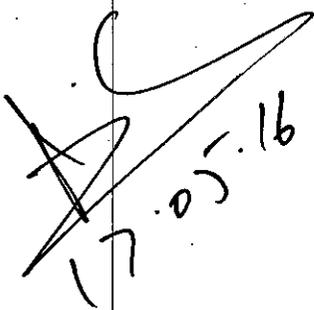


S.No. of proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	17.05.2016	<p align="center"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p align="center"><u>CAMP COURT ABBOTTABAD</u></p> <p align="center"><u>APPEAL NO. 1046/2015</u></p> <p align="center"><u>Muhammad Maroof Versus Province of Khyber Pakhtunkhwa through Secretary Environment Department, Peshawar and 4 others.</u></p> <p align="center"><u>JUDGMENT</u></p> <p align="center"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:-</u></p> <p>Counsel for the appellant and Mr. Muhammad Siddique, Senior Government Pleader alongwith Mr. Aminul Islam, SDFO for respondents present.</p> <p>2. Mr.. Muhammad Maroof, Forest Guard hereinafter referred to as the appellant has preferred the instant appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the final order dated 31.08.2015 vide which punishment imposed by the competent authority vide order dated 30.6.2015 in the shape of compulsory retirement from service and recovery of Rs. 1,62,700/- was modified by setting aside the said punishment to the extent of compulsory retirement.</p> <p>3. Brief facts giving rise to the case of the appellant are that with connivance of one Muhammad Siddique Chola Guard the appellant allegedly managed illicit cutting of trees and selling the same and thus</p>

 17.05.16

causing huge colossal illicit damage to the forest.

4. We have heard arguments of learned counsel for the parties and perused the record.

5. Perusal of the record would suggest that no regular enquiry was conducted and appellant afforded no opportunity of hearing in the prescribed manners. We therefore deem it appropriate to refrain ourselves from touching other aspect of the case and would, therefore, order that an enquiry in the prescribed manners be conducted by the competent authority on the allegations attributed to the appellant wherein proper opportunity of participation be afforded to the appellant in the prescribed manners and orders deem appropriate be there-after passed by the competent authority within a period of one month from the date of receipt of this judgment. The impugned order dated 31.08.2015 is therefore set aside and appeal disposed of in the above terms. Parties are left to bear their own costs. File be consigned to the record room.


(Abdul Latif)
Member


(Muhammad Azim Khan Afridi)
Chairman
Camp Court, A/Abad.

ANNOUNCED
17.05.2016

01.10.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Forest Guard when subjected to inquiry on the allegations of sustaining loss of forest trees and vide impugned order dated 30.6.2015 apart from imposition of fine of Rs. 162700/- he was compulsorily retired from service regarding which he preferred departmental appeal which was decided vide impugned order dated 31.8.2015 wherein the punishment of compulsory retirement was set-aside while the imposition of penalty of recovery of the afore-stated amount was maintained where-after the instant service appeal was preferred on 28.9.2015.

That neither any proper inquiry was conducted nor charge sheet etc issued and as such the imposition of the penalty of recovery is against facts and law.

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 20.1.2016 before S.B at Camp Court Abbottabad as the matter pertains to the territorial limits of Hazara Division. Notice of application be also issued for the date fixed. Till then no recovery shall be made from the appellant.

Appellant Deposited
Security & Process Fee


Chairman

20.1.2016

Appellant in person and Mr. Muhammad Iqbal, SDEO alongwith Mr. Muhammad Saddique, Sr.GP for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 17.5.2016 at Camp Court A/Abad. The restraint order shall continue.

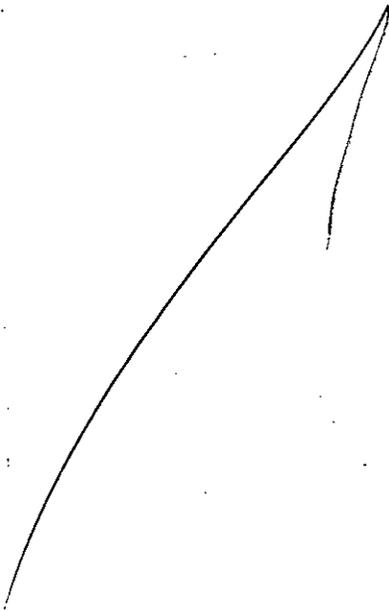

Chairman
Camp Court A/Abad

FORM-A

FORM OF ORDER SHEET

Court _____

Case No. 1046/2015

	Date of order/ proceedings	Order or other proceedings with signature of Judge/ Magistrate
1	2	3
1.	28.09.2015	<p>The appeal of Mr. Muhammad Maroof presented to-day by Shahzada Irfan Zia, Advocate, may be entered in the institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	30-9-15	<p>This case be put up before the S.B for preliminary hearing on <u>01-10-2015</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> 

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

IN RE:

Service Appeal No.

1046 / of 2015

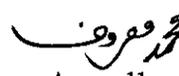
Muhammad Maroof, Forest Guard... .. Appellant

VERSUS

Province of Khyber Pakhtunkhwa, through
Secretary Environment Department and others... .. Respondents

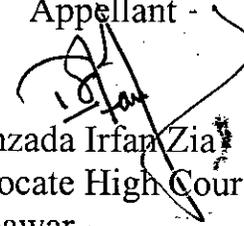
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10.	Vakalat Nama		



Appellant -

Through:


Shahzada Irfan Zia
Advocate High Court
Peshawar

Dated: 23.09.2015

13-C, Haroon Mansion,
Khyber Bazar, Peshawar.
Cell # 0300-9345297

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

K.W.F. Province
Service Tribunal
Diary No. 1113
dated 28-9-15

Service Appeal No. 1046 / of 2015

Muhammad Maroof, Forest Guard,
Siran Forest Division, Mansehra... .. Appellant

VERSUS

1. Province of Khyber Pakhtunkhwa
through Secretary Environment Department,
Peshawar.
2. Chief Conservator of Forests-I,
Khyber Pakhtunkhwa, Peshawar.
3. Conservator of Forests,
Lower Hazara Forest Circle, Abbottabad.
4. Divisional Forest Officer,
Siran Forest Division, Mansehra.
5. Sub-Divisional Forest Officer,
Lower Siran Forest Sub-Division
Shinkiari... .. Respondents

Filed in-
Registrar
28/9/15

APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT
1974 AGAINST THE IMPUGNED ORDER
DATED 30.06.2015, WHEREBY TWO
PENALTIES MENTIONED HEREIN BELOW
WERE IMPOSED UPON THE APPELLANT:-

- (i) Recovery of rs. 1,62,700/- loss sustained
of 19 chir trees,
- (ii) Compulsorily retirement from service.

AND THE DEPARTMENTAL APPEAL OF THE
APPELLANT DATED 10.07.2015 WAS PARTLY
ACCEPTED AND HE WAS REINSTATED INTO
SERVICE VIDE ORDER DATED 31.08.2015 BUT
THE PUNISHMENT OF RECOVERY OF RS.
1,62,700/- REMAINED INTACT.

Respectfully Sheweth:-

FACTS OF THE CASE.

1. That the appellant is a regular member of Provincial Civil Service of Forest Department, serving as Forest Guard, having 37 years meritorious service and his entire service career is spotless and no cause of complaint was ever reported against him. He is due for retirement on October 2016 after attaining the age of superannuation.
2. That as per factual position of the case is concerned that one Muhammad Siddique, Chola Guard was called by the S.D.F.O in his office and he was pressurized to make a fake statement that loss caused to the Forest was due to active connivance of appellant (Muhammad Maroof) and the said statement maker, but he refused to do so. On his refusal he was physically tortured and kept in illegal detention. As a result under threat and torture the said Muhammad Siddique agreed to do so and signed the fake statement prepared by SDFO. (Annex: A) The conscience of the said person blamed him and he made an other statement written on judicial Stamp Paper, denying his previous statement which was taken under pressure. (Annex: B).
3. That after obtaining the fake statement of Chola Guard (Muhammad Siddique), the SDFO with malafide intent to justify his position referred the matter to respondent No.4 for action against the responsible persons. As a result a Show Cause Notice was served upon the appellant on 25.05.2015. (Annex: C&D).
4. That the appellant submitted his reply to show cause notice and vindicated his plea and position, and submitted a graphic account of all Factual Position, but his reply went unheeded. (Annex: E).
5. That on 30.06.2015 the respondent No.4 passed/issued the impugned order whereby he imposed the following penalties upon the appellant:-
 - (i) Recovery of Rs. 1,62,700/- loss sustained of 19 Chir trees;

(ii) Compulsorily retirement from service.

(Annex: F).

6. That feeling aggrieved the appellant filed his departmental appeal dated 10.07.2015 against the impugned order, before the respondent No.3. The respondent No.3 partly accepted his appeal and he was reinstated into service, but the penalty of recovery of loss of Rs. 1,62,700/- remained intact. (Annex: G&H). Hence the present appeal is being filed inter alia on the following grounds:

GROUNDS:

- a. That the entire case against the appellant has been designed, as a result of under hand activity, to protect the supervisory staff, who was directly responsible for the entire affairs. Thus hostile attitude of the SDFO is quite obvious from the record. The statement of Muhammad Siddique was also sufficient to establish that the action taken against the appellant was pre-meditated to cover the lapses of supervisory staff.
- b. That what is strange enough that no legal process was adopted such as neither charge sheet was served upon the appellant, nor any inquiry was conducted, which is a clear violation of the rules.
- c. That no chance of personal hearing was afforded to the appellant neither by the competent authority nor by the Appellate authority, hence he was condemned unheard.
- d. That according to the rules, in case of ~~Factual~~ ^{Controversed} initiation of ~~regular~~ inquiry is mandatory, but the same has not been conducted, thus the appellant could not justify his plea and position, therefore, entire of the ~~proceedings are~~ ^{proceedings are} illegal, ultra vires of the rules and unwarranted by law.

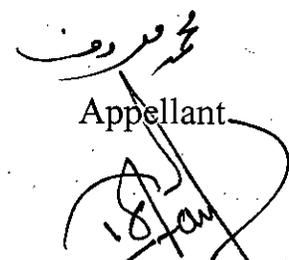
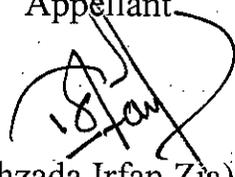
- e. That the order of recovery is illegal and void. Where responsibility is not determined nor ascertained by the competent authority impartially and recovery of loss calculated merely on the basis of suspicion, without any valid evidence, in such situation order of recovery cannot be passed. No coercive steps nor recovery of any loss, from the civil servant, could be taken unless the question of liability/responsibility is fully established and determined. Thus the order of recovery is not sustainable under the law.
- f. That the appellant will raise more legal grounds at the time of arguments, with the permission of the Court.

In view of the aforesaid facts and circumstances of the case it is humbly prayed that the impugned order dated 30.06.2015 may graciously be set aside being illegal and void, and the final order dated 31.08.2015 may kindly be set aside to the extent of recovery of Rs. 1,62,700/- being illegal and void and the respondents be restrained from effecting any recovery from the appellant, and be directed to refund all the amount already recovered.

Any other relief though not specifically asked for to which the appellant is found entitled in the circumstances of the case may also be granted to the appellant.

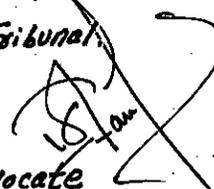
Dated: 23 .09.2015

Through:


Appellant

(Shahzada Irfan Zia)
Advocate, Peshawar.

Certificate

Certified on oath that no such appeal on behalf of appellant earlier been filed before this Tribunal.


Advocate

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M. No. _____ / of 2015
IN RE:

Service Appeal No. _____ / of 2015

Muhammad Maroof, Forest Guard... Applicant

VERSUS

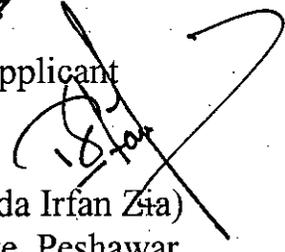
Province of Khyber Pakhtunkhwa, through
Secretary Environment Department and others... Respondents

APPLICATION FOR INTERIM RELIEF.

Respectfully Sheweth:

1. That the above cited appeal has been filed before this Honourable Tribunal in which no date of hearing has yet been fixed.
2. That the applicant/appellant has a good prima facie case and he is sanguine about the success of his case.
3. That in case the order of recovery is not suspended, the applicant will suffer irreparable loss.
4. That the facts and grounds of main appeal may kindly be considered as integral part and parcel of this application.

It is, therefore, humbly prayed that the impugned order of recovery dated 31.08.2015 may kindly be suspended to the extent of recovery of Rs.1,62,700/- till the final decision of the instant appeal.


 Applicant

 (Shahzada Irfan Zia)
 Advocate, Peshawar.

Dated: 23.09.2015

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M. No. _____ / of 2015
IN RE:

Service Appeal No. _____ / of 2015

Muhammad Maroof, Forest Guard... Applicant

VERSUS

Province of Khyber Pakhtunkhwa, through
Secretary Environment Department and others... Respondents

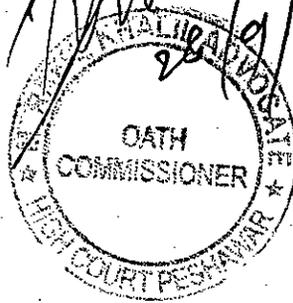
AFFIDAVIT

I, Muhammad Maroof, Forest Guard Siran Forest Division, Mansehra, do hereby solemnly affirm and declare that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

Deponent

IDENTIFIED BY:

(Shahzada Irfan Zia)
Advocate, Peshawar.



To

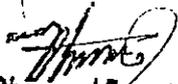
No 51/LS
11.5.2015

The DFO,
Siran Forest Division,
Manchra

Subj

Checking of Masson RF 5 (i) & 5 (ii)

It is submitted that I have checked the Masson RF 5 (i) & 5 (ii) along with staff and prepared list of damage which is forwarded for favour of information and further course of action please


Sub Divisional Forest Office,
Lower Siran Forest Sub Divisn.
SHINKIARI


DFO

attested


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



NO. 1115 /GE
Dated 25/05/2015

Annex: (D)
10

Mr. Muhammad Maroof Forest Guard
c/o SDFO Lower Siran Forest Sub-Division

Subject: - CHECKING OF MASSAR RFC-5(I),(II) - SHOW CAUSE NOTICE

The Sub-Divisional Forest Officer Lower Siran Forest Sub-Division alongwith Forester Incharge and other field staff checked Massar RFC-5(i),(ii) on 26-4-2015 and submitted report vide No.51/LS dated 11-5-2015 where 19 Chir trees = 1627-Cft(S.V) fresh illicit damage was detected by him as per his report alongwith its enclosures (copy enclosed).

In this regard one Muhammad Siddique s/o Ghulam Qadir of Khanpur Mira (Chola Guard) has given a statement that the said illicitly cut trees has been sold by Muhammad Maroof Forest Guard and he is responsible for the damage. Such huge colossal illicit damage in a short span of time can never occur without your active connivance. The spot situation proves your direct involvement timber smuggling for sale purpose, hence you are found guilty of In-efficiency, Mis-Conduct and Corruption. Hence you are liable to be proceeded against under the provisions of E&D Rules, 2011 on account of cutting of green trees for timber trade.

The Authority is fully satisfied that you instead to protect the Forest resources joined hands with the timber smugglers and facilitated them in illicit cutting of trees for your sweet ulterior motives by selling of 19 Chir trees = 1627-Cft (Standing Volume), the converted volume of which comes to 814-Cft and you are responsible to pay the loss sustained to Government at the schedule of compensation @ Rs. 1000/- per Cft., which comes to Rs. 814000/-

Therefore, before further action is taken in the matter, the undersigned in the capacity of authority and under the provisions of E&D Rules, 2011, you are hereby served with this Show Cause Notice to explain as to why the Major penalty may not be imposed upon you in addition to the recovery sustained to Government ex-chequer due to your own ulterior motives.

Your reply to the Show Cause notice should reach to the undersigned within Seven (07) days of the issue of this notice falling which, it will be presumed that you have nothing to say in your defense and ex-party action shall be taken against you.

(Muhammad Riaz)
Divisional Forest Officer
Siran Forest Division Mansehra

No. _____ /GE

Copy forwarded to Sub-Divisional Forest Officer Lower Siran Forest Sub-Division for information and necessary action with reference to his No. 51/LS dated 11-5-2015. He is directed to handover the Show Cause Notice to Muhammad Maroof Forest Guard under proper receipt which may be sent to this office for further necessary action and also get reply from the Forest Guard concerned and submit to this office alongwith your comments

Divisional Forest Officer
Siran Forest Division Mansehra

attested
15

جناب عالی!

گزارش ہیکہ بحوالہ شوکا ز نوٹس مندرجہ بالا عنوان بابت نقصان جنگل ماسٹر RF کپارٹمنٹ نمبر (i)، (ii) 5 فردوی پرنقصان جنگل ان این شنس، میں کنڈکٹ اور کرپشن کا الزام لگا کر جواب طلب کیا ہے۔ فردوی اپنے اوپر لگائے گئے جملہ الزامات سے انکاری ہے۔ اور درج ذیل معروضات پیش کرنے کی اجازت چاہتا ہے۔

۱۔ یہ کہ محمد صدیق ولد غلام قادر ساکن خانپور میرہ نے یہ تحریری بیان دیا ہے۔ کہ SDFO صاحب لوٹمرن ہمراہ شاف جو نقصان جنگل کی لسٹ بنائی ہے وہ درختان محمد معروف Fgd نے فروخت کیے ہیں۔ یہ بیان کسی طور پر بھی درست نہیں اور خلاف واقعہ ہے۔

۲۔ یہ کہ میں نے محمد صدیق نامی شخص کو SDFO صاحب لوٹمرن کے حکم پر دفتر SDFO بلا یا تھا۔ جسے SDFO نے فردوی کی موجودگی میں ڈرانہ، دھمکانا اور گم گلوچ دینی شروع کر دی اور کمرے میں بند کر دیا اور مجھے واپس بھیج دیا۔ میرے جانے کے بعد کمرے میں گھنٹوں میں بے جا میں رکھ کر ذہنی ازیت دی گئی اور اپنی مرضی کا بیان دینے کے لیے دباؤ ڈالتے رہے جب انکاری ہوا تو اسے SDFO صاحب نے خود اور دیگر ان شاف سے مار پٹائی شروع کر دی اور انتہائی مجبور کر کے ایک سادہ کاغذ پر دستخط لیکر اور انگوٹھا لگا کر رات کو چھوڑا اور دھمکی دی کہ تم جو بیان لکھیں گے اگر آپ نے اس کی تائید نہ کی اور انکاری ہوئے تو آپ پر تھانہ شکنجاری میں پرچہ کیا جائے گا اور جنگل کی رپورٹیں کر کے آپ کے پورے خاندان کو جیل بھیجیں گے۔ ایک غریب لاچار اور بے کس انسان پر ظلم کی انتہا کی گئی کسی بھی قانون میں کسی سے زبردستی اور دباؤ میں مار پیٹ کر کے دستخط لینا خلاف قانون ہے بیان کوئی وزن اور حقیقت نہیں رکھتا۔

۳۔ یہ کہ نہ میرا صدیق سے کوئی رشتہ اور ذاتی تعلق نہیں ہے کہ میں اسکے کسی قول و فعل کی ذمہ داری قبول کروں۔ محمد صدیق نے سادے کاغذ پر لیے گئے دستخط اور انگوٹھے کی بابت بیان حلفی روبرو گواہان دی ہے جو بیان حلفی مجاز عدالت سے تصدیق شدہ ہے۔ جس میں محمد صدیق نے کسی قسم کے بیان سے انکاری ہے اور زبردستی اور ڈرا، دھمکا کر لیے گئے دستخط انگوٹھے کو غیر اخلاقی و غیر قانونی تسلیم کیا ہے۔ ثبوت کے طور پر محمد صدیق کی عدالت کے روبرو دی گئی بیان حلفی انہی جواب ہذا ہے۔

۴۔ یہ کہ جہاں تک ماسٹر RF کپارٹمنٹ نمبر (i)، (ii) 5 میں دیئے گئے 19 درختان قسم چیز کی چیکنگ کا تعلق ہے تو فردوی کے عرصہ تعیناتی کے دوران جو بھی نقصان جنگل ہوا ہے۔ فردوی نے بروقت کارروائی کی ہے۔ دوران چیکنگ، چیکنگ پارٹی ڈیٹیکٹ رپورٹ بک اور دیگر ریکارڈ ساتھ لے گئی تھی۔ فردوی SDFO صاحب کو متواتر تہنی گارڈ بک جاری کرنے کی زبانی اور تحریری درخواست کرتا رہا۔ لیکن گارڈ بک جاری نہیں کی۔ فردوی کی دوران تعیناتی جو بھی نقصان ہوا ہے فردوی نے بروقت کارروائی کی ہے۔ عوضاتہ وصل کیا ہے اور لکڑی ضبط کر کے ریزن شیڈ پہنچائی ہے۔ ثبوت کے طور پر رپورٹ ہائے کی نقول شامل جواب ہے۔

۵۔ یہ کہ اگر SDFO صاحب نے میری بیٹ چیک کرنی تھی تو فردوی SDFO صاحب کے ماتحت تھا۔ فردوی کو چیکنگ کی اطلاع

attested
(15)

دی جاتی اور ساتھ رکھ کر چیکنگ کی جاتی تو فدوی موقع پر ہونے والے نقصان کی بابت وضاحت کرتا۔ فدوی نے جب چارج سنبھالا تو تازہ 544 منڈلی جات کی لیسٹ جناب SDFO صاحب کو برائے کاروائی دی تھی۔ اس پر مزید کاروائی SDFO صاحب نے کرنی تھی۔ فدوی کو ملوث کرنے اور نقصان دینے کی خاطر فدوی کو لاکھوں روپے کا 19 درختان کی لیسٹ دی گئی۔ جو بے بنیاد، بلا ثبوت اور غیر قانونی ہے۔

۶۔ یہ کہ ماسٹر کمپارٹمنٹ نمبر 5 SDFO آفس سے چند فلائنگ کے فاصلے پر بالکل سامنے واقع ہے۔ اگر واقعی نقصان جنگل ہو رہا تھا تو متعلقہ بلاک افسر اور SDFO نے کوئی ایک، آدھ گرفتاری کیوں نہ کر سکی۔ جو اس بات کا ثبوت ہے کہ جنگل میں کوئی تازہ نقصان بلا کاروائی نہیں تھا۔

فدوی نے دوران تعیناتی جو بھی نقصان ہوا ہے بروقت ملزمان کے خلاف قانونی کاروائی کی ہے۔ جس کا ثبوت لف جواب ہے۔ محمد صدیق سے سادہ کاغذ پر زبردستی دباؤ ڈال کر جو دستخط و انگوٹھا لیا گیا ہے۔ جس کی کوئی قانونی حیثیت نہیں ہے رو برو گواہان عدالت میں اپنا حلفاً بیان ریکارڈ کر کر بیان حلفی تصدیق کروائی ہے۔ لیسٹ جنگل منڈلی جات من گھڑت بلا جواز اور بے بنیاد ہے جو فدوی کو نقصان پہنچانے کی خاطر ملوث کرنے کی کوشش کی گئی ہے لگائے گئے جملہ الزامات بلا ثبوت ہیں۔ فدوی نے کبھی بھی اپنے فرائض منصبی میں غفلت نہیں برتی اور کبھی کسی ملزم کے ساتھ نقصان جنگل میں ملوث نہیں رہا۔ جس کا ثبوت ملزمان سے ہوا نہ و سولی اور ڈنچ رپورٹ لکڑی کا ضبطگی ہے۔ استدعا ہے کہ فدوی جملہ الزامات سے بری فرمایا جائے۔ اور اساتذہ پیش ہو کر وضاحت کی اجازت فرمائی جائے۔

التماسی عرض

محمد معروف فارسٹ گارڈ سب ڈویژن شکیاری

6 ستمبر 2015

attested
18/9

(Annex: **F**)
13

Read with:

- i SDFO Lower Siran letter No. 51/LS dated 11-5-2015
- ii Statement of Muhammad Siddique s/o Ghulam Qadir of Khan Pur Cholla Guard dated 26-4-2015.
- iii Show Cause Notice served upon the accused vide No. 11115/GE dated 25-5-2015 and remainderd No. 12340/GE dated 2-6-2015.
- iv Reply to show cause notice dated 18-6-2015.
- v Personal hearing dated 22-6-2015

The Sub-Divisional Forest Officer Lower Siran Forest Sub-Division alongwith Forester Incharge and other field staff checked Massar RFC-5(i),(ii) on 26-4-2015 and submitted report vide No 51/LS dated 11-5-2015 where 19 Chir trees = 1627-Cft(S.V) fresh illicit damage was detected with the active connivance of Mr. Muhammad Maroof Forest Guard Incharge beat one Muhammad Siddique s/o Ghulam Qadir of Khanpur Mira (Cholla Guard) has given a statement that the said illicitly cut trees has been sold by Muhammad Maroof Forest Guard and he is responsible for the huge colossal illicit damage.

Accordingly, a show cause notice was served upon the accused official vide this office No. 11115/GE dated 25-5-2015 & No. 12340/GE dated 2-6-2015.

Reply to show cause notice furnished by the accused official was critically examined. The accused official was heard in person on 22-6-2015 to offer him last opportunity to explain and justify his non-involvement in the illicit cutting of trees. During the course of personal hearing accused official failed to defend himself. However, the scrutiny of relevant record, after detailed discussion with the accused reveals that the charges leveled against Mr. Muhammad Maroof Forest Guard are found established.

Answering/questioning session held during the personal hearing and reply to show cause notice has also been perused and the undersigned reached to the conclusion that the accused official found guilty of charges leveled against him. While on the other hand his service record is a living witness/proof to prove the charges of inefficiency, misconduct and corruption as leveled against him. Hence the charges of In-efficiency, Mis-conduct and Corruption found fully established beyond any doubt.

Keeping in view the above situation and overall service record of the accused Forest Guard found quite dirty and he is a permanent proved liability, burden and blood cancer of Department since long, rather undesired stigma on the fore head of Forest Department as evident from his service record and field performance. Record shows that selling, cutting and connivance in illicit trade of timber remained his hobbies in his total service tenure. Therefore, undersigned in the capacity of authority hereby order to imposed the following penalties to the accused official namely Muhammad Maroof Forest Guard as under -

1. Recovery of Rs. 162700/- loss sustained of 19 Chir trees - 1627-Cft (Standing Volume) at the schedule of compensation @ Rs. 100/- per Cft.
2. Compulsorily Retirement from Service with immediate effect in the best interest of public service and state as well

Sd/- (Muhammad Riaz)
Divisional Forest Officer
Siran Forest Division Mansehra

Copy forwarded to

1. The Conservator of Forests Lower Hazara Circle Abbottabad for favour of information please.
2. Sub-Divisional Forest Officer Lower Siran Forest Sub-Division for information and necessary action.
3. Muhammad Maroof Forest Guard c/o SDFO Lower Siran Forest Sub-Division for information and necessary action

attested
18

بخدمت جناب کنزرویٹر صاحب فارسٹ لوئر ہزارہ سرکل ایبٹ آباد (Annex: 6)

اپیل برخلاف آفس آرڈر نمبر 290 مجریہ 30/06/2015 عنوان:-

14

جناب عالی!

گزارش ہے کہ بحوالہ آفس آرڈر نمبر 290 مجریہ 30/06/2015 فدوی کو ایک انکوآری ناجائز کٹائی درختان ماسٹر RF کمپارٹمنٹ نمبر (i)-(ii) 5 میں قصور وار ٹھہرا کر 162700 روپے ریکوری اور ملازمت سے زبردستی ریٹائرڈ کرنے کا حکم نامہ جاری کیا ہے۔ فدوی جناب کی خدمت میں درج ذیل عرض گزار ہے اور جناب سے اپیل کرتا ہے کہ آفس آرڈر نمبر 290 مجریہ 30/06/2015 کو ختم کر کے ریکوری ختم کرنے اور ملازمت پر بحال کرنے کا حکم صادر فرمایا جائے۔

۱۔ یہ کہ فدوی نے شوکاژ نوٹس نمبر 11115/GE مجریہ 25/05/2015 جناب DFO صاحب سرن کو مفصل جواب دیا تھا۔ اور نقصان جنگل میں ملوث نہ ہونے اور نقصان جنگل میں ملوث ملزمان جنگل کے خلاف کی گئی کارروائی مع ثبوت پیش کی تھی۔

۲۔ یہ کہ آفس آرڈر نمبر 290 مجریہ 3076/75 میں صدیق نامی جو لے گاڑ کے بیان کو بنیاد بنایا ہے اور فدوی کی محکمہ کی سابقہ کارکردگی کا حوالہ دے کر فدوی کو سزا دی ہے تو جناب صدیق نامی جو لے گاڑ کا فدوی کے ساتھ کوئی تعلق نہیں ہے دوسرے خود رضا کارانہ طور پر اپنے بیان سے متعلق بیان حلفی دے کر رو برو گواہان منحرف ہو چکا ہے۔ جہاں تک سابقہ کارکردگی کو جواز بنایا گیا ہے تو فدوی کے خلاف ماضی میں اگر کوئی انکوآری کا جواز بنایا گیا تو سزا جزا کے بعد فدوی کو دوبارہ سزاوار ٹھہرانا خلاف قانون ہے۔

۳۔ فدوی کو دوران ذاتی شنوائی سوال و جواب اور جرح کے حق سے محروم رکھا گیا ہے اور رپورٹ کنندہ گواہان پر سوالات جواب کرنے اور جرح کرنے کا بنیادی قانونی حق تھا جو نہیں دیا گیا۔

۴۔ فدوی کے خلاف دوران انکوآری کیٹرفہ کارروائی کی گئی اور فدوی کے متوقف اور حقائق کو یکسر نظر انداز کر کے یکطرفہ فیصلہ کیا گیا ہے۔ جو غیر منصفانہ اور خلاف قانونی ہے۔

جناب سے اپیل کی جاتی ہے کہ ڈی ایف او صاحب سرن کی جاری کردہ آفس آرڈر نمبر 290 مورخہ 30-06-2015 کو ختم کر کے فدوی کی انکوآری ختم کرنے اور سروس پر جاری مراعات کے ساتھ بحال کرنے کا حکم صادر فرمایا جائے اور شنوائی کا موقع دیا جائے۔

ارض
10
2015

معروف فارسٹ گارڈ سرن فارسٹ ڈویژن مانسہرہ

attested
10

Readwith

- 1- Divisional Forest Officer Siran Forest Division Mansehra office order No. 290, dated 30-06-2015.
- 2- Appeal dated 10-07-2015 preferred by Muhammad Maroof, Forest Guard.
- 3- Comments furnished by Divisional Forest Officer Siran Forest Division Mansehra vide his letter No. 500/GE dated 24-07-2015.
- 4- Personal Hearing dated 06-08-2015

Brief History

Mr. Muhammad Maroof Forest Guard while posted as incharge Tambah Beat of Lower Siran Forest Sub-Division was involved in illicit damage of 19 Chir trees = 1627 Cft as under:-

Name of Forests	Species	No. of Trees	Volume (Cft)
Masar RF C-5(i)	Kail	07	637
Massar RF C-5(ii)	Kail	12	990
	Total	19	1627

Accordingly the Divisional Forest Officer Siran Forest Division being competent authority served Show Cause Notice to Muhammad Maroof Forest Guard under the provision of Government Servants Efficiency & Discipline Rules, 2011 vide his letter No. 11115/GE dated 25-05-2015 after received of reply to the Show Cause Notice the Divisional Forest Officer vide his letter No. 12377/PC dated 22-06-2015, given chance to the Forest Guard and directed him to appear before him for personal hearing, after conducting of personal hearing of the Forest Guard. The following punishments have been awarded vide DFO, Siran office order No. 290, dated 30-06-2015:

- 1- Recovery of Rs. 162700/- loss sustained of 19 trees = 1627 Cft (Standing Volume) at the schedule of compensation @ Rs.100/- per Cft.
- 2- Compulsorily retired from service with immediate effect in the best interest of public service and state as well.

Discussion

The appellant preferred an appeal before the undersigned (Appellate Authority) against the said order. The Divisional Forest Officer Siran Forest Division was asked vide letter No. 383/GE dated 15-07-2015 to offer his comments on the appeal of the Forest Guard, who offered his comments vide letter No. 500/GE dated 24-07-2015.

Order

Personal hearing of the official / appellant has been conducted personally by the undersigned on 06-08-2015. Besides perusal of all the relevant record, facts and figures, statement of appellant, it has been noticed that he is at the verge of retirement on attaining the age of superannuation. He can not speak due to throat disease and an affidavit produced, while the witness have back out from his statement which taken by the staff on ordinary paper. Therefore by taking a lenient view due to long period of service 37 years at credit of appellant the undersigned being appellate authority is hereby ordered as under:-

- i- The appellant Forest Guard namely Mr. Muhammad Maroof of Siran Forest Division Mansehra is re-instated in service with effect from the date of issuance of his retirement order.
- ii- The punishment regarding recovery worth Rs. 162700/- will remain as such, which should be recovered through installments.
- iii- The intervening period of service is to be treated as leave with pay.
- iv- The appellant is finally warned to be more careful in future, otherwise he will be proceeded strictly in accordance with Efficiency & Discipline Rules, 2011.

Sd/-Javed Arshad
Conservator of Forests
Lower Hazara Forest Circle
Abbottabad

Memo.

Copy forwarded to the:-

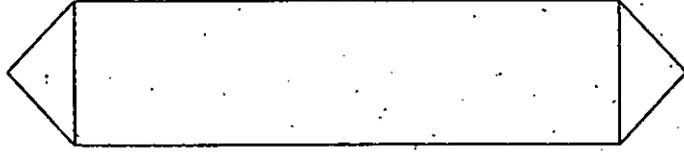
- 1- Divisional Forest Officer Siran Forest Division Mansehra for information with reference to his letter No. 500/GE dated 24-07-2015. The enquiry file from page-1 to 45 received vide letter cited above is returned herewith; which may be acknowledged.
- 2- Muhammad Maroof, Forest Guard for information with reference to his appeal dated 10-07-2015.

Encl. As above
For serial No. 1

Conservator of Forests
Lower Hazara Forest Circle
Abbottabad

attested
J.A.

Before the K.P.K Service Tribunal Peshawar



Amad Maroof

2 مخدوم

23-9-2015 مورخہ

in name of K.P.K
etc

Muhammad Maroof

Service Appeal

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان باللہ میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام Peshawar کے لیے Advocate

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے
اور اس کا ساختہ پر داخنتہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
سبب سے وہ ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

محمد مراد
بنام
صاحب

Accepted by

2015

Sep

at

23 rd

المرقوم

الع د گ و الع

Peshawar

مقام

کے لئے منظور ہے۔

BEFORE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

Appeal No.1046/2015

Muhammad Maroof Forest Guard S/O Jehandad
Village Jandwal Post of Shinkiari T & D Mansehra. **Appellant**

Versus

1. Province of Khyber Pakhtunkhwa, through
Secretary Environment Department Peshawar
2. Chief Conservator of Forests-I
Khyber Pakhtunkhwa, Peshawar.
3. Conservator of Forests
Lower Hazara Forest Circle, Abbottabad
4. Divisional Forest Officer
Siran Forest Division, Mansehra
5. Sub-Divisional Forest Officer
Lower Siran Forest Sub Division, Shinkiari..... **Respondents**

PRELIMINARY OBJECTIONS

1. That the appellant has no cause of action.
2. That the appellant has no locus-standee to file the appeal
3. That the appeal is bad for non joinder of necessary parties and miss joinder of un-necessary parties.
4. That the appellant has been estopped by his own conduct to file the appeal.
5. That the appeal is badly time bard.
6. That the appeal is not maintable its permanent forum.
7. That the Honorable Tribunal has no jurisdiction to entertain the appeal.

REPLY BY THE RESPONDENT

1. It is correct to the extent that the appellant was serving as Forest Guard in Forest Department Siran Forest Division Mansehra and on his written request has been proceeded on 365 days LPR with effect from 01.10.2015 sanctioned vide Divisional Forest Officer Siran

Forest Division Mansehra office order No.83 dated 01.10.2015. After expiry of LPR, the appellant stand retired from Service with effect from 30.09.2016 afternoon. However, it is totally incorrect that entire service carrier by appellant remained immaculate. During his service career, following punishments have been awarded:

- i. Stopped one Annual Increment vide DFO Siran office order No.280 dated 8.4.1992 on account of illicit damage of Five Kail trees in Paryai RFC-1(i). **(Annexure-I)**
- ii. Removed from service vide DFO Siran Office Order No.20 dated 18.7.1993 on account of illicit damage in Paryai Reserved Forest Compartment No.1(ii) & (iii) **(Annexure-II)** which was subsequently set-a-side by the appellate authority vide Office Order NO.28 dated 4.10.1993 and ordered for denove enquiry and thereafter exonerated from the charges.
- iii. Imposed recovery of Rs. 8650/- vide office order No.08 dated 30.12.1997 which was recovered in 4 installments.
- iv. Stopped annual increment fallen due on 1.12.2004 without cumulative effect vide DFO Siran Office Order No.312 dated 22.3.2004. **(Annexure-III)**
- v. Imposed recovery of Rs. 84600/- on account of illicit damage in Massar RF 12(i) & (ii) vide office order No. 138 dated 31.12.2005 **(Annexure-IV)**
- vi. Awarded minor punishment "Character Roll warring" vide DFO Siran Office Order No.35 dated 1.6.2012 **(Annexure-V)** on account of illicit damage in Massar RF compartment No. 12(i), (ii) & (iii).
- vii. Stopped two annual increments for the year 2013 and 2014 vide office order No. 315 dated 29.5.2013 **(Annexure-VI)** on account of illicit damage in Massar RF 9 (iii).
- viii. Compulsory retired from service vide office order No.143 dated 10.1.2014 **(Annexure-VII)** on account of unlawful compromising of Prosecution Case before the Court of District and Session Judge Mansehra dated 23.10.2013 in PC No. 58/2013-14 of Lower Siran Forest Sub-Division which was subsequently set-a-side by the

appellant authority vide office order No. 43 dated 8.5.2014 awarding minor punishment i.e "warned to be careful in future" and intervening period i.e 10.1.2014 to 7.5.2014 sanctioned as leave without pay.

- ix. Compulsory retired from service vide DFO Siran Office Order No. 90 dated 30.6.2015 on account of illicit damage in Massar RFC-5(i) and (ii).

The above series of punishments awarded to appellant strongly rebut his stance contained in the appeal.

2. It is totally incorrect. In fact the SDFO Lower Siran alongwith other staff checked Massar Reserved Forest Compartment No.5(i) and (ii) on 26.4.2014 and detected illicit damage of 19 Chir trees=1627 cft standing volume. The illicit damage was fresh and taken place within a month period. The SDFO Lower Siran Forest Sub Division in fact tried his best to explore the reason regarding occurrence of illicit damage on which Muhammad Siddique S/O Ghulam Qadir of Khanpur Maira (Chola Guard of the appellant) has given a written statement duly witnessed by M/S Arsalan Tariq SDFO, Rafaqat Forester, Amir Forest Guard and Amir Khan Chowkidar categorically stated that enlisted illicit cut trees have been sold by him with the permission of the appellant and therefore he is ready to deposit/pay 50% of total value while the appellant is responsible to pay the remaining 50% of the value of loss sustained by Government. The under taking on stamp paper has no legal status in the eyes of law as none of the prosecution witness affixed his signature on it out of those who signed the previous statement of Muhammad Siddique Chola Guard.
3. As explained above in Para-2 the SDFO Lower Siran who detected the fresh illicit damage in state forests was under the charge of appellant and the damage list alongwith statement of Chola Guard submitted by the respondent No. 5 to competent authority for taking appropriate legal action against the appellant. Therefore keeping in view the gravity of situation, the appellant was rightly served with a Show Cause Notice vide DFO Siran No.11115/GE dated 25.5.2015.
4. It is correct to the extent that appellant has furnished his reply to the Show Cause Notice but could not produced any substantial evidence to prove himself innocent. It is interesting to point out that the appellant has not ever disowned the occurrence of illicit damage in his beat. It is pertinent to mention here that checking was carried out on 26.4.2015 and in para-4 of his reply to the show cause notice (Annexure-VIII) the

appellant stated that the checking party was collected the Guard Book from him, for which he approached the SDFO with the request for provision of new guard book which was not supplied. However, he initiated appropriate action against the forest offenders, realized compensation and confiscated timber. Had the guard book was not available with the appellant, how he issued damage reports? He issued last damage report bearing No.88/14 dated 30.3.2015 afterward he failed to visit his beat as the maximum enlisted damage was within 20/25 days i.e after issuance of last damage report.

5. It is correct.
6. It is correct. The decision of appellate authority is correct as due to poor performance of appellant the Government exchequer has sustained a huge loss. The appellant is liable to pay the amount of Rs.162700/- as per decision of competent authority which subsequently upheld by the appellate authority.

GROUNDS

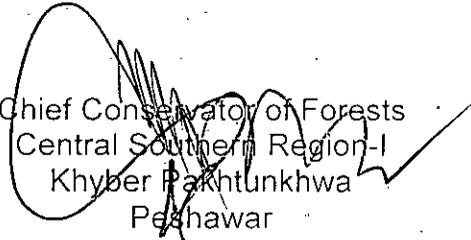
- a. It is totally incorrect. The action taken against the appellant is quite correct. It was the sole responsibility of appellant to protect the forest wealth at all cost by conducting touring round the clock but he badly failed to do so. It is interesting to point out that in reply to question, No.2 during personal hearing, the appellant has stated very boldly that on 26.4.2015 early in the morning at 0500 hours, the SDFO Lower Siran Forest Sub Division, informed him telephonically that ponies loaded with illicit forest produce /timber procured from Massar RF C-5(i) (ii) and (iii) were run away from them and therefore immediately reach on spot. In compliance he proceeded to the spot, enquired in to the matter and apprehended 8 logs near a Poultry Farm and brought it to the Resin Shed Shinkiari. This statement of appellant ultimately approved the occurrence of illicit damage in his beat as well as his absence from duty.
- b. It is incorrect. The proceeding against the appellant was finalized under Rule-5 of Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011.

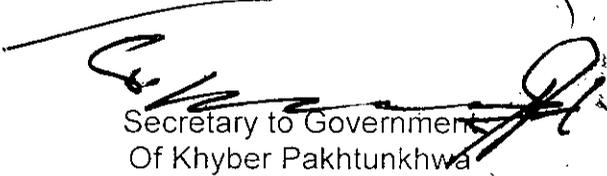
- c. It is incorrect. Proper opportunity of personal hearing as required under the rules was provided to the appellant. The statement of personal hearing recorded is enclosed for ready reference as **Annexure-IX**
- d. As explained in Para-b above, the appellant was served with a show cause notice under Rule-5 of Khyber Pakhtunkhwa Government Servant (E&D) Rules 2011. The appellant furnished his detail reply and after affording the chance of personal hearing, the proceeding was correctly finalized and the punishment so awarded is also quite correct according to the guilt of appellant.
- e. It is incorrect. The recovery imposed upon the appellant is determined appropriately @Rs.100/- per cft as contained in Para-5 of Schedule of Compensation Rules, 2004 approved by the Provincial Government in pursuance with the provision contained in Khyber Pakhtunkhwa Forest Ordinance 2002.
- f. Need no comments.


Sub Divisional Forest Officer
Lower Siran Forest Division
Shinkiari


Divisional Forest Officer
Siran Forest Division
Mansehra


Conservator of Forests
Lower Hazara Circle
Abbottabad


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


Secretary to Government
Of Khyber Pakhtunkhwa
Environment Department
Peshawar

Office order No 280 dated Manshra The 08-04-1992 Issued by
MR. AMANULLAH Khan Divisional Forest Officer Siran Forest Division Manshra

Read with:-

1. Office order No.59 dated 2-10-1990 issued by the Divisional Forest Officer Siran for appointment of Authorised Officer.
2. Charge Sheet No.17/Man/91-92 dated 20-9-1991.
3. Report of Range Officer Devli dated 11-8-1991 and No.9/ND dated 7-8-1990.
4. Reply to the charge Sheet by accused dated 30-9-91.
5. Personal hearing dated 5-10-1991.

Brief.

As per report of Range Officer Devli-vide his No.9/ND dated 7-8-1990 Mr.Rustam Khan Range Officer Manshra was appointed as Authorised Officer vide office order No.59 dated 2-10-90. The Authorised Officer vide his No.17/Man/91-92 dated 20-9-1991 served a Charge Sheet alongwith a memo of allegations on Mr.Mohammad Maroof Forest Guard. The Charges levelled against the Forest Guard were for the disobedience of the lawful orders of Divisional Forest Officer Siran on his transfer vide office order No.5 dated 16-7-1990. And instead of assuming charge at new assignment he wilfully remained absent from duty w.e.f. 22-7-1990 to 7-8-1990 (17 days) and joined new assignment on 8-8-1990. During his absence five kail trees were illicitly cut by the offenders in paryal C-1(i). The accused Forest Guard in response to the charge Sheet furnished his reply to Authorised Officer vide his No.Nil dated 30-9-1991.

After conducting a detail enquiry by Authorised Officer against the accused Forest Guard the Authorised Officer submitted his findings by awarding the following minor penalties.

1. Stoppage of One annual increment without accumulative effect.
2. Censure.
3. Suspension period to be treated as leave without pay.

ATTESTED

Divisional Forest Officer
Sd/- Forest Divisional Manshra

I Mr. Amanullah Khan Divisional Forest Officer Siran Forest Division in the Capacity of AUTHORITY in the present case agree with the penalty imposed by Authorised Officer on the accused and order that proper entry in the service record of the accused be made and further proceedings in the case be stopped and case filed.

Sd/-(AMANULLAH KHAN)
DIVISIONAL FOREST OFFICER
SIRAN FOREST DIVISION
MANSEHRA.

Memorandum

- Copy forwarded to:-
1. Range Officer Devli Range for information.
 2. Mr.Mohammad Maroof Forest Guard C/O Range Officer Devli for information.
 3. Divisional Accountant for information.
 4. Personal file and record in Service Book.
 5. Establishment Assistant for necessary action.

DIVISIONAL FOREST OFFICER
SIRAN FOREST DIVISION
MANSEHRA.

OFFICE ORDER NO. 20 DATED MANSEHRA THE 18 /7/1993, ISSUED BY MR. AMANULLAH KHAN DIVISIONAL FOREST OFFICER SIRAN FOREST DIVISION

1. Whereas an information was received by Divisional Forest Officer Siran about occurrence of illicit damage in Paryai Reserved Forests C-1(i), 1(ii) and 1(iii), whom constituted a committee for the checking of Forests vide office order No. 88 dated 17-4-1990.
2. And whereas the committee consisting upon the following officers Qazi Imdad-ul-Haq Forest Ranger (Chairman), Mr. Nisar Ahmed Range Forest Officer and Mian Mohammad Rafique Deputy Ranger members was constituted for checking of the forests;
3. And whereas the committee checked the Forest and detected 132 No. stumps = 25443 Cft standing volume in the Paryai Reserved Forest C-1(i), 1(ii) and 1(iii), out of this 85 Nos stumps were found reported and 47 Nos stump were un-reported thus the committee submitted a detailed report to Divisional Forest Officer Siran;
4. And whereas Divisional Forest Officer Siran after having received an inspection report about the extent of damage in Paryai Reserved Forest beat under the control of Mr. Mohammad Maroof Forest Guard ordered disciplinary proceeding against him and appointed Mr. Rustam Khan Range Forest Officer as Authorised Officer to conduct enquiry proceeding under E & D Rules 1973 against the Forest Guard;
5. Whereas the Authorised Officer served a charge sheet No. 4/91-92 dated 20-9-1991 alongwith memo of allegation to a accused Forest Guard Mr. Mohammad Maroof for the charges of corruption, Mis-conduct and in-efficiency under rule 5(iii) of E & D Rules 1973;
6. And whereas the charge sheet No. 4/91-92 dated 20-9-91 was received by the accused Forest Guard.
7. Whereas the accused Forest Guard was directed by Authorised Officer vide his No. 56/A/Man: dated 1-5-1992 to give his reply to the charge sheet No. 4/91-92 dated 20-9-1991 within 10 days of the receipt of the charge sheet, otherwise exparty action will be taken against him;
8. And whereas the accused Forest Guard furnished his reply to the Authorised Officer vide his No. Nil dated 17-5-1992.
9. And whereas the Authorised Officer served a letter No. 99/MA dated 22-4-1993 on the accused official as directed him to appear before him for personal hearing on 2-05-1993;
10. And whereas Mr. Mohammad Maroof (Accused) Forest Guard appeared in person and was afforded personal hearing by Authorised Officer.

ATTESTED

Divisional Forest Officer

Siran Forest Divisional Mansabdar

proceedings under Rule 5(iii) of E & D Rules 1973 by stating in the brief history of the case that there was no need to appoint an enquiry Officer because the facts were clear and the enquiry committee/checking committee had already submitted field checking report to Authority;

12. And whereas the Authorised Officer vide office order No.02 dated 13-07-1993 found the accused Forest Guard guilty of the charges of in-efficiency, Mis-conduct, and corruption and recommended Major penalty;

13. And whereas the undersigned in the capacity of appointing authority under Rule 2(b) of Efficiency and Discipline Rules 1973 as issued vide Notification No.SOS(S&GAD)1-80/73 dated 30-11-1973 fully agreed with the findings and recommendation of Authorised Officer;

14. And whereas the Forest Conservancy has been damaged very badly as most of the time the forest functionaries themselves connive with timber smugglers and the locals thus become ~~is~~ instrumental to destruction of forest wealth. This forest Guard is a highly dextrous person in covering and doing forest damage himself for his selfish gains and also using political pressure for his transfers and postings to meet his ends. Thus the importance of the environment requires that when vices committed by the custodians/guardians come to ~~is~~ lime-light an appropriate action be taken to curb this tendency, so that others obtain lesson and fear reprisal for the connived damage to forest resources. As the charges of in-efficiency, corruption and Mis-conduct have become fully established as a result of the disciplinary proceedings under E & D Rules 1973;

Now therefore, I Mr. Amanullah Khan Divisional Forest Officer, Siran Forest Division Mansehra in the capacity of appointing authority as provided in Rule 2(b) of E & D Rules 1973, notified vide Notification No.SOS-III(S&GAD)1-80/73 dated 30-11-1973 and Notification No. of even No. dated 28th January 1975 order under Rule 5(4) the removal from service of Mr. Mohammad Maroof S/O Jehandad Khan as specified in Rule 4(b)(iii) with immediate effect. Relevant entry in his service book and personal file be made and he be relieved from service with immediate effect.

ATTESTED

Memorandum;-

Divisional Forest Officer
Siran Forest Division Mansehra

Sd/(AMANULLAH KHAN)
DIVISIONAL FOREST OFFICER
SIRAN FOREST DIVISION

- MANSEHRA.
- Copy forwarded to:-
1. The Conservator of Forests/PD Siran Kaghan Forestry Project Abbottabad for favour of information.
 2. Range Forest Officer Lower Siran Range for information.
 3. Mr. Mohammad Maroof Forest Guard C/O R.F.O. Lower Siran Range for information.
 4. Personal file for record.

Divisional Forest Officer

Annexure - III

312

OFFICE ORDER NO. 312

DATED Manshra The 22-3-2004 issued by

MUHAMMAD KHAN DIVISIONAL FOREST OFFICER SIRAN FOREST DIVISION MANSHEHRA.

Read with:

1. RO Hilkot Range letter No. 26/Hilkot dated 16-8-2003.
2. RO Hilkot letter dated 23-8-2003.
3. Statement of allegations vide No. 899-902/GE, dated 22-8-2003.
4. Charge sheets served upon the accused.
5. Letter No. 23-25/M, dated 3-11-2003 addressed to the accused.
6. Letter No. 25-27/M, dated 3-11-2003 addressed to the accused.
7. Letter No. 57-58/M, dated 3-11-2003 addressed to the accused.
8. Application of Jehanzeb Forester dated 17-11-2003.
9. Reply dated 30-12-2003 furnished by Jehanzeb Forester.
10. Letter No. 74-75/M, dated 16-1-2004 addressed to the accused.
11. Letter No. 68-69/M, dated 24-12-2003 addressed to the RO Hilkot/Prosecutor.
12. Letter No. 107-8/M, dated 20-2-2003 addressed to the accused.
13. Enquiry report written by Mr. Usman Ghani Range Officer, Manshra Forest Range/Enquiry Committee vide No. 120/MR, dated 15-3-2004.

2. The Range Officer, Hilkot Range vide his letter No. 26, dated 16-8-2003 reported that he checked Ashwal Guzara under the charge of accused, on 12-6-2003 and detected the following damages.

S.#	Name of Forest/Compartment No.	Species	Dia	DR No.	Period	Remarks
1.	Ashwal Guzara C-3	Fir	21"	Nil.	20 days	Sawing chips available on spot.
2.	-do-	Fir	20"	Nil.	20 days	-do-
3.	-do-	Fir	20"	Nil.	20 days	-do-
4.	Ashwal Guzara C-2	Kail	24"	Nil.	2/3 days	Sawing material & two scants lying on spot.

3. The Range Officer, Hilkot Range again on 11-8-2003, checked Ashwal Guzara under the charge of the accused and noticed illicit damage of 12 trees and send a list of damages vide letter dated 23-8-2003.

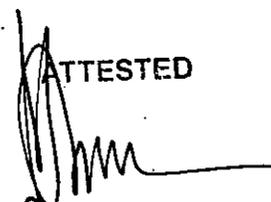
4. A charge sheet was served upon the accused, besides, statement of allegations and Mr. Usman Ghani Range Officer, Manshra was appointed as Enquiry Officer/Committee to conduct disciplinary proceedings against the accused (Jehanzeb Forester and Muhammad Maroof Forest Guard) under the provisions of NWFP, Removal from Service (Special Powers) Ordinance 2000, his No. 834-36/GE, dated 19-8-2003.

5. The Enquiry Committee conducted disciplinary proceedings against the accused (Jehanzeb Forester and Muhammad Maroof Forest Guard) and submitted findings with the recommendations that the charges against Mr. Jehanzeb Forester, could not be proved. However, in-efficiency on the part of Mr. Muhammad Maroof Forest Guard is proved, because, he failed to protect the forest wealth in proper manner act under the rules and procedure

6. The undersigned in the capacity of authority agree with the findings of Enquiry Committee and hereby order to impose following minor penalty upon the accused Muhammad Maroof Forest Guard:

1. Stoppage of one annual increment due on 1-12-2004 without accumulative effect.
2. Character roll warning.

ATTESTED

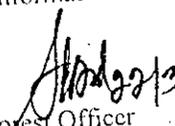

Divisional Forest Officer
Siran Forest Division
Manshra

Sd/-
(Mr. Salar Muhammad Khan)
Divisional Forest Officer
Siran Forest Division
Manshra.

Memo.

Copy forwarded to:

1. The Range Officer, Hilkot Forest Range for information and necessary action.
2. The Range Officer, Upper Siran Range for information and necessary action.
3. Head Clerk/Divisional Accountant for information.
4. Muhammad Maroof Forest Guard C/O Range Officer, Hilkot Range for information.


Divisional Forest Officer
Siran Forest Division
Manshra

OFFICE ORDER NO. 138 /DATED MANSEHRA THE 31 /12/2005, BY
MR. HAIDER ZAMAN, DIVISIONAL FOREST OFFICER, SIRAN FOREST DIVISION
MANSEHRA

Read with:

1. Report of Range Officer Mansehra Range vide No. 90/M dated 22-5-2002 regarding illicit damage in Massar RF C. No- 12(i), 12(ii) alongwith damage list.
2. DFO Siran letter No. 6387-88/GE dated 30-5-2002.
3. Comments of Range Officer Mansehra vide letter No. 106/M dated 13-7-2002 on the reply to explanation furnished by Muhammad Zareen the then Block Officer, Jabba.
4. Reply to the explanation furnished by Muhammad Maroof Forest Guard.
5. Nomination of Enquiry Committee vide DFO Siran No. 669-73/GE dated 27-7-2002 under the provisions of NWFP, Removal from Services Special Powers Ordinance-2000.
6. Enquiry report submitted by Mr. Manzoor Ahmad, Forest Ranger/Enquiry Committee vide his letter No. 76/US dated 15-1-2005.
7. Show Cause Notice No. 1865/GE dated 18-11-2005.
8. Reply to Show Cause Notice furnished by the accused dated 31/12/2005.
9. Personal hearing of the accused dated 31-12-2005.

Brief History of the Case.

The Range Forest Officer, Mansehra Forest Range alongwith Mr. Muhammad Pervez Forester Incharge Divisional Raid Party, Mr. Muhammad Zarin the then BO Jabba and Mr. Muhammad Maroof Forest Guard Incharge Beat carried out checking of Massar Reserved Forests C-12(i) and 12(ii) on 15-5-2002 and detected following reported/unreported illicit damage in the Forests:-

S. No.	Name of Forest/ Compartment No.	Species	Dia	Damage Report No.	Remarks
1.	Massar RF C-12(i).	Chir	17"	Nil	Period of 4-5 days.
2.	Massar RF C-12(ii).	-do-	20"	Nil	7-8 days.
3.	-do-	-do-	19"	Nil	7-8 days.
4.	-do-	-do-	22"	224/201	2-3 months.
5.	-do-	-do-	18"	Nil	Windfallen converted 4-5 days.
6.	-do-	-do-	23"	233/201	4-5 days
7.	-do-	-do-	23"	Nil	4-5 days
8.	-do-	-do-	22"	Nil	8-10 days
9.	-do-	-do-	15"	Nil	10-15 days
10.	-do-	-do-	12"	210/201	10-15 days
11.	-do-	-do-	20"	Nil	10-15 days
12.	-do-	-do-	22"	Nil	10-15 days
13.	-do-	-do-	20"	Nil	4-5 days
14.	Massar RF C-12(I)	-do-	14"	Nil	4-6 days
15.	Massar RF C-12(ii)	-do-	18"	Nil	4-6 days
16.	-do-	-do-	22"	Nil	4-6 days

ATTESTED

Divisional Forest Officer
Divisional Mansehra

The Range Forest Officer, Mansehra Forest Range vide his letter No. 90/M dated 22-5-2002 submitted checking/damage list and reported that the damage occurred with active connivance of Beat Incharge Mr. Muhammad Maroof Forest Guard and recommended strict lawful action against the accused official in the best interest of forest conservancy. However, the Block officer, Mr. Muhammad Zarin and Beat Incharge Mr. Muhammad Maroof were called for explanation vide DFO Siran letter No. 6387-88/GE dated 30-5-2002 and their reply was not found satisfactory.

Therefore, in order to proceed against the concerned field staff under the provisions of Government Servants (Efficiency & Discipline) Rules-1973 read with NWFP, Removal from Service (Special Powers) Ordinance-2000, Mr. Manzoor Ahmad, the then Range Officer, Shergarh Range, (later Range Officer, Upper Siran Range) was appointed as Enquiry Committee vide DFO Siran No. 669-73/GE dated 27-7-2002. The Enquiry Committee conducted proper disciplinary proceedings against the accused M/S Muhammad Zarin, Block Officer and

Muhammad Maroof Forest Guard (as per detail in the Enquiry Report) and submitted its conclusion and recommendations as under:-

Conclusion.

"I have gone through the gravity of the case, relevant record available in the file, accused heard in person, recorded the statement of main P.Ws/Reporting Officers and reached to the conclusion that:

1. Mr. Muhammad Zarin the then Block Officer Jabbar has performed his duty efficiently as he himself apprised his Range Officer regarding illicit damage in the forest and being Incharge Block recommended action against his subordinate staff. Therefore, charges of In-efficiency, Misconduct and corruption do not stand proved.
2. Mr. Muhammad Maroof Forest Guard badly failed to produce cogent proof in his defence. Moreover, he adopted twisting attitude during the course of enquiry, therefore, charges of In-efficiency, Misconduct are partially proved and charge of corruption does not stand proved against him

Recommendations

Keeping in view the above, the undersigned in the capacity of Enquiry Committee hereby recommend to recover the loss occurred to Govt. on account of Un-reported damage from his pay @ prevailing schedule of Compensation rates".

Accordingly show cause notice vide this office No. 1865/GE dated 18-11-2005 was served upon Mr. Muhammad Maroof, Forest Guard.

Reply to show cause notice furnished by Mr. Muhammad Maroof Forest Guard was examined and the accused was also heard in person on 31-12-2005, but he could not bring any thing new in his defence.

Therefore, agreeing with the recommendations of the Enquiry Committee, it is hereby ordered:-

1. Mr. Muhammad Zarin Forest Guard the then Block Officer, Jabbar Block is exonerated from the charges leveled against him.
2. i. Recovery of Rs. 84,600/- (Eighty four thousand and six hundred only) @ Rs. 100/- per cft on account of loss for unreported damage of 13 trees = 846 cft occurred to Govt. is imposed upon Mr. Muhammad Maroof Forest Guard, which shall be recovered in 60 equal installments of Rs. 1400/- per month and 61st installment of Rs. 600/-.
- ii. Censure.

Sd/-
(Mr. Haider Zainab) Forest Officer
Divisional Forest Officer, Divisional Manshehra
Siran Forest Division
Manshehra

ATTESTED

Memo

Copy forwarded to:

1. The Range Forest Officer, Manshehra Range for information and necessary action w/r to his letter No. 90/M dated 22-5-2002.
2. The Range Forest Officer, Hilkot Range for information and necessary action with the remarks to effect recovery of amount in monthly installments, remit the same into Govt. treasury and send treasury challan to this office regularly for adjustment in accounts.
3. Divisional Accountant for information & necessary action.
4. Mr. Muhammad Maroof Forest Guard C/O Range Forest Officer, Hilkot Range for information and necessary action w/r to his reply to show cause notice and personal hearing dated 31-12-2005.

Divisional Forest Officer

Annexure - V

Annex V

OFFICE ORDER NO. 35 DATED ABBOTTABAD THE 01/6/2012 BY
DR. NASIM JAVED THE THEN DIVISIONAL FOREST OFFICER SIRAN FOREST DIVISION
MANSEHRA NOW CONSERVATOR OF FORESTS LOWER HAZARA FOREST CIRCLE
ABBOTTABAD

Read with:

1. The then Range Officer Mansehra letter No. 258/M dated 24-3-2000 alongwith checking list of Massar RF C-12(i) & 12(ii).
2. DFO Siran office order No. 198 dated 28-3-2000 regarding suspension of the services of accused officials.
3. DFO Siran office order No. 217 dated 6-4-2000 appointing Mr. Sher Muhammad the then DFO Agror Tanawal Forest Division as Authorized Officer.
4. Charge sheet No. 2360 & No. 2361 dated 12-5-2000 alongwith memo of allegation served upon the accused officials.
5. Office order No. 126 dated 12-5-2000 issued by Authorized officer regarding appointment of Enquiry officer.
6. Enquiry report written by Mr. Farukh Sair Forest Ranger/Enquiry Officer dated nil.
7. Enquiry report furnished by Mr. Sher Muhammad the then DFO Working Plan Unit-1, Abbottabad/Authorized Officer vide No. 1263/WP-I-Enquiry dated 8-6-2002.
8. Show cause notice No. 6986/GE dated 25-6-2002 served upon Baidar Bakht Forester.
9. Show cause notice No. 6983/GE dated 25-6-2002 served upon Muhammad Maroof Forest Guard.
10. Reply to show cause notices furnished by Baidar Bakht Forester dated 17-7-2002.
11. Reply to show cause notices furnished by Muhammad Maroof Forest Guard dated 16-7-2002.
12. DFO Siran office order No. 144 dated 10-9-2002 appointing Manzoor Ahmad Forest Ranger as Authorized Officer to conduct fresh enquiry.
13. Enquiry report written by Mian Muhammad Rafique Forest Ranger/Enquiry Officer dated nil.
14. Office order No. 13 dated 31-10-2003 issued by Mr. Manzoor Ahmad Forest Ranger/Authorized Officer.
15. DFO Siran office order No. 113 dated 20-11-2005 appointing fresh Enquiry Committee comprising of M.S. Muhammad (his Forest Ranger (incharge)) and Muhammad Siddique Forest Ranger as Member.
16. DFO Siran office order No. 198 dated 20-6-2007 appointing Mr. Ejaz Qadir SDFO as Authorized Officer to finalize enquiry proceedings.
17. Enquiry report submitted by Mr. Ejaz Qadir SDFO/Authorized Officer dated 28-3-2008.

Brief History of the Case

On a complaint regarding illicit damage in Massar RF C-12(i), (ii) & (iii), Mr. Muhammad Siddique the then Range Officer Mansehra alongwith Muhammad Pervez Forester and Muhammad Tayyub Forest Guard checked the forests and enlisted the damage of 47 Chir trees = 4934 cft in presence of Baidar Bakht Forester incharge Block and Muhammad Maroof Forest Guard incharge Beat. The Range Officer vide his letter No. 258/M dated 24-3-2000 submitted checking list of illicit damage recommending strict action against the accused officials. Both the accused officials were placed under suspension vide DFO Siran office order No. 198 dated 28-3-2000.

Mr. Sher Muhammad the then DFO Agror Tanawal Forest Division was appointed as Authorized Officer to conduct disciplinary proceedings against the accused officials under the provisions of NWFP Govt. Servants (Efficiency & Disciplinary) Rules-1973. The Authorized Officer conducted enquiry through Mr. Farukh Sair Forest Ranger and submitted enquiry report vide letter No. 1263/WP-I-Enquiry dated 8-6-2002 recommending Major Penalty. The recommendations of the Authorized officer were found inconsistent therefore, fresh enquiry was initiated through Mr. Manzoor Ahmad Forest Ranger vide DFO Siran office order No. 144 dated 10-9-2002. The Authorized Officer conducted disciplinary proceedings through Mian Muhammad Rafique

Divisional Forest Officer

Mansehra

Forest Ranger/Enquiry Officer and issued office order No. 13 dated 31-10-2003 exonerating the accused officials from all the charges leveled against them. Perusal of the decision taken by Authorized Officer revealed that the Prosecution and defence witnesses were not associated in the inquiry proceedings rather deliberately ignored and the enquiry being one sided became defective. Therefore, an enquiry Committee comprising of M/S Muhammad Younis the then Range Officer (Chairman) and Muhammad Siddique the then Range Officer Lower Siran as Member was constituted vide DFO Siran office order No. 113 dated 29-11-2005. Despite reminders notices the Enquiry Committee failed to finalize the proceedings till 20-6-2007 when the enquiry proceedings were with-drawn vide DFO Siran office order No. 198 dated 20-6-2007 and Mr. Ejaz Qadir Sub-Divisional Forest Officer Lower Siran Forest Sub-Division was appointed as Authorized Officer. The Enquiry Officer conducted detailed enquiry and submitted enquiry report vide his letter dated 28-3-2008 concluding that:

"Keeping in view the statements of accused officials, prosecution witnesses and other documents on record, the undersigned came to the conclusion that the charges of in-efficiency, misconduct and corruption could not be established. However, both the accused officials are warned to be very careful in future service".

Therefore, agreeing with the recommendations of the Enquiry Officer, the undersigned in the capacity of authority hereby administer Character Roll warning upon both the accused officials namely Baidar Bakht Forester and Muhammad Maroof Forest Guard.

Sd/-
(Dr. Nasim Javed)
The then Divisional Forest Officer
Siran Forest Division Mansehra
(Now Conservator of Forests
Lower Hazara Forest Circle Abbottabad)

Copy for information and necessary action forwarded to:

2.
3.
4.
5.

Off. Siran for info & action
The Sub-Divisional Forest Officer Upper Siran Forest Sub-Division.
The Sub-Divisional Forest Officer Lower Siran Forest Sub-Division.
Baidar Bakht Forester (FPP) c/o Head Clerk Siran Forest Division Mansehra.
Muhammad Maroof Forest Guard c/o Sub-Divisional Forest Officer Upper Siran Forest Sub-Division.

Dr. Nasim Javed
The then Divisional Forest Officer
Siran Forest Division Mansehra
(Now Conservator of Forests
Lower Hazara Forest Circle Abbottabad)

ATTESTED

Divisional Forest Officer
Siran Forest Division Mansehra

CE
27/11
2008

OFFICE ORDER NO. 315 /DATED MANSEHRA THE 29/15/2013, ISSUED BY
ZAFFAR ALI DIVISIONAL FOREST OFFICER, SIRAN FOREST DIVISION
MANSEHRA

Read with:

- i. DFO Patrol Squad Division Abbottabad letter No.648/PS dated 5-3-2012 received through Conservator of Forests Lower Hazara Forest Circle Abbottabad endstt: No. 4073/GE dated 31-3-2012.
- ii. Statement of allegation served upon the accused officials vide DFO Siran No. 6368-71/GE, No. 6358-62/GE, No.6397-6401/GE, No. 6376-79/GE, & No. 6384-87/GE dated 23-5-2012.
- iii. Charge Sheet served upon the accused vide DFO Siran No.6372-75/GE, No.6363-67/GE, No. 6392-96/GE, 6380-83/GE & No. 6388-91/GE dated 23-5-2012.
- iv. Reply to the Charge Sheet by the accused officials
- v. Personal hearing and answer question etc of the accused officials dated 16-1-2013
- vi. Enquiry report submitted by Farrukh Sair SDFO the then Incharge Mansehra Forest Sub-Division (Enquiry Officer/Committee vide letter No. 33/K dated 5-3-2013 dated 15-1-2012.
- vii. Show Cause notices served upon the accused officials vide DFO Siran No. 5451GE, No.5453/GE, No. 5454/GE, No. 5456/GE, & No. 5458/GE dated 12-3-2013.
- viii. Replies to the show cause notices of the accused officials.
- ix. Personal hearing of the accused officials dated-28-5-2013

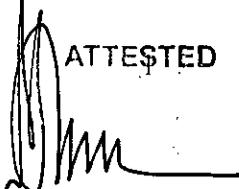
BRIEF HISTORY OF THE CASE

On receipt of complaints from the inhabitants of the Shinkiari area, Chief Conservator of Forests-II, Khyber Pakhtunkhwa, Peshawar, directed the Divisional Forest Officer, Patrol Squad Forest Division Abbottabad to check/ detect and report the illicit damage in Massar RFC-9 (iii) of Lower Siran Forest Sub-Division. The Checking team carried out detailed inspection of the Forests on 4-3-2012 in the presence of local field staff including SDFO, Block Officer and Beat Guard concerned and detected the illicit damage of 300 Chir trees measuring 14198-Cft (standing Volume). The Divisional Forest Officer Patrol Squad Forest Division has submitted his comprehensive report vide letter No. 648/PS dated 5-3-2012 received through Conservator of Forests Lower Hazara Circle Abbottabad letter No.4073/GE dated 31-3-2012.

Therefore, in order to probe into the matter, a statement of allegation alongwith charge sheet was served upon the accused officials vide No. 6368-71/GE, No. 6358-62/GE, No.6397-6401/GE, No. 6376-79/GE, No. 6384-87/GE, No.6372-75/GE, No.6363-67/GE, No. 6392-96/GE, 6380-83/GE & No. 6388-91/GE dated 23-5-2012. The enquiry was entrusted to Mr. Farrukh Sair Sub-Divisional Forest Officer the then Incharge Mansehra Forest Sub-Division As per statement of allegation it was alleged:-

1. That a huge colossal illicit damage was seemed to have been taken place a short span with active connivance of the accused officials.
2. That they instead to protect the Forest resource joined hands with timber smugglers and facilitated them in illicit cutting of trees causing irreparable huge loss to the state.
3. That the accused officials were found deliberately involved in illicit cutting of trees and it is sufficient evidence of their connivance with Forest Offenders and timber smugglers for satisfaction of their ulterior motives and, therefore have rendered themselves guilty of In-efficiency, Misconduct & Corruption.
4. That involvement of the accused officials clearly specks In-efficiency, Misconduct and Corruption and they were liable to be proceeded against under the provisions of E&D Rules, 2011.

ATTESTED


Divisional Forest Officer
Siran Forest Division Mansehra

PROCEEDING.

The Enquiry Officer conducted proper disciplinary proceeding against the accused officials and submitted the enquiry report vide his letter dated No. 33/K dated 5-3-2013 with findings that:-

"Keeping in view the circumstantial facts discussed above and length of Service of the accused officials the following minor penalties are recommended "

1. Stoppage of Two (02) annual increments without cumulative effect of M/S Zahoor Ahmed Forester, Aurangzeb and Muhammad Maroof Forest Guards.
2. Censure warning may be issued to the above officials
3. M/S Mian Tahir Hussain Shah Forester & Abdul Waheed-II Forest Guard may be exonerated from the charges of in-efficiency, Misconduct and Corruption.

Accordingly, a show cause notice was served upon the accused officials vide this office No. 5451GE, No.5453/GE, No. 5454/GE, No. 5456/GE, & No. 5458/GE dated 12-3-2013.

Reply to show cause notice furnished by the accused officials was critically examined. The accused officials were also heard in person on 28-5-2013 offering the last opportunity to explain and justify their innocence in the case. During the course of personal hearing accused officials failed to justify their non-involvement in illicit cutting of trees..

The reply to charge sheet, answer-question session held during the personal hearing and reply to show cause notice has also been perused and the undersigned reached to the conclusion that the accused official found guilty of charges leveled against them.

Therefore, the undersigned in the capacity of authority agreed with the recommendation of Enquiry Officer and hereby order the imposition of following penalties upon the accused officials.

1. Stoppage of Two (02) annual increments without cumulative effect of M/S Zahoor Ahmed Forester, Aurangzeb and Muhammad Maroof Forest Guards falling due on 01-12-2013 and 01-12-2014.
2. The officials will be entitled for increment restoration on 01-12-2015 & 01-12-2016 respectively.
3. M/S Mian Tahir Hussain Shah Forester & Abdul Waheed-II Forest Guard is hereby exonerated from all the charges leveled against them

Sd/-(Zaffar Ali)
Divisional Forest Officer
Siran Forest Division Mansehra

Copy forwarded to:-

1. The SDFO Lower Siran Forest Sub-Division for information and necessary action.
2. M/S Zahoor Ahmed, Mian Tahir Hussain Shah Forester, Muhammad Maroof, Abdul Waheed-II & Aurangzeb Forest Guards for information and necessary action
3. Head Clerk/Divisional Accountant for information & necessary action.

Divisional Forest Officer
Siran Forest Division Mansehra

ATTESTED
Divisional Forest Officer
Siran Forest Division Mansehra

Annexure-VII

Annex-VII

OFFICE ORDER NO. 143 /DATED MANSEHRA THE 10 /01/2014, ISSUED BY
MR. MUSHTAQ AHMAD DIVISIONAL FOREST OFFICER, SIRAN FOREST
DIVISION MANSEHRA

Read with:

- i. Damage Report No. 36/31 dated 1-8-2013
- ii. Application of Mr. Taj Muhammad Forester (FPP) dated 11-12-2013
- iii. Affidavit submitted by accused official in the court of law dated 23-10-2013
- iv. Statement of accused Forest Guard before District & Session Judge Mansehra dated 13-12-2013.
- v. Show cause Notice served upon accused official vide No.3281/PC dated 18-12-2013
- vi. Reply to the Show Cause Notice furnished by the accused official dated 07-1-2014
- vii. Personal hearing of the accused officials dated 10-1-2014

BRIEF HISTORY OF THE CASE

The accused official have chalked a Damage Report No. 36/31 dated 1-8-2013 against various Forest Offenders involved in illicit cutting of trees and submitted damage report in Sub-Divisional Office for further course of action. The prosecution case No. 58/2013-14 had been prepared and put in Court. Whereas on 23-10-2013 the accused Forest Guard given an affidavit without obtaining prior permission from the competent authority in favour of one Said Khan s/o Lal of Sokian. His act is against the rules, law and tantamount to In-efficiency, Mis-conduct and Corruption. The undersigned has gone through the documents and material on record fully satisfied that there was no need of any further enquiry, hence a show cause notice of In-efficiency, Mis-conduct and Corruption was served upon the accused official vide No: 3281/PC dated 18-12-2013.

The accused official submitted his reply and opportunity was given for personal hearing dated 10-1-2014. The reply as well as personal hearing was found un-satisfactory and charges of In-efficiency, Mis-conduct and Corruption proved beyond any doubt.

Therefore, I Mushtaq Ahmed Divisional Forest Officer Siran Forest Division Mansehra being the authority hereby order that Mr. Muhammad Maroof Forest Guard is compulsorily retired from service with immediate effect.

Sd/-
(Mr. Mushtaq Ahmad)
Divisional Forest Officer
Siran Forest Division Mansehra

Copy forwarded to:

1. The Chief Conservator of Forests Northern Forest Region-II Abbottabad for favour of information please.
2. The Conservator of Forests Lower Hazara Circle Abbottabad for favour of information please.
3. Sub-Divisional Forest Officer Lower Siran Forest Sub-Division for information and necessary action.
4. Official concerned for information and compliance.

Divisional Forest Officer
Siran Forest Division Mansehra

ATTESTED

Divisional Forest Officer
Siran Forest Division Mansehra

بخدمت جناب DFO صاحب سرن فارسٹ ڈویژن مانسہرہ

عنوان: جواب بحوالہ شوکا زونوٹس نمبر 11115/GE مجریہ 25/5/015

جناب عالی!

گزارش ہیکہ بحوالہ شوکا زونوٹس مندرجہ بالا عنوان بابت نقصان جنگل ماسٹر RF کپارٹمنٹ نمبر (i)، (ii) 5 فدوی پر نقصان جنگل ان ایف شنسی، میں کنڈکٹ اور کرپشن کا الزام لگا کر جواب طلب کیا ہے۔ فدوی اپنے اوپر لگائے گئے جملہ الزامات سے انکاری ہے۔ اور درج ذیل معروضات پیش کرنے کی اجازت چاہتا ہے۔

۱۔ یہ کہ محمد صدیق ولد غلام قادر ساکن خانپور میرہ نے یہ تحریری بیان دیا ہے۔ کہ SDFO صاحب لوئر سرن ہمراہ سٹاف جو نقصان جنگل کی لسٹ بنائی ہے وہ درختان محمد معروف Fgd نے فروخت کیے ہیں۔ یہ بیان کسی طور پر بھی درست نہیں اور خلاف واقعہ ہے۔

۲۔ یہ کہ میں نے محمد صدیق نامی شخص کو SDFO صاحب لوئر سرن کے حکم پر دفتر SDFO بلایا تھا۔ جسے SDFO نے فدوی کی موجودگی میں ڈرانا، دھمکانا اور گالم گلوچ دینی شروع کر دی اور کمرے میں بند کر دیا اور مجھے واپس بھیج دیا۔ میرے جانے کے بعد کمرے میں گھنٹوں میں بے جا میں رکھ کر ذہنی ازیت دی گئی اور اپنی مرضی کا بیان دینے کے لیے دباؤ ڈالتے رہے جب انکاری ہوا تو اسے

SDFO صاحب نے خود اور دیگر ان سٹاف سے مار پٹائی شروع کر دی اور انتہائی مجبور کر کے ایک سادہ کاغذ پر دستخط لیکر اور انگوٹھا لگوا کر رات کو چھوڑا اور دھمکی دی کہ ہم جو بیان لکھیں گے اگر آپ نے اس کی تائید نہ کی اور انکاری ہوئے تو آپ پر تھانہ شنکیاری میں پرچہ کیا جائے گا اور جنگل کی رپورٹیں کر کے آپکے پورے خاندان کو جیل بھیجیں گے۔ ایک غریب لاچار اور بے کس انسان پر ظلم کی انتہا کی گئی کسی بھی قانون میں کسی سے زبردستی اور دباؤ میں مار پیٹ کر کے دستخط لینا خلاف قانون ہے بیان کوئی وزن اور حقیقت نہیں رکھتا۔

۳۔ یہ کہ نہ میرا صدیق سے کوئی رشتہ اور ذاتی تعلق نہیں ہے کہ میں اسکے کے کسی قول و فعل کی ذمہ داری قبول کروں۔ محمد صدیق نے سادے کاغذ پر لیے گئے دستخط اور انگوٹھے کی بابت بیان حلفی رو برو گواہان دی ہے جو بیان حلفی مجاز عدالت سے تصدیق شدہ ہے۔ جس میں محمد صدیق نے کسی قسم کے بیان سے انکاری ہے اور زبردستی اور ڈرا، دھمکا کر لیے گئے دستخط انگوٹھے کو غیر اخلاقی وغیر قانونی تسلیم کیا ہے۔ ثبوت کے طور پر محمد صدیق کی عدالت کے رو برو دی گئی بیان حلفی لف جواب ہذا ہے۔

۴۔ یہ کہ جہاں تک ماسٹر RF کپارٹمنٹ نمبر (i)، (ii) 5 میں دیئے گئے 19 درختان قسم چیرھ کی چیکنگ کا تعلق ہے تو فدوی کے عرصہ تعیناتی کے دوران جو بھی نقصان جنگل ہوا ہے۔ فدوی نے بروقت کارروائی کی ہے۔ دوران چیکنگ، چیکنگ پارٹی ڈیکچر رپورٹ بک اور دیگر ریکارڈ ساتھ لے گئی تھی۔ فدوی SDFO صاحب کو متواتر نئی گارڈ بک جاری کرنے کی زبانی اور تحریری درخواست کرتا رہا۔ لیکن گارڈ بک جاری نہیں کی۔ فدوی کی دوران تعیناتی جو بھی نقصان ہوا ہے فدوی نے بروقت کارروائی کی ہے۔ عوضاً نہ وصل کیا ہے اور لکڑی ضبط کر کے ریزن شیڈ پہنچائی ہے۔ ثبوت کے طور پر رپورٹ ہائے کی نقول شامل جواب ہے۔

۵۔ یہ کہ اگر SDFO صاحب نے میری بیٹ چیک کرنی تھی تو فدوی SDFO صاحب کے ماتحت تھا۔ فدوی کو چیکنگ کی اطلاع

دی جاتی اور ساتھ رکھ کر چیکنگ کی جاتی تو فدوی موقع پر ہونے والے نقصان کی بابت وضاحت کرتا۔ فدوی نے جب چارج سنبھالا تھا تو تازہ 544 منڈلی جات کی لیسٹ جناب SDFO صاحب کو برائے کاروائی دی تھی۔ اس پر مزید کاروائی SDFO صاحب نے لکری سی فدوی کو ملوث کرنے اور نقصان دینے کی خاطر فدوی کو لاعلم رکھ کر 19 درختان کی لیسٹ دی گئی۔ جو بے بنیاد، بلا ثبوت اور غیر قانونی ہے۔

۶۔ یہ کہ ماسٹر کپارٹمنٹ نمبر 5 SDFO آفس سے چند فرلانگ کے فاصلے پر بالکل سامنے واقع ہے۔ اگر واقعی نقصان جنگل ہو رہا ہے۔ تو متعلقہ بلاک افسر اور SDFO نے کوئی ایک، آدھ گرفتاری کیوں نہ کر سکی۔ جو اس بات کا ثبوت ہے کہ جنگل میں کوئی تازہ نقصان بلا کاروائی نہیں تھا۔

فدوی نے دوران تعیناتی جو بھی نقصان ہوا ہے بروقت ملزمان کے خلاف قانونی کاروائی کی ہے۔ جس کا ثبوت لف جواب ہے۔ محمد صدیق سے سادہ کاغذ پر زبردستی دباؤ ڈال کر جو دستخط وانگوٹھا لیا گیا ہے۔ جس کی کوئی قانونی حیثیت نہیں ہے روبرو گواہان عدالت میں اپنا حلفاً بیان ریکارڈ کر کر بیان حلفی تصدیق کروائی ہے۔ لیسٹ جنگل منڈلی جات من گھڑت بلا جواز اور بے بنیاد ہے جو فدوی کو نقصان پہنچانے کی خاطر ملوث کرنے کی کوشش کی گئی ہے لگائے گئے جملہ الزامات بلا ثبوت ہیں۔ فدوی نے کبھی بھی اپنے فرائض منصبی میں غفلت نہیں برتی اور کبھی کسی ملزم کے ساتھ نقصان جنگل میں ملوث نہیں رہا۔ جس کا ثبوت ملزمان سے عوضانہ وصولی اور ڈنچ رپورٹ لکڑی کا ضبطگی ہے۔ استدعا ہے کہ فدوی جملہ الزامات سے بری فرمایا جائے۔ اور اصالتاً پیش ہو کر وضاحت کی اجازت فرمائی جائے۔

ارض

محمد معروف فارمٹ گارڈ سب ڈویژن شنکھاری

7/18/2015

ATTESTED

Divisional Forest Officer
Fore Divisional Manselra

22/6

پر مشتمل رپورٹ کے معرّفوں، فائبرگارڈ اور 22/6/2015

سوال نمبر 1: اتنے مختصر وقت آپ سے 19 عدد درختوں کا نقصان ہوا اور
حاصل کر یہ جنگل کا کھارڈ ٹنٹ (ii) (iii) آپ 2 گھنٹوں
کے بالکل نزدیک ہے۔ آپ نے اس نقصان جنگل کے
کوئی مختصر فوٹر اقدامات نہیں اٹھائے وہ بتائیں۔

جواب - فدوی نے 2 ماہ قبل تمباہ ٹیٹ کا جانچ لیا اور اس وقت
جنگل کو صید کیا تھا جنگل میں تازہ نقصان تھا اس بار
میں فدوی نے SDFO صاحب کو زبانی نقصان جنگل 2 بار میں
بتایا تھا SDFO صاحب نے زبانی حکم دیا آپ تازہ نقصان
کی لسٹیں بنا کر پیش کریں فدوی نے موقع پر کھارڈ ٹنٹ
نمبر (i) 5 میں 94 عدد منڈی جات اور کھارڈ ٹنٹ نمبر (ii) 5
میں 55 منڈی جات و کھارڈ ٹنٹ نمبر (iii) 5 میں 141 منڈی
جات کی لسٹیں بنا کر دے دی تھیں۔

سوال نمبر 2: جب اتنے مختصر وقت میں 19، 20 عدد درختوں کا نقصان
ہوا آپ نے نہ تو آپ نے کوئی FIR دن کروائی اور نہ
تو آپ نے کسی سٹیٹ افسران کو کیا اور نہ ہی آپ نے
مجلسان اور قانونی کونسل کی جس سے یہ ثابت ہونا چاہیے
نقصان آپ کی مرضی اور ایما پر ہو گیا جسے زبردہ ٹیٹ
کے اتنے چھوٹا کھارڈ کا قریبی بیان ہے کہ آپ نے اس لیے
دفاع میں کیا کیا جاتی تھیں۔

ATTESTED

Divisional Forest Officer
Circular Post Divisional Mansel

جواب: روز 15-4-2015 کو وقت 5.00 بجے صاحب SDFO صاحب نے خون
پر بتایا کہ کھارڈ ٹنٹ نمبر (ii) (iii) 5 سے لوڈ ٹنٹ

ہم سے مکان کے عین اب فوراً موقع پر لکھی اور بلکری و اپنے
میں لکیر ریزن شدہ لکھاؤ میں حکم SDF ہاٹھ موقع پر گیا تا
مذکورہ کے بارے میں پوچھو گچھ تو 8 عدد گھنٹی جاتی نرد پوٹری
سجاد پٹری یعنی مکتیں مسئلو میں نے ڈھلائی کرے ریزن شدہ لکھاؤ
ریورٹ لف جواب ہے۔

چونکہ میں اپنی ڈیوٹی پر موجود تھا اگر SDF ہاٹھ تو علم نظام
میں تازہ درختان کٹے ہوئے ہیں۔ تو میں نے جناب SDF ہ

کو مجھے ساتھ لکیر کون نہیں لیا اور نہیں بتایا ہے اگر میں ساتھ سو یاد
تازہ لکھان لے لکھیں کرنا اور منڈی جات پر ملنے دیکھا تا ساقم
جات جسکی لسٹ SDF ہاٹھ کو جان کے وقت دی تھی حوض

وقت 5.00 بجے جناب SDF ہاٹھ نے مجھے اپنے دفتر میں بلایا
جس وقت میں نے SDF ہاٹھ سے ملاقات کی تو SDF ہ نے مجھے
کہا کہ مدد کو بلایا جائے میں نے وہاں سے اپنے جواب میں کہا کہ

مدد دفتر آیا اور SDF ہاٹھ نے اسے گھنٹی گلوچ دی اور رکارڈ
میں اور کمرہ میں بند کر دیا اور اسی وقت میری بھی SDF ہ

کا کافی تعلق مدد کو بلایا گیا اور مجھے کہا کہ اب چل جاؤ تو میں والے
کاٹے لیا گیا تھا لکیر مدد کو بلایا گیا اور گھنٹی گلوچ رکھ اور مار پیٹ کر
سازدہ کاغذ پر اس سے دستخط اور انگلیوں لیا اور گھنٹی گلوچ سے

مگر خلاف بیان لکھا فوراً 18.6.2015 کو مدد کو بلایا گیا میں نے راکھ
کہا کہ مدد کو بلایا گیا میں اس بیان کو مری سے انکاری ہوں
انگلیوں لیا گیا ہے میں اس بیان کو مری سے انکاری ہوں
اور مدد کو بلایا گیا میں عدالت میں لکھ کر دی۔ جو لکھا ہے

TESTED
Divisional Forest Officer
Forest Divisional Manshera

BEFORE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

Appeal No.1046/2015

Muhammad Maroof Forest Guard S/O Jehandad
Village Jandwal Post of Shinkiari T & D Mansehra. **Appellant**

Versus

1. Province of Khyber Pakhtunkhwa, through
Secretary Environment Department Peshawar
2. Chief Conservator of Forests-I
Khyber Pakhtunkhwa, Peshawar.
3. Conservator of Forests
Lower Hazara Forest Circle, Abbottabad
4. Divisional Forest Officer
Siran Forest Division, Mansehra
5. Sub-Divisional Forest Officer
Lower Siran Forest Sub Division, Shinkiari.....**Respondents**

PRELIMINARY OBJECTIONS

1. That the appellant has no cause of action.
2. That the appellant has no locus standee to file the appeal
3. That the appeal is bad for non joinder of necessary parties and miss joinder of un-necessary parties.
4. That the appellant has been ^estopped by his own conduct to file the appeal.
5. That the appeal is badly time bard.
6. That the appeal is not maintable its permanent forum.
7. That the Honorable Tribunal has no jurisdiction to entertain the appeal.

REPLY BY THE RESPONDENT

1. It is correct to the extent that the appellant was serving as Forest Guard in Forest Department Siran Forest Division Mansehra and on his written request has been proceeded on 365 days LPR with effect from 01.10.2015 sanctioned vide Divisional Forest Officer Siran

Forest Division Mansehra office order No.83 dated 01.10.2015. After expiry of LPR, the appellant stand retired from Service with effect from 30.09.2016 afternoon. However, it is totally incorrect that entire service carrier by appellant remained immaculate. During his service carrier, following punishments have been awarded:

- i. Stopped one Annual Increment vide DFO Siran office order No.280 dated 8.4.1992 on account of illicit damage of Five Kail trees in Paryai RFC-1(i). **(Annexure-I)**
- ii. Removed from service vide DFO Siran Office Order No.20 dated 18.7.1993 on account of illicit damage in Paryai Reserved Forest Compartment No.1(ii). & (iii) **(Annexure-II)** which was subsequently set-a-side by the appellate authority vide Office Order NO.28 dated 4.10.1993 and ordered for denove enquiry and thereafter exonerated from the charges.
- iii. Imposed recovery of Rs. 8650/- vide office order No.08 dated 30.12.1997 which was recovered in 4 installments.
- iv. Stopped annual increment fallen due on 1.12.2004 without cumulative effect vide DFO Siran Office Order No.312 dated 22.3.2004. **(Annexure-II)**
- v. Imposed recovery of Rs. 84600/- on account of illicit damage in Massar RF 12(i) & (ii) vide office order No. 138 dated 31.12.2005 **(Annexure-IV)**
- vi. Awarded minor punishment "Character Roll warring" vide DFO Siran Office Order No.35 dated 1.6.2012 **(Annexure-V)** on account of illicit damage in Massar RF compartment No. 12(i), (ii) & (iii).
- vii. Stopped two annual increments for the year 2013 and 2014 vide office order No. 315 dated 29.5.2013 **(Annexure-VI)** on account of illicit damage in Massar RF 9 (iii).
- viii. Compulsory retired from service vide office order No.143 dated 10.1.2014 **(Annexure-VII)** on account of unlawful compromising of Prosecution Case before the Court of District and Session Judge Mansehra dated 23.10.2013 in PC No. 58/2013-14 of Lower Siran Forest Sub-Division which was

subsequently set-a-side by the appellant authority vide office order No. 43 dated 8.5.2014 awarding minor punishment i.e "warned to be careful in future" and intervening period i.e 10.1.2014 to 7.5.2014 sanctioned as leave without pay.

- ix. Compulsory retired from service vide DFO Siran Office Order No. 90 dated 30.6.2015 on account of illicit damage in Massar RFC- 5(i) and (ii).

The above series of punishments awarded to appellant strongly rebut his stance contained in the appeal.

2. It is totally incorrect. In fact the SDFO Lower Siran alongwith other staff checked Massar Reserved Forest Compartment No.5(i) and (ii) on 26.4.2014 and detected illicit damage of 19 Chir trees=1627 cft standing volume. The illicit damage was fresh and taken place within a month period. The SDFO Lower Siran Forest Sub Division in fact tried his best to explore the reason regarding occurrence of illicit damage on which Muhammad Siddique S/O Ghulam Qadir of Khanpur Maira (Chola Guard of the appellant) has given a written statement duly witnessed by M/S Arsalan Tariq SDFO, Rafaqat Forester, Amir Forest Guard and Amir Khan Chowkidar categorically stated that enlisted illicit cut trees have been sold by him with the permission of the appellant and therefore he is ready to deposit/pay 50% of total value while the appellant is responsible to pay the remaining 50% of the value of loss sustained by Government. The under taking on stamp paper has no legal status in the eyes of law as none of the prosecution witness affixed his signature on it out of those who signed the previous statement of Muhammad Siddique Chola Guard.
3. As explained above in Para-2 the SDFO Lower Siran who detected the fresh illicit damage in state forests was under the charge of appellant and the damage list alongwith statement of Chola Guard submitted by the respondent No. 5 to competent authority for taking appropriate legal action against the appellant. Therefore keeping in view the gravity of situation, the appellant was rightly served with a Show Cause Notice vide DFO Siran No.11115/GE dated 25.5.2015.
4. It is correct to the extent that appellant has furnished his reply to the Show Cause Notice but could not produced any substantial evidence

to prove himself innocent. It is interesting to point out that the appellant has not ever disowned the occurrence of illicit damage in his beat. It is pertinent to mention here that checking was carried out on 26.4.2015 and in para-4 of his reply to the show cause notice (Annexure-viii) the appellant stated that the checking party was collected the Guard Book from him, for which he approached the SDFO with the request for provision of new guard book which was not supplied. However, he initiated appropriate action against the forest offenders, realized compensation and confiscated timber. Had the guard book was not available with the appellant, how he issued damage reports? He issued last damage report bearing No.88/14 dated 30.3.2015 afterward he failed to visit his beat as the maximum enlisted damage was within 20/25 days i.e after issuance of last damage report.

5. It is correct.

6. It is correct. The decision of appellate authority is correct as due to poor performance of appellant the Government exchequer has sustained a huge loss. The appellant is liable to pay the amount of Rs.162700/- as per decision of competent authority which subsequently upheld by the appellate authority.

GROUNDS

- a. It is totally incorrect. The action taken against the appellant is quite correct. It was the sole responsibility of appellant to protect the forest wealth at all cost by conducting touring round the clock but he badly failed to do so. It is interesting to point out that in reply to question, No.2 during personal hearing, the appellant has stated very boldly that on 26.4.2015 early in the morning at 0500 hours, the SDFO Lower Siran Forest Sub Division informed him telephonically that ponies loaded with illicit forest produce /timber procured from Massar RF C-5(i) (ii) and (iii) were run away from them and therefore immediately reach on spot. In compliance he proceeded to the spot, enquired in to the matter and apprehended 8 logs near a Poultry Farm and brought it to the Resin Shed Shinkiari. This statement of appellant ultimately approved the occurrence of illicit damage in his beat as well as his absence from duty.

- b. It is incorrect. The proceeding against the appellant was finalized under Rule-5 of Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011.
- c. It is incorrect. Proper opportunity of personal hearing as required under the rules was provided to the appellant. The statement of personal hearing recorded is enclosed for ready reference as **Annexure-IX**)
- d. As explained in Para-b above, the appellant was served with a show cause notice under Rule-5 of Khyber Pakhtunkhwa Government Servant (E&D) Rules 2011. The appellant furnished his detail reply and after affording the chance of personal hearing, the proceeding was correctly finalized and the punishment so awarded is also quite correct according to the guilt of appellant.
- e. It is incorrect. The recovery imposed upon the appellant is determined appropriately @Rs.100/- per cft as contained in Para-5 of Schedule of Compensation Rules, 2004 approved by the Provincial Government in pursuance with the provision contained in Khyber Pakhtunkhwa Forest Ordinance 2002.
- f. Need no comments.

The appeal is filed in the Camp Court Abbottabad. At agreed, the S.O.P. Abt be directed to net in same.

[Signature] 10/11/15

AAG

Sub Divisional Forest Officer
Lower Siran Forest Division
Shinkhari

[Signature]
Divisional Forest Officer
Siran Forest Division
Mansehra

[Signature]

Conservator of Forests
Lower Hazara Circle
Abbottabad

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

10/11/15
Senior Govt. Pleader
Khyber Pakhtoon Khwa
Service Tribunal Peshawar.

Secretary to Government
Of Khyber Pakhtunkhwa
Environment Department
Peshawar

ADG please net of 10/11/15

So GP Not agreed. Do the needful

[Signature] 10/11/15

CERTIFICATE.

Mr. Muhammad Iqbal Sub-Division Forest Officer Mansehra (BPS-17) is hereby authorized to attend the Khyber Pakhtunkhwa Service Tribunal Camp Court at Abbottabad on 20.01.2016 in Service appeal No.1046/2015 filed by Mr. Muhammad Maroof Forest Guard against Secretary to Government of Khyber Pakhtunkhwa Forestry, Environment and Wildlife Department on behalf of Government and others.


Divisional Forest Officer
Siram Forest Division Mansehra

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 993 /ST

Dated 9 / 6 / 2016

To

The D.F.O,
Siran Forest Davison Manshra.

Subject: - **JUDGMENT**

I am directed to forward herewith a certified copy of Judgement dated 17.5.2016 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.