

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
CAMP COURT ABBOTTABAD.

Service Appeal No. 98/2016

Date of Institution... 07.01.2016

Date of decision... 23.08.2017

Muhammad Hanif Abbasi, Ex-Deputy Rang Officer, Forest Region-II, Abbottabad  
R'O village near Sardar Yousaf House College Doraha, Mansehra.

... (Appellant)

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Forest, Peshawar and  
2 others. .... (Respondents)

MR. HAMAYUN KHAN,  
Advocate..

... For appellant.

MR. MUHAMMAD BILAL  
Deputy District Attorney

... For respondents.

MR. NIAZ MUHAMMAD KHAN,  
MR. MUHAMMAD HAMID MUGHAL

... CHAIRMAN  
... MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: - Arguments of the learned  
counsel for the parties heard and record perused.

FACTS

2. The appellant was not promoted to the next higher grade in the meeting of  
the Departmental Promotion Committee held prior to his superannuation dated  
30.01.2015 on the ground that he had not completed four years of required length of  
service necessary for promotion.

ARGUMENTS

3. The learned counsel for the appellant has mainly relied on an order dated  
08.12.2014 fixing inter-se seniority between present appellant and two other Deputy  
Rangers. According to learned counsel for the appellant this order dated 08.12.2014

had restored the seniority of the appellant from 21.12.2010 and if his length of service is reckoned from 21.12.2010 then on 30.1.2015 his length of service would be more than 4 years. The learned counsel for the appellant also referred to Working Papers prepared by the department for the Departmental Promotion Committee wherein the length of service of the appellant is shown more than four years. That in the DPC it was decided that the required length of service of the appellant is less than four years which according to learned counsel for the appellant is contrary to the Working Papers as well as the seniority restoration order dated 08.12.2014.

4. On the other hand, the learned Deputy District Attorney argued that the DPC had rightly decided that 4 years length of service for promotion to the next higher grade was not fulfilled.

#### CONCLUSION


5. The prerequisites for the institution of the appeal before this Tribunal is that the appellant should have had submitted appeal/representation/review before the higher authority against the original order from which he is aggrieved but no departmental appeal/representation has been filed by the appellant nor there is any mention of such departmental remedy in the memorandum of appeal. In such situation, even the present appeal is not maintainable. Secondly, the very order dated 08.12.2014 is only with regard to the fixation of inter-se seniority of 3 employees namely Gul Zaman, the present appellant and Taj Muhammad. The reason is that in the final seniority list as it stood on 31.08.2014 the inter-se seniority of these persons was as under:-

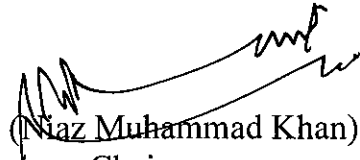
1. Mr. Muhammad Hanif at S.No. 28.
2. Mr. Taj Muhammad, at S.No. 30.
3. Mr. Gul Zaman, at S.No. 31.

Vide order dated 08.12.2014, Muhammad Hanif, the present appellant has been shown junior to Gul Zaman which order is not in favour of the appellant but against him.

6. The length of service for next higher grade is another issue which according to decision of the DPC is less than four years. It has been admitted today by the appellant that he remained on acting charge basis from 08.12.2009 upto 08.10.2013 and according to him his this service on acting charge basis shall count towards promotion to the next higher grade. The learned counsel for the appellant has not been able to show any law where under the period spent on acting charge basis shall be counted towards length of service to the next higher grade. If any working paper prepared by the office has shown the appellant completed four years of service is not binding on the DPC.

7. Resultantly, the appeal is rejected being not maintainable and also on merit. Parties are left to bear their own costs. File be consigned to the record room.

  
(Muhammad Hamid Mughal)  
Member


  
(Naz Muhammad Khan)  
Chairman  
Camp Court, A/Abad

ANNOUNCED  
23.08.2017

22.08.2017

Appellant in person and Mr. Muhammad Bilal, DDA for the respondents present. Due to general strike of the bar, counsel for the appellant is not in attendance. Seeks adjournment. Adjourned. To come up for final hearing before the D.B on 23,08.2017 at camp court, Abbottabad.


  
Member

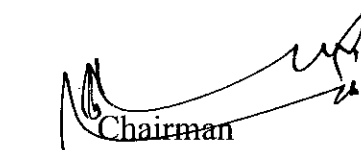
  
Chairman  
Camp court, A/Abad

23.08.2017

Appellant alongwith counsel and Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Arguments heard and record perused. .

Vide our detailed judgment of to-day, this appeal is dismissed. Parties are left to bear their own cost. File be consigned to the record room.

  
Member

  
Chairman  
Camp Court, A/Abad.

ANNOUNCED  
23.08.2017


14.03.2017

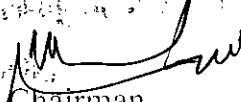
Appellant with counsel and Mr. Muhammad Siddique Sr:GP for the respondents present. Rejoinder submitted. Due to non-availability of D.B arguments could not be heard. To come up for final hearing before the D.B on 19.06.2017 at camp court, Abbottabad.

  
Chairman  
Camp Court, A/Abad

19.06.2017


Counsel for the appellant and Mr. Muhammad Siddique, Sr. GP for respondents present. Counsel for the appellant requested for adjournment. Adjourned for final hearing before the D.B on 18.12.2017 at camp court, Abbottabad.

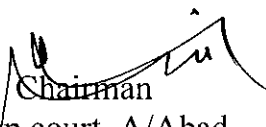
  
Member

  
Chairman  
Camp court, A/Abad

21.08.2017

Appellant with counsel and Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Due to shortage of time, arguments could not be heard. Adjourned for tomorrow. To come up for final hearing before the D.B on 22.08.2017 at camp court, Abbottabad.


  
Member

  
Chairman  
Camp court, A/Abad

48/16


18.08.2016

Appellant with counsel and Mr. Muhammad Bilal, GP for the respondents present. Requested for adjournment as representative of the respondents is not in attendance. Learned GP is directed to ensure submission of written reply of the respondents on the next date of hearing. To come up for written reply/comments on 23.09.2016 before S.B at camp court, Abbottabad.

  
Chairman  
Camp court, A/Abad.

23.09.2016

Appellant in person and Mr. Muhammad Siddique Sr.GP for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 24.11.2016 before S.B at camp court, Abbottabad.

  
Chairman  
Camp court, A/Abad

24.11.2016

Appellant with counsel and Mr. Ihsan Tariq, SDFO alongwith Mst. Bushra Bibi, Government Pleader for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 14.03.2017 at camp court, Abbottabad.

  
Chairman  
Camp Court, A/Abad

16.03.2016

89.  
Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Deputy Range Officer (BPS-11) and on completion of 4 years service as such entitled to promotion as Range Officer (BPS-16) but vide impugned order passed in departmental appeal dated 30.9.2015 appellant was not promoted constraining him to prefer the instant service appeal.

That the appellant was entitled to promotion on the relevant date as he was fulfilling all the pre-requisites and as such entitled to promotion with effect from 30.9.2015 on notional basis.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 22.6.2016 before S.B at Camp Court A/Abad.

Chairman  
Camp Court A/Abad

22.06.2016

Counsel for the appellant and Mr. Muhammad Siddique Sr.GP for the respondents present. Requested for adjournment. To come up for written reply/comments on 18.08.2016 before S.B at camp court, Abbottabad.

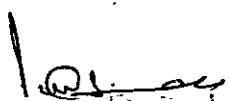


Chairman  
Camp court, A/Abad,

Appellant Deposited  
Security & Process Fee

Form- A  
FORM OF ORDER SHEET

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

Case No. 98/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	26.01.2016	<p>The appeal of Mr. Muhammad Hanif resubmitted today by post through Mr. Hamayun Khan Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	28-1-16	<p>This case is entrusted to Touring Bench A.Abad for preliminary hearing to be put up thereon <u>17-2-16</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	17.02.2016	<p>Appellant in person present. Seeks adjournment as his counsel is busy at Peshawar High Court, Peshawar. Adjourned for preliminary hearing to 16.3.2016 before S.B at Camp Court A/Abad.</p> <p style="text-align: right;"> Chairman Camp Court A/Abad</p>



The appeal of Mr. Muhammad Hanif Abbasi Ex-Dy. Ranger Officer Forest Region-II received to-day i.e. on 07.01.2016 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Copy of departmental appeal against the impugned order is not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.

No. 54 /S.T,

Dt. 8/1 /2016

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Hamayun Khan Advocate  
High Court Abbottabad

*Reply of Object*

- 1) Copy of departmental appeal is annexed Annexure B on page No-9
- 2) No all annexure copies attested on bottom of every page -

**BEFORE THE SERVICE TRIBUNAL, KHYBPER**  
**PAKHTUNKHWA, PESHAWAR**

Service Appeal No. 98 /2016

Muhammad Hanif Abbasi, Ex-Deputy Ranger Officer, Forest Region-II,  
Abbottabad, resident of Village Near Sardar Yousaf House College Doraha,  
Tehsil & District **MANSEHRA**

...APPELLANT

**VERSUS**

Govt. of Khyber Pakhtunkhwa, through Secretary Forest, Peshawar &  
others.

...RESPONDENTS

**SERVICE APPEAL**

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3.	Copy of departmental appeal	9	"B"
4.	Copy of letter	10	"C"
5.	Copy of list	11-13	"D"
6.	Copy of notification dated 28/01/2015	14	"E"
7.	Copy of letter dated 24/03/2015	15	"F"
8.	Copy of order dated 30/09/2015	16-20	"G"
9.	Wakalatnama	21	

  
...APPELLANT

Through;

Dated: 5<sup>th</sup> January, 2016

  
(HAMAYUN KHAN)

Advocate High Court Abbottabad  
Office No. 4, Hayat Sherpao Lawyer  
Plaza, Kutchery Compound,  
Abbottabad  
Cell No. 0345-9557912, 0312-0861681

1

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

Service Appeal No. 98 /2016

A.W.F. PESHAWAR  
Service Tribunal  
Diary No. 20  
Dated 07-01-2016

Muhammad Hanif Abbasi, Ex-Deputy Ranger Officer, Forest Region-II,  
Abbottabad, resident of Village Near Sardar Yousaf House College Doraha,  
Tehsil & District MANSEERA

...APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through Secretary Forest, Peshawar.
2. Chief Conservator Forest, Central South Region, Peshawar.
3. Chief Conservator Forest, Northern Region, Abbottabad.

...RESPONDENTS

~~Filed to-427~~  
~~Signature~~  
2/1/16

re-submitted to-427  
and filed.

~~Signature~~  
26/1/16

APPEAL UNDER SECTION 4 OF KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT  
1974, AGAINST THE IMPUGNED ORDER NO.  
40 DATED 08/12/2014 AND 30/09/2015 AND  
TO THE EFFECT THAT APPELLANT IS

ELIGIBLE, ENTITLED AND QUALIFIED IN ALL RESPECT FOR PROMOTION TO THE POST OF RANGE OFFICE (BPS-16) AND REFUSAL OF PROMOTION BY THE RESPONDENTS THROUGH ORDER DATED 30/04/2015 IS ILLEGAL, UNLAWFUL, AGAINST THE FUNDAMENTAL RIGHTS OF THE APPELLANT AND AGAINST THE NATURAL JUSTICE.

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**PRAYER:** ON ACCEPTANCE OF THIS APPEAL, THE APPELLANT MAY KINDLY BE PROMOTED WITH EFFECT FROM 21/12/2014 AS RANGE OFFICER IN BPS-16.

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Respectfully Sheweth:-

1. That petitioner was appointed as Forester in BPS-07.
2. That after 31 years service and on the basis of good performance appellant was promoted on

acting charge in BPS-11 as Deputy Ranger on 18/12/2009.

3. That on 08/10/2013 appellant was regularized as Deputy Ranger.
4. That against order dated 08/10/2013 appellant filed appeal before the respondent for seniority and promotion because appellant was entitled for seniority since 18/12/2009 and promotion to ~~Post~~ Ranger in BPS-16.
5. That respondent No. 2 through order No. 40 dated 08/12/2014 restored the seniority but in respect of promotion not passed any order. Copy of order is annexed as Annexure "A".
6. That feeling aggrieved from the order No. 40 dated 08/12/2014 passed by respondent No. 2 filed departmental appeal before respondent No. 2 for promotion. Copy of departmental appeal is annexed as Annexure "B".

7. That on 15/01/2015 respondent No. 2 called record from respondent No. 3. Copy of letter is annexed as Annexure "C".
8. That in meanwhile on 22/01/2015 respondent No. 2 issued another seniority list and wrongly mentioned present promotion dated 31/05/2013. Copy of list is annexed as Annexure "D".
9. That through notification No. So(Estt)FE&WO/1-3/2011/368-369 dated the Peshawar 28/01/2015 called meeting of DPC. Copy of notification dated 28/01/2015 is annexed as Annexure "E".
10. That through order No. 2781/E dated 24/03/2015 respondent No. 1 again issued correct seniority list of the appellant on the appeal of the appellant. Copy of letter dated 24/03/2015 is annexed as Annexure "F".
11. That on 30/09/2015 respondent No. 2 issued another impugned letter/ order No. 972/E dated 30/09/2015 and appellant was deferred for promotion due to length of service. Copy of order dated 30/09/2015 is annexed as Annexure "G".

12. That since 30/09/2015 between respondent No. 2 and 1 doing correspondence with each other but till date not passed any final order for promotion, hence the present appeal, inter-alia, on the following grounds amongst many others;-

**GROUND:**

- a. That appellant is entitled for promotion in all respect since 21/12/2014 for the post of Range Officer in BPS-16.
- b. That respondent intentionally not issued promotion order of the appellant.
- c. That the act of respondents is illegal against the law and facts.
- d. That order dated 30/09/2015 is against the law and fact, hence is liable to be set aside.

- e. That order dated 30/09/2015 against the principle of natural justice, hence liable to be set aside.
- f. That respondent No. 2 wrongly calculated the seniority of the appellant in order dated 30/09/2015.
- g. That order dated 30/09/2015 is against the service record of the appellant.
- h. That order dated 08/12/2014 and 30/09/2015 passed on the basis of misreading and non-reading of entire record, hence liable to be set aside.
- i. That respondent passed impugned order without touching the merit of case as well as record. Hence liable to be set aside.
- j. That impugned orders against the principle of natural justice and fundamental rights of the appellant. Hence liable to be set aside.



- k. That other points would be urged at the time of arguments with the kind permission of this Honourable Court.

It is, therefore, humbly prayed that on acceptance of this appeal, the appellant may kindly be promoted with effect from 21/12/2014 as range officer in bps-16.

  
...APPELLANT

Through;

Dated: 5<sup>th</sup> January, 2016.

  
(HAMAYUN KHAN)  
Advocate High Court Abbottabad

**VERIFICATION: -**

*Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.*

  
...APPELLANT

*W. Khan*  
*M. Ahmad*

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

*[Signature]*

- 1. Chief Conservator of Forests Northern Forest Region-II Abbottabad with reference to his letter No. 1005/E dated 19.8.2014.
- 2. Section Officer (Establishment) Government of Khyber Pakhtunkhwa Forests Environment and Wildlife Department Peshawar with reference to his letter No. SO (ESU) Invvt-3(A)/2K1/4330 dated 15.10.2014.

Copy forwarded for information and necessary action to the:-

No. *1446-47*  
*P-18-52*  
/E

SP-  
Hasham Ali Khan  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

Name of Deputy Ranger	Dated
Mr. Gul Zaman	21.12.2010
Mr. Muhammad Hamit	21.12.2010
Mr. Taj Muhammad	19.2.2011

The names as noted against each:-  
are proposed to order restoration of inter-se-Seniority of the following Deputy Ranger w-e-I  
upon the recommendations of Chief Conservator of Forests Northern Forest Region-II  
approved and approval of Administrative Department the Competent Authority is

ORDER NO. *40*  
DATED PESHAWAR THE *08*  
BY MR. HASHAM ALI KHAN CHIEF CONSERVATOR OF FORESTS  
CENTRAL SOUTHERN FOREST REGION-I KHYBER PAKHTUNKHWA  
PESHAWAR /12/2014

*Annexure A*  
*8*

Answer 'B' ( ) e 9  
( )

To

Mr. Hashim Ali Khan  
Chief Conservator of Forests,  
Central Southern Forest Region-I  
Peshawar.

Through PROPER CHANNEL

Subject: PROMOTION OF DEPUTY RANGER TO THE RANK OF  
FOREST RANGER- PRESENTATION THEREOF.

R/Sir

With humble submission following points are brought into your  
goodself kind notice for sympathetic consideration:-

- That applicant was appointed as Forester on 28/08/1978.
- That the applicant was promoted to the rank of Deputy Ranger on 18/12/2009 after serving 31 years qualifying service.
- Now your goodself vide office order No. 40 dated 08/12/2014 restored the seniority of the appellat w.e.f. 21/12/2010.
- Since the appellat has fulfilled required formalities for promotion to the rank of Forest Ranger and the appellat is going to be retired on 01/02/2015 on superannuation pension.

In view of the above facts, it is humbly requested to kindly make arrangement for promotion to the rank of Forest Ranger on compassionate ground in order to facilitate pensionary benefits being Forest Ranger.

(Muhammad Hanif)  
Deputy Ranger  
Kaghan Forest Division  
Garhi Habibullah

Copy in advance to the:-

- 1) - Dr. Hammad Awais Agha, Secretary Environment, GoKhyber Pakhtunkhwa, Peshawar.
- 2) - Sardar Muhammad Sultan, Chief Conservator of Forests, Northern Forest Region-II, Abbottabad.


For sympathetic consideration please.

(Muhammad Hanif)  
Deputy Ranger  
Kaghan Forest Division  
Garhi Habibullah

25/12/2014  


Annexure "C"

10

Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Phone # 091-9212177 Fax # 9211478 E-mail: <a href="mailto:ccfforests.punjab@gmail.com">ccfforests.punjab@gmail.com</a>
No. 1932/E	Dated Peshawar the 13/01/2015	

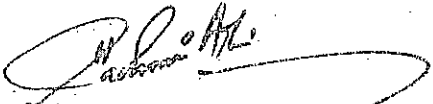
✓ Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad.

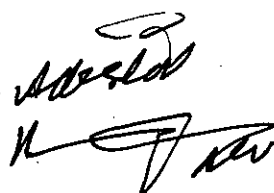
Subject:- PROMOTION OF DEPUTY RANGER TO THE RANK OF FORESTRANGER.

Memo:- Reference application of Muhammad Hanif Deputy Ranger dated Nil (copy enclosed for ready reference).

To proceed further in the subject case, you are requested to supply the following documents in respect of M/S Gul Zaman, Muhammad Hanif and Taj Muhammad Deputy Rangers:-

1. Synopsis of ACR upto 31.12.2014.
2. No disciplinary/anticorruption certificate.

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



Annexure "D"

4

(Signature)  
①

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FOREST DEPARTMENT

NOTIFICATION

No. \_\_\_\_\_ /E in pursuance of section 8 (1) of the Khyber Pakhtunkhwa Civil Servant Act, 1973, read with rule-17 Civil Servant (Appointment, Promotion and Transfer) rules, 1989, the competent authority is pleased to notify circulate Seniority List of Deputy Ranger (BPS-11) Khyber Pakhtunkhwa Forest Department as it stood on 31/08/2014 for general information.

FINAL SENIORITY LIST OF DEPUTY RANGERS KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT STOOD ON  
31/08/2014

S. No	Name of Official	Academic Qualification	Date of Birth	Domicile	Date of first entry in to service	Regular appointment/ promotion to the present post			Recent appointment with date	Remarks
						Date	BPS	Method of recruitment		
	Mr. Farhad Sajid	BA/FS	15/2/58	Mansehra	17/2/77	30/6/04	11	By promotion	30/6/04	--
✓	Mr. Mohammad Hanif	MA /FS	1/2/1955	Mansehra	28/8/78	8/10/13	11	-do-	31/5/2013	Seniority restored vide CCF-I office order No.40 dated 8.12.2014
	Mr. Taj Mohammad	Matric /FS	15/9/55	Abbottabad	8/3/1979	8/10/13	11	-do-	31/5/2013	Seniority restored vide CCF-I office order No.40 dated 8.12.2014
	Mr. Gul Zaman	Matric/FS	19/1/59	Mansehra	21/4/79	8/10/13	11	-do-	31/5/2013	Seniority restored vide CCF-I office order No.40 dated 8.12.2014
	Mr. Mohammad Nazir	B.A/FS	15/5/61	Mohmand Agency	18/9/1982	12/3/11	11	-do-	12/3/11	--

Attested  
(Signature)

6	Mr. Mohammad Khan	F.A/FS	2/1/1959	Mohmand Agency	19/10/182	4/5/2012	11	-do-	4/5/2012	--
7	Mr. Mohammad Tahir	B.A/FS	15/6/62	Charsadda	1/12/1980	7/5/2012	11	-do-	7/5/2012	--
8	Mr. Siraj Mohammad	Matric/FS	1/4/1958	Peshawar	14/12/80	7/5/2012	11	-do-	7/5/2012	--
9	Mr. Ezat Sher	B.A/FS	1/4/1967	Swat	1/10/1990	10/5/12	11	-do-	10/5/2012	--
10	Mr. Mohammad Yousaf -I	Matic/FS	11/7/69	Chitral	8/10/1987	19/7/12	11	-do-	19/7/2012	--
11	Mr. Mohammad Yousaf-II	Matric/FS	15/2/60	Kuramm Agency	1/10/1983	24/1/13	11	-do-	24/1/2013	--
12	Mr. Mohammad Ilyas	FA/FS	10/4/63	Mardan	30/6/1985	24/1/13	11	By promotion	24/1/2013	--
13	Mr. Sher Amanullah	Matric/FS	27/6/65	FR Bannu	1/10/1986	24/1/13	11	-do-	24/1/2013	--
14	Mr. Sakhi Jan	Matric/FS	19/1/66	Peshawar	1/10/1989	24/1/13	11	-do-	24/1/2013	--
15	Mr. Nadar Khan	FA /FS	3/2/1962	Lower Dir	1/10/1988	19/5/13	11	-do-	19/5/2013	--
16	Syed Abdul Wahid Bacha	BA/FS	3/2/1965	Lower Dir	1/10/1988	19/5/13	11	-do-	19/5/2013	--
17	Mr. Sardar Salih	MA /FS	20/1/72	Upper Dir	1/10/1990	19/5/13	11	-do-	19/5/2013	--
18	Mr. Rab Nawaz	BA/FS	18/4/59	Peshawar	14/3/1981	31/5/13	11	-do-	31/5/2013	--
19	Syed Abid Hussain Shah	BA /FS	15/2/61	Lakki	10/4/1984	31/5/13	11	-do-	31/5/2013	--
20	Mr. Safirullah	BA/LLB/FS	8/9/57	Bannu	4/7/1984	31/5/13	11	-do-	31/5/2013	--
21	Mr. Mohammad Yaqoob	BA /FS	2/12/61	Lakki	2/10/1984	31/5/13	11	-do-	31/5/2013	--
22	Mr. Hamedullah	FA/FS	27/12/62	Lakki	20/3/1985	31/5/13	11	-do-	31/5/2013	--
23	Mr. Mohammad Farooq	BA /FS	2/6/1956	Mansehra	19/10/78	8/10/13	11	-do-	31/5/2013	--
24	Mr. Mukhtiar Ahmad	FA/FS	5/12/56	Mansehra	23/8/1978	8/10/13	11	-do-	31/5/2013	--
25	Mr. Mohammad Pervez	Matric /FS	3/4/1959	Mansehra	3/3/1979	8/10/13	11	-do-	31/5/2013	--
26	Mr. Gul Faraz	Matric/FS	4/1/1957	Kohistan	27/9/81	8/10/13	11	-do-	31/5/2013	--
27	Mr. Mohammad Rangeen	Matric/FS	19/5/56	Batagram	1/3/1983	8/10/13	11	-do-	31/5/2013	--
28	Mr. Zareen Gul	BA/FS	1/4/1964	Buner	18/3/1985	8/10/13	11	-do-	31/5/2013	--

*Handwritten signature and initials*

13



CERTIFICATE

Certified that the seniority is final, notified, un-disputed and attested.

*[Signature]*  
Chief Conservator of Forests  
Central Southern Forest Region  
Khyber Pakhtunkhwa Peshawar

No. 2011-04 IE

Dated Peshawar the 22 /01/2015.

Copy forwarded for information and necessary action to the:-

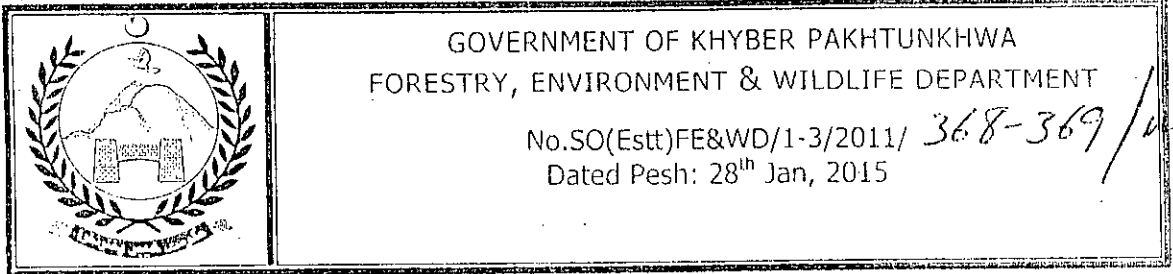
1. Chief Conservator of Forests Northern Forest Region-II Khyber Pakhtunkhwa Abbottabad.
2. Chief Conservator of Forests Malakand Forest Region-III Swat.
3. CF Southern Circle Peshawar.
4. CF FATA Circle Peshawar.

*[Signature]*  
Chief Conservator of Forests  
Central Southern Forest Region  
Khyber Pakhtunkhwa Peshawar

*[Signature]*  
*[Signature]*

Annexure "E"

14 (Annexure) 37



To 1) The Secretary to Govt: of Khyber Pakhtunkhwa,  
Establishment Department.

Attention Section Officer (R-III)

2) The Secretary to Govt: of Khyber Pakhtunkhwa,  
Finance Department.

Attention: Section Officer (SR-I)

Subject: MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE FIXED FOR  
30/01/2015 AT 12 NOON

Dear Sir,

*28-1-15*  
*4-09-15*  
I am directed to refer to the subject cited above and to intimate that to discuss the following promotion cases of the officials of Khyber Pakhtunkhwa, Forest Department; a meeting of the Departmental Promotion Committee is scheduled to be held on 30.01.2015 at 12.00 Noon, under the chairmanship of Secretary, Forestry, Environment & Wildlife Department, in his office:-

1. Promotion of Senior Clerks (BPS-14) to the rank of Assistant (BS-16) on regular basis.
2. Promotion of Deputy Rangers (BS-11) to the rank of Forest Rangers (BS-16), on regular basis.

2. It is, therefore, requested that a representative of your respective department(s) may please be deputed to attend the meeting on the above given date, time and venue. In this connection sets of working papers are enclosed for perusal.

(MIR ZALI-KHAN)

SECTION OFFICER (ESTT)

Endst:No.& date even 370-372

Copy is forwarded to:

1. PS to Secretary Forestry, Environment & Wildlife Department.
2. PA to Deputy Secretary-I, Forestry, Environment & Wildlife Department
3. Chief Conservator of Forests, Central & Southern Forest Region-I, Pakhtunkhwa.

SECTION OFFICER (ESTT)


*28-1-15*  
*Alleged*  
*True*



Annexure "F"

15

(6) (22)

Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Phone # 091-9212177 Fax # 9211478 E-mail: <a href="mailto:ccfforests.pesh@gmail.com">ccfforests.pesh@gmail.com</a>
No. 2781 /E	Dated Peshawar the 24 /03/2015	

To B-2-111  
Section Officer (Establishment)  
Government of Khyber Pakhtunkhwa  
Forestry, Environment & Wildlife Department  
Peshawar.

Subject: - APPEAL FOR PROMOTION FROM DEPUTY RANGER TO FOREST RANGER.

Memo,

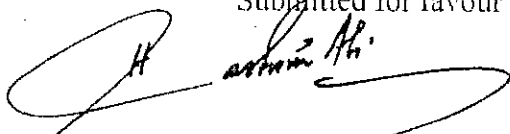
Reference your letter No. SO (Estt)/FE&WD/1-3(B)/2K15/1887-88/WE dated: 24-02-2015.

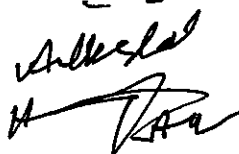
On the recommendation of Chief Conservator of Forests, Northern Forest Region-II, Abbottabad and approval of Administrative Department seniority were restored to the following Deputy Rangers from the dates as noted against each vide office order No. 40 dated: 08-12-2014 (copy enclosed): -

S.No	Name of Deputy Ranger	Date
1	Mr. Gul Zaman	21-12-2010
2	Mr. Muhammad Hanif	21-12-2010
3	Mr. Taj Muhammad	19-02-2011

After restoration of seniority, their promotion case was sent to Administrative Department vide letter No. 2015/E dated: 22-01-2015 on the request of Mr. Muhammad Hanif who was retiring from Govt. Service on the age of sixty (60) years w.e.f 31-01-2015. Which was placed before the DPC held on 30-01-2015 accordingly. During the DPC meeting on 30-01-2015 under the chairmanship of Additional Secretary Forestry, Environment & Wildlife Department, the representative of Establishment Department has made observation with the remarks that the above Deputy Rangers have not completed the required length of four (4) years service in the cadre of Deputy Ranger and were deferred.

Submitted for favour of further necessary action and advice please.

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



*[Handwritten signatures]*

D-Establishment-8  
 Chief Conservator of Forests  
 Central Southern Forest Region-I  
 Khyber Pakhtunkhwa Peshawar

subject case.  
 It is therefore, requested that this office may kindly be advised for further course of action in the  
 within a period of one (01) month, who shall decide the matter strictly in accordance with law and rules.  
 Wildlife Department and others" has desired to place petitioners promotion case before the DPC for consideration  
 titled Taj Muhammad Deputy Ranger W/S Secretary to Govt. of Khyber Pakhtunkhwa Forestry, Environment &  
 The Peshawar High Court, Peshawar vide order sheet dated 23/07/2015 in Writ Petition No. 2615

deferred, but minutes of the meeting have not been received up till now.  
 Deputy Rangers have not completed the required length of four (4) years service in the cadre of Deputy Ranger and was  
 Department, the representative of Establishment Department has made observation with the remarks that the above  
 DPC meeting on 30-01-2015 under the chairmanship of Additional Secretary Forestry, Environment & Wildlife  
 of sixty (60) years was 31-01-2015, which was placed before the DPC held on 30-01-2015 accordingly. During the  
 No. 2015/E dated: 22-01-2015 on the request of Mr. Muhammad Hanif who was retiring from Govt. Service on the age  
 After restoration of seniority, their promotion case was sent to Administrative Department vide letter

S.No	Name of Deputy Ranger	Date of appointment on acting charge basis	Date of regular promotion	Date from which Seniority restored
1	Mr. Gul Zaman	28-04-2008	08.10.2013	21-12-2010
2	Mr. Muhammad Hanif	18.12.2009	08.10.2013	21-12-2010
3	Mr. Taj Muhammad		08.10.2013	19-02-2011 (Retired from Govt. Service 31/01/2015)

Memor:-  
 Reference your letter No. SO (Estt)/Env/1-3/2K15/2616/WE dated: 03-09-2015.  
 On the recommendation of Chief Conservator of Forests, Northern Forest Region-II, Abbottabad and  
 approval of Administrative Department seniority was restored to the following Deputy Rangers from the dates as noted  
 against each vide this office order No. 40 dated: 08-12-2014 (copy enclosed) :-

Subject:- APPLICATION FOR PROMOTION FROM DEPUTY RANGER TO FOREST RANGER.

Section Officer (Establishment)  
 Government of Khyber Pakhtunkhwa  
 Forestry, Environment & Wildlife Department  
 Peshawar.

To: B-X-111  
 No. 977/15  
 Chief Conservator of Forests  
 Central Southern Forest Region-I  
 Khyber Pakhtunkhwa Peshawar


Dated Peshawar the 3rd 09/2015

Sham Road Peshawar  
 Phone # 091-9212177 Fax # 9211478  
 E-mail: cft@csfrs.kp.gov.pk



*Amir Khan*  
 G.O.  
 16

17

Chief Conservator of Forests Central Southern Forest Region-1 Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Phone # 091-9212177 Fax # 9211478 E-mail: <a href="mailto:ccfforests.pesh@gmail.com">ccfforests.pesh@gmail.com</a>
No. <u>16,54</u> /E	Dated Peshawar the <u>20</u> /11/2015	

To W-P-File

Section Officer (Litigation)  
Government of Khyber Pakhtunkhwa  
Environment Department Peshawar

Subject: - **LEGAL NOTICE/WRIT PETITION NO. 2615-P/2015 TAJ MUHAMMAD (DEPUTY RANGER) VERSUS PROVINCE OF KPK & OTHERS.**

Memo, Reference this office letter No. SO (Lit)/ED/2-395/2015/443, dated 13/11/2015.

In this regard please refer to this office letter No. 972/E, dated 30/09/2015 and No. 1171/E, dated 02/10/2015 and convey advice in the subject case, so that the case could be processed further. (P-6)

An early action in the matter is requested please.

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

*Received*  
*29/12/2015*

*Attested*  
*[Signature]*

18

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT  
(LITIGATION SECTION)

No. SO (Lit)/E.D/2-395/2015 1302  
Dated Peshawar 03/12/2015.

A-1-1  
325  
To

✓  
The Chief Conservator of Forests,  
Central Southern Region-I, Peshawar.

**Subject:** LEGAL NOTICE/WRIT PETITION NO. 2615-P/2015 TAJ MUHAMMAD  
(DEPUTY RANGER) VERSUS PROVINCE OF KPK & OTHERS.

I am directed to refer to your letter No. 1454/E dated 20/11/2015  
on the subject noted above and to say that your office letters No. 972/E dated  
30/09/2015 and No. 1171/E dated 02/10/2015 of the subject are not received in  
this Section. P-79

It is requested to furnish/provide a copies of above reference  
letters of the subject to this department at the earliest please, then the case  
could be process.

ESH.

CCF 29/12

  
(MIR ZALI KHAN)  
Section Officer (Litigation)

Estt)

1  
Q

09/12

802  
10/12/05


No 1314  
10/12/2015

MDV

29/12/2015

Attested  


19

Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Phone # 091-9212177 Fax # 9211478 E-mail: cefforests.peshi@gmail.com
No. 1675 /E To W-f-P/te.	Dated Peshawar the 14 /12/2015	

Section Officer (Litigation)  
 Government of Khyber Pakhtunkhwa  
 Forestry Environment & Wildlife Department  
 Peshawar

Subject:- **LEGAL NOTICE /WRIT PETITION NO. 2615-P/2015 TAJ MUHAMMAD (DEPUTY RANGER) VERSUS PROVINCE OF KPK & OTHERS.**

Memo: - Reference your letter No. SO(Lit)/E.D/2-395/2015/1302 dated 03.12.2015.

Both the said letters have been addressed to SO(Estt) instead of SO(Litigation), which relates to promotion of Deputy Rangers to the post of Forest Rangers. Hence, the same might be available with him.

However, as desired photo copies of the same are enclosed herewith for further necessary action in your office please.

Encl: as above.

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

*Advised*  
 14  
*Dan*

*Received*  
 14/12/2015  
*1401*

20

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT  
(LITIGATION SECTION)

No. SO (Lit)/E.D/2-395/2015 / 1763.  
Dated Peshawar 21/12/2015.

To

✓  
The Chief Conservator of Forests,  
Central Southern Region-I, Peshawar.

**Subject:** LEGAL NOTICE/WRIT PETITION NO. 2615-P/2015 TAJ MUHAMMAD  
(DEPUTY RANGER) VERSUS PROVINCE OF KPK & OTHERS.

I am directed to refer to your letter No. 1695/E dated 14/12/2015  
on the subject noted above and to say that the subject case relates to  
promotion of Deputy Rangers, its is requested that further progress may be  
obtained from Section Officer (Establishment) of this department.

*(Signature)*  
(MURZA KHAN)

Section Officer (Litigation)

331  
18/12/15 Estt

No 1458  
28/12/2015

28/12  
C.F. 2

*(Signature)*  
H. V. Sam

*(Signature)*  
S. M. Khan

کورٹ فیس

# وکالت نامہ

BEFORE the Honorable Plehtoon Khawar Senior Advocate

عنوان: Grant of K.P.K. Order بنام Muhammad Hameed

منجانب: Appellant

نوعیت مقدمہ: Senior Appeal

باعت تحریر آئندہ ABDOLAH KASHAN

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

Hameed Advocate High Court

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

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم: 5/1/2016

بمقام: ABBOTABAD

Accepted by

H. Hameed

العب

محمد ضعیف

10/1/16

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

**Service Appeal No.98/2016**

Muhammad Hanif Abbasi,  
Ex-Deputy Range Officer, Forest Region-II Abbottabad, resident of village Near  
Sardar Yousaf House College Doraha, Tehsil & District Mansehra

..... APPELLANT

**VERSUS**

- 1- Government of Khyber Pakhtunkhwa through Secretary Forests, Peshawar
- 2- Chief Conservator of Forests, Central Southern Forest Region-I Peshawar
- 3- Chief Conservator of Forests Northern Forest Region-II Abbottabad

..... RESPONDENTS

**PRELIMINARY OBJECTIONS**

- i. The appellant has got no cause of action, hence appeal is liable to be dismissed.
- ii. The appellant has no locus standi to file a present appeal
- iii. The appellant is not aggrieved by any order and therefore no discrimination hence appeal is not maintainable in the eye of law and appeal is liable to be dismissed.
- iv. The appellant has not come with clean hands.
- v. There is no impugned order appellant has treated as per law and rules.
- vi. That the appeal has suppressed the original facts from this honorable tribunal hence not entitled for any relief and appeal is liable to be dismissed without any further proceedings.
- vii. That the appeal is liable to be dismissed due to misjoinder of necessary parties.
- viii. That the appeal is time barred.
- ix. That both the orders have passed by the authorities as per law and rules hence appeal is liable to be dismissed.

**PARAWISE COMMENTS**

- 1- Pertains to record.
- 2- Pertains to record.
- 3- Pertains to record.
- 4- After his promotion to the post of Deputy Ranger (BPS-11) on regular basis on 08-10-2013, the appeal was listed at S. No.28 in the seniority list of Deputy Rangers as it stood on 31-08-2014 (*copy of the seniority list is attached as Annexure-I*). On his appeal seniority was restored in favour of the appellant alongwith his other colleagues vide CCF-I office order No. 40 dated 08-12-2014 and the appellant was listed at S. No.2 of the seniority list (*Annexure-II*).



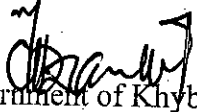
- 5- As per para-4 above.
- 6- Pertains to record.
- 7- Pertains to record.
- 8- In-correct hence denied in facts the promotion case was sent to Administrative Department for placing the same before the Departmental Promotion Committee for consideration. Copy of the working paper is attached (*as Annexure-III*)
- 9- Pertains to record.
- 10-In-correct hence denied in fact the letter No.2781/E, dated 24-03-2015 are the comments submitted by CCF-I on the appeal of the appellants to the Administrative Department.
- 11-In reply of para No. 11 it is humbly submitted that as discussed in para-8 above, the promotion case was sent to Administrative Department vide letter No.2015/E dated 22-01-2015 with the request to consider the case of the appellants as per para-VII of promotion policy 2009. The case was placed before the Departmental Promotion Committee meeting held on 30-01-2015. During the Departmental Promotion Committee meeting the representative of Establishment Department made observation that the appellants has not completed the required length of four years service in the cadre of Deputy Ranger after his regular promotion.
- 12-In-correct in fact the promotion case of the appellants and one other (Taj Muhammad) was placed before the Departmental Promotion Committee. Copy of the working paper is enclosed (*as Annexure-IV*). On 08-02-2016 the case of the appellants was discussed in the Departmental Promotion Committee meeting and it was decided that the Deputy Ranger has been retired from service and no longer held status of Civil Servants, whereas the Departmental Promotion Committee constituted by the Government is entitled only for the consideration of promotion cases of regular service servants. As such the Forum (Departmental Promotion Committee) could not consider the promotion cases of retired Civil Servants (copy of the minutes of Departmental Promotion Committee meeting are attached as *Annexure-V*).

#### Grounds

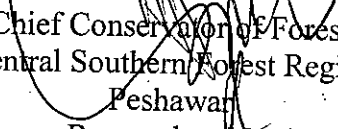
- a. In-correct. As replied in para-11 and 12 above.
- b. In-correct. According to Notification bearing No. SORI (S&GAD)4-1/75 (Vol) dated 22<sup>nd</sup> August, 1991 (*Annexure-VI*) promotion is always made on the recommendation of DPC/PSB instead of respondents.
- c. In-correct. Hence denied the authorities have been over all the proceeding as per law & rules.
- d. In-correct, hence denied.

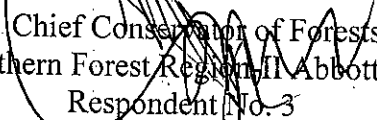
- e. In- correct. No order dated 30.09.2015 is available on the record of this office, however as annexed by the appellant a letter bearing No. 972/E dated 30.09.2015 wherein advise from Administrative Department was solicited.
- f. In- correct. As explained in Para-4 above. *of facts*
- g. In- correct. As explained in Para-e above. ✓
- h. In-.correct. No mis reading and non reading is involved between order dated 08.12.2014 and letter dated 30.09.2015.
- i. In- correct. As already explained above the promotion case of the appellant placed before the DPC was not considered by the competent forum.
- j. As explained in Para – i above.
- k. That the respondents also seek permission to raise additional grounds at the time of arguments.

It is therefore, prayed that the appeal being un-justified and non maintainable may graciously be dismissed please.

  
Government of Khyber Pakhtunkhwa  
Secretary Forest/Peshawar

Respondent No. 1.

  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar  
Respondent No. 2

  
Chief Conservator of Forests  
Northern Forest Region-II Abbottabad  
Respondent No. 3

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FOREST DEPARTMENT

Annexure-I

NOTIFICATION

No. \_\_\_\_\_ /E in pursuance of section 8 (1) of the Khyber Pakhtunkhwa Civil Servant Act, 1973, read with rule-17 Civil Servant (Appointment, Promotion and Transfer) rules, 1989, the competent authority is pleased to notify circulate Seniority List of Deputy Ranger (BPS-11) Khyber Pakhtunkhwa Forest Department as it stood on 31/08/2014 for general information.

**FINAL SENIORITY LIST OF DEPUTY RANGERS KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT STOOD ON  
31/08/2014**

S. No	Name of Official	Academic Qualification	Date of Birth	Domicile	Date of first entry in to service	Regular appointment/ promotion to the present post			Resent appointment with date	Remarks
						Date	BPS	Method of recruitment		
1	Mr. Farhad Sajid	BA/FS	15/2/58	Mansehra	17/2/77	30/6/04	11	By promotion	30/6/04	--
2	Mr. Rozi Khan	Matric/FS	13/4/56	Lakki	25/6/80	4/10/07	11	-do-	4/10/07	--
3	Mr. Abdul Ghani Shah	MBA/FS	28/3/67	Bannu	10/7/94	28/10/08	11	-do-	28/10/08	--
4	Mr. Riaz Hussain	B. A/FS	1/1/1964	Swat	14/3/1985	25/3/09	11	-do-	25/3/2009	--
5	Mr. Manzoor Ahmad	B. A /FS	12/3/59	Abbottabad	24/6/77	18/12/09	11	-do-	18/12/2009	--
6	Mr. Shah Aslam	Matric/FS	7/2/1960	Swat	1/10/85	20/2/10	11	-do-	20/2/2010	--
7	Mr. Mohammad Zahir Shah	FA/FS	2/5/1962	Swat	1/10/85	20/2/10	11	-do-	20/10/2010	--
8	Mr. Mohammad Nazir	B.A/FS	15/5/61	Mohmand Agency	18/9/1982	12/3/11	11	-do-	12/3/11	--
9	Mr. Mohammad Khan	F.A/FS	2/1/1959	Mohmand Agency	19/10/182	4/5/2012	11	-do-	4/5/2012	--
10	Mr. Mohammad Tahir	B.A/FS	15/6/62	Charsadda	1/12/1980	7/5/2012	11	-do-	7/5/2012	--
11	Mr. Siraj Mohammad	Matric/FS	1/4/1958	Peshawar	14/12/80	7/5/2012	11	-do-	7/5/2012	--
12	Mr. Ezat Sher	B.A/FS	1/4/1967	Swat	1/10/1990	10/5/12	11	-do-	10/5/2012	--
13	Mr. Mohammad Yousaf-I	Matic/FS	11/7/69	Chitral	8/10/1987	19/7/12	11	-do-	19/7/2012	--
14	Mr. Mohammad Yousaf-II	Matric/FS	15/2/60	Kuramm Agency	1/10/1983	24/1/13	11	-do-	24/1/2013	--

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16	Mr. Mohammad Ilyas	FA/FS	10/4/63	Mardan	30/6/1985	24/1/13	11	By promotion	24/1/2013	--
17	Mr. Sher Amanullah	Matric/FS	27/6/65	FR Bannu	1/10/1986	24/1/13	11	-do-	24/1/2013	--
18	Mr. Sakhi Jan	Matric/FS	19/1/66	Peshawar	1/10/1989	24/1/13	11	-do-	24/1/2013	--
19	Mr. Nadar Khan	FA /FS	3/2/1962	Lower Dir	1/10/1988	19/5/13	11	-do-	19/5/2013	--
20	Syed Abdul Wahid Bacha	BA/FS	3/2/1965	Lower Dir	1/10/1988	19/5/13	11	-do-	19/5/2013	--
21	Mr. Sardar Salih	MA /FS	20/1/72	Upper Dir	1/10/1990	19/5/13	11	-do-	19/5/2013	--
22	Mr. Rab Nawaz	BA/FS	18/4/59	Peshawar	14/3/1981	31/5/13	11	-do-	31/5/2013	--
23	Syed Abid Hussain Shah	BA /FS	15/2/61	Lakki	10/4/1984	31/5/13	11	-do-	31/5/2013	--
24	Mr. Safirullah	BA/LLB/FS	8/9/57	Bannu	4/7/1984	31/5/13	11	-do-	31/5/2013	--
25	Mr. Mohammad Yaqoob	BA /FS	2/12/61	Lakki	2/10/1984	31/5/13	11	-do-	31/5/2013	--
26	Mr. Hamedullah	FA/FS	27/12/62	Lakki	20/3/1985	31/5/13	11	-do-	31/5/2013	--
27	Mr. Mohammad Farooq	BA /FS	2/6/1956	Mansehra	19/10/78	8/10/13	11	-do-	31/5/2013	--
28	Mr. Mukhtiar Ahmad	FA/FS	5/12/56	Mansehra	23/8/1978	8/10/13	11	-do-	31/5/2013	--
29	Mr. Mohammad Hanif	MA /FS	1/2/1955	Mansehra	28/8/78	8/10/13	11	-do-	31/5/2013	--
30	Mr. Mohammad Pervez	Matric /FS	3/4/1959	Mansehra	3/3/1979	8/10/13	11	-do-	31/5/2013	--
31	Mr. Taj Mohammad	Matric /FS	15/9/55	Abbottabad	8/3/1979	8/10/13	11	-do-	31/5/2013	--
32	Mr. Gul Zaman	Matric/FS	19/1/59	Mansehra	21/4/79	8/10/13	11	-do-	31/5/2013	--
33	Mr. Gul Faraz	Matric/FS	4/1/1957	Kohistan	27/9/81	8/10/13	11	-do-	31/5/2013	--
34	Mr. Mohammad Rangeen	Matric/FS	19/5/56	Batagram	1/3/1983	8/10/13	11	-do-	31/5/2013	--
35	Mr. Zareen Gul	BA/FS	1/4/1964	Buner	18/3/1985	8/10/13	11	-do-	31/5/2013	--

(Estt)Env/1-3/11  
Dated Pesh.

DEPARTMENT

475

To

No. 838-4  
BK-50

/E

dated Peshawar the 01/09/2014

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Khyber Pakhtunkhwa Abbottabad.
2. Chief Conservator of Forests Malakand Forest Region-III Swat.
3. CF Southern Circle Peshawar.
4. CF FP&M Circle Peshawar.

*L*  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar  
*OK*  
*BY*

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FOREST DEPARTMENT

*Annexure-II*

657

In pursuance of section 8 (1) of the Khyber Pakhtunkhwa Civil Servant Act, 1973, read with rule-17 Civil Servant (Appointment, and Transfer) rules, 1989, the competent authority is pleased to notify circulate Seniority List of Deputy Ranger (BPS-11) Khyber Forest Department as it stood on 31.08.2014 for general information.


SENIORITY LIST OF DEPUTY RANGERS KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT STOOD ON 31.08.2014

No	Name of Official	Academic Qualification	Date of Birth	Domicile	Date of first entry in to service	Regular appointment/ promotion to the present post			Resent appointment with date	Remarks
						Date	BPS	Method of recruitment		
1.	Mr. Farhad Sajid	BA/FS	15/2/58	Mansehra	17/2/77	30/6/04	11	By promotion	30/6/04	
2.	Mr. Muhammad Hanif	MA/FS	1.2.1955	Mansehra	28.8.1978	8.10.13	11	-do-	8.10.13	Seniority restored vide CCF-I office order No.40 dated 8.12.2014
3.	Mr. Taj Mohammad	Matric /FS	15/9/55	Abbottabad	8/3/1979	8/10/13	11	-do-	8/10/13	Seniority restored vide CCF-I office order No.40 dated 8.12.2014
4.	Mr. Gul Zaman	Matric/FS	19/1/59	Mansehra	21/4/79	8/10/13	11	-do-	8/10/13	Seniority restored vide CCF-I office order No.40 dated 8.12.2014
5.	Mr. Mohammad Nazir	B.A/FS	15/5/61	Mohmand Agency	18/9/1982	12/3/11	11	By promotion	12/3/11	Appointed to the post of Forest Ranger on acting charge basis w-e-f 26.12.2014.

6.	Mr. Mohammad Khan	F.A/FS	2/1/1959	Mohmand Agency	19/10/182	4/5/2012	11		4/5/2012	--
7.	Mr. Mohammad Tahir	B.A/FS	15/6/62	Charsadda	1/12/1980	7/5/2012	11		7/5/2012	--
8.	Mr. Siraj Mohammad	Matric/FS	1/4/1958	Peshawar	14/12/80	7/5/2012	11		7/5/2012	--
9.	Mr. Ezzat Sher	B.A/FS	1/4/1967	Swat	1/10/1990	10/5/12	11		10/5/2012	--
10.	Mr. Mohammad Yousaf I	Matric/FS	11/7/69	Chitral	8/10/1987	19/7/12	11		19/7/2012	--
11.	Mr. Mohammad Yousaf-II	Matric/FS	15/2/60	Kurram Agency	1/10/1983	24/1/13	11		24/1/2013	--
12.	Mr. Mohammad Ilyas	F.A/FS	10/4/63	Mardan	30/6/1985	24/1/13	11		24/1/2013	--
13.	Mr. Sher Amanullah	Matric/FS	27/6/65	FR Bannu	1/10/1986	24/1/13	11		24/1/2013	--
14.	Mr. Sakhi Jun	Matric/FS	19/1/66	Peshawar	1/10/1989	24/1/13	11		24/1/2013	--
15.	Mr. Nadar Khan	F.A/FS	3/2/1962	Lower Dir	1/10/1988	19/5/13	11		19/5/2013	--
16.	Syed Abdul Wahid Bachu	BA/FS	3/2/1965	Lower Dir	1/10/1988	19/5/13	11		19/5/2013	--
17.	Mr. Sardar Sullia	MA/FS	20/1/72	Upper Dir	1/10/1990	19/5/13	11		19/5/2013	--
18.	Mr. Rab Nawaz	BA/FS	18/4/59	Peshawar	14/3/1981	31/5/13	11	-do-	31/5/2013	--
19.	Syed Abid Hussain Shah	BA/FS	15/2/61	Lakki	10/4/1984	31/5/13	11	-do-	31/5/2013	--
20.	Mr. Saifullah	BA/LLB/FS	8/9/57	Bannu	4/7/1984	31/5/13	11	-do-	31/5/2013	--
21.	Mr. Mohammad Yaqoob	BA/FS	2/12/61	Lakki	2/10/1984	31/5/13	11	-do-	31/5/2013	--
22.	Mr. Hamedullah	F.A/FS	27/12/62	Lakki	20/3/1985	31/5/13	11	-do-	31/5/2013	--
23.	Mr. Mohammad Farooq	BA/FS	2/6/1956	Mansehra	19/10/78	8/10/13	11	-do-	31/5/2013	--
24.	Mr. Mukhtiar Ahmad	F.A/FS	5/12/56	Mansehra	23/8/1978	8/10/13	11	-do-	8/10/13	--
25.	Mr. Mohammad Pervez	Matric/FS	3/4/1959	Mansehra	3/3/1979	8/10/13	11	By promotion	8/10/13	--
26.	Mr. Gul Faraz	Matric/FS	4/1/1957	Kohistan	27/9/81	8/10/13	11	-do-	8/10/13	--
27.	Mr. Mohammad Rangeen	Matric/FS	19/5/56	Batagram	1/3/1983	8/10/13	11	-do-	8/10/13	--
28.	Mr. Zareen Gul	BA/FS	1/4/1964	Buner	18/3/1985	8/10/13	11	-do-	8/10/13	--

CERTIFICATE

Certified that the seniority is final, notified, and

  
Chief Conservator of Forests  
Central Southern Forest Region  
Khyber Pakhtunkhwa Peshawar

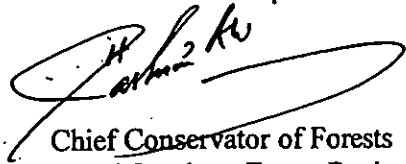
No. 2011-64/E

Dated Peshawar the

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Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Khyber Pakhtunkhwa Abbottabad
2. Chief Conservator of Forests Malakand Forest Region-III Swat.
3. CF Southern Circle Peshawar.
4. CF FATA Circle Peshawar.

  
Chief Conservator of Forests  
Central Southern Forest Region  
Khyber Pakhtunkhwa Peshawar



Annexure - III

Chief Conservator of Forests Central Southern Forest Region-1 Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Phone # 091-9212177 Fax # 9211478 E-mail: ccfforests.pesh@gmail.com
No. 2015 /E	Dated Peshawar the 22 /01/201	
To B-X-111		

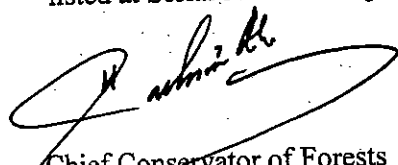
Section Officer (Establishment)  
Government of Khyber Pakhtunkhwa  
Forestry Environment and Wildlife Department  
Peshawar.

Subject:- **PROMOTION OF DEPUTY RANGERS (BPS-11) TO THE RANK OF FOREST RANGERS (BPS-16).**

Memo:- Reference appeal of Mr. Muhammad Hanif Deputy Ranger dated Nil (copy enclosed for ready reference).

Enclosed please find herewith six sets of the working paper on the subject for favour of further necessary action in your office.

It is therefore requested that the subject case may kindly be considered as per Para-VII of promotion policy 2009 in case of Mr. Muhammad Hanif Deputy Ranger listed at Serial No.2 of the panel.

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

WORKING PAPER

Annexure-IV  
633

**Subject: PROMOTION OF DEPUTY RANGERS TO THE RANK OF FOREST RANGERS ON REGULAR BASIS**

There are 53 regular sanctioned posts of Forest Rangers (BPS-16) in the Khyber Pakhtunkhwa Forest Department (Annexure-I), against which only 38 Forest Rangers are presently serving (as per Annexure-II) the detail is as under:-

Sanctioned post	Available on roll	Differences	Total vacancies
53 Nos	38 Nos	53 - 38 = 15	15 Nos

2. According to the Service Rules of Khyber Pakhtunkhwa Forest Department, the following method of recruitment to the post of Forest Ranger (BPS-16) has been prescribed (Annexure-III):-

- (i) Sixty Seven percent by promotion on the basis of seniority-cum-fitness from amongst Deputy Rangers having four year service as such; and
- (ii) Thirty three percent by initial recruitment.

3. As per rules share of direct/promotee is:-

Total post	Direct quota	Promotion quota	Available on roll		Total	Balance
			Direct	Promotee		
53 Nos	17	36	13	25	38	15

Differences			
Direct	Promotion	Total	Total vacancies against promotion quota
-04	(-) 11	15	11 Nos

4. According to the seniority list of Deputy Rangers (Annexure-IV), the following are the senior most and have completed their four years service in the cadre of Deputy Ranger and fulfill the laid down criteria:-

S. #	Name of Deputy Ranger	Whether completed 4 years service	Whether received one year Forester training from Khyber Pakhtunkhwa Forest School	Whether eligible for promotion
1.	Mr. Farhad Sajid	Yes	Yes	Not illegible. The Deputy Ranger was involved in a case with NAB on 14.12.2009 and was fined for Rs.200000 (Two Lac). Appeal is under trail in Peshawar High Court.
2.	Mr. Muhammad Hanif	Yes	Yes	Yes
3.	Mr. Taj Muhammad	Yes	Yes	Yes
4.	Mr. Gul Zaman	Yes	Yes	Yes

5. It is certified that the officials mentioned in the panel:-

- a) Hold the lower post on regular basis and not on adhoc basis.
- b) Have completed the qualifying service of four years as Deputy Ranger.

- c) Have received one year Forester training from Khyber Pakhtunkhwa Forest School
- d) No departmental/disciplinary/judicial proceeding are pending against them except S.No 1.
6. Synopsis of ACRs of the Deputy Rangers and no disciplinary/anti-corruption certificates are placed as (Annexures- V and VI).
7. The DPC is therefore, requested to determine suitability of 3 Deputy Rangers, (listed at Serial No.2,3 and 4) for promotion to the rank of Forest Rangers (BPS-16) on regular basis.

*h*  
Chief Conservator of Forests *ge*  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar *(Signature)*

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WORKING PAPER

Subject: PROMOTION OF DEPUTY RANGERS TO THE RANK OF FOREST RANGERS ON REGULAR BASIS

Mr. Taj Muhammad Ex-Deputy Ranger has joined the Khyber Pakhtunkhwa Forest Department on 08.03.1979 and was promoted to the Rank of Deputy Ranger (BPS-11) on 08.10.2013 on regular basis.

After regular promotion to the Rank of Deputy Ranger the seniority was restored to the following Deputy Rangers with effect from the dates as noted against each vide Chief Conservator of Forests Central Southern Forest Region-I Peshawar office order No. 40 dated 08.12.2014 (Annexure-I):- (P-2021)

S.No.	Name of Deputy Ranger	Dates
1.	Mr. Muhammad Hanif Abbasi	21.12.2010
2.	Mr. Gul Zamand	21.12.2010
3.	Mr. Taj Muhammad	19.02.2011

After restoration of seniority one Mr. Muhammad Hanif made presentation for promotion to the Rank of Forest Ranger with the request that he is going to be retired from Government Service on attaining the age of 60 years with effect from 31.01.2015.

Working Paper for promotion of the above named Deputy Rangers as discussed in para-2 above was placed before the Departmental Promotion Committee held on 30.01.2015. During the DPC meeting the committee observed that the Deputy Rangers have not been completed their four years service in the cadre of Deputy Ranger being pre-requisite in the rules, which are reproduced below (Annexure-II). (P-2023-27)

- (i) Sixty Seven percent by promotion on the basis of seniority-cum-fitness from amongst the Deputy Rangers having four year service as such; and
- (ii) Thirty three percent by initial recruitment.

Being aggrieved, Mr. Taj Muhammad Deputy Ranger filed Writ Petition No. 2615-P/2015 in Peshawar High Court Peshawar while Mr. Muhammad Hanif is also aggrieved for his promotion. The Peshawar High Court vide order sheet dated 23.07.2015 (Annexure-III) has desired to place the promotion case before the Departmental Promotion Committee for consideration. (P-2029)

It is certified that both the Deputy Rangers mentioned above:-


- a) Have held the lower posts on regular basis and not on adhoc basis.
- b) Have completed the qualifying service of four years as Deputy Ranger.
- c) Have received one year Forester Training from Khyber Pakhtunkhwa Forest School.
- d) No departmental/disciplinary/judicial as well as NAB proceedings were pending against them.

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Synopsis of ACRs of the Deputy Rangers and no disciplinary/anti-corruption/NAB cases certificates are placed as (Annexure- IV and V). (R-231 to 247 and E-249)

The DPC is therefore, requested to determine suitability of the following Deputy Rangers with effect from the dates as noted against each for promotion to the rank of Forest Rangers (BPS-16) on regular basis:-

S.No.	Name of Deputy Ranger	Dates
1.	Muhammad Hanif Abbasi	31.01.2015
2.	Mr. Taj Muhammad	01.08.2015

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



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171

MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON  
08-02-2015 AT 1100 HOURS, IN THE OFFICE OF SPECIAL SECRETARY FORESTRY,  
ENVIRONMENT & WILDLIFE DEPARTMENT

A meeting of the Departmental Promotion Committee was held on  
08-02-2015 at 1100 hours under the Chairmanship of Special Secretary Forestry, Environment  
& Wildlife Department. The following attended:-

- |    |  |                                       |
|----|--|---------------------------------------|
| 1. | Syed Kamran Shah,<br>Special Secretary,<br>Forestry, Environment & Wildlife<br>Department        | In chair<br>(on behalf of Secy FE&WD) |
| 2. | Mr. Safdar Ali Shah,<br>Chief Conservator Wildlife,<br>Khyber Pakhtunkhwa                        | Member                                |
| 3. | Mr. Muhammad Iqbal Khattak,<br>Deputy Secretary-I,<br>Forestry Environment & Wildlife Department | Secretary/Member                      |
| 4. | Mr. Maqbool Khan Khattak,<br>Deputy Secretary Regulation-II,<br>Establishment Department         | Member                                |
| 5. | Mr. Arshad Khan Afridi,<br>Deputy Secretary,<br>Finance Department.                              | Member                                |
| 6. | Mr. Gohar Ali,<br>Divisional Forest Officer (Direction)<br>Forest Department.                    | Member                                |

2. The Departmental Promotion Committee considered promotion cases of the officials  
of Forest and Wildlife Departments and took decisions as reflected hereunder in each case:-

(A) FOREST DEPARTMENT: PROMOTION OF DEPUTY RANGERS (BPS-11)  
TO THE RANK OF FOREST RANGERS (BPS-16) ON REGULAR BASIS.

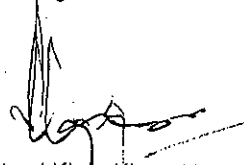
The Committee was informed that pursuant to the Peshawar High Court Abbottabad  
Bench Order dated 23/7/2015 in Writ Petition No.2615-P/2015, the subject working paper for  
promotion of Deputy Rangers to the rank of Forest Rangers was placed before the competent  
forum. It was intimated that both the Deputy Ranger(s), namely Mr. Muhammad Hanif Abbasi  
and Mr. Taj Muhammad had been retired from Govt. service on superannuation effective for  
31/1/2015 & 1/8/2015 respectively. The case was examined in the light of the relevant  
rules/policy of the Provincial Government.

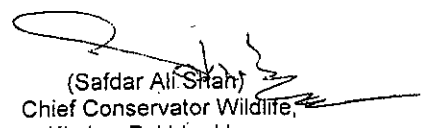
The committee decided that as both the Deputy Rangers have now been retired  
from service, they no longer held status of Civil Servants, whereas the Departmental Promotion  
Committee constituted by the Government for the consideration of promotion cases of regular  
serving civil servants. As such the forum could not consider the promotion cases of retired civil  
servants. Hence, both the retired officials could not be considered for promotion at this stage.

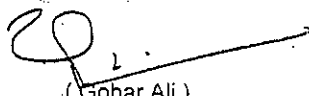
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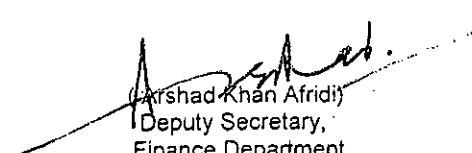
S.No	Name of Deputy Ranger	Recommendation of DPC
6.	Mr. Sardar Hadi	The official was recommended for promotion to the post of Range Wildlife Office (BPS-16) on regular basis. He will be on probation of one year, extendable to another one year, if not terminated, as per Govt. of Khyber Pakhtunkhwa Civil Servants (Appointment Promotion Transfer) Rules 1989.

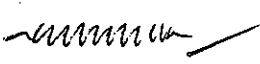
3. The meeting concluded with a note of thanks by the Chair.

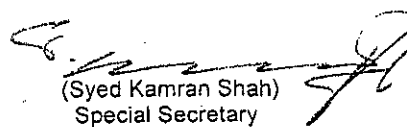
  
(Mr. Maqbool Khan Khattak)  
Deputy Secretary (Reg.-II)  
Establishment & Administration  
Department. Member

  
(Safdar Ali Shah)  
Chief Conservator Wildlife,  
Khyber Pakhtunkhwa  
Member.

  
(Gohar Ali)  
Divisional Forest Officer  
(Demarcation) Forest Deptt.  
Member

  
(Arshad Khan Afridi)  
Deputy Secretary,  
Finance Department.  
Member

  
(Muhammad Iqbal Khattak)  
Deputy Secretary-I  
Forestry, Environment & Wildlife  
Department Khyber Pakhtunkhwa,  
Member.

  
(Syed Kamran Shah)  
Special Secretary  
Forestry, Environment & Wildlife  
Department Khyber Pakhtunkhwa,  
Chairman

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**CONSTITUTION OF PSB, DPC & DSC**

**NOTIFICATION**  
Peshawar, dated the 22nd August, 1991.

*Annexure - 17*

No.SORI(S&GAD)4-1/75(Vol.I):- In pursuance of the provisions contained in clause(d) and (g) of rule 2 of the North-West Frontier Province Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, read with rule 7(1) thereof and in supersession of this Department's Notification No.SOS-III (S&GAD)1-206/74-III, dated 16.5.1975, and No.SORI(S&GAD) 4-1/75, dated 18.9.1989, issued in this behalf, the Governor of North-West Frontier Province is pleased to constitute the Provincial Selection Board and the Departmental Promotion Committees for making selection to various posts as under:-

**A- PROVINCIAL SELECTION BOARD**

1. The Provincial Selection Board shall consist of the following:-

- |     |   |                      |
|-----|---|----------------------|
| (1) | Chief Secretary, NWFP                                   | ... Chairman         |
| (2) | Additional Chief Secretary, NWFP                        | ... Member           |
| (3) | Senior Member, Board of Revenue, NWFP                   | ... Member           |
| (4) | Administrative Secretary concerned                      | ... Member           |
| (5) | Secretary Services & General Administration Department. | ... Member/Secretary |

2. <sup>73</sup>The Board shall make recommendations for appointment by promotion or transfer to all posts in Basic Pay Scale-18 and above and shall also assess fitness/suitability of officers for move-over to BPS-20 and make its recommendations.

**B- DEPARTMENTAL PROMOTION COMMITTEES**

1. For each Department, there shall be a Departmental Promotion Committee consisting of the following:-

- |                   |   |               |
|-------------------|---|---------------|
| (1)               | Secretary of the Department concerned         | ... Chairman  |
| <sup>74</sup> (2) | Additional Secretary, S&GAD.                  | ... Member    |
| <sup>74</sup> (3) | Additional Secretary, Finance Department      | ... Member    |
| (4)               | Head of Attached Department concerned         | ... Member    |
| <sup>74</sup> (5) | Deputy Secretary of the Department concerned. | ... Secretary |

<sup>73</sup> Para 2 under A substituted by Notification No.SORI(S&GAD)4-1/75(Vol.II), dated 27.9.97.

<sup>74</sup> Substituted vide S&GAD Notification No.SORI(S&GAD)4-1/75(Vol.I), dated 5.12.1991.

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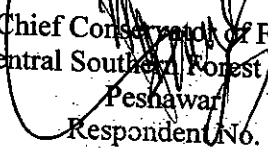


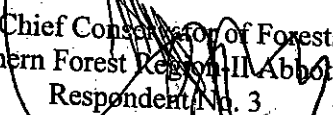
- e. In- correct. No order dated 30.09.2015 is available on the record of this office, however as annexed by the appellant a letter bearing No. 972/E dated 30.09.2015 wherein advise from Administrative Department was solicited.
- f. In- correct. As explained in Para-4 above.
- g. In- correct. As explained in Para-e above.
- h. In- correct. No mis reading and non reading is involved between order dated 08.12.2014 and letter dated 30.09.2015.
- i. In- correct. As already explained above the promotion case of the appellant placed before the DPC was not considered by the competent forum.
- j. As explained in Para – i above.
- k. That the respondents also seek permission to raise additional grounds at the time of arguments.

It is therefore, prayed that the appeal being un-justified and non maintainable may graciously be dismissed please.

  
Government of Khyber Pakhtunkhwa  
Secretary Forest Peshawar

Respondent No. 1

  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Peshawar  
Respondent No. 2

  
Chief Conservator of Forests  
Northern Forest Region-II Abbottabad  
Respondent No. 3

2014

*Asme kure-I*

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FOREST DEPARTMENT

NOTIFICATION

No \_\_\_\_\_ /E in pursuance of section 8 (1) of the Khyber Pakhtunkhwa Civil Servant Act, 1973, read with rule-17 Civil Servant (Appointment, Promotion and Transfer) rules, 1989, the competent authority is pleased to notify circulate Seniority List of Deputy Ranger (BPS-11) Khyber Pakhtunkhwa Forest Department as it stood on 31/08/2014 for general information.

**FINAL SENIORITY LIST OF DEPUTY RANGERS KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT STOOD ON  
31/08/2014**

S. No	Name of Official	Academic Qualification	Date of Birth	Domicile	Date of first entry in to service	Regular appointment/ promotion to the present post			Resent appointment with date	Remarks
						Date	BPS	Method of recruitment		
1	Mr. Farhad Sajid	BA/FS	15/2/58	Mansehra	17/2/77	30/6/04	11	By promotion	30/6/04	--
2	Mr. Rozi Khan	Matric/FS	13/4/56	Lakki	25/6/80	4/10/07	11	-do-	4/10/07	--
3	Mr. Abdul Ghani Shah	MBA/FS	28/3/67	Bannu	10/7/94	28/10/08	11	-do-	28/10/08	--
4	Mr. Riaz Hussain	B. A/FS	1/1/1964	Swat	14/3/1985	25/3/09	11	-do-	25/3/2009	--
5	Mr. Manzoor Ahmad	B. A /FS	12/3/59	Abbottabad	24/6/77	18/12/09	11	-do-	18/12/2009	--
6	Mr. Shah Aslam	Matric/FS	7/2/1960	Swat	1/10/85	20/2/10	11	-do-	20/2/2010	--
7	Mr. Mohammad Zahir Shah	FA/FS	2/5/1962	Swat	1/10/85	20/2/10	11	-do-	20/10/2010	--
8	Mr. Mohammad Nazir	B.A/FS	15/5/61	Mohmand Agency	18/9/1982	12/3/11	11	-do-	12/3/11	--
9	Mr. Mohammad Khan	F.A/FS	2/1/1959	Mohmand Agency	19/10/182	4/5/2012	11	-do-	4/5/2012	--
10	Mr. Mohammad Tahir	B.A/FS	15/6/62	Charsadda	1/12/1980	7/5/2012	11	-do-	7/5/2012	--
11	Mr. Siraj Mohammad	Matric/FS	1/4/1958	Peshawar	14/12/80	7/5/2012	11	-do-	7/5/2012	--
12	Mr. Ezat Sher	B.A/FS	1/4/1967	Swat	1/10/1990	10/5/12	11	-do-	10/5/2012	--
13	Mr. Mohammad Yousaf-I	Matic/FS	11/7/69	Chitral	8/10/1987	19/7/12	11	-do-	19/7/2012	--
14	Mr. Mohammad Yousaf-II	Matric/FS	15/2/60	Kurram Agency	1/10/1983	24/1/13	11	-do-	24/1/2013	--

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15	Mr. Mohammad Ilyas	FA/FS	10/4/63	Mardan	30/6/1985	24/1/13	11	By promotion	24/1/2013	--
16	Mr. Sher Amanullah	Matric/FS	27/6/65	FR Bannu	1/10/1986	24/1/13	11	-do-	24/1/2013	--
17	Mr. Sakhi Jan	Matric/FS	19/1/66	Peshawar	1/10/1989	24/1/13	11	-do-	24/1/2013	--
18	Mr. Nadar Khan	FA /FS	3/2/1962	Lower Dir	1/10/1988	19/5/13	11	-do-	19/5/2013	--
19	Syed Abdul Wahid Bacha	BA/FS	3/2/1965	Lower Dir	1/10/1988	19/5/13	11	-do-	19/5/2013	--
20	Mr. Sardar Salih	MA /FS	20/1/72	Upper Dir	1/10/1990	19/5/13	11	-do-	19/5/2013	--
21	Mr. Rab Nawaz	BA/FS	18/4/59	Peshawar	14/3/1981	31/5/13	11	-do-	31/5/2013	--
22	Syed Abid Hussain Shah	BA /FS	15/2/61	Lakki	10/4/1984	31/5/13	11	-do-	31/5/2013	--
23	Mr. Safirullah	BA/LLB/FS	8/9/57	Bannu	4/7/1984	31/5/13	11	-do-	31/5/2013	--
24	Mr. Mohammad Yaqoob	BA /FS	2/12/61	Lakki	2/10/1984	31/5/13	11	-do-	31/5/2013	--
25	Mr. Hamedullah	FA/FS	27/12/62	Lakki	20/3/1985	31/5/13	11	-do-	31/5/2013	--
26	Mr. Mohammad Farooq	BA /FS	2/6/1956	Mansehra	19/10/78	8/10/13	11	-do-	31/5/2013	--
27	Mr. Mukhtiar Ahmad	FA/FS	5/12/56	Mansehra	23/8/1978	8/10/13	11	-do-	31/5/2013	--
28	[REDACTED]	MA /FS	1/2/1955	Mansehra	28/8/78	8/10/13	11	-do-	31/5/2013	--
29	Mr. Mohammad Pervez	Matric /FS	3/4/1959	Mansehra	3/3/1979	8/10/13	11	-do-	31/5/2013	--
30	Mr. Taj Mohammad	Matric /FS	15/9/55	Abbottabad	8/3/1979	8/10/13	11	-do-	31/5/2013	--
31	Mr. Gul Zaman	Matric/FS	19/1/59	Mansehra	21/4/79	8/10/13	11	-do-	31/5/2013	--
32	Mr. Gul Faraz	Matric/FS	4/1/1957	Kohistan	27/9/81	8/10/13	11	-do-	31/5/2013	--
33	Mr. Mohammad Rangeen	Matric/FS	19/5/56	Batagram	1/3/1983	8/10/13	11	-do-	31/5/2013	--
34	Mr. Zareen Gul	BA/FS	1/4/1964	Buner	18/3/1985	8/10/13	11	-do-	31/5/2013	--

DEPARTMENT  
Dated Per  
(Estt)Env/1-3/01

To

No. 838-4 /E dated Peshawar the 01/09/2014  
BK-50

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Khyber Pakhtunkhwa Abbottabad.
2. Chief Conservator of Forests Malakand Forest Region-III Swat.
3. CF Southern Circle Peshawar.
4. CF FP&M Circle Peshawar.

*L*  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar.  
*JK*

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FOREST DEPARTMENT

Annexure-II

657

in pursuance of section 8 (1) of the Khyber Pakhtunkhwa Civil Servant Act, 1973, read with rule-17 Civil Servant (Appointment, and Transfer) rules, 1989, the competent authority is pleased to notify circulate Seniority List of Deputy Ranger (BPS-11) Khyber Forest Department as it stood on 31.08.2014 for general information.

SENIORITY LIST OF DEPUTY RANGERS KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT STOOD ON 31.08.2014

No	Name of Official	Academic Qualification	Date of Birth	Domicile	Date of first entry in to service	Regular appointment/ promotion to the present post			Resent appointment with date	Remarks
						Date	BPS	Method of recruitment		
1.	Mr. Farhad Sajid	BA/FS	15/2/58	Mansehra	17/2/77	30/6/04	11	By promotion	30/6/04	---
2.	Mr. Muhammad Hanif	MA/FS	1.2.1955	Mansehra	28.8.1978	8.10.13	11	-do-	8.10.13	Seniority restored vide CCF-I office order No.40 dated 8.12.2014
3.	Mr. Taj Mohammad	Matric /FS	15/9/55	Abbottabad	8/3/1979	8/10/13	11	-do-	8/10/13	Seniority restored vide CCF-I office order No.40 dated 8.12.2014
4.	Mr. Gul Zaman	Matric/FS	19/1/59	Mansehra	21/4/79	8/10/13	11	-do-	8/10/13	Seniority restored vide CCF-I office order No.40 dated 8.12.2014
5.	Mr. Mohammad Nazir	B.A/FS	15/5/61	Mohmand Agency	18/9/1982	12/3/11	11	By promotion	12/3/11	Appointed to the post of Forest Ranger on acting charge basis w-e-f 26.12.2014.

6.	Mr. Mohammad Khan	F.A/FS	2/1/1959	Mohmand Agency	19/10/182	4/5/2012	11		4/5/2012	--
7.	Mr. Mohammad Tahir	B.A/FS	15/6/62	Charsadda	1/12/1980	7/5/2012	11		7/5/2012	--
8.	Mr. Siraj Mohammad	Matric/FS	1/4/1958	Peshawar	14/12/80	7/5/2012	11		7/5/2012	--
9.	Mr. Ezat Sher	B.A/FS	1/4/1967	Swat	1/10/1990	10/5/12	11		10/5/2012	--
10.	Mr. Mohammad Yousaf I	Matric/FS	11/7/69	Chitral	8/10/1987	19/7/12	11		19/7/2012	--
11.	Mr. Mohammad Yousaf-II	Matric/FS	15/2/60	Kurram Agency	1/10/1983	24/1/13	11		24/1/2013	--
12.	Mr. Mohammad Ilyas	F.A/FS	10/4/63	Mardan	30/6/1985	24/1/13	11		24/1/2013	--
13.	Mr. Sher Amanullah	Matric/FS	27/6/65	FR Bannu	1/10/1986	24/1/13	11		24/1/2013	--
14.	Mr. Sakhi Jan	Matric/FS	19/1/66	Peshawar	1/10/1989	24/1/13	11		24/1/2013	--
15.	Mr. Nandar Khan	F.A/FS	3/2/1962	Lower Dir	1/10/1988	19/5/13	11		19/5/2013	--
16.	Syed Abdul Wahid Bachu	F.A/FS	3/2/1965	Lower Dir	1/10/1988	19/5/13	11		19/5/2013	--
17.	Mr. Sardar Sullh	MA /FS	20/1/72	Upper Dir	1/10/1990	19/5/13	11		19/5/2013	--
18.	Mr. Rab Nawaz	BA/FS	18/4/59	Peshawar	14/3/1981	31/5/13	11		31/5/2013	--
19.	Syed Abid Hussain Shah	BA /FS	15/2/61	Lakki	10/4/1984	31/5/13	11		31/5/2013	--
20.	Mr. Safirullah	BA/I.LB/FS	8/9/57	Bannu	4/7/1984	31/5/13	11		31/5/2013	--
21.	Mr. Mohammad Yaqoob	BA /FS	2/12/61	Lakki	2/10/1984	31/5/13	11		31/5/2013	--
22.	Mr. Hamedullah	F.A/FS	27/12/62	Lakki	20/3/1985	31/5/13	11		31/5/2013	--
23.	Mr. Mohammad Farooq	BA /FS	2/6/1956	Mansehra	19/10/78	8/10/13	11		31/5/2013	--
24.	Mr. Mukhtiar Ahmad	F.A/FS	5/12/56	Mansehra	23/8/1978	8/10/13	11		8/10/13	--
25.	Mr. Mohammad Pervez	Matric /FS	3/4/1959	Mansehra	3/3/1979	8/10/13	11	By promotion	8/10/13	--
26.	Mr. Gul Faraz	Matric/FS	4/1/1957	Kohistan	27/9/81	8/10/13	11		8/10/13	--
27.	Mr. Mohammad Rangeen	Matric/FS	19/5/56	Batagram	1/3/1983	8/10/13	11		8/10/13	--
28.	Mr. Zareen Gul	BA/FS	1/4/1964	Buner	18/3/1985	8/10/13	11		8/10/13	--

CERTIFICATE

Certified that the seniority is final, notified, in force

*Pasha Kh*  
Chief Conservator of Forests  
Central Southern Forest Region  
Khyber Pakhtunkhwa Peshawar

No. *2011-14* IE


Dated Peshawar the *22*

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Khyber Pakhtunkhwa Abbottabad
2. Chief Conservator of Forests Malakand Forest Region-III Swat.
3. CF Southern Circle Peshawar.
4. CF FATA Circle Peshawar.

*Pasha Kh*  
Chief Conservator of Forests  
Central Southern Forest Region  
Khyber Pakhtunkhwa Peshawar

Annexure-III

Chief Conservator of Forests Central Southern Forest Region-1 Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Phone # 091-9212177 Fax # 9211478 E-mail: ccfforests.pesh@gmail.com
No. 2015 /E	Dated Peshawar the 22 /01/201	

To B-X-111

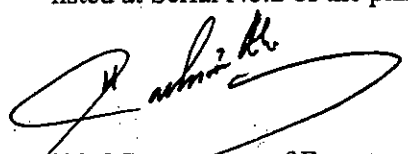
Section Officer (Establishment)  
Government of Khyber Pakhtunkhwa  
Forestry Environment and Wildlife Department  
Peshawar.

Subject:- PROMOTION OF DEPUTY RANGERS (BPS-11) TO THE RANK OF FOREST RANGERS (BPS-16).

Memo:- Reference appeal of Mr. Muhammad Hanif Deputy Ranger dated Nil (copy enclosed for ready reference).

Enclosed please find herewith six sets of the working paper on the subject for favour of further necessary action in your office.

It is therefore requested that the subject case may kindly be considered as per Para-VII of promotion policy 2009 in case of Mr. Muhammad Hanif Deputy Ranger listed at Serial No.2 of the panel.

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



- c) Have received one year Forester training from Khyber Pakhtunkhwa Forest School
- d) No departmental/disciplinary/judicial proceeding are pending against them except S.No 1.
6. Synopsis of ACRs of the Deputy Rangers and no disciplinary/anti-corruption certificates are placed as (Annexures- V and VI).
7. The DPC is therefore, requested to determine suitability of 3 Deputy Rangers, (listed at Serial No.2,3 and 4) for promotion to the rank of Forest Rangers (BPS-16) on regular basis.



*h*  
Chief Conservator of Forests *9e*  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar *(Signature)*

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Synopsis of ACRs of the Deputy Rangers and no disciplinary/anti-corruption/NAB cases certificates are placed as (Annexure- IV and V). (P-23/16/24/01/219)

The DPC is therefore, requested to determine suitability of the following Deputy Rangers with effect from the dates as noted against each for promotion to the rank of Forest Rangers (BPS-16) on regular basis:-

S.No.	Name of Deputy Ranger	Dates
1.	Muhammad Hanif Abbasi	31.01.2015
2.	Mr. Taj Muhammad	01.08.2015

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

Annexure-2  
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MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON  
08-02-2015 AT 1100 HOURS, IN THE OFFICE OF SPECIAL SECRETARY FORESTRY,  
ENVIRONMENT & WILDLIFE DEPARTMENT

A meeting of the Departmental Promotion Committee was held on  
08-02-2015 at 1100 hours under the Chairmanship of Special Secretary Forestry, Environment  
& Wildlife Department. The following attended:-

- |    |  |                                       |
|----|--|---------------------------------------|
| 1. | Syed Kamran Shah,<br>Special Secretary,<br>Forestry, Environment & Wildlife<br>Department.       | In chair<br>(on behalf of Secy FE&WD) |
| 2. | Mr. Safdar Ali Shah,<br>Chief Conservator Wildlife,<br>Khyber Pakhtunkhwa                        | Member                                |
| 3. | Mr. Muhammad Iqbal Khattak,<br>Deputy Secretary-I,<br>Forestry Environment & Wildlife Department | Secretary/Member                      |
| 4. | Mr. Maqbool Khan Khattak,<br>Deputy Secretary Regulation-II,<br>Establishment Department         | Member                                |
| 5. | Mr. Arshad Khan Afridi,<br>Deputy Secretary,<br>Finance Department.                              | Member                                |
| 6. | Mr. Gohar Ali,<br>Divisional Forest Officer (Direction)<br>Forest Department.                    | Member                                |

2. The Departmental Promotion Committee considered promotion cases of the officials  
of Forest and Wildlife Departments and took decisions as reflected hereunder in each case:-

(A) FOREST DEPARTMENT: PROMOTION OF DEPUTY RANGERS (BPS-11)  
TO THE RANK OF FOREST RANGERS (BPS-16) ON REGULAR BASIS.

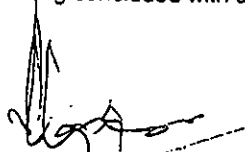
The Committee was informed that pursuant to the Peshawar High Court Abbottabad  
Bench Order dated 23/7/2015 in Writ Petition No.2615-P/2015, the subject working paper for  
promotion of Deputy Rangers to the rank of Forest Rangers was placed before the competent  
forum. It was intimated that both the Deputy Ranger(s), namely Mr. Muhammad Hanif Abbasi  
and Mr. Taj Muhammad had been retired from Govt. service on superannuation effective for  
31/1/2015 & 1/8/2015 respectively. The case was examined in the light of the relevant  
rules/policy of the Provincial Government.

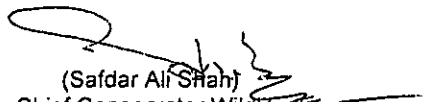
The committee decided that as both the Deputy Rangers have now been retired  
from service, they no longer held status of Civil Servants, whereas the Departmental Promotion  
Committee constituted by the Government for the consideration of promotion cases of regular  
serving civil servants. As such the forum could not consider the promotion cases of retired civil  
servants. Hence, both the retired officials could not be considered for promotion at this stage.

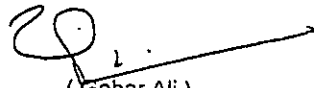
173


S.No	Name of Deputy Ranger	Recommendation of DPC
6.	Mr. Sardar Hadi	The official was recommended for promotion to the post of Range Wildlife Office (BPS-16) on regular basis. He will be on probation of one year, extendable to another one year, if not terminated, as per Govt; of Khyber Pakhtunkhwa Civil Servants (Appointment Promotion Transfer) Rules 1989.

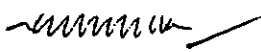
3. The meeting concluded with a note of thanks by the Chair.

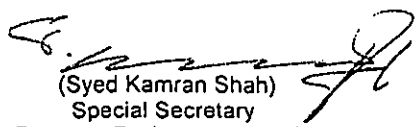
  
 (Mr. Maqbool Khan Khattak)  
 Deputy Secretary (Reg:-II)  
 Establishment & Administration  
 Department. Member

  
 (Safdar Ali Shah)  
 Chief Conservator Wildlife,  
 Khyber Pakhtunkhwa  
Member.

  
 (Gohar Ali)  
 Divisional Forest Officer  
 (Demarcation) Forest Deptt.  
Member

  
 (Arshad Khan Afridi)  
 Deputy Secretary,  
 Finance Department.  
Member

  
 (Muhammad Iqbal Khattak)  
 Deputy Secretary-I  
 Forestry, Environment & Wildlife  
 Department Khyber Pakhtunkhwa,  
Member.

  
 (Syed Kamran Shah)  
 Special Secretary  
 Forestry, Environment & Wildlife  
 Department Khyber Pakhtunkhwa,  
Chairman

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*Annexure VI*

**CONSTITUTION OF PSB, DPC & DSC**

**NOTIFICATION**

Peshawar, dated the 22nd August, 1991.

No.SORI(S&GAD)4-1/75(Vol.I):- In pursuance of the provisions contained in clause(d) and (g) of rule 2 of the North-West Frontier Province Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, read with rule 7(1) thereof and in supersession of this Department's Notification No.SOS-III (S&GAD)1-206/74-III, dated 16.5.1975, and No.SORI(S&GAD) 4-1/75, dated 18.9.1989, issued in this behalf, the Governor of North-West Frontier Province is pleased to constitute the Provincial Selection Board and the Departmental Promotion Committees for making selection to various posts as under:-

**A- PROVINCIAL SELECTION BOARD**

1. The Provincial Selection Board shall consist of the following:-

- |     |   |                      |
|-----|---|----------------------|
| (1) | Chief Secretary, NWFP                                   | ... Chairman         |
| (2) | Additional Chief Secretary, NWFP                        | ... Member           |
| (3) | Senior Member, Board of Revenue, NWFP                   | ... Member           |
| (4) | Administrative Secretary concerned                      | ... Member           |
| (5) | Secretary Services & General Administration Department. | ... Member/Secretary |

2. <sup>73</sup>The Board shall make recommendations for appointment by promotion or transfer to all posts in Basic Pay Scale-18 and above and shall also assess fitness/suitability of officers for move-over to BPS-20 and make its recommendations.

**B- DEPARTMENTAL PROMOTION COMMITTEES**

1. For each Department, there shall be a Departmental Promotion Committee consisting of the following:-

- |                   |   |               |
|-------------------|---|---------------|
| (1)               | Secretary of the Department concerned         | ... Chairman  |
| <sup>74</sup> (2) | Additional Secretary, S&GAD.                  | ... Member    |
| <sup>74</sup> (3) | Additional Secretary, Finance Department      | ... Member    |
| (4)               | Head of Attached Department concerned         | ... Member    |
| <sup>74</sup> (5) | Deputy Secretary of the Department concerned. | ... Secretary |

<sup>73</sup> Para 2 under A substituted by Notification No.SORI(S&GAD)4-1/75(Vol.II), dated 27.9.97.

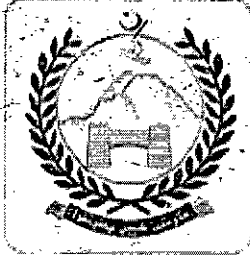
<sup>74</sup> Substituted vide S&GAD Notification No.SORI(S&GAD)4-1/75(Vol.I), dated 5.12.1991.

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**KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

No. 1991 /ST Dated: 30 / 8 /2017

All communication  
addressed to the Registrar  
Service Tribunal at  
official by name.

Ph:- 091-9212281  
Fax:- 091-9213262

To,

The Chief Conservator Forest, Central South Region,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: - **JUDGMENT IN APPEAL NO. 98/2016, MUHAMMAD HANIF ABBASI.**

I am directed to forward herewith a certified copy of judgment dated  
23/08/2017 passed by this tribunal on the above subject for strict compliance.

**Encl: as above**

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR