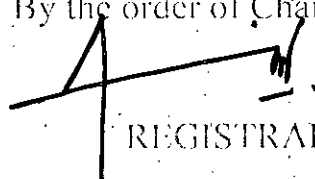


# FORM OF ORDER SHEET

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

Appeal No. 2618 /2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/12/2023	<p>The appeal of Mr. Samiullah received today by registered post through Mr. Junaid Ahmad Kundi Advocate. It is fixed for preliminary hearing before touring Single Bench at D.I.Khan on .</p>
		<p>By the order of Chairman</p>  <p>REGISTRAR</p>

The appeal of Mr. Sami uliah received today i.e on 05.12.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Appeal has not been flagged/ marked with annexures marks.
- 2- Affidavit is not attested by the Oath Commissioner.
- 3- Check list is not attached with the appeal.
- 4- Two more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 3789 /S.T.

Dt. 6/12 /2023:



REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Junaid Ahmad Kundi Adv.  
High Court D.I.Khan.

**BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR**

Service appeal No 2618 of 2023

Sami Ullah.....Appellant

**VERSUS**


The Govt. of KPK through Secretary Environment & Wildlife KPK Peshawar  
etc.....Respondents

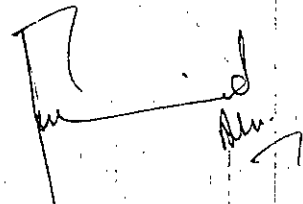
**APPEAL**

**INDEX**

S#	Description of documents	Annexure	Page#
1.	Memo of Appeal	-	1-5
2.	Affidavit	-	6
3.	Correct address of Parties	-	7
4.	(copy of appointment order annexed as annexure "A").	A	8,9
5.	(copy of Letter and Attendance sheet annexed as annexure "B&C" respectively ).	B&C	10,11
6.	copy of training certificate and arrival report	D&E	12,13
7.	copy of impugned order dated 22.11.2022 and minutes of the Departmental promotion committee.	F&G	14,15
8.	copy of seniority list and attendance report.	H&I	16,17
9.	copy of Departmental representation .	J	18,19
10.	copy of order dated 06.11.2023.	K	20
13.	Wakalat Nama	-	21

Dated 30.11.2023

  
Sami Ullah  
(Appellant)  
Through:-

  
JUNAID AHMAD KUNDI  
ADVOCATE HIGH COURT

Dera Ismail Khan.

03028092997

(1)

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

Khyber Pakhtunkhwa  
Service Tribunal

Service appeal No 26/8 of 2023

Diary No. 9706

Dated 05-12-2023

Sami Ullah son of Aman Ullah, wildlife Watcher BPS-07, Wildlife Division D.I.Khan. R/O VIP Colony, Bannu Road, Dera Ismail Khan.....**Appellant**

**VERSUS**

- 1) The Government of Khyber Pakhtunkhwa through Secretary Climate Change, Forestry, Environment & Wildlife KPK Peshawar.
- 2) The Conservator Wildlife Southern Circle Bannu.
- 3) Division Forest Officer Wildlife Division D.I. Khan.
- 4) District Account Office D.I. Khan.
- 5) Asmat Ullah Deputy Ranger Wildlife BPS-11, D.I Khan.
- 6) Muhammad Akram Khattak Deputy Ranger Wildlife BPS-11, D.I Khan.

.....**Respondents**

**APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT, 1974 AGAINST**  
**IMPUGNED ORDER 69/WL DATED 22.11.2022 ENDST: NO. 1340-44/WL PASSED BY**  
**RESPONDENT NO. 03 WHEREBY RESPONDENTS NO. 05 AND 06 PROMOTED FROM**  
**BPS-07 TO BPS-11 AND AGAINST THE IMPUGNED ORDER BEARING NO. 3375/WL**  
**(SC) BU DATED 06.11.2023 PASSED BY RESPONDENT NO. 02 WHEREBY THE**  
**DEPARTMENTAL REPRESENTATION OF APPELLANT WAS REJECTED, ARE WRONG,**  
**ILLEGAL, ARBITRARY, FANCIFUL, PERVERSE, AGAINST THE LAW AND RULES,**  
**AGAINST THE FUNDAMENTAL RIGHT OF THE APPELLANT, WITHOUT OBSERVING**  
**PROMOTION LAW, RULES AND POLICY , WITHOUT LAWFUL AUTHORITY AND OF**  
**HAVING NO LEGAL EFFECT UPON THE RIGHTS OF THE APPELLANT HENCE LIABLE**  
**TO BE CANCELLED/ STRUCK DOWN.**

( 2 )

**PRAYER:-**

On acceptance of the instant service appeal, the impugned promotion order No. 69 dated 22.11.2022 passed by the respondent No. 03, whereby respondents No. 05 and 06 promoted from Wildlife watcher BPS-07 to Deputy Ranger Wildlife BPS 11 is declared wrong, illegal, against the law, rules, policy and fact, malafide, discrimination, colorful exercise, arbitrary, fanciful, without observing promotion law, policy and rules. Respondents No. 01 to 03 be directed to promote the appellant to the post of Deputy Ranger Wildlife (BPS-11) as senior than respondents No. 04 & 05 and having requisite qualification and experience.

**Respectfully Sheweth:-**

1. That the appellant was appointed as Wildlife Watcher BPS-07 on dated 28.07.2008. **(copy of appointment order annexed as annexure "A")**.
2. That, the appellant was selected for the training 86<sup>th</sup> Forest Guard/wildlife watcher Regular Course Session 2022-23, on dated 30.08.2022 the appellant joint the training forest Thai School At Abbottabad. **(copy of Letter and Attendance sheet annexed as annexure "B&C" respectively)**.
3. That, after the completion of his course the appellant report the office of DFO (Respondent No. 03) on dated 01.09.2023. **(copy of training certificate and arrival report annexed as annexure "D & eE" Respectively )**.
4. That, during the training of appellant the respondents No. 03 promoted the respondents No. 05 and 06 through office order No. 69/WL Dated 22.11.2022. **(copy of impugned order dated 22.11.2022 and minutes of the Departmental promotion committee are annexed as annexure "F&G" respectively)**.
5. That, as per the seniority list the appellant was senior to the Respondent No. 06 because he join the service prior to the respondent No. 06. **(copy of seniority list and attendance report are annexed as annexure "H & I")**.
6. That, appellant aggrieved from the impugned promotion order preferred departmental representation before the respondent No. 02. **(copy of Departmental representation annexed as annexure "J")**.

7. That respondent No. 02 without hearing the petitioner and without any reason directly reject the appeal of appellant vide impugned order 3375/WL (SC) BU dated 06.11.2023. (copy of order dated 06.11.2023 annexed as annexure "K").
8. That, feeling aggrieved, appellant having no other remedy except to preferred the instant service appeal on the following amongst other grounds.

#### GROUNDS:-

- A) That, the impugned orders issued by respondents No. 02 and 03 are illegal, against the law, against the fact, arbitrary, fanciful, discriminatory, malafide, colorful exercise, against the fundamental right of the appellant, without observing promotion law, rules and relevant policy, without lawful authority hence liable to be struck down/cancelled.
- B) That the appellant senior than respondent No. 06 and eligible and qualified in all respect for his promotion as Deputy Ranger Wildlife BPS-11, but respondents No. 02 and 03 ignored the appellant seniority.
- C) That, promotion committee neither include the name of appellant in the minutes of meeting and ignore the seniority of the appellant as compare to the respondent No. 06.
- D) That, official respondents wrongly and illegal observe at the time of the promotion of respondents No. 05 and 06 and the respondents No. 06 shows one day senior to the appellant in seniority which is wrong and against the law and record.
- E) That, the prior to impugned promotion respondent No. 03 nor show the seniority list nor give any notice to the appellant nor call any objection from the employees/appellant, the whole promotion proceeding/meeting in the absence of the appellant and with malaifde intention just to accommodate respondents No. 05 and 06.
- F) That, the promoting authority overlooked the relevant rules and law regarding the promotion of employees hence committed illegality and irregularity.
- G) That, it is well settled law that wildlife watchers will be promoted on seniority basis but respondent No. 02 and 03 ignored the relevant law of the promotion and exercise their power not so vested and responded No. 05 and 06 are promoted just on the basis of political motivated, malafide, discriminatory manners and just to accommodate their blue eye chip.


(4)

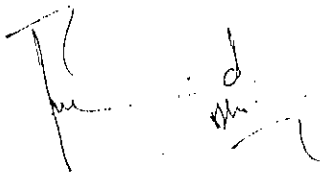
- H) That, the impugned orders of respondent No. 02 and 03 is wrong, illegal, against the law and against natural justice and against the fundamental right of the appellant hence not maintainable in the eyes of law.
- I) That, the only criteria for the promotion in question is seniority cum fitness which criteria is fulfilled by the appellant.
- J) That, impugned act of respondents no 02 and 03 are illegal, un lawful without lawful authority and of having no legal effect.
- K) That, at the time of issuing the impugned order the appellant was in training school Thai at Abbottabad, after knowledge of the said promotion orders the appellant filed Departmental appeal within time and after rejection of the appeal the appellant filed the instant service appeal after obtaining/receiving the rejection order the instant service appeal filed within time.
- L) That, it is a well settled law and the dictum of the superior courts the employee can challenge the seniority at any time.

**PRAYER:-**

On acceptance of the instant service appeal, the impugned promotion order No. 69 dated 22.11.2022 passed by the respondent No. 03, whereby respondents No. 05 and 06 promoted from Wildlife watcher BPS-07 to Deputy Ranger Wildlife BPS 11 is declared wrong, illegal, against the law, rules, policy and fact, malafide, discrimination, colorful exercise, arbitrary, fanciful, without observing promotion law, policy and rules. Respondents No. 01 to 03 be directed to promote the appellant to the post of Deputy Ranger Wildlife (BPS-11) as senior than respondents No. 04 & 05 and having requisite qualification and experience.

**Dated 30.11.2023**

  
**Sami ullah**  
(Appellant)  
Through:-

  
**JUNAID AHMAD KUNDI**  
**ADVOCATE HIGH COURT,**  
**Dera Ismail Khan.**  
**03028092997.**

30/11/23

(5)

**VERIFICATION :**

I, Sami Ullah son of Aman Ullah, wildlife Watcher BPS-07, Wildlife Division DIKhan, District DIKhan, do hereby solemnly affirm and declare that the contents of fore-going Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed form this Honorable Tribunal.



**SAMI ULLAH**  
Petitioner/ Appellant

*7/11/23*



(6)

**BEFORE THE SERVICE TRIBUNAL K.P.K**  
**PESHAWAR**

Sami Ullah.....Appellant

**VERSUS**

The Govt. of KPK through Secretary Environment & Wildlife KPK  
Peshawar etc.....Respondents

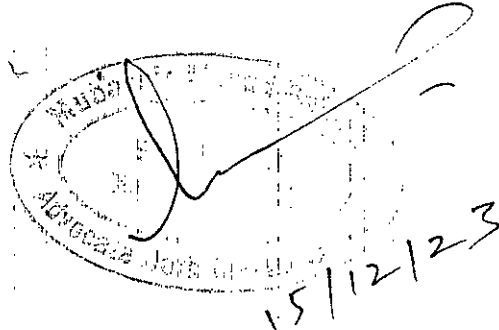
**APPEAL**

**AFFIDAVIT**

I, SAMI ULLAH SON OF AMAN ULLAH, WILDLIFE WATCHER BPS-07, WILDLIFE DIVISION DIG KHAN, DISTRICT DIG KHAN, DO HERBY SOLEMNLY AFFIRM AND DECLARE ON OATH THAT THE NO SUCH SUBJECT MATTER APPEAL HAS EVER BEEN FILED BEFORE THIS HONORABLE COURT NOR PENDING NOR DECIDED. THAT THE CONTENTS OF FORE-GOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND NOTHING HAS BEEN CONCEALED OR SUPPRESSED FROM THIS HONOURABLE TRIBUNAL.

Dated: 30.11.2023

  
SAMI ULLAH  
DEPONENT



7/11/23

**BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR**

Service appeal No \_\_\_\_\_ of 2023

Sami Ullah.....Appellant

**VERSUS**

The Govt. of KPK through Secretary Environment & Wildlife KPK Peshawar etc.....Respondents

**APPEAL**

**CORRECT ADDRESSES OF THE PARTIES**


**APPELLANT:**

Sami Ullah son of Aman Ullah, wildlife Watcher BPS-07, Wildlife Division DIKhan, r/o VIP Colony Bannu road DIK.

**RESPONDENTS:**

- 1) The Government of Khyber Pakhtunkhwa through Secretary Climate Change, Forestry, Environment & Wildlife KPK Peshawar.
- 2) The Conservator Wildlife Southern Circle Bannu.
- 3) Division Forest Officer Wildlife Division D.I. Khan.
- 4) District Account Office D.I. Khan.
- 5) Asmat Ullah Deputy Ranger Wildlife BPS-11, DFO office D.I Khan.
- 6) Muhammad Akram Khattak Deputy Ranger Wildlife BPS-11, DFO office D.I Khan.

**Dated 30.11.2023**

  
**Sami ullah  
(Appellant)  
Through:-**

  
**JUNAID AHMAD KUNDI  
ADVOCATE HIGH COURT**

7/30/11/23

(B)

(Annex A)

OFFICE ORDER NO. 07 /WL, DATED DIKHAN THE 20 / 1 /2008, ISSUED BY  
MR. ABDUL HALEEM KHAN DIVISIONAL FOREST OFFICER WILDLIFE DIVISION D.I.KHAN.

Consequent upon creation of vacancies in Wildlife Division DIKhan, Mr.Samiullah S/O Amanullah Kundi R/O VIP Colony near Sheikh Yousif Adda Tehsil & District DIKhan was appointed as Community Wildlife Watcher under a scheme "Promotion of Community Game Reserve in NWFP" vide this office order No.27/WL, dated:21/10/2006 but on completion of above scheme he was terminated from his service w.e.f. 30/06/2007 and later on in compliance with the directive from the Chief Conservator Wildlife NWFP Peshawar regarding engagement of local persons as Community Watcher who will be in better position to provide proper protection to Indus Water Blind Dolphin and Fresh Water Turtles as well as Waterfowls, the said incumbent was reengaged as Community Watcher for the above purpose. Now on creation of vacancy of Wildlife Watcher in BPS-05 Scale of Rs.2780-135-6830 w.e.f. 01/08/2008. The incumbent is adjusted against the vacant post subject to following terms & conditions:-

1. The appointment is purely on temporary basis and can be terminated at any time without assigning any notice.
2. His service will be on contract basis and will not be count for pension and gratuity.
3. His service will be liable to termination immediately in case his Academic Certificates are found fake.
4. He will undergo prescribed training course at Sarhad Forest School Abbottabad at Thai on allotment of seat and nomination made for said training course.
5. In case of resignation, he will give 14 days advance notice otherwise his pay equal to 14 days will be forfeited to Government.
6. He will be governed by such rules and regulation as may be prescribed by the government from time to time for the said post.
7. Appointment is subject to production of Medical Fitness Certificate from District Head Quarter Hospital at D.I.Khan.

(ABDUL HALEEM KHAN)  
DIVISIONAL FOREST OFFICER  
WILDLIFE DIVISION D.I.KHAN

No. 85-90 /WL,

Copy forwarded to the :-

1. Chief Conservator Wildlife NWFP Peshawar for favour of information please.
2. Conservator Wildlife Southern Circle Peshawar for favour of information please.
3. Mr. Samiullah S/O Amanullah R/O Village Pal Tehsil & District Tank.
4. Sub-Divisional Forest Officer Wildlife DIKhan.
5. Head Clerk / Accountant Wildlife Division DIKhan.

*[Handwritten Signature]*

Mr. Muhammad Akram S/O Muhammad Aslam Resident of Khairabad Colony District D.I.Khan, who had been appointed temporarily against post of Community Wildlife Watcher under the scheme "Management of Waterfowl in NWFP" at Wildlife Division D.I.Khan vide office order No.60/WL, dated:07/02/2007 but on the completion of above scheme he was terminated from his service w.e.f. 30/06/2008. He has subsequently preferred appeals to the Conservator Wildlife Southern Circle Peshawar and the Chief Conservator Wildlife NWFP Peshawar who have recommended his case for appointment as Wildlife Watcher against the vacant post vide their letter No.2517/WL, (SC) dated:09/05/2008 and No.92/WL, dated:07/07/2008 respectively. Thus taking into consideration the recommendations of the higher authorities and availability of vacant post of Wildlife Watcher incumbent concerned as mentioned above is hereby appointed as Wildlife Watcher in (BPS-05) purely on contract basis Rs.2780-135-6830 w.e.f. 01/08/2008 subject to following terms and conditions:-

1. The appointment is purely on temporary basis and initially for one year can be terminated at any time without assigning any reason or notice.
2. His appointment has been made on probation basis for the period of one year subject to his work and conduct if found satisfactory otherwise liable to removal from service.
3. His service will be on contract basis and will not be count for pension and gratuity
4. His service will be liable to termination immediately in case his Academic Certificate is found fake.
5. He will undergo prescribed training course at Sarhad Forest School Abbottabad at Thai on allotment of seat and nomination made for said training course, if failed he will be terminated from service.
6. In case of resignation, he will give 14 days advance notice otherwise his pay equal to 14 days will be forfeited to Government.
7. He will be governed by such rules and regulation as may be prescribed by the government from time to time for the category of government service from which he belong.
8. If he found indulged in any mis-conduct / illegal activities and such proves on him through a committee will be terminated from service.
9. Appointment is subject to production of Medical Fitness Certificate from District Head Quarter Hospital at D.I.Khan.

(ABDUL HALEEM KHAN)  
DIVISIONAL FOREST OFFICER  
WILDLIFE DIVISION D.I.KHAN

Copy forwarded to the:

1. Chief Conservator Wildlife NWFP Peshawar
2. Conservator Wildlife Southern Circle Peshawar
3. Mr. Muhd: Akram S/O Muhammad Aslam
4. Sub-Divisional Forest Officer Wildlife D.I.Khan
5. Head Office

No. 91-95 /WL,



(10) (Annex B)  
OFFICE OF THE DIVISIONAL FOREST OFFICER  
D.I.KHAN WILDLIFE DIVISION

Email: [dfowildlifedikhan@yahoo.com](mailto:dfowildlifedikhan@yahoo.com)

Phone: 0966-9280183

Address: NORTH CIRCULAR ROAD D.I.KHAN KHYBER PAKHTUNKHWA



To. The Principal,  
Khyber Pakhtunkhwa Forest,  
Thai School Abbottabad.

No.            /WL (DIK) Dated D.I.Khan the 23, 8 /2022

SUBJECT: - 86<sup>TH</sup> FOREST GUARD / WILDLIFE WATCHER REGULAR COURSE  
SESSION 2022 KHYBER PAKHTUNKHWA FOREST SCHOOL THAI  
ABBOTTABAD:

Reference: This office letter No.186/WL (GE), dated: 03-08-2022

Memo:-

I have the honor to state that the following senior most Wildlife Watchers who have passed their examination of D.I.Khan Wildlife Division are hereby nominated for the above subject training. The detail is as under:-

S#	Name	Rank
1	Malik Muhammad Saqib Javed	Deputy Ranger
2	Sami Ullah Kundi	Wildlife Watcher
3	Shah Faisal Ansari	=do=
4	Ikram Ullah	=do=
5	Javed Khan	=do=
6	Khizer Hayat	=do=
7	Asif Bilal Khan	=do=
8	Afrasiab Shah	=do=
9	Muhammad Khalid Khan	=do=
10	Irfan Ullah Khan	=do=
11	Ijaz Hussain	=do=
12	Javed Iqbal	=do=
13	Aurangzaib	=do=
14	Muhammad Akram	=do=
15	Daud Khan	=do=
16	Abdul Ghafoor Khan	=do=
17	Abdul Salam	=do=
18	Saadat Khan	=do=

DIVISIONAL FOREST OFFICER  
WILDLIFE DIVISION D.I.KHAN

No. 391-415 /WL,

Copy forwarded to the:

1. Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar
2. Conservator Wildlife Southern Circle Bannu.
3. All SDWOs / Range Officers are directed to relive the above named officials well in time to report arrival at Khyber Pakhtunkhwa Forest Thai School Abbottabad.
4. Head Clerk / Accountant Wildlife Division D.I.Khan.  
for favor of information please.
5. Concerned officials and they are directed to join the said training on 1<sup>st</sup> September 2022, immediately.

DIVISIONAL FOREST OFFICER  
WILDLIFE DIVISION D.I.KHAN

Attest  
30/08/22

30/08/22  
30/08/22  
30/08/22

السلمى

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30/08/22  
30/08/22

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30/08/22  
30/08/22

صاحب خان

30/08/22  
30/08/22  
30/08/22

صاحب خان

صاحب خان



**CERTIFICATE**  
OF TRAINING COURSE COMPLETION  
1 YEAR 1<sup>st</sup> WILDLIFE WATCHER REGULAR COURSE

**THIS CERTIFICATE IS PROUDLY PRESENTED TO**

**Samiullah S/O Amanullah**  
**CNIC: 12201-4780718-5**

on his successful completion of 1<sup>st</sup> WILDLIFE WATCHER REGULAR COURSE  
held during 1<sup>st</sup> Sep 2022 to 31<sup>st</sup> Aug-2023

Obtaining 1042 Marks out of 1550 Marks and Placed in B Grade with 27<sup>th</sup> Position  
The Examination was taken as whole /-in parts-



**Khyber Pakhtunkhwa Forest School**  
**Abbottabad**

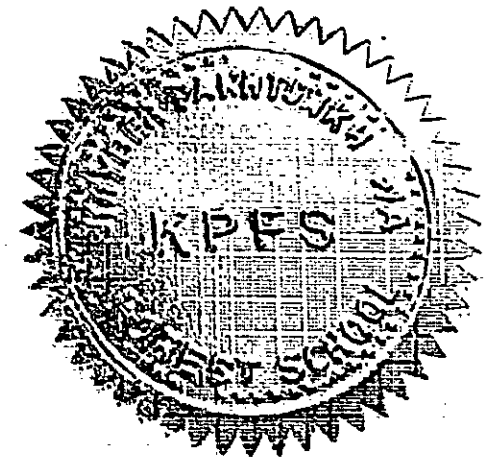
Serial No: 1319

Registration No: 38/1st WL/2022-23/KPFS

Principal  
Khyber Pakhtunkhwa Forest  
School Abbottabad

Director  
I & Human Resource Development  
& Management Directorate  
Peshawar

Prepared & Check by  
Academic Incharge  
Khyber Pakhtunkhwa Forest  
School Abbottabad



(12) (Annex - D)

(12)

Annex - D

Attest  
21/11/23

To,

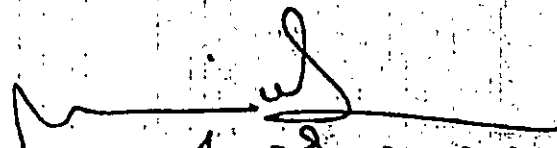
The D.F.O  
wildlife Division D.I. Khan  
Subject - Arrival Report

R/Sir,

with due respect It is stated  
that I am at the Post of wildlife  
watches in wildlife Division D.I. Khan.  
I have completed my one year  
wildlife training course at KPFS  
Thal Abbottabad. Now I have  
been released by the School  
for duty in respective Division -  
I show my availability for duty  
today on 01-09-2023 to follow  
order from your good office

Samiullah Khan

w/L watches D.I. Khan  
wildlife Division

  
01-09-2023

20/11/23




(14) (Annex - F)

OFFICE ORDER NO. 1340-44 /WL, DATED DIKHAN THE 22, 11 /2022, ISSUED BY MR. KHAN MALOOK KHAN DIVISIONAL FOREST OFFICER WILDLIFE DIVISION D.I.KHAN

As recommended by Departmental Promotion Committee in its meeting held on 22-11-2022 under the Chairmanship of Divisional Forest Officer Wildlife Division D.I.Khan, Mr. Asmatullah and Muhammad Akram Khattak Wildlife Watchers (BPS-07) are hereby promoted to the post of Deputy Ranger Wildlife (BPS-11) viz Rs.(18,650-1310-57,950) on regular basis with immediate effect.

The officials on promotion will be on probation for one year as per Rules-15(1) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, extendable for another year with specific orders of appointing authorities within two months of the expiry of first year of probation period as specified in Rule 15(2) of rules ibid and the official when nominated for the mandatory training to Forest School Thai Abbottabad as per rules and who not join the required training or failed to successfully complete the prescribed training course at Forest School Thai Abbottabad within the meaning of sub-section (3) of Section-6 of the Khyber Pakhtunkhwa Civil servant Act-1973, the concerned official will be reverted to his lower post.

  
(KHAN MALOOK KHAN)  
Divisional Wildlife Officer  
Wildlife Division D.I.Khan


No. 1340-44 /WL,

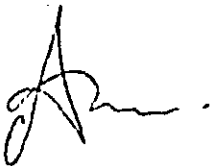
Copy forwarded alongwith minutes of the meeting for information

and necessary action to the:-

1. Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar.
2. Conservator Wildlife Southern Circle Bannu.
3. Section Officer (Establishment) Govt. of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department Peshawar.
4. Concerned official.
5. Assistant / Accountant.



  
Divisional Wildlife Officer  
Wildlife Division D.I.Khan



10/11/22  
30/11/22

(15)

( Annex - G )

**PROCEEDING OF MEETING OF THE DEPARTMENT PROMOTION COMMITTEE HELD ON 22/11/2022 FOR MAKING ITS RECOMMENDATION FOR PROMOTION AGAINST THE POST OF DEPUTY RANGER WILDLIFE (BPS-11) IN WILDLIFE DIVISION D.I.KHAN:**

A Departmental Promotion Committee was constituted vide Divisional Forest Officer Wildlife Division D.I.Khan vide office order No.54/WL, dated: 24/10/2022 for promotion of Two (02) senior most Wildlife Watchers (BPS-07) to the Rank of Deputy Ranger Wildlife (BPS-11).

The meeting of the DPC was held on 22/11/2022 at 1500 hours in the office of the Divisional Forest Officer Wildlife Division D.I.Khan and attended by the following.

- 1- Divisional Forest Officer (Chairman)  
D.I.Khan Wildlife Division
- 2- Representative of: (Member)  
Govt. of Khyber Pakhtunkhwa  
Forestry, Environment & Wildlife Department  
Peshawar
- 3- Representative of: (Member)  
Conservator Wildlife  
Southern Circle Bannu

The Departmental Promotion Committee considered the promotion case against the two posts of Deputy Ranger Wildlife (BPS-11) in Wildlife Division D.I.Khan, therefore, as per prevailing service rules, service record of senior most Wildlife Watchers (BPS-07) were examined by the chairman as well as members of the said committee for promotion to the Rank of Deputy Ranger Wildlife (BPS-11). The committee determined the eligibility of the senior most Wildlife Watchers on the basis of seniority list of Wildlife Watchers (BPS-07) in Wildlife Division D.I.Khan.

Besides other requirements of eligibility, the service record of each incumbent was scrutinized from original record. The two senior most Wildlife Watchers appearing at serial No. 1 & 2 of the seniority list was found suitable for the promotion.

In view of the above the Departmental Promotion Committee recommended the promotion of Mr. Asmatullah Wildlife Watcher (BPS-07) at serial No. 1 & Muhammad Akram Khattak at serial No.2 on regular basis against the existing vacancies.

They will be on probation for a period of 01 year, extendable to another one year, if not terminated as per rules. The meeting ended with a vote of thanks from the chair.

(AMIN UR RAHMAN)  
Divisional Forest Officer  
Forest Division D.I.Khan  
Representative of:  
Administrative Department  
Govt. of Khyber Pakhtunkhwa  
Forestry, Environment and  
Wildlife Department Peshawar  
(Member)

(TARIQ AZIZ KHAN)  
Assistant Wildlife  
Representative of:  
Conservator Wildlife  
Southern Circle Bannu  
(Member)

(KHAN MALOOK KHAN)  
Divisional Wildlife Officer  
Wildlife Division D.I.Khan

**SENIORITY LIST OF WILDLIFE WATCHERS SERVING IN WILDLIFE DIVISION D.I.KHAN UP TO THE MONTH OF 31<sup>ST</sup> MAY, 2021**

S#	Name of Official	Domicile	Date of Birth	Qualification				Date of Entry into Govt. Service with Rank & Scale	Date of Appointed as Wildlife Watcher	Forest Guard Training alongwith Period with Date	Up gradation Training for Forest Guards alongwith Period / Date	Signature of Official
				Matric (Science / Arts)	F.A / F.Sc (Pre-Medical / Pre-Engineering)	B.A / B.Sc (Mention Subjects)	M.A / M.Sc (Mention Subjects)					
	2	3	4	5	6	7	8	9	10	11	12	13
1	Hamidullah	Tank	01.01.1965	Metric Arts	--	--	--	26.08.1989	26.08.1989	Forest Guard Training Course 1992	--	--
2	Muhammad Sharif	DIKhan	10.11.1970	Metric Science	--	--	--	11.06.1991	11.06.1991	31 <sup>st</sup> F.G. Training Course 1991.	--	--
3	Muhammad Ikram	DIKhan	01.05.1963	Metric Science	--	--	--	12.06.1991	12.06.1991	Nil	--	--
4	Ghulam Yasin	DIKhan	24.12.1967	Metric Arts	--	--	--	21.11.1994	21.11.1994	--	--	--
5	Mcen-ud-Din	Tank	03.04.1971	Metric Arts	F.A	--	--	19.10.1995	19.10.1995	78 <sup>th</sup> Forest Guard Regular Course, Session 2015-16	--	--
6	Ghulam Abbas	Tank	06.08.1972	Metric Science	--	--	--	19.10.1995	19.10.1995	47 <sup>th</sup> F.G. Training Course 2000	--	--
7	Zarwali	Tank	10.10.1972	Metric Arts	--	--	--	19.10.1995	19.10.1995	78 <sup>th</sup> Forest Guard Regular Course Session 2015-16	--	--
8	Mulazim Hussain	Tank	02.01.1975	Metric Arts	--	--	--	19.10.1995	19.10.1995	83 <sup>rd</sup> Forest Guard Regular Course 2019-20	--	--
9	Saif-ul-Rehman-II	Tank	01.02.1976	Metric Arts	--	--	--	19.10.1995	19.10.1995	41 <sup>st</sup> F.G. Training Course 1997	--	--
10	Samiullah - I (Gandapur)	DIKhan	01.01.1974	Metric Arts	--	--	--	14.11.2005	14.11.2005	84th Forest Guard Regular Course Session 2020-21 (Under Progress)	--	--
11	Muhammad Ayub	DIKhan	04.02.1981	Metric Science	--	--	--	26.05.2006	26.05.2006	84th Forest Guard Regular Course Session 2020-21 (Under Progress)	--	--
12	Asmatullah	DIKhan	03.11.1978	Metric Arts	--	--	--	01.01.2007	01.01.2007	80 <sup>th</sup> F.G. Training Regular Course Session 2016-17	--	--
13	Muhammad Akram Khattak	DIKhan	23.03.1982	Metric Arts	--	--	--	01.08.2008	01.08.2008	84th Forest Guard Regular Course Session 2020-21 (Under Progress)	--	--
14	Samiullah-II (Kundi)	DIKhan	08.03.1985	Metric Arts	--	BA	--	01.08.2008	01.08.2008	--	--	--
15	Snah Faisal Ansari	Tank	08.05.1978	Metric Science	F.A	BA	M.A	26.10.2008	26.10.2008	--	--	--

Annex (H)

(B)

A

B

*Mehar*  
*Amir*  
*20/10/20*

*D.F. N. Khan*

کتابت حضرت مولانا صاحب دینی و علمی خدمات

عراق - صلیبی روبرو

جائے

کتابت حضرت مولانا صاحب دینی و علمی خدمات

کتابت حضرت مولانا صاحب دینی و علمی خدمات  
28-07-2008

کتابت حضرت مولانا صاحب دینی و علمی خدمات  
01/08/2008

کتابت حضرت مولانا صاحب دینی و علمی خدمات

کتابت حضرت مولانا صاحب دینی و علمی خدمات

کتابت حضرت مولانا صاحب دینی و علمی خدمات  
01-08-2008

کتابت حضرت مولانا صاحب دینی و علمی خدمات

Seas free  
D. F. ...

Seas free  
01/08/08

## بخدمت جناب کنزرویٹرو اور ڈیپارٹمنٹ آف سائٹنگ اور واٹلڈ لائف سائٹنگ سروسز

تھرڈ پراپرٹی:

محکمہ اپیل بر خلاف ڈیپارٹمنٹل پروموشن کمیٹی میٹنگ منعقدہ مورخہ: 22-11-2022

عنوان:

جناب عالی!

سائل حسب ذیل عرض کرتا ہے۔

i. یہ کہ من سائل آپ کے زیر سایہ واٹلڈ لائف ڈیپارٹمنٹ میں مورخہ 28-07-2008 کو بحیثیت ”واٹلڈ لائف واچر“ بھرتی ہوا

(بھرتی آرڈر Annex-A ہے)۔

ii. یہ کہ من سائل ایمانداری کے ساتھ اپنی ڈیوٹی سرانجام دے رہا ہے۔ اور کبھی بھی اپنے اعلیٰ آفسران کو شکایت کا موقع نہیں دیا۔

iii. یہ کہ من سائل کو ڈیرہ اسماعیل خان واٹلڈ لائف ڈویژن سے

(86th Forest Guard/Wildlife Watcher Regular Course Session 2022-23)

کیلئے منتخب کیا گیا۔ اور من سائل نے مورخہ 30-08-2022 کو خیبر پختونخواہ فارسٹ سکول تھائی ایبٹ آباد میں مذکورہ بالا ٹریننگ

کیلئے رپورٹ کیا۔

(نقل لیٹر DFO Wildlife Division D.I.Khan مورخہ 23-08-2022 بالترتیب Annex-B اور حاضری

رپورٹ مورخہ: 30-08-2022 بمقام فارسٹ سکول تھائی ایبٹ آباد Annex-C ہے)۔

iv. یہ کہ من سائل نے مذکورہ بالا کورس مورخہ 31-08-2023 کو کامیابی سے مکمل کیا اور مورخہ 01-09-2023 کو

دفتر DFO واٹلڈ لائف ڈویژن ڈیرہ اسماعیل خان میں حاضری دی۔

(نقل ٹریننگ کورس سرٹیفکیٹ اور Arrival رپورٹ بالترتیب Annex-D اور D/1 ہے)۔

v. یہ کہ کورس مکمل کرنے کے بعد من سائل نے جب اپنے آفس واٹلڈ لائف ڈویژن ڈیرہ اسماعیل خان میں حاضری دی تو من سائل کے

علم میں یہ بات آگئی کہ محکمہ ترقیاتی کمیٹی نے مورخہ 22-11-2022 کو دو واٹلڈ لائف واچرز کو ڈپٹی ریجنل واٹلڈ لائف

(BPS-11) میں ترقی دینے کی منظوری دی ہے۔ اور DFO ڈیرہ اسماعیل خان واٹلڈ لائف ڈویژن نے بذریعہ آفس آرڈر

نمبر 69/WL/Dated 22-11-2022 کو واٹلڈ لائف واچرز عصمت اللہ اور محمد اکرم خٹک کو ڈپٹی ریجنل واٹلڈ لائف

(BPS-11) میں ترقی دی۔

(نقل منٹ محکمہ ترقیاتی کمیٹی اور آفس آرڈر بالترتیب Annex-E اور E/1 ہے)۔

vi. یہ کہ حیران کن طور پر من سائل کو محکمہ پروموشن کمیٹی میں بالکل نظر انداز کیا گیا اور بغیر کسی وجہ کے من سائل کا نام شامل نہیں کیا گیا اور

من سائل سے جو نیر محمد اکرم خٹک کو ترقی دی گئی۔

(نقل تعیناتی آرڈر محمد اکرم خٹک مورخہ 29-07-2008 Annex-F) ہے۔

vii. یہ کہ پروموشن رولز کے مطابق من سائل کی تعیناتی بحیثیت واٹلڈ لائف واچر محمد اکرم خٹک سے ایک دن پہلے ہوئی۔

جو کہ Annex-A پر موجود تعیناتی آرڈر سے واضح ہے۔ اور محکمہ پروموشن رولز کے مطابق من سائل کی پروموشن کا حق پہلے بنتا تھا۔

لیکن محکمہ ترقیاتی کمیٹی نے اس عنصر کو مکمل طور پر نظر انداز کر دیا۔ اور بغیر کسی وجہ کے من سائل کا نام کمیٹی میں زیر غور لانے کے لیے شامل ہی نہیں کیا جو کہ سول سروس پروموشن پالیسی 2009 کی سنگین خلاف ورزی ہے۔ دفتر وائلڈ لائف ڈویژن ڈیرہ اسماعیل خان اور محکمہ ترقیاتی کمیٹی کا یہ اقدام خلاف قانون ہے۔

viii. یہ کہ دفتر DFO وائلڈ لائف ڈیرہ اسماعیل خان نے سناریائی لسٹ میں من سائل کو وائلڈ لائف و اجرا کرم خٹک سے جو نیئر ظاہر کیا ہے۔ حالانکہ Annex-A اور Annex-F سے واضح ہے کہ من سائل کی تعیناتی تاریخ محمد اکرم خٹک سے پہلے کی ہے۔ مزید برآں من سائل کی حاضری رپورٹ سے بھی واضح ہے لیکن مجاز حکام نے سول سروسٹ ایکٹ کی خلاف ورزی کرتے ہوئے من سائل کو جو نیئر ظاہر کیا جو کہ قابل منسوخی و قابل مواخذہ ہے۔

(نقل سناریائی لسٹ اور حاضری رپورٹ بالترتیب G-1 & Annex-G ہے۔)

ix. یہ کہ من سائل فیلڈ ڈیوٹی میں مصروف ہونے کی وجہ سے سناریائی لسٹ سے بے خبر رہا اور مجاز حکام نے بھی اس سلسلے میں کوئی اطلاع نہیں دی۔ حالانکہ قانون کے مطابق سناریائی لسٹ کی اطلاع دینا دفتر کی ذمہ داری ہے بلکہ اکرم خٹک کی پروموشن کی علم ہونے کے بعد من سائل نے جب معاملہ اٹھایا تو من سائل کے علم میں یہ بات لائی گئی کہ سناریائی لسٹ میں سینئر ہونے کی وجہ سے اس کو ترقی دی گئی ہے

x. یہ کہ من سائل ٹریننگ پر ہونے کی وجہ سے مقررہ وقت میں محکمہ اپیل نہ کر سکا کیونکہ 01-09-2023 کو دفتر رپورٹ کرنے کے بعد من سائل کے علم میں یہ بات آئی۔ لہذا عدالت عظمیٰ اور عدالت عالیہ کے فیصلہ جات کی روشنی میں Appeal within time ہے۔

xi. یہ کہ من سائل بوقت ذاتی شنوائی آنجناب کے اجازت سے مزید نکات بھی زیر بحث لائے گا۔

لہذا استدعا ہے کہ

بوجوہات بالا محکمہ اپیل کو منظور فرما کر من سائل کو مورخہ 22-11-2022 سے تمام مراعات سمیت ڈپٹی ریجنر وائلڈ لائف کی پوسٹ پر ترقی دینے کے احکامات صادر فرمائے جاوے

ارضی

سمیع اللہ ولد امان اللہ وائلڈ لائف و اجرز (BPS-07)

وائیلڈ لائف ڈویژن ڈیرہ اسماعیل خان

موبائل نمبر: 0300-9000013

12/9/2023

دستخط

دستخط  
30/9/23

(20)

(Annet - K)



**OFFICE OF THE CONSERVATOR WILDLIFE SOUTHERN CIRCLE BANNU**

EMAIL: [cwl.sc.bannu@gmail.com](mailto:cwl.sc.bannu@gmail.com)

PHONE: 0928-633361

ADD: HOUSE NO. 59-A SECTOR-I/A STREET-II NEAR FAWARA CHOWK BANNU TOWN SHIP BANNU



To

**Divisional Forest Officer,  
Wildlife Division D.I. Khan**

No. 3375 WL (SC)/BU

Dated Bannu the 06/11 2023.

**SUBJECT: - APPEAL AGAINST DEPARTMENTAL PROMOTION COMMITTEE MEETING ON 22-11-2022.**

Reference: Your office letter No.1501/WL(DIK) dated 03-10-2023.

Refer to the above noted subject and in light of your comments it is stated that Mr. Sami Ullah was appointed as Wildlife Watcher vide your Office Order No. 07 dated 28-07-2008 while Muhammad Akram was appointed as Wildlife Watcher vide your Office Order No. 08 dated 29-07-2008. Whereby clearly mentioned in both the appointment order that the appointment will be w.e.f. 01-08-2008 as such the seniority list of both officials were prepared w.e.f. 01-08-2008 on the basis of age of candidates and appointment w.e.f. 01-08-2008. The incumbent appellant Mr. Sami Ullah was junior in age and has not objected till the seniority for the year 2022 issued vide this office letter No.3128-34/WL(SC)BU dated 02-03-2023 and promotion of Muhammad Akram to the post of Deputy Ranger Wildlife (BPS-11) vide your office order No. 69/WL dated 22-11-2022.

Keeping in view the above it is mention that DOB of Muhammad Akram is 23-03-1982 while the DOB of Mr. Sami Ullah is 08-03-1985 which clearly shows that Muhammad Akram is senior than Mr. Sami Ullah. Hence the promotion of Muhammad Akram to the next post of Deputy Ranger Wildlife (BPS-11) is purely on merit and on seniority basis.

It is further added that the subject appeal is time barred as of 22-11-2022 because the appeal should be lodged within thirty (30) days after issuing of the promotion order. Therefore the appeal of Mr. Sami Ullah is hereby rejected on merit.

W.No 175/WL  
dt 13/11/2023

W.No 1849/WL  
dt 29/11/23  
Copy forwarded to  
MR Sami Ullah WLU  
for information.

*[Handwritten signature]*

**Conservator Wildlife  
Southern Circle  
Bannu**

**Divisional Forest Officer  
Wildlife Division D.I. Khan**

DFOWL  
13/11/2023

LEGAL ATTORNEY DEED

IN THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal  
Sami Ullah

PETITIONER,

VERSUS

GOVT OF KPK AND OTHERS ON  
BEHALF OF

RESPONDENTS

1. Sami Ullah

PETITIONER,

KNOW ALL TO WHOM THESE PRESENTS SHALL COME THAT I,  
THE UNDERSIGNED APPOINT.

Mr. JUNAID AHMAD KUNDI  
ADVOCATE HIGH COURT, DERA ISMAIL KHAN  
BC-12-3974

To be advocate for the undersigned in the above mentioned case to do all the following acts and deeds and things or any of them, to say:-

1. To act, appear and plead in the above mentioned case in this / courts or any competent court which the same may be tried or heard in the first instance or in appeal or review or revision of execution in any other stage of its progress until its final decision.
2. To present pleadings, appeals, cross-objection or petitions for executions review, revision, withdrawal, compromise of other petition of affidavits or other documents as shall be deemed necessary or advisable for the prosecution/ defense of the said case at all its stage.
3. To withdraw or compromise the said case or submit to arbitration any differences of dispute that shall arise touching or in any manner relating to the said case.
4. To receive money and grant receipt therefore to do all other things and act which may be necessary to be done for the progress in the course of the prosecution/ defense of the said case.
5. To employ any other legal practitioner authorizing him to exercise the powers and authorities hereby conferred on the advocate or his substitute shall do in the said case.

AND I, hereby agree not to hold advocate or his substitute responsible for the result of the consequences of his absence from the court when the case is called up for hearing.

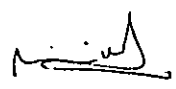
AND I, hereby agree that in the event of whole or any part of the fee agreed me/ us to be paid to the advocate remaining unpaid, he shall be authorized to withdraw from the prosecution/ defense of the case until the balance fee is paid.

We hereunto set our hands to these presence the contents to which have been explained to and understood by us. This is the 30 Day of Nov 2023.

Accepted



Mr. Junaid Ahmed Kundi  
Advocate High Court  
Dera Ismail Khan  
Cell # 0302-8092997



Petitioner  
(Sami Ullah)