allegations within 3 days most positively failing which disciplinary proceedings will be decided exparte without waiting for further reminder.

Please acknowledge receipt.

  
Divisional Forest Officer  
Siran Forest Division Mansehra  
No. 10448 /GE *M. ge*

Copy forwarded to the Divisional Forest Officer, Agror Tanawal Forest Division Oghi for information and necessary action. Please deliver the attached letter to addressee under proper receipt and send the same as well as receipt of letters already requested for vide this office letter No.9984/GE dated 10.05.2016 to this office for further course of action. An early action in the matter is required as the subject enquiry case has already been delayed too much.

  
Divisional Forest Officer  
Siran Forest Division Mansehra *M. ge*

**ATTESTED**

  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra

خدمت جناب ڈیٹرنل مارسٹ انٹیر صبا سرن مارسٹ ڈوٹرین ماہرہ  
(انٹوائٹری آفیسر)

عنوان  
خارج شہ

جناب کے گزارش حضور ہند مذوی کے خلاف جناب ڈی ایو او صاحب اگرو تناول نے  
اس بات پر اذیتا کی کاروائی کا اجرا کیا تم مذوی بدوران حکم خارج 2012 تا 31 جنوری  
2015 تک جتنی جی ٹی ٹی ٹی ٹی ٹی سے ڈھلائی ہوئی سٹریٹ ڈیو ماہرہ لائی  
گئی ہے گا نہ تو کوئی رکھنا ہو اور نہ ہی موقع پر لکھی باوجود اس کے کہ جی  
مذوی مذہب نامہ لگائے گئے الزام کی گھت سے باوجود ذیل انکاری ہے کہ وہ

ہم الزام بعد از قیاس امن گھت اور مذوی کی سابقہ ذمہ داری کو اذیتا کرنے  
کی وجہ نامکمل سنازش ہے۔

1- یہ کہ لکھی اذیتا ہنسٹ الزامات شہر گڑھ مارسٹ سب ڈوٹرین کے مختلف بلوک  
سٹ پائے سے ضبط کر کے شہر گڑھ سب ڈوٹرین آفیسر سے حلتہ بلوک آفیسر

سب ڈوٹرین گارڈ پائے رہے۔ جبکہ لہد میں ایس ڈی ایف او شہر گڑھ کے حکم پر  
بزرگیہ فارم ڈی ماہرہ ڈھلائی کرنے اور نام "F" حاصل کرنے کے بعد اذیتا وارہ  
جناب ایس ڈی ایف او صاحب کے وائل کرنا میری ذمہ داری تھی جو میں نے حسن طریقے  
سے سرانجام دی۔ حملہ 2587.55 مکسٹ فلٹ سے لکھی شہر بہادر مارسٹ کی  
زیر نگرانی ڈھلائی گئی تھی اور کچھ مذہب گارڈ گارڈ کی۔

2- جب نام "F" اپنی ذمہ سٹریٹ ڈیو ماہرہ جاری کرتا ہے تو اس کے بعد اس لکھی  
حکم ذمہ داری اس پر عاید ہوئی ہے مگر اسکی زیر نگرانی باقاعدہ لکھی ڈیو میں موجود  
جملہ لکھی کی جو کھار کر تاپ۔ اس لکھی کی نیندی جی ڈیو ایو ایو کی معاونت سے ہوئی

3- اگر دفتر DF صاحب اگرو تناول لکھی جو ماہرہ ڈھلائی کی تے کے بعد نیندی کی حلتی ہے کہ  
جملہ رکھنے کے تفصیل سے چیک کرتے تو زیر تجویز انکوائری کی نوبت ہی نہ آئی کیونکہ  
ہنسٹ الزامات سے ذمہ لکھی باقاعدہ لکھی لکھی کی شکل میں نیندی  
ہنسٹ کے بعد ذمہ لکھی نہ واجبات جمع کرنے کے آگے ہیں مگر اس کے باوجود

زیر تجویز انکوائری کا اجرا کرنے میں دستخط کی شہرت۔ ویاہرداری کو داغدار کرتے  
 کی راہ انکوائری کی گئی۔ جیکہ جملہ ریکارڈ دفتر میں موجود ہیں اور بجائے زیر تجویز انکوائری  
 کے اجرا کے متعلق دفتری اہلکار سے پوچھ گچھ کی گئی تو حقیقت سامنے آئی۔  
 4۔ جناب ڈی ایف او صاحب کے دفتر میں بار بار اس بات کی طرف توجہ دینے والے کوئی ایسا  
 نہ دفتر میں موجود دیگر نیکوئی کے ریکارڈ کو مدد فرم کر جانے سے متعلق حقائق سامنے آئے ہیں  
 مگر ایسا نہیں کیا گیا بلکہ مذکورہ ذمہ دار ٹھہرا گیا۔ حالانکہ جب رات وار ہوتے  
 یا جاتا ہے تو اس پر جملہ کوائف بھی لکھے جاتے ہیں تاہم آئندہ جی کسی بات پر ابہام  
 نہ پیدا ہو۔  
 5۔ مذکورہ کارسے کا ذمہ داری سے سرانجام دیا ہے۔ جملہ ریکارڈ کی تفصیل لیدر ڈیوٹی  
 سیکرٹری ڈیوٹی اور وصولی نامہ ایف ڈی وارہ مرتب کر کے بذریعہ اس ڈی ایف او صاحب  
 ڈیوٹی دفتر ڈی ایف او صاحب ارسال کرتے رہے۔ اگر مئی 2012 تا جنوری 2015  
 کا جملہ ریکارڈ مدد فرم کیا جائے تو حقیقت سامنے آجائے گی۔

6۔ یہ ملاحظہ کیا گیا کہ ڈیوٹی وارہ جاری شدہ میں درج جملہ ریکارڈ لیدر ڈیوٹی  
 ذمہ دار مختلف لاکھائے فریڈم انکوائری کے ہیں۔ جس کی تفصیل لیدر ڈیوٹی  
 انقوس میں اس بات کا ہے کہ جملہ ریکارڈ دفتر میں موجود ہونے کے باوجود مذکورہ  
 کا حقیقت کو بدنام کرنے کی فریڈم انکوائری کے نتیجے میں زیر عمل انکوائری  
 کا اجرا کیا گیا۔ جو کہ مذکورہ کے ساتھ سر اسر ظلم اور نا انصافی ہے۔  
 مذکورہ نے ہمیشہ اپنی ڈیوٹی نہایت اہم لہذا سے سرانجام دینے کی کوشش کی اور  
 کوئی نہ جی اس پر کاربند رہوں گا۔  
 بنا پر یہ جناب سے التماس کی جاتی ہے کہ مذکورہ کے اوپر لگائے گئے جملہ  
 الزامات جو کہ حقائق کے بالکل منافی ہیں بری فرمایا جائے۔

الکرامت  
 المہر قوم

روستہ محمد نادر شاہ شہر ٹرڈھ فار سب ڈویژن۔

ATTESTED

31/05/2016

Officer  
 Under  
 Division  
 Sindhra

EG  
 2  
 31/5

KHAN FOREST DIVISION MANSEHRA  
FOREST DEPARTMENT  
KHYBER PAKHTUNKHWA  
Ph. & Fax #. 0997-920140



NO. 4081-83/GE

Dated 15/11/2016

1. Mr. Zulfiqar Khan Forester  
C/O  
Divisional Forest Officer  
Galis Forest Division, Abbottabad
2. Mr. Dost Muhammad Forester
3. Mr. Sher Bahadar Forester  
C/O  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

Subject: **DISCIPLINARY PROCEEDINGS AGAINST M/S ZULIFIQAR KHAN FORESTER THE THEN INCHARGE SHERGARH FOREST SUB DIVISION, DOST MUHAMMAD FORESTER AND SHER BAHADAR FORESTER ON ACCOUNT OF MIS-APPROPRATION OF 2587.55 CFT TIMBER**

Please attend the office of the undersigned on 24/11/2016 at 1000 hours for personal hearing, so that disciplinary proceeding could be completed accordingly.

In case of failure, disciplinary proceedings will be finalized exparte.

Divisional Forest Officer  
Siran Forest Division Mansehra

No. 4084-85/GE

Copy forwarded to:

1. The Divisional Forest Officer, Galis Forest Division Abbottabad for information. Please deliver the attached letter to the addressee under proper receipt and send the same to this office for further course of action.
2. The Divisional Forest Officer, Agror Tanawal Forest Division Oghi for information. Please deliver the attached letters to the addressees under proper receipt and send the same to this office for further course of action. He is further requested to direct SDFO Agror (Prosecutor) to attend the enquiry proceeding alongwith all relevant record in original on the date and time fixed without failed.

Divisional Forest Officer  
Siran Forest Division Mansehra

ATTESTED

Divisional Forest Officer  
Unhar Forest Division  
Mansehra

Received  
18/11/2016

سوال :- آپ بدوران 2012-5-1 تا 2015-1-31 شہر ٹیڑھ بلوک پراپرائز چیلے  
 جواب :- جی ہاں میں از 2012 سے نے کر ایجنٹ شہر ٹیڑھ بلوک پری ہیں

سوال :- آپ پرائز نام لگایا صلہ دوران ڈیوٹی آپ نے 605 ٹک مختلف اقسام 2587.55 ملکہ  
 فٹ پڑ آمدہ ناجائز لٹائی ڈھلانی حقیقات شہر ٹیڑھ ریجنج سے سنڈ ڈیوٹی مال سپر  
 بزرگیز فارم D سے تھر تھر کی ہے تھکن سنڈ ڈیوٹی پیمانے کے بعد ملکہ صزا کو  
 بحق سرکار نڈم نہیں لگایا ملکہ اپنے ذاتی اعزاز میں وفاقہ کی خاطر خورد خورد کیا  
 اس سلسلے میں آپ اپنے حقائق میں کیا کہیں گے؟

جواب :- الزام عطا ہے۔ اس میں کوئی شک نہیں کہ ملکہ خورد خورد شہر ٹیڑھ ریجنج سے بزرگیز  
 فارم D سے سنڈ ڈیوٹی پیمانے میں اس کے بعد ملکہ صزا کی سرکاری لائسنس  
 بنا کر ذمہ نگداری DFO اٹھوڑ تھاول نڈم عام لگایا گیا جسکا فیصلی در ریکارڈ دفتر  
 ڈی۔ ایف۔ او اٹھوڑ تھاول اوٹی میں موجود ہے جسکو چیک کیا جا سکتا ہے  
 اس اٹھوڑ اس سلسلے میں کوئی غلطی یا کوتاہی نہیں ہے و عمر داری میں آتی ہے آج  
 بجی اور پھینک کر کے میں ذمہ دار رہوں گا اس سلسلے میں در ریکارڈ تھر تھر ملکہ  
 و نڈم لف رپورٹ ہے۔

سوال :- اس کے علاوہ آپ عزیز کچھ کہنا چاہتے ہیں؟  
 جواب :- میرا مفصل جواب پیش خدمت ہے جس سے میں مطمئن ہوں اور عزیز کچھ  
 کہنا نہیں چاہتا۔

سوال پراسنل ڈیوٹی اٹھوڑ

سوال :- آپ نے بلوک آفسر شہر ٹیڑھ پراپرائز کے انعامات کی بابت سوالات اور  
 جوابات سننے اس سلسلے میں آپ کچھ کہنا چاہتے ہیں؟  
 جواب :- بلوک آفسر کا جواب برابر در ریکارڈ درست ہے۔

محمد صبر علی  
 24/11/2016

محمد انور DFO اٹھوڑ  
 24/11/2016

ذولقت محمد فر  
 24/11/2016

ATTESTED

Division Forest Officer  
 Senior District Division  
 Manshera

Handwritten signature/initials in the bottom left corner.



Form-D #	Date	Species	Scants/logs	Volume (Cft)	Lot No. through which the timber disposed off
57	11.10.2013	Kail	8	78.98	No. 10 & 11/2013-14
35	27.6.2013	Kail	18	69.55	No. 2/2012-13
38	16.7.2012	Chir	10	70.25	No. 6 & 7/2012-13
		Kail	9	36.44	
40	-	Kail	36	139.32	No. 15/2012-13
41	23.10.2012	Chir	10	43.93	No. 16/2012-13
		Kail	15	62.11	No. 19/2012-13
		Kail	2	10.11	No. 15/2013-14
61	6.1.2014	Fir	22	46.89	No. 15/2013-14
62	12.1.2014	Chir	22	96.47	No. 16/2013-14
		Kail	6	14.38	
63	28.1.2014	Kail	21	102.35	No. 21/2013-14
64	28.1.2014	Kail	22	105	
67	21.4.2014	Kail	15	59.6	No. 33/2013-14
69	24.4.2014	Kail	4	67.8	No. 32/2013-14
70	5.5.2014	Kail	27	119.01	No. 33/2013-14
89	29.5.2015	Kail	6	21.99	No. 1/2015-16
27	19.5.2012	Kail	25	117.63	No. 20/2011-12
28	1.6.2012	-	21	72.49	
29	3.6.2012	-	8	35.02	No. 5/2011-12
30	18.6.2013	Chir	15	129.04	No. 35/2012-13
31	19.6.2013	Chir	11	159.96	
33	30.12.2013	Kail	121	408.02	No. 19/2013-14
		Fir	24	89.71	
43	29.6.2014	Chir	12	52.68	No. 9/2014-15
44	1.7.2014	Kail	6	24.87	
46	8.7.2014	Kail	12	43.94	No. 4/2014-15
48	25.7.2014	Chir	3	36.13	No. 23/2012-13
49	7.8.2014	Kail	15	42.99	No. 4/2014-15
50	Aug-14	Kail	14	35.63	
		Chir	2	8.35	No. 2/2014-15
51	17.8.2014	Kail	10	47.8	No. 6/2014-15
		Chir	8	20.23	No. 2/2014-15
54	25.8.2014	Kail	14	35.7	No. 36/2012-13
55	30.8.2014	Kail	16	43.09	No. 5/2013-14
59	20.12.2014	Kail	15	40.09	No. 16/2014-15


SDF O AS 207  
24/11/2016  
24/11/2016

SDF O

24/11/2016

**ATTESTED**

Sub-Inspector Forest Officer  
Unhar Forest Division  
Ranchhra

<del>Muhammad Iqbal</del> Divisional Forest Officer		Khyber Pakhtunkhwa Siran Forest Division Mansehra Ph. & Fax #. 0997-920140
No. 4398 /GE	Dated Mansehra the 29/11/2016	

35

The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

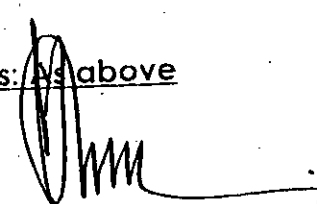
Subject: ENQUIRY REPORT AGAINST ZULFIQAR ALI, DOST MUHAMMAD AND  
SHER BAHADAR FORESTERS WITH REGARD TO SHORTAGE OF TIMBER

Reference: Your letter No. 3865-67/GE, No. 3868-70/GE and No. 3871-73/GE dated 16.2.2016 respectively.

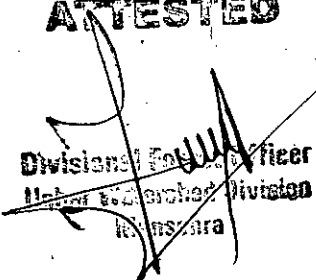
Enclosed herewith find enquiry report containing page-01 to 05 on the subject cited above alongwith enquiry files of the following officials for further course of action in your office:

1. Zulfiqar Khan Forester (page-01 to 48)
2. Dost Muhammad Forester (Page-01 to 34)
3. Sher Bahadar Forester (Page-01 to 40)

Encls: As above

  
Divisional Forest Officer  
Siran Forest Division Mansehra

**ATTESTED**

  
~~Divisional Forest Officer  
Mansehra Forest Division  
Mansehra~~

**ENQUIRY REPORT AGAINST ZULFIQAR ALI, DOST MUHAMMAD AND SHER BAHADAR FORESTERS WITH REGARD TO SHORTAGE OF TIMBER**

**READ WITH**

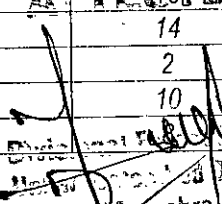
- i. DFO Agror Tanawal letter No. 3868-70/GE dated 16.2.2016
- ii. DFO Agror Tanawal letter No. 3856-58/GE dated 16.2.2016
- iii. DFO Agror Tanawal letter No. 3871-73/GE dated 16.2.2016
- iv. DFO Agror Tanawal letter No. 3859-61/GE dated 16.2.2016
- v. DFO Agror Tanawal letter No. 3865-67/GE dated 16.2.2016
- vi. DFO Agror Tanawal letter No. 3862-64/GE dated 16.2.2016
- vii. Reply to the charge sheet/statement of allegation furnished by Zulfiqar Khan Forester dated 15.10.2016.
- viii. Reply to the charge sheet/statement of allegation furnished by Dost Muhammad Forester dated 31.5.2016.
- ix. Reply to the charge sheet/statement of allegation furnished by Sher Bahadar Forester dated 24.5.2016.
- x. Statements of personal hearing dated 24.11.2016

**BRIEF HISTORY OF THE CASE**

M/S Zulfiqar Khan Forester the then incharge Shergarh Forest Sub-Division, Dost Muhammad & Sher Bahadar Forester transported the following confiscated timber from Shergarh Forest Sub-Division to Central Sale Depot Mansehra for auction during the period 01.05.2012 to 31.01.2015 but neither the record of its auction nor the timber is available in Central Sale Depot Mansehra:

Form-D #	Date	Location from where timber transported	Species	# Scants/ Logs	Volume (Cft)
57	11.10.2013	Karori	Kail	8	78.98
35	27.6.2013	Karori	Kail	18	69.55
38	16.7.2012	Shergarh	Chir	10	70.25
			Kail	9	36.44
40	-	Karori	Kail	36	139.32
41	23.10.2012	Shergarh	Chir	10	43.93
			Kail	15	62.11
			Kail	2	10.11
61	6.1.2014	Bandian Phulra	Fir	22	46.89
62	12.1.2014	Harran Shergarh	Chir	22	96.47
			Kail	6	14.38
63	28.1.2014	Shergarh	Kail	21	102.35
64	28.1.2014	Shergarh	Kail	22	105.00
67	21.4.2014	Shergarh	Kail	15	59.60
69	24.4.2014	Karori	Kail	4	67.80
70	5.5.2014	Shergarh	Kail	27	119.01
89	29.5.2015	Shergarh	Kail	6	21.99
27	19.5.2012	Shergarh	Kail	25	117.63
28 ✓	1.6.2012 ✓	Shergarh ✓	-	21 ✓	72.49 ✓
29	3.6.2012	Shergarh	-	8	35.02
30	18.6.2013	Shergarh	Chir	15	129.04
31	19.6.2013	Shergarh	Chir	11	159.96
33	30.12.2013	Police Station Lassan	Kail	121	408.02
			Fir	24	89.71
43	29.6.2014	Shergarh	Chir	12	52.68
44	1.7.2014	Shergarh	Kail	6	24.87
46	8.7.2014	Shergarh	Kail	12	43.94
48	25.7.2014	Shergarh	Chir	3	36.13
49	7.8.2014	Shergarh	Kail	14	42.99
50	8/2014	Shergarh	Kail	14	35.63
			Chir	2	8.35
51	17.8.2014	Shergarh	Kail	10	47.80
			Chir	2	26.28

**ATTESTED**

  
 Divisional Officer  
 Forest Sub-Division  
 Mansehra

54	25.8.2014	Shergarh	Kail	14	35.70
55	30.8.2014	Shergarh	Kail	16	43.09
59	20.12.2014	Shergarh	Kail	15	40.09
<b>Total</b>				<b>605</b>	<b>2587.55</b>

The above detail was provided to the officials for clarification about its disposal with the directives to intimate lot number of each consignment through which it was disposed off vide DFO Agror Tanawal Forest Division letter No. 5275-77/GB dated 15.6.2015 but despite issuance of reminders they failed to clarify the position which lead their Inefficiency, Misconduct & Corruption.

### PROCEEDINGS

The DFO Agror Tanawal in the capacity of authority served Charge Sheet vide letter No. 3868-70/GE with statement of allegation vide No. 3856-58/GE dated 16.2.2016 respectively upon Mr. Zulfiqar Khan Forester the then incharge Shergarh Forest Sub-Division, Charge Sheet No. 3871-73/GE and statement of allegation vide No. 3859-61/GE dated 16.2.2016 upon Dost Muhammad Forester and charge sheet vide No. 3865-67/GE alongwith statement of allegation vide No. 3862-64/GE dated 16.2.2016 upon Sher Bahadar Forester and appointed the undersigned as an enquiry officer to initiate disciplinary proceedings against the accused officials under the rules and submit the report.

### DISCUSSION

After issuance series of reminder, the accused officials furnished their replies to the charge sheets separately. The crux of their replies is as under:

#### ZULFIQAR KHAN FORESTER

605 scants= 2587.55 cft timber transported through incharge Shergarh Block, after counting, verification according to the record issued Form-F which was delivered to incharge Lease Branch of Divisional Officer through concerned incharge Range Officer Shergarh. The entire timber has been disposed off through open auction which accordingly authenticated in Form-5 & 6.

During the period from 1.5.2012 to 31.1.2015 various officer worked as SDFO Shergarh. Most probably these officers accompanied the DFO Agror Tanawal during auction and the detail of auction value would exist in the Cash Book of Divisional Accountant or Head Clerk. Such huge amount neither could retain with the Chowkidar nor without approval of DFO is timber released without signature of DFO. The allegations leveled against him are void and just discoloration him.

#### DOST MUHAMMAD FORESTER

1. That the enlisted timber seized from various Beats/Blocks and transported to Shergarh Range Office by them which subsequently on the directives of SDFO Shergarh transported to Central Sale Depot Mansehra through Form-D. After acknowledging the timber on Form-F, thereafter he was responsible for preparation of size-wara/lot-wara and its delivery to SDFO Shergarh which he did most prominently. Out of the enlisted timber, some timber has been transported to Central Sale Depot under the supervision of Sher Bahadar Forester and some of Ghulam Muhammad Forest Guard.
2. That after issuance of Form-F it was the sole responsibility of depot incharge to protect the timber through Depot Chowkidar. The timber lying in Mansehra Depot is auctioned by the respective DFO with the collaboration of Depot incharge.
3. In case the staff of Divisional Office Agror Tanawal analyze the timber transported with that disposed off through auction in shape of small lots and thereafter released to purchaser after recovery of government dues, the instant enquiry will not be required.
4. That he diverted the attention of the concerned staff of DFO office to carryout proper verification of the record with regard to timber auctioned in order to elaborate the factual position yet he has

**ATTESTED**

*[Signature]*  
 District Officer  
 Forest Division  
 Mansehra

been held responsible irrespective of the facts that he has recorded full particulars on the lot-wara.

5. That entire timber transported to Central Sale Depot Mansehra has been released to the purchaser but instead of scrutinizing the record action has been initiated against him.

### SHER BAHADAR FORESTER

He has transported the following timber to Central Sale Depot through Form-D which accordingly been disposed off and released to the purchasers under the approved procedure through lots as noted against each:

Form-D #	Date	Species	Scants/ logs	Volume	Lot # through which auctioned
35	27.6.2012	Kail	18	69.55	2/2012-13
40	19.10.2012	Kail	36	139.32	15/2012-13
43	29.6.2014	Chir/Kail/Fir	12	52.68	9/2014-15
44	1.7.2014	Kail	6	24.87	
46	8.7.2014	Kail/Fir	12	43.94	4/2014-15
<b>Total</b>			<b>84</b>	<b>330.36</b>	

Entire relevant record is available in Divisional Office for which dealing hands are informed but his request has not been entertained. The allegations leveled against him are not justified, therefore he may be absolved.

### CONCLUSION

The replies furnished by all the three accused officials have been analyzed critically with the record provided by the DFO Agror Tanawal after lengthy correspondence. The factual position is as under:

Form-D #	Date	Species	Scants/ Logs	Volume (Cft)	Lot Number through which disposed off.
57	11.10.2013	Kail	8	78.98	No. 10 & 11/2013-14 (Mixed with timber of other Form-D)
35	27.6.2013	Kail	18	69.55	No. 2/2012-13 (Mixed with timber of other Form-D)
38	16.7.2012	Chir	10	70.25	No. 6 & 7/2012-13 (Mixed with timber of other Form-D)
		Kail	9	36.44	
40	-	Kail	36	139.32	No. 15/2012-13
41	23.10.2012	Chir	10	43.93	No. 16/2012-13
		Kail	15	62.11	No. 19/2012-13
		Kail	2	10.11	No. 15/2013-14
61	6.1.2014	Fir	22	46.89	No. 15/2013-14
62	12.1.2014	Chir	22	96.47	No. 16/2013-14 (Mixed with timber of other Form-D)
		Kail	6	14.38	
63	28.1.2014	Kail	21	102.35	No. 21/2013-14
64	28.1.2014	Kail	22	105.00	
67	21.4.2014	Kail	15	59.60	No. 33/2013-14
69	24.4.2014	Kail	4	67.80	No. 32/2013-14
70	5.5.2014	Kail	27	119.01	No. 33/2013-14
89	29.5.2015	Kail	6	21.99	No. 1/2015-16
27	19.5.2012	Kail	25	117.63	No. 20/2011-12
<b>28</b>	<b>1.6.2012</b>	<b>Kail</b>	<b>21</b>	<b>72.49</b>	<b>No record produced by the accused officials.</b>
29	3.6.2012	Kail	8	35.02	No. 5/2011-12 (Mixed with timber of other Form-D)
30	18.6.2013	Chir	15	129.04	No. 35/2012-13
31	19.6.2013	Chir	11	159.96	
33	30.12.2013	Kail	121	408.02	No. 19/2013-14
		Fir	24	89.71	
43	29.6.2014	Chir	12	52.68	No. 9/2014-15
44	1.7.2014	Kail	6	24.87	

**ATTESTED**

*[Signature]*  
 Officer  
 Division

46	8.7.2014	Kail	12	43.94	No. 4/2014-15 (Mixed with timber of other Form-D)
48	25.7.2014	Chir	3	36.13	No. 23/2012-13 (Mixed with timber of other Form-D)
49	7.8.2014	Kail	15	42.99	No. 4/2014-15 (Mixed with timber of other Form-D)
50	8/2014	Kail	14	35.63	No. 2/2014-15
		Chir	2	8.35	No. 2/2014-15
51	17.8.2014	Kail	10	47.80	No. 6/2014-15
		Chir	8	20.23	No. 2/2014-15
54	25.8.2014	Kail	14	35.70	No. 36/2012-13 (Mixed with timber of other Form-D)
55	30.8.2014	Kail	16	43.09	No. 5/2013-14 (Mixed with timber of other Form-D)
59	20.12.2014	Kail	15	40.09	No. 16/2014-15
<b>Total</b>			<b>605</b>	<b>2587.55</b>	

I may like to mention here regarding contemptible role of prosecution. Despite issuance of repeated reminders in writing as well as telephonic contacts the desired record/information has not been supplied by the office dealing hand well in time due to which proceeding delayed therefore he deserve for appropriate action.

However, the lots files received by the undersigned have been thrashed very minutely and whereabouts of following timber has not been known:

Form-D #	Date	Species	Scants	Volume	By whom issued
28	1.6.2012	Kail	21	72.49	Dost Muhammad Forester

The above detail concluded that:

1. According to the rules and procedure, it was the sole responsibility of SDFO/RFO to record necessary entry on Form-17 as and when any timber seized either by him or by lower staff. After appropriation of seized timber, the SDFO/RFO has to transfer the seized timber to Timber Form-7 and arrange its transportation to Central Sale Depot Mansehra for disposal. Thereafter it was the responsibility of SDFO to prepare proper lot of transported timber either in accordance with quantum of timber mentioned in Form-D or Form-F issued by the depot incharge and then forward to DFO Office duly certified but in the instant case rules/procedure has totally been violated and whole responsibility has been shifted on the shoulder of lower staff which proves his inefficiency.
  2. Mr. Zulfiqar Khan Forester the then incharge Shergarh Forest Sub-Division has mentioned in his reply that entire detail of timber is available in the Cash Books of Head Clerk and Accountant. Such blemish sentence of the official hold the charge of BPS-17 is very shocking rather indicating that he is totally ignorant about the rules/procedure. In fact all the reports submitted by the SDFOs/RFOs are compiled in Divisional Office but here the incumbent badly failed to supply the desired information with documents which otherwise proved his inefficiency.
  3. Mr. Dost Muhammad Forester (the accused officials) failed to provide any documentary proof showing the detail of lot-wara through which the consignment of Form-D i.e **21 Kail scants = 72.49 cft** has been disposed off hence charge of inefficiency stand proved and is liable to pay value of timber on prevailing market rates on which the timber of said species disposed off at the time i.e June 2012. However charges of Misconduct & Corruption could not find proved.
  4. Mr. Sher Bahadar Forester has provided detail of timber transported under his supervision and subsequently disposed off. Hence the charges leveled against him are not proved.
5. It was the sole responsibility of SDFO Shergarh to issue Form-D under his own signature authorizing any Forester or Forest Guard to transport the timber to Central Sale Depot Mansehra. Thereafter being custodian of state property, the SDFO Shergarh was required to prepare proper size wara of timber showing the particular of timber i.e Species, logs/scants, volume. Destination

**ATTESTED**

Official  
Division

(45)


from where obtained/seized, Damage Report No. with date, Form-D No & Form-F No. after completion of documentation but he failed to discharge his obligatory duty in appropriate manner.

- 6. It is the responsibility of incharge Lease Branch to analyze the contents of timber transported to Central Sale Depot on Form-D after recording proper entries on Timber Form-7 and 17 with the detail of timber put to open action after preparation of size-wara as well as with monthly progress report with regard disposal of timber but he failed to-do-so.

**RECOMMENDATIONS**

Keeping in view the above conclusion the undersigned in the capacity of enquiry officer hereby recommend:

- 1. Recovery of cost of timber i.e 21 Kail scants = 72.49 cft as mentioned above shall be recovered on prevailing market rates at the time the timber transported to Central Sale Depot Mansehra from Mr. Dost Muhammad Forester who transported the timber through Form-D but he failed to process further for its disposal according to the procedure in vogue. The SDFO Shergarh holding the charge during the month of 6/2012 shall also explain regarding his failure in maintenance of relevant record and furnishing of lot-wara of this timber to DFO Agror Tanawal for disposal of timber.
- 2. M/S Zulfiqar Khan Forester the then incharge Shergarh Forest Sub-Division and Sher Bahadar Forester may be exonerated from the charges.

  
 (Muhammad Riaz)  
 Divisional Forest Officer  
 Shergarh Forest Division, Mansehra  
 (Enquiry Officer)

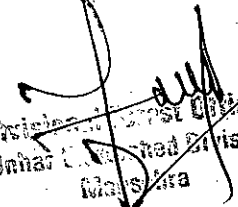
GE  
 go through as per recommendation  
 of the enquiry committee and

Calculate the value of timber 72.49 cft  
 at the prevailing market rate during the  
 month of 6/2012.

~~Mr Dost~~  
 7.12.2016

provided that if the guilt  
 is proved against the  
 accused during personal  
 hearing after issuing show  
 cause notice.

ATTESTED

  
 Divisional Forest Officer  
 Shergarh Forest Division  
 Mansehra

~~Mr Dost~~  
 7/12/2016

*DFA*

47

Muhammad Siddique DIVISIONAL FOREST OFFICER		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. <i>2407</i> /GE		Dated <i>12/11/2016</i>

Mr. Dost Muhammad Forester  
C/o  
Sub-Divisional Forest Officer  
Shergarh

Subject: DISCIPLINARY PROCEEDINGS – SHOW CAUSE NOTICE THEREOF

I, Muhammad Siddique Divisional Forest Officer Agror Tanawal Forest Division as competent authority, under the Khyber Pakhtunkhwa Government Servant (Efficiency & Disciplinary) Rules 2011, do hereby serve you Mr. Dost Muhammad Forester as follows:

1.
  - i. That consequent upon the completion of enquiry conducted against you by the enquiry officer/committee for which you were given opportunity of personal hearing dated 24.11.2016.
  - ii. On going through the findings and recommendations of the enquiry officer/committee, the material on record and other connected papers including your defense before the enquiry officer/enquiry committee.

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

- a. Misconduct
  - b. Inefficiency
  - c. Corruption
2. As a result thereof, I as competent authority have tentatively decided to impose upon you the following penalties.
    1. Recovery of cost of timber i.e. 21 Kail Scants = 72.49 Cft as mentioned above shall be recovered on prevailing market rates at the time the timber transported to central sale depot Mansehra from Mr. Dost Muhammad forester who transported the timber through From-D but he failed to process further for its disposal according to the procedure in vogue. The SDFO Shergarh holding the charge during the month of 06/2012 shall also explain regarding his failure in maintenance of relevant record and furnishing of Lot-wara of this timber to DFO Agror Tanawal for disposal of timber.
  3. You are therefore required to show cause as to why the afore-aid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
  4. 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.
  5. A copy of the findings of the enquiry officer/enquiry committee is enclosed.

Encls: As above

*K*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi  
No. *2408* /GE

Copy forwarded to the Sub Divisional Forest Officer Shergarh Forest Sub Division for information and necessary action. The letter meant for the above named official is enclosed herewith which should be delivered to him under proper receipt and send the same to this office for further course of action and record.

**Matter is most urgent.**


*K*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

**ATTESTED**

Encls: As above

*[Signature]*  
Divisional Forest Officer  
Under Agror Tanawal Forest Division  
Mansehra



<b>Muhammad Siddique</b> Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. <u>3606</u> /GE		Dated <u>24 02</u> /2017


(5)

Mr. Dost Mohammad Forester  
C/O SDFO Shergarh Forest Sub-Divison

Subject: - **SHOW CAUSE NOTICE**

Reference This office letter No. 2407/GE dated 12-1-2017

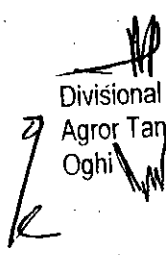
Please refer to the above cited letter and you are once again directed to submit reply to show cause notice within three days of the receipt of this letter failing which it will be presumed that you have nothing to say in your defence and exparty action will be taken against you.

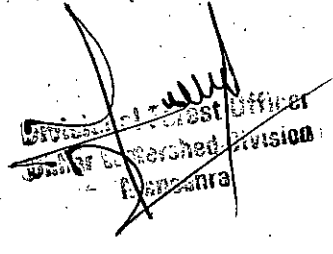
  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

No. 3607 /GE,

Copy alongwith original copy of above letter addressed to Dost Mohammad Forester forwarded to the SDFO Shergarh for information and necessary action. He is directed to handover the same to the above named Forester under proper receipt which may be sent to this office for further necessary action and record.

Encl: As above.

  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

**ATTESTED**  
  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

32  
A-11

(53)

Received DFO office letter #3606/GF


Dated = 24-03-2017 from SDO  
Sheegalle forest sub Division

subject show cause Notice

Dast Mohal fr

*[Signature]*  
29/2017

~~ATTESTED~~  
~~Deputy Forest Officer~~  
~~Unhar State Forest Division~~  
~~Kanichra~~

<b>Muhammad Siddique</b> Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. <b>4051</b> /GE		Dated <b>25</b> /04/2017


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Mr. Dost Mohammad Forester  
 C/O SDFO Shergarh Forest Sub-Divison

Subject: - **SHOW CAUSE NOTICE**

Reference This office letter No. 2407/GE dated 12-1-2017 & No. 3606/GE dated 24-3-2017


Please refer to the above cited letter and you are once again directed to submit reply to show cause notice within three days of the receipt of this letter failing which it will be presumed that you have nothing to say in your defence and exparty action will be taken against you.

  
 Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Oghi

No. **4052** /GE,

Copy alongwith original copy of above letter addressed to Dost Mohammad Forester forwarded to the SDFO Shergarh for information and necessary action. He is directed to handover the same to the above named Forester under proper receipt which may be sent to this office for further necessary action and record.

Encl: As above.

  
 Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Oghi

**ATTESTED**

  
 Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Oghi

57

Divisional Forest Officer

Agror Tanawal Forest Division

Oghi

Subject: Disciplinary Proceedings - Show Cause Notice There of

Memo: Reference of your goodself office letter # 2407/GE Dated: 12-01-2017

R/Sir,

It is submitted that 21 kail scants having volume=72.49cft has been transported to central sale depot Mansehra by the undersigned vide Form D, the same wood has been received by the depot incharge and issue Form F #99/22 Dated: 23-06-2012, it clearly justify that the undersigned has transported the said wood to Mansehra sale depot safely, now further it's the duty of depot incharge to take care of this wood and process it till its logical end, its true that I have not made the lot wara but its not my sole responsibility, its also responsibility of concerned SDFO at that time but the enquiry officer has targeted only the undersigned.

More over as per record of government kail wood is present in the central Mansehra depot but actually it is not present, now where is kail-wood? an explanation is required to be call from depot incharge at that time, but the enquiry officer has not touch him, the decision of this enquiry producing shade on fact. A depot incharge is wholly and solly responsible for the wood place in respective depot.

In view of above it is therefore requested to denove this enquiry so that decision can be made purely on merit for the best interest of the state please.

Deot Mohammad  
Forester Shergarh  
Block

*[Signature]*  
25/04/2017

Forwarded to  
DFO AT for  
n/a please.  
M. Al. and  
SDFO Shergarh.

Urgent

Estt: **ATTESTED**

*[Signature]*  
DFO  
11/5  
Divisional Forest Officer  
Agror Tanawal Forest Division

Put up h/w for H/O Person  
and further order. If  
agreed opint may be  
called for person hearing  
Please

*[Signature]*  
12/5

55

NO. F. D. 27-E.

No. of Serial No. 99

Forst Officer

Forest Department N.W.F.P.

..... detailed below has been handed over to me  
from ..... Station Sub-Section No..... of .....

the..... Hazara Exploitation Sub-Division for  
delivery at the Sale/Intermediate Depot at.....

(Triplicate)

KIND OF TIMBER	Dimensions	No. of pieces
<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>
<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>
<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>
<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>
<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>
<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>
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<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>
<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>
<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>	<i>[Handwritten Urdu]</i>
TOTAL	33	139

Dated. 23-6-2012

The.....198..... Carriage Contractor

(To be sent to Officer-in-charge. Sale/Intermediate  
Depot concerned)


<b>Muhammad Siddique</b> Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. 5313 /GE		Dated 16 /05/2017

M. Dost Mohammad Forester  
C/O SDFO Shergarh

Subject:- SHOW CAUSE NOTICE THEREOF.

Reference Your reply to the Show Cause Notice dated 25-4-2017


You are directed to appear before the undersigned for personal hearing on 18 / 5 / 2017 in Divisional Office Oghi at 1000 hours positively with supporting documents, failing which the case will be decided exparte.

  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

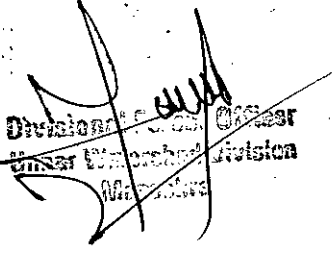
No. 5314 /GE

Copy forwarded to Sub-Divisional Forest Officer Shergarh Forest Sub-Division for information and necessary action. He is requested to deliver attached letter to the above named Forester under proper receipt which should be sent to this office for necessary action and also direct him to appear before the undersigned for personal hearing on the above mentioned date and time accordingly.

Encl: As Above:

  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

**ATTESTED**

  
~~Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi~~

پرسنل حصیرنگ دوست گلزار سسر ٹورم 2017-5

سوال = آپ نے 72-49 فٹ ہنگ سنٹرل سیل ڈیو پنہیائی تھی۔ 9

جواب = جی ہاں میں نے یہ ہنگ سنٹرل سیل ڈیو پنہیائی تھی اور میں ٹورٹ میں فارم این فوڈ 99/20 پیش کش کرتا ہوں اور صدر جواب کے ساتھ جی لف عذرا ہے۔

سوال 2 = اس وقت ڈیو اپنا راج کون تھا۔

جواب = جی اس وقت میرا منتقل فارم سسر ڈیو اپنا راج تھا جو کہ ابھی فوت ہو گیا ہے۔  
سوال 3 = فارم این پر ڈیو اپنا راج کا وہ موبلی کا دستخط موجود ہے۔  
جواب = جی ہاں موجود ہے۔

سوال 4 = فارم این آپ نے اپنے ریجنج افسر کو لائٹ وارہ ڈویژنل آفس بجھنے کے لیے کہا تھا۔  
جواب = وہاں اس کے بعد مجھے کچھ بتا نہیں کہ لائٹ ہن ہے کہ نہیں۔

سوال 5 = ڈیو اپنا راج نے ریجن میں کوئی لیٹر لکھا تھا کہ آپ کی مگر ڈیو میں پڑی ہے نہ لکھا ڈیو لکھیں یا نہیں لکھا۔ 9

جواب = نہیں جی ہاں اس باب میں افسروں نے مجھے کوئی جھٹی لکھی ہے اور نہ 2017 کو لکھی ہے اور نہ زمانہ لکھا ہے۔

سوال 6 = کیا آپ نے وجود ڈیو اپنا راج سے اس مگر نے بارہ میں کوئی پوچھ لکھی ہے۔  
جواب = جی ہاں میں نے اس سے پوچھ لکھی ہے بلکہ اس نے ریجن میں مجھے لکھا کہ وہاں کہ ہمیں اس مگر نے بارہ میں کچھ بتا نہیں ہے۔

Signature  
167 2017

ATTESTED  
18/5/2017

Official Officer  
Muzar District  
Manshra

OFFICE ORDER NO 396 DATED MANSEHRA THE 15 /06/2017 ISSUED BY MUHAMMAD SIDDIQUE, DIVISIONAL FOREST OFFICER, AGROR TANAWAL FOREST DIVISION OGH I  
WITH:

(65)

1. Charge Sheet bearing No. 3871-73/GE dated 16.02.2016.
2. Statement of Allegation No. 3859-61/GE dated 16.02.2016.
3. Reply to the Charge Sheet/ Statement of allegation furnished by Dost Muhammad Forester dated 31.05.2016.
4. Personal hearing of accused dated 24.11.2016
5. Report of enquiry officer vide letter No.4398/GE dated 29.11.2016
6. DFO Agror Tanawal Forest Division Oghi Show Cause Notice No. 2407/GE dated 12.01.2017.
7. Reply to the Show Cause notice dated 24.04.2017.
8. Personal hearing of the accused dated 18.05.2017.

ORDER

Whereas, Mr. Dost Muhammad Forester was Charge Sheeted vide DFO Agror Tanawal Forest Division endorsement No. 3871-73/GE dated 16.02.2016.

Whereas, Mr. Muhammad Riaz Divisional Forest Officer Siran Forest Division Mansehra was appointed as enquiry officer/committee vide DFO Agror Tanawal office endorsement No. 5859-61/GE dated 16.02.2016.

Whereas, the enquiry committee accomplished the proceedings within the ambit of E&D Rules-2011 and submitted outcome vide office No.4398/GE dated 29.11.2016.

Whereas, the report of the enquiry committee was perused, thrashed out, examined critically and was compared & contrasted with the facts surfaced during the mandatory process of personal hearing of the accused on 18.05.2017 and accordingly agreed with it.

Whereas, during this process of personal hearing/cross examination it was unearthed that the contentious consignment (72.49 Cft) had been received by the incharge of Central Sale Depot Mansehra of that era vide Form-F No.99/20 dated 23.6.2012 meaning there by the accused had transported the consignment well in time to its destiny but had not processed the lot wara for auction through his SDFO which warranted the instant enquiry.

And whereas, the undersigned in the capacity of competent Authority and power vested on him vide Rule-14 (5) (ii) of the Rules ibid; hereby orders "imposition of recovery @ Rs.1000/- per Cft (72.49 x 1000)= Rs. 72490/-" on Mr. Dost Muhammad Forester.

Sd/- (Muhammad Siddique)  
Divisional Forest Officer  
Agror Tanawal Forest Division

Copy forwarded to:

1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information and necessary action please.
2. The SDFO Shergarh for information and necessary action.
3. Mr. Dost Muhammad Forester C/O SDFO Shergarh Forest Sub-Division for information.
4. The Divisional Accountant for information.

TESTED  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra

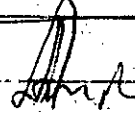
  
Divisional Forest Officer  
Agror Tanawal Forest Division



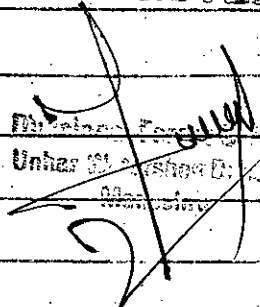
67

Received DPO office order # 396 Dated = 15-06-2017.

Dost Muhammad Forester

 15/6/2017

ATTESTED

  
Under the supervision of  
Municipality

# بخدمت جناب کنزرویٹر صاحب محکمہ جنگلات اپر ہزارہ فارسٹ سرکل مانسہرہ

عنوان: اپیل برخلاف آفس آرڈر نمبر 396 مجریہ مورخہ 15.06.2017 از دفتر DFO اگرورتاول فارسٹ ڈویژن اوگی

بوساطت: جناب DFO صاحب اگرورتاول

جناب عالی

اپیل کنندہ بحیثیت فارسٹ شیر گڑھ صوب ڈویژن میں ڈیوٹی سرانجام دے رہا تھا۔ اس نے اپنی ڈیوٹی کے دوران کچھ ضبط شدہ لکڑی سنٹرل ڈپو مانسہرہ پہنچائی۔ جسکی بعد ازاں نیلامی ہو کر خریداروں کو واہگڈاری کی گئی۔

اس پر اپیل کنندہ کو 4 یا 5 سال بعد چارج شیٹ دیکر انکوائری کا حکم جاری کیا۔ جس میں تمام لکڑی برطابق ریکارڈ سنٹرل ڈپو وصول ہو کر نیلام ہو چکی پائی گئی۔ ماسوائے 21 نگ 72.49 مکعب فٹ قسم بیڑ جس کی بابت فاضل انکوائری افسر نے لکھا کہ اپیل کنندہ اس کا کوئی ریکارڈ نہ پیش کر سکا۔ اس پر فاضل انکوائری آفسر نے اپیل کنندہ سے اس لکڑی کی قیمت کی وصولی کی سفارش کی۔ جس پر اپیل کنندہ کو شوکا ز نوٹس جاری ہوا۔ جس کا اپیل کنندہ نے نہ صرف مفصل جواب دیا بلکہ 7 فارم F 99/20 مورخہ 23.06.2012 کی عکسی نقل بھی شامل کی۔ اور اسالتا پیش ہو کر فارم F 99/20 کی اصل کاپی بھی DFO صاحب کو ملاحظہ کرائی۔ لیکن اس کے باوجود جناب DFO صاحب نے اپیل کنندہ پر 21 نگ قسم بیڑ 72.49 مکعب فٹ کی قیمت کی ریکوری بحوالہ آفس آرڈر نمبر 396 مجریہ مورخہ 15.06.2017 ڈال دی۔

جناب عالی آفس آرڈر نمبر 396 مجریہ مورخہ 15.06.2017 جانبدارانہ ہے۔ جس کی بنا پر قابل تسیح ہے۔

لہذا اپیل کی جاتی ہے کہ آفس آرڈر متذکرہ عنوان منسوخ فرما کر اپیل کنندہ کی سزا معاف فرمائی جائے۔

وجوہات اپیل:

- ۱۔ یہ کہ اپیل کنندہ نے لکڑی متذکرہ بالا 21 نگ 72.49 مکعب فٹ بذریعہ فارم D نمبر 28 مجریہ مورخہ اپیل کنندہ 01.06.2012 سنٹرل ڈپو لاکر ڈپو آفسر کے حوالہ کر کے فارم F نمبر 99/20 مجریہ مورخہ 23.06.2012 حاصل کر کے جناب SDFO صاحب شیر گڑھ کے حوالہ کی۔
- ۲۔ یہ کہ اپیل کنندہ نے وہ لکڑی نہ تو خورد برد کی اور نہ ہی اپنی ڈیوٹی میں کوئی کوتاہی کی۔
- ۳۔ یہ کہ لاٹ بندی کرنا SDFO شیر گڑھ یا ڈپو آفسر سنٹرل ڈپو کا کام ہے نہ کہ اپیل کنندہ کا۔
- ۴۔ یہ کہ لکڑی متذکرہ 21 نگ 72.49 مکعب فٹ ڈپو سے DFO اگرورتاول کی ریلز آرڈر کے بشیر واہگڈاری نہیں ہو سکتی۔
- ۵۔ یہ کہ اپیل کنندہ کو 605 نگ 2587.55 مکعب فٹ کی چارج شیٹ دی گئی جیسا کہ فاضل انکوائری افسر نے لکھا ہے کہ

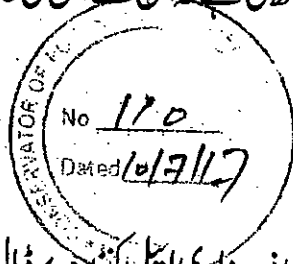
ATTESTED

Division Officer  
District  
District

یہ دفتر DFO اگر ورتا دل کا کام تھا کہ وہ ریکارڈ کی پڑتال کرتے۔ جو بغیر پڑتال ریکارڈ اپیل کنندہ کو چارج شیٹ کر دیا گیا۔  
جملہ لکڑی حوالہ ڈپو انچارج سنٹرل ڈپو کر کے فارم F وصولی لکڑی SDFO صاحب شیر گڑھ کو دے دئے گئے۔

۶۔ یہ کہ اگر 21 نگ 72.49 مکعب فٹ لکڑی ریکارڈ سے پتہ نہیں چلتا تو اس کا اپیل کنندہ کسی بھی طرح ذمہ دار نہیں  
کیوں کہ اپیل کنندہ نے وہ لکڑی سنٹرل ڈپو پہنچا کر فارم F نمبر 99/20 مجریہ مورخہ 23.06.2012 حوالہ SDFO  
شیر گڑھ کر دیا اپیل کنندہ کی ذمہ داری اتنی ہی تھی۔

۷۔ یہ کہ اپیل کنندہ نہ تو ڈپو انچارج تھا اور نہ ہی یہ لکڑی اس کی تحویل میں تھی۔ لہذا اس کی ذمہ داری اگر ریکارڈ سے پتہ نہیں  
چلتا تو سنٹرل ڈپو انچارج یا SDFO شیر گڑھ کی ہے کہ اس نے اس کی لاٹ بندی کی یا نہ۔ لیکن اپیل کنندہ کسی بھی طرح  
اس کا ذمہ دار نہیں۔



عالیجاہ:

درج بالا حقائق سے واضح ہوتا ہے کہ کسی اور کی ذمہ داری اپیل کنندہ پر ڈال دی گئی ہے جس سے صاف ظاہر ہے کہ آفس آرڈر نمبر  
396 مجریہ مورخہ 15.06.2017 جانبدارانہ ہے۔ اور قابل تنسیخ ہے۔

لہذا اپیل کی جاتی ہے کہ آفس آرڈر نمبر متذکرہ بالا منسوخ فرما کر اپیل کنندہ کو بری فرمایا جاوے۔ مزید اپیل کی جاتی ہے کہ اپیل  
کنندہ کو اصالاً پیش ہو کر مزید وضاحت کی اجازت مرحمت فرمائی جاوے۔

اپیل کنندہ  
6/07/2017

دوست محمد فارسیٹر

شیر گڑھ بلاک

EC  
10/7

ATTESTED

Officer  
Division

OFFICE OF THE CONSERVATOR FOR FORESTS UPPER HAZARA FOREST  
CIRCLE MANSEHRA.

To,

The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi.

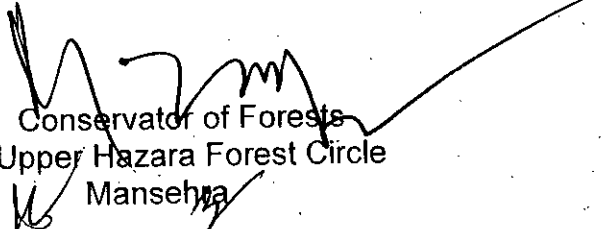
No. 204 /GE, dated Mansehra the 11/07/2017.

Subject: APPEAL AGAINST OFFICE ORDER NO.396, DATED 15/6/2017  
PREFERRED BY MR. DOST MUHAMMAD FORESTER.

Memo:

Enclosed please find herewith an appeal preferred by Mr. Dost Muhammad Forester against office order No.396, dated 15/6/2017 for comments alongwith enquiry file for further necessary action.

Encl: as above.

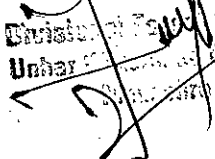
  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

*Estt:*

*- WP*

*DEO  
17/7*

ATTESTED

  
Divisional Forest Officer  
Under Agror Tanawal Forest Division  
Mansehra

Mohammad Siddique Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. <b>630</b> /GE		Dated <b>10</b> /08/2017

The Conservator of Forests  
Upper Hazara Forest Circle Mansehra

Subject: **APPEAL AGAINST OFFICE ORDER NO. 396 DATED 15-6-2017 PREFERRED BY MR. DOST MUHAMMAD FORESTER.**

Reference Your office letter No. 204/GE dated 11-7-2017

The exposition narrated by appellant in the introductory / preliminary para of his appeal is correct as per record of this office.

Now Para wise comments are furnished as under:-

1. It is correct to the extent of references quoted by the appellant but he would have been a " proactive official" if he would have processed the lot of missing timber despite the fact that this was not the mandatory obligation of the appellant.
2. Correct.
3. Correct to the extent of explanation given in para No. 1.
4. Correct but this office is silent about any such release order entailing the detail of timber in question.
5. No, the appellant alongwith SDFO Shergarh of that era would have provided the exact detail of timber in question.
6. Correct to the extent of explanation given in para-1 consented with para-3
7. Correct to the extent that now present incharge of Central Sale Depot Mansehra can exactly locate the position of the consignment under reference.

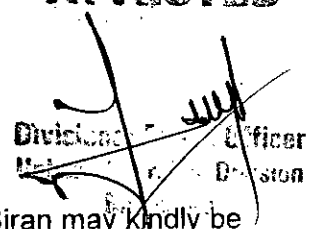
To sum up and connect above paras, it is easily concluded that:-

1. The contentious consignment has been surely transported to its destiny at Central Sale Depot Mansehra .
2. The contents of the appeal of the appellant carry weight in the eyes of law and merit/ qualify for sympathetic consideration.
3. The whereabouts of the missing timber ( 21 Kail Scants = 72.49-Cft) need to be ascertained from the concerned corner.

**ATTESTED**

Hence keeping in view above exposition, it is requested/ recommended that:-

- a. The instant appeal may be valued and thumbed up.
- b. In order to ascertain the factual position of the missing timber, DFO Siran may kindly be approached to get the matter probed through present Incharge Sale Depot Mansehra.

  
Divisional Forest Officer  
Mansehra Division

The original enquiry file from page-01 to 70 is enclosed herewith for necessary action and returned when the same are no longer required please.

**Encl: As Above:**

  
Divisional Forest Officer

07

Muhammad Younas Conservator of Forests Upper Hazara Forest Circle Mansehra		Jalalabad Chowk, Opp: NBP Shahr-Resham Mansehra Phone # 0997-920143 Fax # 0997-381409
No. /GE		Dated 24/8/2017

To,

Mr. Dost Muhammad Forester  
 c/o Divisional Forest Officer,  
 Agror Tanawal Forest Division Oghi.

**Subject: APPEAL AGAINST OFFICE ORDER NO.396, DATED 15/06/2017  
 PREFERRED BY MR. DOST MUHAMMAD FORESTER.**

Memo: Reference this office No.1009/GE, dated 18/8/2017

Please appear before the undersigned on 08 /09/2017 at 11.00 AM for personal hearing in connection with the subject case.

Conservator of Forests  
 Upper Hazara Forest Circle  
 Mansehra

No: 1735 /GE

Copy in continuation of this office No.1010/GE, dated 18/8/2017, forwarded to DFO Agror Tanawal Forest Division Oghi for information. He is directed to inform the official for personal hearing on due date.

Conservator of Forests  
 Upper Hazara Forest Circle  
 Mansehra

*Esther*  
*- 11/8*  
*DFO*  
*29/8*

**ATTESTED**

Divisional Forest Officer  
 Upper Hazara Forest Division  
 Mansehra

OFFICE ORDER NO. 02 DATED MANSEHRA THE 15 /09/2017, ISSUED BY MUHAMMAD YOUNAS, CONSERVATOR OF FORESTS, UPPER HAZARA FOREST CIRCLE MANSEHRA.

**READ WITH:**

- i. Charge Sheet bearing No.3871-73/GE, dated 16/02/2016.
- ii. Statement of allegation No.3859-61/GE, dated 16/02/2016.
- iii. Reply to the charge sheet/statement of allegation furnished by Dost Muhamimad Forester dated 31/05/2016.
- iv. Personal hearing of accused dated 24/11/2016.
- v. Report of enquiry officer vide letter No.4398/GE, dated 29/11/2016.
- vi. DFO Agror Tanawal show cause notice No.2407/GE, dated 12/01/2017.
- vii. Reply to the show cause notice dated 24/4/2017.
- viii. Personal hearing of the accused dated 18/5/2017.
- ix. Appeal of the accused official.
- x. Comments submitted vide DFO Agror Tanawal letter No.630/GE, dt: 10/8/2017.
- xi. Personal hearing of the accused dated 08/09/2017.

**BRIEF HISTORY OF THE CASE**

Consequent upon detection of shortage in timber transported from various localities of Agror Tanawal Forest Division to Central Timber Sale Depot Mansehra through Form-D, Mr. Dost Muhammad Forester was charge sheeted vide DFO Agror Tanawal Forest Division endorsement No.3871-73/GE, dated 16/02/2016 and Mr. Muhammad Riaz DFO Siran was appointed as an Enquiry Officer to initiate disciplinary proceedings against the accused official.

After detail enquiry under the domain of Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 and in pursuance with the recommendation of Enquiry Officer contained in enquiry report, the DFO Agror Tanawal in the capacity of Authority after completion of coddle formalities imposed recovery of Rs.72490/- on the accused Forester on account of shortage of 72.49 Cft Kail timber at prevailing market rates of Rs.1000/- vide office order No.396, dated 15/6/2017.

Being aggrieved, Mr. Dost Muhammad Forester preferred an appeal dated 06/7/2017 before the undersigned being Appellate Authority which was sent to DFO Agror Tanawal vide Conservator of Forests, Upper Hazara Forest Circle letter No.240/GE, dated 11/7/2017 for comments. In compliance, the DFO Agror Tanawal Forest Division Oghi vide his letter No.630/GE, dated 10/8/2017 furnished para-wise comments with the following recommendations:

- a. The instant appeal may be valued and thumbed up.
- b. In order to ascertain the factual position of the missing timber, DFO Siran may be approached to get the matter probed through present Incharge Sale Depot Mansehra.

The appellant also heard in person on 8/9/2017 as per provision of rules during which he substantiated and reviewed his stance as mentioned in the appeal.

**DISCUSSION**

According to the rules and procedure in vogue, it was the prime responsibility of SDFO Shergarh to arrange transportation of seized/confiscated or departmentally procured timber either from Sub-Divisional headquarter or elsewhere to Timber Sale Depot at Mansehra through Form-D to be signed under his own signature and then assigned the task to any official to

**ATTESTED**

*[Handwritten signature and official stamp of the Conservator of Forests, Upper Hazara Forest Circle, Mansehra]*

accompany the vehicle loaded with timber upto the mentioned destination and get the said consignment acknowledged from Depot Incharge on Form-F. Thereafter it was sole responsibility of SDFO Shergarh to prepare lot and transmit lot-wara to Divisional Office for its further processing for disposal/sale under the settled procedure. The appellant in compliance with the directives of his incharge, SDFO Shergarh, has transported 21 Kail Scants=73.29 Cft from Shergarh Forest Sub-Division to Central Sale Depot Mansehra alongwith other consignment through Form-D bearing No.28 and handed over the same in Central Sale Depot Mansehra by obtaining proper Form-F bearing No.99/20 on 23/6/2012 which indicates that the appellant Mr. Dost Muhammad Forester accomplished the assigned task most swiftly. It was the liberty of SDFO Shergarh to prepare proper sizewara of timber/lot for submission to Divisional Office and to ensure its disposal through open auction on scheduled date but he failed.

**CONCLUSION**

The crux of the above discussion invariable concludes that the appellant has accomplished the assigned task properly and dedicatedly therefore the punishment so awarded by the DFO Agror Tanawal is not justified. It was the liberty of SDFO Shergarh to follow the matter with regard to disposal of mentioned consignment after its receipt in Central Timber Sale Depot Mansehra for which he shall be asked for.

**ORDER**

Keeping in view the above discussion and conclusion, the undersigned in the capacity of Appellate Authority do hereby order that:

1. The DFO Agror Tanawal Forest Division Oghi office order No.396, dated 15/6/2017 is hereby set-aside and Mr. Dost Muhammad Forester is exonerated from the charges which resulted into the recovery of Rs.72490/-.
2. The Depot incharge as recommended by the DFO Agror Tanawal in his referred letter is not responsible for the mentioned timber. The SDFO Shergarh shall have to consult record pertaining to the said timber and its further status. In case of failure recovery should be made from the then SDFO Shergarh after fulfillment of pre-requisites as per rules.

Sd/-  
(Muhammad Younas)  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

**ATTESTED**

Copy forwarded to:

1. Divisional Forest Officer, Agror Tanawal Forest Division Oghi for information and necessary action. The enquiry file received vide your above cited letter is returned herewith.
2. Mr. Dost Muhammad Forester for information and necessary action.
3. Office order file.

*[Handwritten signature and stamp]*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Mansehra

*[Handwritten signature]*  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

*Put up with Ho Perment and further order refer to C/O Pata no 2 above please  
The SDFO Shergarh of mansehra be directed to intimate the status of disposal of said timber to the forest division which the recovery in question be made soon for him.*

*[Handwritten signature]*  
19/9  
19/12/2012

*[Handwritten signature]*  
SDFO Forest  
12/9



Muhammad Younas Conservator of Forests Upper Hazara Forest Circle Mansehra		Jalalabad Chowk, Opp: NBP Shahr-Resham, Mansehra Phone # 0997-920143 Fax # 0997-381409
No. <u>1616</u> IGL	Dated <u>19</u> /9/2017	

To,

The Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Oghi.

Subject: OFFICE ORDER NO.02, DATED 15/9/2017.

Memo: Reference this office order No.02, dated 15/9/2017.

As cleared from the enquiry proceeding by the enquiry committee that the responsibility of making lots in the depot and accordingly send of the Divisional office is of SDFO concerned.

In the instant case, the timber Form-D No.28, dated 01/6/2012 and Form-F No.99/20, dated 23/6/2012 properly carriage to Central Timber Depot Mansehra, out of which 12 Kail scants=66.00 cft has already been auctioned, whereas 21 Kail scants=73.29 cft was not put to auction by the reason best known by the SDFO concerned and the then DFO Agror Tanawal.

It is, therefore you are requested to probe into the matter and thresh out the SDFO of that time and ask him to show the reason for that irregularity. In case he can give any reason for the same, otherwise take necessary legal action against him under intimation to this office please.


*CRB*  
 To discuss  
 15/9/2017

*[Signature]*  
 Conservator of Forests  
 Upper Hazara Forest Circle  
 Mansehra

**ATTESTED**

*[Signature]*  
 Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Mansehra

timber / lot for submission to Divisional Office and to ensure its disposal through open auction on scheduled date but you failed to do so.

<b>Mohammad Siddique</b> Divisional Forest Officer			<b>Agror Tanawal Forest Division</b> Oghi Phone # 0997-321244
No.	/GE		Dated 21/09/2017

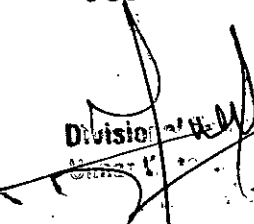
Mr. Sultan Mehmood  
Deputy Ranger the then  
Incharge Shergarh Forest Sub-Division  
c/o DFO Unhar Watershed Division  
Mansehra

Subject: **NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FOREST SUB-DIVISION- RECOVERY THEREOF.**

The timber i.e 21 Kail Scants = 72.49 of Form- D No. 28 dated 1-6-2012 was transported from Shergarh Forest Sub-Division to Central Sale Depot Mansehra by you, but lot was not prepared due to which the timber was missed without auctioning, in this regard disciplinary proceedings was initiated against M/S Zulfaqar Khan Forester the then Incharge Shergarh Forest Sub-Division, Mr. Dost Mohammad and Mr. Sher Badhar Foresters and appointed Mr. Muhammad Riaz Divisional Forest Officer Siran Forest Division Mansehra as enquiry officer to initiate disciplinary proceedings against the accused official. After detail enquiry under the domain of Khyber Pakhtunkhwa Government Servant ( E&D) Rules 2011 and in pursuance with recommendation of Enquiry Officer contained in enquiry report, imposed recovery of Rs. 72490/- on Mr. Dost Mohammad Forester on account of shortage of 72.49-Cft Kail timber at prevailing market rates of Rs. 1000/- vide office order No. 396 dated 15-6-2017.

The Forester preferred an appeal to the appellate authority (Conservator of Forests Upper Hazara Forest Circle Mansehra, who decided the case vide office order No. 02 dated 15-9-2017 ( Copy enclosed) that according to the rules and procedure in vogue, it was the prime responsibility of SDFO Shergarh to arrange transportation of seized/ confiscated or departmentally procured timber either from Sub-Divisional headquarter or elsewhere to timber Sale Depot at Mansehra through Form-D to be signed under his own signature and then assigned the task to any official to accompany the vehicle loaded with timber upto the mentioned destination and get the said consignment acknowledged from Depot Incharge on Form-F. Thereafter it was sole responsibility of SDFO Shergarh to prepare lot and transmit lot-wara to Divisional Office for its further processing for disposal/ sale under the settled procedure. The Forester namely Dost Muhammad in compliance with your directives has transported 21 Kail Scants = 72.49-Cft from Shergarh Forest Sub-Division to Central Sale Depot Mansehra alongwith other consignment through Form-D bearing No. 28 and handed over the same in Central Sale Depot Mansehra obtaining proper Form-F bearing No. 99/20 on 23-6-2012 which indicates that the Forester accomplished the assigned task swiftly. It was your responsibility being Incharge Sub-Division to prepare proper sizewara of timber / lot for submission to Divisional Office and to ensure its disposal through open auction on scheduled date but you failed to do so.

**ATTESTED**

  
Divisional Forest Officer  
Mansehra

The appellate authority ordered that DFO A.T office order No. 398 dated 15-9-2017 is hereby set-aside and Mr. Dost Muhammad Forester is exonerated from the charges which resulted into the recovery of Rs. 72490/- and the Depot Incharge as recommended by the DFO A.T in his referred letter is not responsible for the mentioned timber. The SDFO Shergarh at that time shall have to consult record pertaining to the said timber and its further status and recovery should be made from the then SDFO Shergarh.

To conclude above ex-position you being the then Incharge Shergarh Forest Sub-Division guilty/responsible for the said missing timber from Central Sale Depot Mansehra with.

You are therefore directed to immediately deposit the recovery amount viz Rs. 72490/- into Government Treasury immediately and provide Treasury Challan to this office, so that further action could be taken in the matter accordingly, in case of failure disciplinary proceeding will be initiated against you under the provision of E&D Rules, 2011.

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

No. 1604-06 IGE

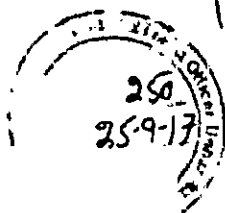
Copy forwarded to :-

1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information with reference to his office order No. 02 dated 15-9-2017 & No. 1616/GL dated 19-9-2017 please.
2. The Divisional Forest Officer Unhar Watershed Division Mansehra for information and necessary action. He is requested to deliver the above letter to the above named Deputy Ranger under proper receipt which should be sent to this office for further course of action please.
3. Divisional Accountant for information and necessary action.

Encl: As Above:


*Haldipes*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

*E-C*  
Please hand over this letter to the Officer concerned under proper receipt and send the receipt to DFO A.T. for his record. Keep a photocopy of this letter in your record.  
*DFO*  
28/09/2012



**ATTESTED**

*[Signature]*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

FOREST DEPARTMENT UNHAR WATERSHED DIVISION MANSEHRA		Phone. // 0997-920142 No. <u>624</u> /UWS, Dated <u>25/9</u> /2017
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To  
 The Divisional Forest Officer  
 Agror Tanawal Forest Division  
 Oghi

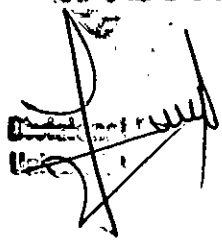
Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
 SHERGARH FORESTS SUB DIVISION RECOVERY THEREOF

Memo:  
 Reference your office endstt. No. 1604-06/GE dated 21.09 2017

Your office letter No. 1603/GE dated 21.9.2017 has been handed over to  
 Mr. Sultan Mehmood Deputy Ranger on 25.9.2017. Receipt obtain from the Deputy Ranger is  
 enclosed herewith in original for further necessary action and record in your office please.

Encl: As Above


  
 Divisional Forest Officer  
 Unhar Watershed Division  
 Mansehra

**ATTESTED**  
  
 Officer  
 on

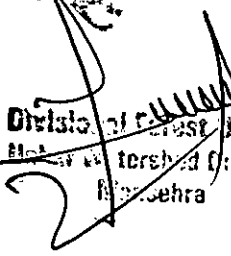
**Receipt**

213

Received Divisional Forest Officer Agror Tanawal Forest Division Oghi  
Letter No. 1603/GB dated 21.09.2017 from the office of Unhar Watershed  
Division Mansehra on 25.9.2017

  
Mr. Sultan Mehmood  
Deputy Ranger 25/09/2017

**ATTESTED**

  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

Mohammad Siddique Divisional Forest Officer		Agror Tanawal Forest Division Oghi Phone # 0997-321244
No. /GE		Dated 10/10/2017

Mr. Sultan Mehmood  
Deputy Ranger the then  
Incharge Shergarh Forest Sub-Division  
c/o DFO Unhar Watershed Division  
Mansehra

Subject: **NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
SHERGARH FOREST SUB-DIVISION- RECOVERY THEREOF.**

Reference This office letter No. 1603/GE dated 21-9-2017

Please refer to the above cited letter and you are once again directed to immediately deposit the recovery amount viz Rs. 72490/- into Government Treasury and provide Treasury Challan to this office, so that further action could be taken in the matter accordingly, in case of failure disciplinary proceeding will be initiated against you under the provision of E&D Rules, 2011.

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

No. 1804-06/GE

Copy forwarded to :-

1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information with reference to his No. 1850/GE dated 02-10-2017 please.
2. The Divisional Forest Officer Unhar Watershed Division Mansehra for information and necessary action. He is requested to deliver the above letter to the above named Deputy Ranger under proper receipt which should be sent to this office for further course of action please.
3. Divisional Accountant for information and necessary action.

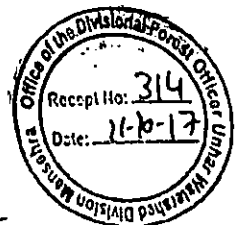
Encl: As Above:

  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

*Acct/EC  
HE/*

*For receipt of*


*DFO 11/10/2017*



**ATTESTED**

  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

- 519


FOREST DEPARTMENT UNHAR WATERSHED DIVISION MANSEHRA		Phone # 0997-920142 No. <u>803</u> /UWS, Dated <u>20/10/2017</u>
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To  
The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
SHERGARH FORESTS SUB DIVISION RECOVERY THEREOF

Memo:  
Reference your office endstt: No. 1804-06/GE dated 10.10.2017.  
Your office letter No. 1803/GE dated 10.10.2017 has been handed over to  
Mr. Sultan Mehmood Deputy Ranger on 19.10.2017. Receipt obtain from the Deputy Ranger is  
enclosed herewith in original for further necessary action and record in your office please.

Encl: As Above

  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

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

521

# Receipt

Received Divisional Forest Officer Agror Tanawal Forest Division Oghi

Letter No 1803/GE dated 10.10.2017 from the office of Unhar Watershed

Division Mansehra on . I have applied and application  
for segment of relative documents.

*Sultan Mehmood*  
19/10/2017

Mr. Sultan Mehmood  
Deputy Ranger

**ATTESTED**

*[Signature]*  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra



Muhammad Siddique  
Divisional Forest Officer



Agror Tanawal Forest Division  
Oghi

Phone # 0997-321244

Dated 22/01/2018

Mr. Sultan Mahmood  
Deputy Ranger the then  
Incharge Shergarh Forest Sub-Division  
to DFO Unhar Watershed Division  
Mansehra

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
SHERGARH FOREST SUB-DIVISION - RECOVERY THEREOF.


Reference This office No. 1603/GE dated 21-9-2017 & No. 1803/GE dated  
10-10-2017

Please refer to the above cited letters and you are once again directed to immediately deposit the recovery amount viz Rs. 72490/- into Government Treasury and provide Treasury Challan to this office, so that further action could be taken in the matter accordingly, in case of failure disciplinary proceeding will be initiated against you under the provisions of E&D Rules, 2011.

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

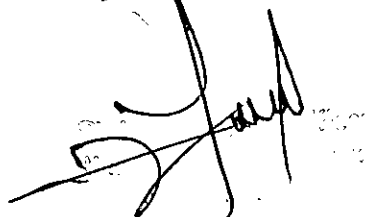
No. 1443-45 IGE  
Copy forwarded to:-

1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information and necessary action please.
2. The Divisional Forest Officer Unhar Watershed Division Mansehra for information and necessary action. He is requested to deliver the above letter to the addressee under proper receipt which should be sent to this office for further course of action please.
3. Divisional Accountant for information and necessary action.


  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

*Hand it over to the office concerned  
under proper receipt which must be sent to DFO AT.  
for his record.*  
DFO  
24/01/2018

TESTED



(527)

<p>FOREST DEPARTMENT UNHAR WATERSHED DIVISION MANSEHRA</p>		<p>Phone # 0997-920142 No. <u>1539</u> /UWS, Dated <u>25/01</u> /2018</p>
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To  
The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

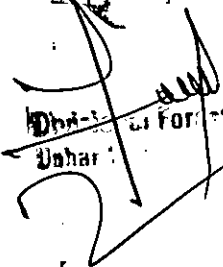
Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FORESTS SUB DIVISION RECOVERY THEREOF

Memo:  
Reference your office endsst: No. 1443-45/GE dated 22.01.2018.

Your office letter No.1442/GE dated 22.01.2018.has been handed over to Mr. Sultan Mahmood Range Forest Officer on 23.01.2018. Receipt obtain from the Range Forest Officer is enclosed herewith in original for further necessary action and record in your office please.

Encl: As Above

  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra 

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

Receipt

(529)

Received Divisional Forest Officer Agror Tanawal Forest Division Oghi Letter No. 1442/GE

dated 22.01.2018 from the office of Unhar Watershed Division Mansohra on 23.01.2018

As I demanded the relevant record and I have already approach to your office for the same record, but your office failed to provide me the record

Form No of Timber Form

*[Signature]*  
Mr. Sultan Mehfooz  
Range Officer 23/01/2018

**ATTESTED**  
*[Signature]*  
Divisional Forest Officer  
Unhar Watershed Division  
Mansohra

To

The DFO,

Agror Tanawal,

107

Subject: Non-Preparation of lot Confiscated Timber  
of Shergarh Sub-division.

Ref:- No 1603/GE Dated 21/9/17

Sir, It is stated that in the reply of  
Mr. Dost Muhammad Forester, he confessed that the  
said timber i.e. 21 Kail Scants he had carried  
from Shergarh to Manshra Central Timber  
Depot through Form D No: 28 dated: 01-06-2012 &  
obtained Form F No. 99/20 dated. 23-06-2012 from  
the incharge of central Depot. and also  
admitted that at that time. he fulfilled  
all the formalities and DFO Agror Tanawal  
(authority for Auction) has auctioned the  
Timber. accordingly.

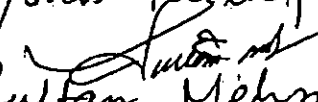
So, it is clear that at that time Forester  
had performed his duty on behalf of SDFO  
Shergarh. He also mentioned that after preparing  
the lot & size wara and informed the DFO  
Agror Tanawal for auction - The Timber had  
been auctioned by DFO Agror Tanawal.  
The Forester also obliged to say that the  
Timber have been auctioned. and Timber  
form NO 17 have been mentioned at that  
time. So may kindly re-check the record

**ATTESTED**

  
Divisional Forest Officer  
Unhar Watershed Division  
Gh. 15/2/17

and if any deficiency pointed out. The  
DFO and H/C were responsible and this  
is question mark on them -  
I again request - that how your office  
dragged me in this matter after five  
years of relinquishment of the the  
charge of Shergarh Sub. Division

Therefore, I hope that you will drop  
the allegations altogether. I will be obliged.  
The reply of Mr. Dost Mohammad Forester here attached

Yours Faithfully,  
  
Sultan Mehmood, FI  
Ranger, I/c of Allah  
W/shed Range.  
Bnkav W/shed Div.  
Mansehra.

C/E  
Furnish copy in the light of  
decision of appellate authority.

~~SP~~



20/2/2018

**ATTESTED**  
  
Divisional Forest Officer  
Unkav W/shed Div.  
Mansehra

<b>Mohammad Siddique</b> Divisional Forest Officer		<b>Agror Tanawal Forest Division</b> Oghi
No. /GE		Phone # 0997-321244
		Dated 22/03/2018

The Mr. Sultan Mahmood Range Forest Officer  
c/o Divisional Forest Officer Unhar Watershed Division  
Mansehra

Subject: **NON PREPARATION OF LOT OF CONFISCATED TIMBER OF SHERGARH FOREST SUB-DIVISION - RECOVERY THEREOF.**

Reference: Your reply dated nil received in this office on 20-3-2018

Mr. Dost Muhammad Ex-Forester was exonerated from the charges which resulted into the recovery of Rs. 72490/- vide Conservator of Forests Upper Hazara Forest Circle Mansehra ( Appellate Authority) office order No. 02 dated 15-9-2017 with the directive that the recovery in question shall be effected from you, the SDFO Shergarh of that area. etc .

You being the then Incharge Shergarh Forest Sub-Division guilty/responsible for the said missing timber from Central Sale Depot Mansehra and Government sustained huge loss viz Rs. 72490/- due to your dis-interest for performing in your official duty.

Hence your reply not based on fact which is turned down and you are once again and finally directed to immediately deposit the recovery amount viz: Rs. 72490/- into Government Treasury and provide Treasury Challan to this office, so that long outstanding issue would be disposed off accordingly. This is with reference to this office letter No. 1603/GE dated 21-09-2017, No. 1803/GE dated 10-10-2017, No. 1442/GE dated 22-1-2018 & No. 5786-88/GE dated 20-3-2018.

Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

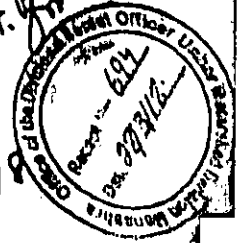
No. 5844-46 IGE

Copy forwarded to :-

1. The Conservator of Forests Upper Hazara Forest Circle Mansehra for favour of information and necessary action please.
2. The Conservator of Forests/PD Watershed Management Circle Abbottabad for favour of information and necessary action please.
3. The Divisional Forest Officer Unhar Watershed Division Mansehra for information and necessary action . He is requested to deliver the attached letter to the above addressee on proper receipt which should be sent to this office for further action and record please.

*[Signature]*  
Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi


*Hand over the attached letter to the Officer concerned under proper receipt which must be sent to DFO AT. Oghi*  
28/03/2018



**ATTESTED**

*[Signature]*  
Divisional Forest Officer  
Upper Watershed Division  
Mansehra

1 2 27 11  
533

FOREST DEPARTMENT UNHAR WATERSHED DIVISION MANSEHRA		Phone # 0997-920142 No. <u>2003</u> /UWS, Dated <u>29/3/2018</u>
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To  
The Divisional Forest Officer  
Agror Tanawal Forest Division  
Oghi

Subject: NON PREPARATION OF LOT OF CONFISCATED TIMBER OF  
SHERGARH FORESTS SUB DIVISION RECOVERY THEREOF

Memo:  
Reference your office endstt: No. 5844-46GE dated 22.03.2018.

Your office letter No.5843/GE dated 22.03.2018.has been handed over to  
Mr. Sultan Mehmood Range Forest Officer on 29.03 2018. Receipt obtain from the Range  
Forest Officer is enclosed herewith in original for further necessary action and record in your  
office please.

Encl: As Above

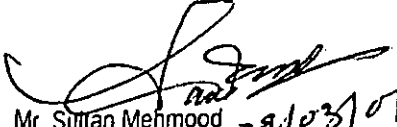
  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

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

RECEIPT

(535)

Received Divisional Forest Officer Agror Tanawal Forest Division Oghi Letter No. 5843/GE  
dated 22.03.2018 from the office of Unhar Watershed Division Mansehra on 29.03.2018.

  
Mr. Sultan Mehmood 29/03/18  
Range Officer

**ATTESTED**

~~Divisional Forest Officer  
Unhar Watershed Division  
Mansehra~~



(71)

OFFICE ORDER NO. 02 DATED MANSEHRA THE 15 /09/2017, ISSUED BY  
MUHAMMAD YUNAS, CONSERVATOR OF FORESTS, UPPER HAZARA FOREST CIRCLE  
MANSEHRA.

**READ WITH:**

- i. Charge Sheet bearing No.3871-73/GE, dated 16/02/2016.
- ii. Statement of allegation No.3859-61/GE, dated 16/02/2016.
- iii. Reply to the charge sheet/statement of allegation furnished by Dost Muhammad Forester dated 31/05/2016.
- iv. Personal hearing of accused dated 24/11/2016.
- v. Report of enquiry officer vide letter No.4398/GE, dated 29/11/2016.
- vi. DFO Agror Tanawal show cause notice No.2407/GE, dated 12/01/2017.
- vii. Reply to the show cause notice dated 24/4/2017.
- viii. Personal hearing of the accused dated 18/5/2017.
- ix. Appeal of the accused official.
- x. Comments submitted vide DFO Agror Tanawal letter No.630/GE, dt: 10/8/2017.
- xi. Personal hearing of the accused dated 08/09/2017.

**BRIEF HISTORY OF THE CASE**

Consequent upon detection of shortage in timber transported from various localities of Agror Tanawal Forest Division to Central Timber Sale Depot Mansehra through Form-D, Mr. Dost Muhammad Forester was charge sheeted vide DFO Agror Tanawal Forest Division endorsement No.3871-73/GE, dated 16/02/2016 and Mr. Muhammad Riaz DFO Siran was appointed as an Enquiry Officer to initiate disciplinary proceedings against the accused official.

After detail enquiry under the domain of Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 and in pursuance with the recommendation of Enquiry Officer contained in enquiry report, the DFO Agror Tanawal in the capacity of Authority after completion of coddle formalities imposed recovery of Rs.72490/- on the accused Forester on account of shortage of 72.49 Cft Kail timber at prevailing market rates of Rs.1000/- vide office order No.396, dated 15/6/2017.

Being aggrieved, Mr. Dost Muhammad Forester preferred an appeal dated 06/7/2017 before the undersigned being Appellate Authority which was sent to DFO Agror Tanawal vide Conservator of Forests, Upper Hazara Forest Circle letter No.240/GE, dated 11/7/2017 for comments. In compliance, the DFO Agror Tanawal Forest Division Oghi vide his letter No.630/GE, dated 10/8/2017 furnished para-wise comments with the following recommendations:

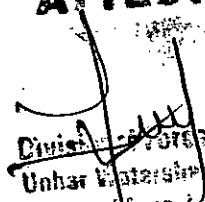
- a. The instant appeal may be valued and thumbed up.
- b. In order to ascertain the factual position of the missing timber, DFO Siran may be approached to get the matter probed through present Incharge Sale Depot Mansehra.

The appellent also heard in person on 8/9/2017 as per provision of rules during which he substantiated and reviewed his stance as mentioned in the appeal.

**DISCUSSION**

According to the rules and procedure in vogue, it was the prime responsibility of SOFO Shergarh to arrange transportation of seized/confiscated or departmentally procured timber either from Sub-Divisional headquarter or elsewhere to Timber Sale Depot at Mansehra through Form-D to be signed under his own signature and then assigned the task to any official to

**ATTESTED**

  
Divisional Forest Officer  
Upper Hazara Forest Division  
Mansehra

accompany the vehicle loaded with timber upto the mentioned destination and get the said consignment acknowledged from Depot Incharge on Form-F. Thereafter it was sole responsibility of SDFO Shergarh to prepare lot and transmit lot-wara to Divisional Office for its further processing for disposal/sale under the settled procedure. The appellant in compliance with the directives of his incharge, SDFO Shergarh, has transported 21 Kail Scants=73.29 Cft from Shergarh Forest Sub-Division to Central Sale Depot Mansehra alongwith other consignment through Form-D bearing No.28 and handed over the same in Central Sale Depot Mansehra by obtaining proper Form-F bearing No.99/20 on 23/6/2012 which indicates that the appellant Mr. Dost Muhammad Forester accomplished the assigned task most swiftly. It was the liberty of SDFO Shergarh to prepare proper sizewara of timber/lot for submission to Divisional Office and to ensure its disposal through open auction on scheduled date but he failed.

**CONCLUSION**

The crux of the above discussion invariable concludes that the appellant has accomplished the assigned task properly and dedicatedly therefore the punishment so awarded by the DFO Agror Tanawal is not justified. It was the liberty of SDFO Shergarh to follow the matter with regard to disposal of mentioned consignment after its receipt in Central Timber Sale Depot Mansehra for which he shall be asked for.

**ORDER**

Keeping in view the above discussion and conclusion, the undersigned in the capacity of Appellate Authority do hereby order that:

1. The DFO Agror Tanawal Forest Division Oghi office order No.396, dated 15/6/2017 is hereby set-aside and Mr. Dost Muhammad Forester is exonerated from the charges which resulted into the recovery of Rs.72490/-.
2. The Depot incharge as recommended by the DFO Agror Tanawal in his referred letter is not responsible for the mentioned timber. The SDFO Shergarh shall have to consult record pertaining to the said timber and its further status. In case of failure recovery should be made from the then SDFO Shergarh after fulfillment of pre-requisites as per rules.

Sd/-  
(Muhammad Younas)  
Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

Copy forwarded to:

1. Divisional Forest Officer, Agror Tanawal Forest Division Oghi for information and necessary action. The enquiry file received vide your above cited letter is returned herewith.
2. Mr. Dost Muhammad Forester for information and necessary action.
3. Office order file.

Conservator of Forests  
Upper Hazara Forest Circle  
Mansehra

19/9/2017

*Put up file for HO present and further order report's copy. Para no. 2 above please. In soft copy form to be divided to intimate the formal status of disposal of the said timber. 19/9.*

*The Recovery in question be made from him. - DFO Agror 19/9*

**ATTESTED**

*[Signature]*  
Divisional Forest Officer  
Upper Watershed Division  
Mansehra