

①

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service appeal No. 597- P/2022

Mr. Muhammad Naveed, Mali (BPS-03)
Pakistan Forest Institute (PFI), Peshawar

.....**APPELLANT**

VERSUS

1. The Secretary, Forestry, Environment & Wildlife Department, Government of Khyber Pakhtunkhwa
2. The Director General, Pakistan Forest Institute, Peshawar

.....**RESPONDENTS**

PARAWISE COMMENTS ON BEHALF OF RESPONDENT No. 1,2

Respectfully Sheweth:

Preliminary Objections:

1. That the appellant has no legitimate cause of action.
2. That the appellant has no locus standi to file instant appeal.
3. That the appellant has not come to the Hon'ble Khyber Pakhtunkhwa Service Tribunal, with clean hands.
4. That the appeal is not maintainable due to mis-joinder and non-joinder of necessary parties.
5. That the post of Chief Conservator, PFI, Peshawar not existed in Pakistan Forest Institute, Peshawar as mentioned respondent No. 3 in the subject appeal.
6. That the appeal of the appellant is badly time barred.

Respected Sir:

1. Pertaining to record.
2. Incorrect. That the appellant was insolent of PFI Colony and always quarrelling with his seniors. In this regard, complaints of PFI Colony residents alongwith recommendations of Executive Officer, PFI letter for taking appropriate action is attached (Annex – A, B, C, D & E).
3. Incorrect and misleading. That besides, narcotics addict, using Ice and other most dangerous drugs, he was a malingerer and habitual absentee. In this regard, explanations/reports and leave without pay of the appellant are as under:

- 2
- B
- b. Leave without pay vide office order No. 209/F.IV(Per)-Estt, dated 21.12.2020 (**Annex - G**)
 - c. Explanation No. 424/EO(40)2020, dated 14.12.2020 (**Annex - H**)
 - d. Explanation No. 430/154/2020, dated 28.12.2020 (**Annex - I**)
 - e. Explanation/Absentee report vide No. 158/F.V(Per)-Estt, dated 26.01.2021 (**Annex - J**)
4. Incorrect and misleading. As explained in para 3 above.
5. Incorrect. As explained in para No. 3 above that Show cause notice was served to appellant through Security Guard and proper signature of the appellant was obtained from him (**Annex - K**). It is to mention that the competent authority issued dismissal order of the appellant after receiving report of the "committee on harassment of women employee of PFI at work place" (**Annex - L**). It is further to mention that his crime like assaulting female staff, narcotics addiction, theft, running gangs, harboring criminal outsiders in PFI staff colony residence and misconduct was so gruesome and heinous that serving statement of allegation/charge sheet was considered a futile exercise, wastage of state stationary and human energy.
6. As explained in para No. 2, 3 & 5.

Grounds

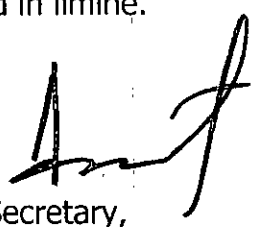
- A. Incorrect: That the appellant was dismissed from service after proper investigations upon the reports/complaints received to this office. It is to mention that under the influence of narcotics, the petitioner felt regal, started considering the female staff of PFI as his personal property and insulted them. One female staff member in her defense banged the office register on his head to defend herself which he took as insult and threatened her with dire consequences. Similarly another female staff member made an identical complaint with tears in her eyes. The matter

was assigned to the PFI committee on harassment of women at work place. The committee declared the petitioner Mr. Muhammad Naveed, Mali (BS-03) unfit to retain in Government Service, recommended to send him to jail or mental hospital (**Annexure - M**).

- B. Incorrect. As explained in para 5 of facts.
- C. Incorrect and misleading. As explained in para No. 5 of the facts. In this regard, newspaper ads were not required. He wander around due to intoxication and euphoria induced by narcotics he used.
- D. Incorrect and misleading. That tangible and concrete proofs are on record. He never appeared for personal hearing, always sending his old aged mother and other relatives giving false defense in his favour. He had no defense at all. His thoughts were incorrect irrational, immoral and unacceptable to norms of the society.

In view of the above, it is requested that the petition being baseless and devoid of merit may please be dismissed in limine.


Director General
Pakistan Forest Institute,
Peshawar
Respondent No. 2


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

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO.597-p/2022

Mr. Muhammad Naveed, Mali (BPS-03), Pakistan Forest Institute (PFI), Peshawar

.....**APPELLANT**

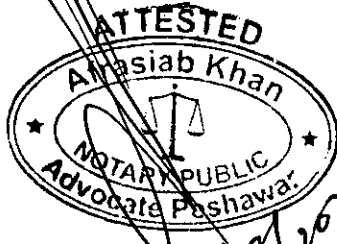
VERSUS

The Secretary, Forestry, Environment & Wildlife Department, Government of Khyber
Pakhtunkhwa & Others

.....**RESPONDENTS**

AFFIDAVIT

I, Farhan Ahmed, Superintendent, Pakistan Forest Institute, Peshawar, do hereby solemnly affirm and declare on oath that the contents of reply of Service Appeal No. 597-P/2022, on behalf of Respondent No. 1 & 2 are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Deponent

ENIC# 17301-1555108-5
0333-9280901

Diary No: 268
Date: 26-04-2021
Section: General Section

Number - A



Peshawar
GOVERNMENT OF KHYBER PAKHTUNKHWA
Forestry, Environment & Wildlife Department
Pakistan Forest Institute, Peshawar



Ph +92-91-9221186; Fax +92-91-9221233

No. 492 /EO(40)/2021

Dated: 22 April, 2021

To

The Director General,
Pakistan Forest Institute
Peshawar

Dairy No: 815
Dated: 23-04-2021
Director General Office
PFI, Peshawar

SUBJECT: COMPLAINT OF COLONY RESIDENTS & PFI STAFF

Reference: Reply / comments / recommendations regarding Mr. Muhammad Naveed, Mali as per instructions contained under explanation of Mr. Muhammad Naveed, Mali vide complaint No 487/E.O(15)/2021, dated 13-04-2021 are submitted as under:

Mr. Muhammad Naveed, Mali appointed against decess^d employee's son quota and presently posted in EO Section has been kept under observation for a long time. He was served warnings time & again both verbally and in black & white. His explanations were called, the last one vide E.O Office letter No 489/EO(15)/2021, dated 13-14/2021, reported by Abdul Jabbar Field Assistant (F/A) with direction to submit reply within 03 days positively of issuance of the Explanation.

Mr. Naveed is a careless, mentally imbalanced individual. He did not bother to respond within stipulated time frame. Female staff of PFI complained several times about his uncivilized behavior and vulgar & immoral, obscene, talks & attitude. He has also been reported to be involved in thefts in staff colony and is a narcotics addict (copies of complaints and reports of Arm Guards are attached at F/B, F/C, & F/D). He is not fit for PFI service or any Government job.

In view of the foregoing, it is proposed that he may be served show cause notice & provided opportunity of personal hearing as per E&D Rules and a penalty be imposed on him as deemed appropriate as per rules.

22/4 AO (G)

22/04/21

22/04/21
Executive Officer
Pakistan Forest Institute

صبا - عالی

46

سودا گزشتہ دنوں سے کہ میں انور سنائی کے پاس گھر آ گیا تھا میں
 اسے بھی کو سکول سے لینے لیا تھا۔ صبا نے کہا ابھی وہ وقت محمد نوید عالی
 صبر سے پاس آیا اور کہنے لگا کہ مجھے 10 گھنٹہ کیلئے روٹنگ سٹیشن دے
 دو میں بازار سے سودا لے کر آتا ہوں میں سے اسے اسٹیشن سٹیشن
 اس کو دے دیا مگر سب انتظار کے لئے لگا رہا وہاں وہ اس
 نہیں آیا میں اس کے گھر بھی گئی مگر وہاں اس کے
 گھر میں تالا تھا۔ گھر بھی میں سے بہت انتظار کیا مگر
 سوکتا ہے کہا آجائے مگر اس کا ابھی تک کوئی
 نہیں ہے اور اس کا خون بھی نہیں ہے۔ فدوی
 ایکشن ڈیوٹی میں رہا ڈیوٹی کا کام کرتا ہے
 میں نے اسے اسٹیشن سٹیشن کل وقت 11:00 بجے بتایا 5 1/2
 کو اس کے حوصلے لیا تھا۔
 صبا - عالی۔ انور ڈیشن عرصہ ہے اس کے صراف
 قانونی کارروائی کر رہے ہیں۔

امیر
 نواز علی، ڈیوٹی عمارت
 ایکشن ڈیوٹی
 مورخہ 21-1-2021

Amir-ul-Umrah
 6/1/2021

Official

دست خان E/10 صاحب پاکستان فاریسٹ اینڈ وائڈ لائیو ریسورسز
نوان اشکایت بخلاف دھتکری

12/04/2021
Complaints Council
144
15

خان عالی

عوامہ نزارش ہے کہ ہم بی ایف ای کالونی میں رہ رہے ہیں۔
مگر یہاں ایک لڑکا نوید بھی رہ رہا ہے۔ جو کہ انتہائی کم اصل
درمد کردار لڑکا ہے۔ کھی کھی کھی کھی کو اسٹرکے سائے جس سے والے
سگریٹ پیتا ہے۔ اور کھی کھی کے کو اسٹرکے میں گھسایا ہے
بلکہ وہ سے عورتیں اپنی کو اسٹرکے صحن میں چل پھرتی ہیں۔
عدا آپ صاحبان سے بعد رہا رہا اللہ اس کرتے ہیں۔ کہ اب
بھانصان مہربانی فرما کر اس لڑکے کو فیملی کو اسٹروں سے دور
وانٹر دیا جائے۔ کیونکہ لڑکے کے کو اسٹرکے H45 ہے جو کہ فیملی کو اسٹروں
کے درمیان میں ہے۔

اسلئے آپ صاحبان سے پروردگار والی کو قح رکھتے ہیں۔

الحارین
تو عین نوازش ہوگی

- 12/04/2021 المرقوم محمد حلا (6)
- 1 محمد بشیر خان
 - 2 تاج مہر - چوکنڈرا مراد (7)
 - 3 محمد عارف PFI کالونی (9)
 - 4 محمد زائد
 - 5 کاشف 10
 - 6 عالمگیر خان (ماملی)
- AMW

حضرت عالی ا

یہ گزارش ہے کہ فوڈ مینل کوڈ نمبر H-45 میں ریٹرنی میں ہیں
فونٹ ساتھ ہوگی اور والہ رستی تھی لیکن اسے کوڈ میں فوڈ مینل
رہتا ہے فوراً قلم اس سے بگڑ میں اسٹور یوں کے ساتھ چھوڑنا

یہ ڈیٹا فوڈ مینل فوڈ مینل کے ساتھ ہے۔

12/4/2021

محمد راز احمد فاروقی
12/4/2021

Amir-D-54
12/4/21

Saydour combine all
The complaints to
organism him at putrep
M. J. L.

(7)

حکومت پاکستان



17301-0407971-3



والد کا نام: سردار
شہزادہ محمد
شہزادہ محمد
شہزادہ محمد
شہزادہ محمد
شہزادہ محمد

امتیاز ماحول

09/03/1984

دستخط مسٹر جنرل

دستخط جنرل



شماره: 3-407971-0407 1/307-0407971-3 ۰۷/۰۸/۲۰۲۴

موجودہ پتہ: مکان نمبر G-69، کلمہ ٹارگٹ کالونی، پشاور

مستقل پتہ: ایضاً

تاریخ اجراء: 07/08/2014 • تاریخ منسوخ: 07/08/2024
محکمہ کاروائی پر قریبی لیٹر بکس میں ڈال دیں



بسم اللہ الرحمن الرحیم

صاحب عالی

(1) اس سے کہ آج محمد رسولہ صلی و آلہ وسلم پر ایمان لگایا گیا اس سے دستبردار
 (میں) کے ساتھ کفر کا بلکہ کسی اور کو لگایا گیا ہے یہاں تک کہ اس سے
 کے اس لئے اور چاہے تو کفر کیا گیا اس سے دستبردار میں اس کے
 ساتھ بد نظری کی ہے وہ فقہ زہری سے ہے جس میں بدر آئی
 سنا ہے کافر کی والدوں سے بھی اس کے خلاف
 اور اس کی ہے یہ کافر کی میں اس کے ساتھ تو میں
 ہے اس کے ہر مانی فرما اس کے لئے اس کے لئے ہے
 بدر اس کے خلاف کافر کی فرما اس کے لئے اس کے لئے ہے

لکھی

شرح لیکھ

لیکھان طبرستان

۱۵ اکتوبر

تاریخ: ۱۹/۱۲/۱۹۱۱

Annex - A

19



GOVERNMENT OF KHYBER PAKHTUNKHWA
Forestry, Environment & Wildlife Department
Pakistan Forest Institute, Peshawar



Ph: +92-91-9221186, Fax: +92-91-9221233

No. 604 /EO(75-)/2020

Dated: 24th November, 2020

To
Mr. Muhammad Naveed
Mali
Pakistan Forest Institute
Peshawar

Diary No: 19140
Date: 26/11/2020
Section:
P.F.I. Peshawar

Subject: EXPLANATION

It has been noticed that you were remained absent from your duty on the following dates without any application/information/approval which is highly objectionable and negligence on your part, you are habitual to come late and leave before closing office hours. Many times you were personally called and informed to improve your performance and observe office timing strictly but you failed to improve yourself.

- September, 2020 04-09-2020,
- October, 2020 20-10-2020, 27-10-2020 & 29-10-2020
- November, 2020 3-11-2020, 6-11-2020 to 16-11-2020 and 24-11-2020.

You are directed to explain your position within 03 days after issuance of this letter; otherwise strict disciplinary action will be taken against you under the E&D Rules, 2011 of Khyber Pakhtunkhwa.

[Signature]
Executive Officer
Pakistan Forest Institute

CC:

- 1. The Deputy Director (Tech), PFI, Peshawar
- 2. APS to Director General, PFI, Peshawar

Please submit the reply of the officer along with your comments/recommendations.

11/11/20
7-0



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT
PAKISTAN FOREST INSTITUTE, PESHAWAR

Ph: +92 91 9221224, Fax: +92 91 9221233



Dated 21 / 11 / 2020

OFFICE ORDER

No. 209 /F:IV(Per)-Estt: The Executive Officer, Pakistan Forest Institute (PFI), Peshawar vide letter No: 404/EO(15)/2020, dated 24-11-2020, called explanations of Mr. Muhammad Naveed, Mali, on account of his absence from duty on the following dates, without any information or prior approval.

S. No.	From	To	No. of days	Total
1.	04-09-2020	-	01	01
2.	27-10-2020	-	01	01
3.	29-10-2020	-	01	01
4.	03-11-2020	-	01	01
5.	06-11-2020	16-11-2020	11	11
6.	20-11-2020	-	01	01
7.	24-11-2020	-	01	01
			Total	17 days

2. The aforesaid official submitted his reply on 25-11-2020. The Executive Officer forwarded the reply with the recommendations that his reply is unsatisfactory, therefore, his absence for the above mentioned periods may be treated as leave without pay.
3. Consequent upon the recommendations of Executive Officer, Pakistan Forest Institute (PFI), Peshawar the absence period of Mr. Muhammad Naveed, Mali, PFI (17 days) is hereby treated as leave without pay.
4. He is, also warned to be careful in future otherwise, strict disciplinary action shall be taken against him.

Deputy Director (Technical)
Pakistan Forest Institute

Endst. of Even No. & Date

A copy is forwarded to:

1. The Executive Officer, PFI, Peshawar, with reference to his recommendations dated 30-11-2020.
2. The Administrative Officer (G), PFI, Peshawar, with request to please enter the above Office Order in the service book of the official under intimation to undersigned and perusal of Director General, PFI on personal file of the official.
3. The Administrative Officer (B&A), PFI, Peshawar.
4. Mr. Muhammad Naveed Mali, PFI, Peshawar.

Diary No: 1020
Date: 15/12/20
Section:

Annex - H



P.F.I. Peshawar
GOVERNMENT OF KHYBER PAKHTUNKHWA
Forestry, Environment & Wildlife Department
Pakistan Forest Institute, Peshawar



Ph: +92-91-9221186, Fax: +92-91-9221233

No. 424 /EO(40)/2020

Dated: 14

December, 2020

To ✓

The Deputy Director (Technical),
Pakistan Forest Institute,
Peshawar

Subject: ABSENCE OF MR. MUHAMMAD NAVEED, MALI

Mr. Naveed, Mali is remained absent from his duty on 4-12-2020 and from 7-12-2020 to till date without any information/application/approval from his incharge and nor from the undersigned.

Submitted for your kind information and further necessary action as per Rules.

[Signature]
Executive Officer
Pakistan Forest Institute

CC:

- 1. APS to Director General, PFI, Peshawar.

For n/a please.
[Signature]
14/12/20

AD(G)

[Signature]
17/12

[Signature]



GOVERNMENT OF KHYBER PAKHTUNKHWA
Forestry, Environment & Wildlife Department
Pakistan Forest Institute, Peshawar



Ph: +92-91-9221186 Fax: +92-91-9221233

No. 430 /EO(15)/2020

Dated: 28th December, 2020.

To

Mr. Muhammad Naveed
Mali,
Pakistan Forest Institute,
Peshawar

Diary No: 1048
Date: 21/12/2020
Section: P.F.I. Peshawar

Subject: EXPLANATION

It has been noticed that you were again remained absent from your duty without any application/information/approval which is highly objectionable and negligence on your part, your explanation called vide this office letter No.404/E.O(15)/2020, dated 24-11-2020 your absence were converted into leave without pay and warning issue vide Office Order No. 209/F.IV(Per)-Estt, dated 21-12-2020, but you were remained absent from your duty During the month of December, 2020 on the following date

4-12-2020

7-12-2020 to 18-12-2020 and 23-12-2020 Total 14 days in Dec, 2020

You are directed to explain your position within 03 days after issuance of this letter; that why not you improved your performance, punctuality in government duty and not taking interest in your job, why not a strict disciplinary action may be taken against you under the E&D Rules, 2011 of Khyber Pakhtunkhwa.

[Signature]
Executive Officer
Pakistan Forest Institute

CC:

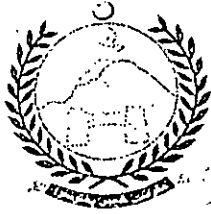
1. The Deputy Director (Tech), PFI, Peshawar
2. APS to Director General, PFI, Peshawar

Please submit the reply of the official along with your comments/recommendations.
[Signature]
28/12/20

E-O

CC:

[Signature]
Supdt



GOVERNMENT OF FATA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT
PAKISTAN FOREST INSTITUTE, PESHAWAR

Ph: +92 91 9216123, 9216995, Fax: +92 91 9216203



No 158/F.IV(Per)-Estt

Dated 26/01/2021

To

Mr. Muhammad Naveed
Mali
Pakistan Forest Institute
Peshawar

SUBJECT: ABSENCE FROM DUTY/EXPLANATION

As reported by Executive Officer, Pakistan Forest Institute (PFI), vide his letters No. 424/E.O. (40)/2020, dated 14-12-2020 and No. 430/EO(15)/2020 dated 28-12-2020, that you are absent from duty w.e.f 04-12-2020 to date without any prior permission or intimation to the officer concerned. You had been directed by E.O vide Notice letter No. 404/EO(15)/2020, dated 24-11-2020 to resume your duty immediately and explain your position, but neither you resumed your duty nor informed this office to date.

It is worth mentioning that you are still on probation and as per Sr. No. b&c of offer of appointment letter No. 100/F.VI(247)-Estt, dated 22-10-2019, your services are liable to be terminated at any time without assigning any reasons thereof before the expiry of probation / extended period of probation. Your performance during probation period has remained unsatisfactory. You remained absent for many days from duty during the months of September to November 2020 and your absence was treated as leave without pay with the directions to remain careful in future otherwise strict disciplinary action shall be taken against you vide office order No. 209, dated 21-12-2020. But inspite of all this you are still a habitual absentee and remain absent from duty and have made yourself liable to be terminated from government service as per Sr. No. c. of the your appointment letter.

You are, therefore, directed to immediately report for duty and explain your position, otherwise strict disciplinary action will be taken against you under the relevant rules.

Administrative Officer (G)

Copy to:

1. Executive Officer, PFI, Peshawar.
2. APS to Director General, PFI, Peshawar.

(19)

Annex A



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT
PAKISTAN FOREST INSTITUTE, PESHAWAR

Ph: +92 91 9221224, 9216995, Fax: +92 91 9221233



No. 579 /F.IV(Per)-Estt

Dated 7th May, 2021

To

Mr. Muhammad Naveed,
Mali,
Pakistan Forest Institute,
Peshawar.

Naveed
7/5/2021



SUBJECT: **SHOW CAUSE NOTICE**

I am directed to refer to the subject noted above and to enclose herewith Show Cause Notice duly signed by the competent authority for information and further necessary action accordingly.

Encl: As Above.

[Signature]
Administrative Officer (G)

Copy to:

1. Executive Officer, PFI, Peshawar.
2. APS to Director General, PFI, Peshawar.

515121


subject
5/5/2021



SHOW CAUSE NOTICE

I Javed Anwar, DG, PFI as Competent Authority, under the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Muhammad Naveed, Mali (BS-03), PFI as follows:

- i. Whereas you got recruited against Deceased's son quota with your brother already working in PFI. It has been reported time & again and noticed for long as per observation by your Officers In-Charge that you do not take interest in your duties. You are a habitual absentee, a malingerer, abusive, insolent rude, querulous character, always misbehaving with your seniors. Your irresponsible attitude towards your duty is evident from various explanations called, the latest ones vide letter No.404/EO(15)/2020, dated 24-11-2020, No.424/EO(40)/2020, dated 14-12-2020, No.430/EO(15)/2020, dated 28-12-2020, No.487/EO(15)/2021, dated 13-04-2021 and warning issued vide Office Order No.209/F.IV(Per)-Estt, dated 21-12-2020.
- ii. You applied for 10 days leave on medical grounds w.e.f. 19-03-2021 to 28-03-2021 and were supposed to join duty on 29-03-2021 but you are absent from duty to date
- iii. You are a known narcotics addict, using intoxicants and lose your senses frequently using foul, indecent, obscene, uncivilized language before your seniors and for female staff. You also cross limits trying to touch and get free with female staff using force & violence at times & resorting to harassment & threats of dire consequences.
- iv. You protect, harbor criminals, gamblers, outlaws & narcotics peddlers, and are involved in thefts and other undesirable activities in Staff Colony and PFI premises.
- v. On the basis of frequent & repeated complaints, and having been kept under surveillance & observation, you have proved that habits die hard and have become incorrigible to be further counselled/advised and retained in


3/09/21

Government service as you have created tortuous & unbearable environment for others to survive & live in peace. (27)

vi. After having a meticulous analysis of your doings and personality as mischief monger & examination of personal file, repeated complaints, abnormally violent attitude, indecency, immoral life style, I being Competent Authority am satisfied that conducting formal enquiry would be a totally futile exercise & wastage of time & energy. You appear to be unfit for Government job on the basis of tangible proof on record & repeated complaints by staff both male & female. You appear to be guilty & involved in commission of serious misconduct and acts of Omission & Commission as given below make you liable to be served Show Cause Notice for Offences mentioned:

- a) Inefficiency, unserious & happy go lucky attitude
- b) Misconduct, misbehavior, obscenity, vulgarity, delusions, hallucinations to do acts what sane & sensible people cannot ever imagine to do
- c) Habitually remaining absent & escaping from duty without permission or seeking approval of your senior In-Charge Officers
- d) You have grandiose ideas about yourself and do not bother to seek apology for any wrong done or absence or foul language used, you consider yourself to be always correct & right and the whole world as wrong.

2. Now therefore I, as Competent Authority, in exercise of powers conferred under rule 5 read with rule 7 of the Efficiency & Discipline rules hereby deem it appropriate to dispense with further inquiry into your conduct and have decided tentatively to impose upon you the major penalty of Dismissal from service under rule 4 (b) of the rules *ibid*. You are therefore, required to Show Cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person or otherwise. You may submit your written reply within 07 days of receipt of this notice whether you want to avail the opportunity of personal hearing or otherwise. Your reply must reach on expiry of 07 days period or before as deemed appropriate.

3. If no reply to this Notice is received upon termination of 07 days from the date of receipt, it shall be assumed that you have no defense to put in and in that case ex-parte action shall be taken against you as per rules.


DIRECTOR GENERAL 3/5/02

12

SUBJECT: MEETING OF THE COMMITTEE ON HARASSMENT OF WOMEN AT WORK PLACE OF PFI, PESHAWAR

Meeting of the captioned Committee was held at Pakistan Forest Institute, Peshawar on 31/05/2021 at 11 am in the office of Chairman. The Chairman welcomed the participants and members of the Committee. The Complainant female staff members requested to keep their names secret as they had been assaulted, terrified and harassed and received threats from the accused.

2. It was reported that Muhammad Naveed Mali (BS-03) got recruited against deceased sons' quota with his brother already working in PFI. It was noticed that he was a careless & happy-go-lucky individual, not taking his duty seriously and tried to be free with female staff working at the Pakistan Forest Institute, Peshawar. Actually he was narcotics addict, using intoxicants which changed his behavior, attitude and lost his senses. He did not have control over his actions, he involuntarily became out of control and jumped over female staff with ulterior motives. He frequently used foul, vulgar, indecent, obscene, uncivilized language even before his senior staff and female staff. He crossed limits to touch and get free with female staff using force & violence at times & resorting to harassment and threats of dire consequences when he faced stiff resistance from female staff to defend themselves.

3. He had close relations with notorious criminals, gamblers, outlaws & narcotics peddlers who are involved in thefts and undesirable activities in PFI staff Colony and enter other staff houses assaulting the female staff in absence of male members of the family. He had developed abnormally violent attitude, indecency and immoral life style.

4. Recommendation:

The Committee observed that the complaints by female staff were based on facts corroborated by the observation by the Committee members at times. The Committee found that the accused Naveed Mali (BS-03) found the job too easy and does not consider himself responsible and disciplined to remain in service. People like him are to be handed over to Police and to languish in Jails or mental hospitals. He is untamed, unruly, rogue, undisciplined, irresponsible, character-less and narcotics addict. He is not fit for Govt. job.

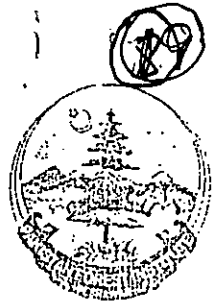
5. The meeting ended on a note of thanks from/to the Chair.

No.	Name of the Officer/Committee Member	Designation	Committee Rank	Signature
1.	Sanam Karim	Director Bio Sciences	Member	<i>Sanam</i>
2.	Anwar Ali	Director Forestry Research Div	Member	<i>Ali</i>
3.	Dr Ghulam Ali Bajwa	Director, NTFP	Chairman	<i>Ghulam Ali Bajwa</i>



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT
PAKISTAN FOREST INSTITUTE, PESHAWAR

Ph: +92 91 9221224, Fax: +92 91 9221233



OFFICE ORDER

Dated 10th June 2021

No. 96 (F.III(Per)-Estt): WHEREAS, Mr. Muhammad Naveed, Mali (BPS-03), Pakistan Forest Institute (PFI), Peshawar was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, for the charges as mentioned in the Show Cause Notice, served upon him vide No.579/F.IV(Per)-Estt, dated 3-5-2021.

2. AND WHEREAS, the Competent Authority, after scrutiny of the relevant record and documents of the case decided to dispense with the Inquiry proceedings as per Rule 5 (a) of the Rules ibid and served a Show Cause Notice upon the above named accused official to which he did not like to respond. The accused was provided ample opportunity of personal hearing but he did not care to avail the opportunity of personal hearing after lapse of several weeks.

3. AND WHEREAS, the Committee on Harassment of Women at Work Place of PFI, Peshawar, as constituted under Government of Khyber Pakhtunkhwa Protection against Harassment of Women at Workplace Act 2018, recommended that the accused Mr. Muhammad Naveed, Mali (BPS-03) was guilty and not fit for Government Service. He was rogue, character-less and a narcotics addict.

4. NOW, THEREFORE, the Competent Authority, after having considered the charges, evidence on record and recommendation of the Committee on Harassment of Women at Work Place of PFI, Peshawar and exercising his powers under Rule-7(f) read with Rule-4(1)(b)(iv) of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011, deems it appropriate to impose the major penalty of "DISMISSAL FROM SERVICE", upon Mr. Muhammad Naveed, Mali (BPS-03), PFI, Peshawar, for misconduct and involvement in immoral activities, with immediate effect.

-sd-

DIRECTOR GENERAL

ENDST. NO. & DATE EVEN:

A copy is forwarded to:

1. Executive Officer, Pakistan Forest Institute, Peshawar
2. Administrative Officer (B&A), Pakistan Forest Institute, Peshawar
3. APS to Director General, PFI, Peshawar
4. Mr. Muhammad Naveed, ex-Mali, Pakistan Forest Institute Peshawar

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service appeal No. 597- P/2022

Mr. Muhammad Naveed, Mali (BPS-03)
Pakistan Forest Institute (PFI), Peshawar

.....**APPELLANT**

VERSUS

1. The Secretary, Forestry, Environment & Wildlife Department, Government of Khyber Pakhtunkhwa
2. The Director General, Pakistan Forest Institute, Peshawar

.....**RESPONDENTS**

PARAWISE COMMENTS ON BEHALF OF RESPONDENT No. 1,2

Respectfully Sheweth:

Preliminary Objections:

1. That the appellant has no legitimate cause of action.
2. That the appellant has no locus stand to file instant appeal.
3. That the appellant has not come to the Hon'ble Khyber Pakhtunkhwa Service Tribunal, with clean hands.
4. That the appeal is not maintainable due to mis-joinder and non- joinder of necessary parties.
5. The post of Chief Conservator, PFI, Peshawar not existed in Pakistan Forest Institute, Peshawar as mentioned respondent No. 3 in the subject appeal.

Respected Sir:

6. That the appeal of the appellant is badly time barred.

1. Pertaining to record.
2. Incorrect. That the appellant was insolent of PFI Colony and always quarrelling with his seniors. In this regard, complaints of PFI Colony residents alongwith recommendations of Executive Officer, PFI letter for taking appropriate action is attached (**Annex – A, B, C, D & E**).
3. Incorrect and misleading. That besides, narcotics addict, using Ice and other most dangerous drugs, he was a malingerer and habitual absentee. In this regard, explanations/reports and leave without pay of the appellant are as under:

a. Explanation No. 404/EO(15)-2020, dated 24.11.2020 (**Annex - F**)

- b. Leave without pay vide office order No. 209/F.IV(Per)-Estt, dated 21.12.2020 (**Annex - G**)
 - c. Explanation No. 424/EO(40)2020, dated 14.02.2020 (**Annex - H**)
 - d. Explanation No. 430/154/2020, dated 28.12.2020 (**Annex - I**)
 - e. Explanation/Absentee report vide No. 158/F.V(Per)-Estt, dated 26.01.2021 (**Annex - J**)
4. Incorrect and misleading. As explained in para 3 above.
5. Incorrect. As explained in para No. 3 above that Show cause notice was served to appellant through Security Guard and proper signature of the appellant was obtained from him (**Annex - K**). It is to mention that the competent authority issued dismissal order of the appellant after receiving report of the "committee on harassment of women employee of PFI at work place" (**Annex - L**). It is further to mention that his crime like assaulting female staff, narcotics addiction, theft, running gangs, harboring criminal outsiders in PFI staff colony residence and misconduct was so gruesome and heinous that serving statement of allegation/charge sheet was considered a futile exercise, wastage of state stationary and human energy.
6. As explained in para No. 2, 3 & 5.

Grounds

- A. Incorrect: That the appellant was dismissed from service after proper investigations upon the reports/complaints received to this office. It is to mention that under the influence of narcotics, the petitioner felt regal, started considering the female staff of PFI as his personal property and insulted them. One female staff member in her defense banged the office register on his head to defend herself which he took as insult and threatened her with dire consequences. Similarly another female staff member made an identical complaint with tears in her eyes. The matter was assigned to the PFI committee on harassment of women at work

place. The committee declared the petitioner Mr. Muhammad Naveed, Mali (BS-03) unfit to retain in Government Service, recommended to send him to jail or mental hospital (**Annexure - L**).

- B. Incorrect. As explained in para 5 of facts.
- C. Incorrect and misleading. As explained in para No. 5 of the facts. In this regard, newspaper ads were not required. He wander around due to intoxication and euphoria induced by narcotics he used.
- D. Incorrect and misleading. That tangible and concrete proofs are on record. He never appeared for personal hearing, always sending his old aged mother and other relatives giving false defense in his favour. He had no defense at all. His thoughts were incorrect irrational, immoral and unacceptable to norms of the society.

In view of the above, it is requested that the petition being ^{devoid} baseless and ~~void~~ devoid of merit may please be dismissed in limine.

Director General
Pakistan Forest Institute,
Peshawar
Respondent No. 1

Secretary,
Government of Khyber Pakhtunkhwa
Forestry, Environment & Wildlife Department
Respondent No.2

Submitted for vetting P/s. ~~gud~~ Clerk 17/6/22

~~Respondent no. 1~~

vetted
subject to correction
annexed all relevant
documents alongwith index
and affidavit

[Signature]
17/6/22
District Attorney
Khyber Pakhtunkhwa
Service Tribunal Peshawar