
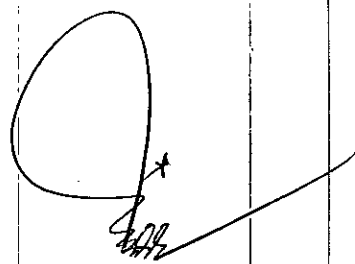


S.No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	22.01.2021	<p><u>Present.</u></p> <p>Mr. Muhammad Shoaib Khan, ... For Appellant Advocates</p> <p>Mr. Muhammad Riaz Khan Paindakhel, ... For respondents Assistant Advocate General</p> <p>Vide our detailed judgment of today consisting of four pages placed on file, The appeal is therefore, allowed and the impugned orders dated 14.06.2019 and 01.11.2019 are set aside. The respondents shall, however, be at liberty to constitute enquiry committee strictly in terms and spirit of Section-3(2) of the Protection Against Harassment Of Women At The Work Place Act, 2010 in order to probe the allegations(s) against the appellant. The parties shall, however, bear their respective costs. File be consigned to the record room.</p> <p><u>ANNOUNCED</u> 22.01.2021</p> <p style="text-align: center;"> Chairman</p> <p style="text-align: right;"> (Mian Muhammad) Member(E)</p>

16.11.2020

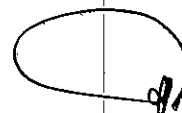
Appellant in person present.

Muhammad Jan learned Deputy District Attorney alongwith  
Umair SDFO for respondents present.

Former made a request for adjournment as his counsel is  
not available. Adjourned. To come up for arguments on  
22.01.2021 before D.B.



(Atiq ur Rehman Wazir)  
Member (E)



(Rozina Rehman)  
Member (J)

23.04.2020 Due to COVID19, the case is adjourned to 20.07.2020 for the same as before.

  
Reader

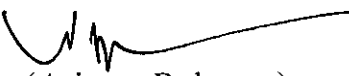
20.07.2020 Appellant himself is present. Mr. Kabirullah Khattak, Learned Additional AG alongwith representative of the department Mr. Umair Nawab, SDFO are also present. Representative of the department submitted para-wise comments on behalf of respondents No. 1 to 4 which are placed on record. Adjourned to 14.09.2020. File to come up for rejoinder and arguments before D.B.


  
(MUHAMMAD JAMAL KHAN)  
MEMBER

14.09.2020 Appellant present through counsel.

Mr. Muhammad Jan learned Deputy District Attorney alongwith Mr. Umair Nawaz Sub Divisional Officer for respondents present.

Rejoinder submitted with a request for adjournment. Adjourned. To come up for arguments on 16.11.2020 before D.B.

  
(Atiq ur Rehman)  
Member (E)

  
(Rozina Rehman)  
Member (J)

29.01.2020

Appellant present. Learned counsel for the appellant present.  
Preliminary arguments heard.

The appellant (Ex-Junior Clerk) has filed the present service appeal against the order dated 14.06.2019 whereby he was awarded penalty of termination/removal from service and against the order dated 01.11.2019 through which his departmental appeal was rejected.

Submissions made by learned counsel for the appellant need consideration. The present service appeal is admitted for regular hearing subject to all just legal objections.

Private respondent No.5 appears to be unnecessary party. As such her name is hereby deleted from the calendar of respondents. Muharrir is directed to strike down name of private respondent No.5 from the calendar of respondents with red ink. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents No. 1 to 4 for reply/comments. To come up for written reply/comments on 20.03.2020 before S.B

Appellate Deposit  
Security & Process Fee >

  
Member

20.03.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Umair Nawaz, SDFO for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department seeks time to furnish written reply/comments. Adjourned to 23.04.2020 for written reply/comments before S.B.

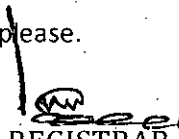
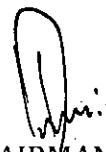

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

Form- A

FORM OF ORDER SHEET

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

Case No.- 1512/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/11/2019	<p>The appeal of Mr. Sohail Ayub presented today by Mr. Muhammad Shoaib Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	14/11/19.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>18/12/19.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	18.12.2019	<p>Mr. Saleemur Rahman Advocate for learned counsel for the appellant present.</p> <p>Requests for adjournment as learned counsel is engaged before Honourable High Court at Abbottabad today. Adjourned to 29.01.2020 before S.B.</p> <p style="text-align: right;"> Chairman</p>

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL, PESHAWAR.**

Service Appeal No. 1512 /2019

Sohail Ayub

...APPELLANT

**V E R S U S**

Chief Conservator Forest and others

...RESPONDENTS

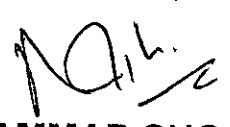
**APPEAL**

**INDEX**

S.No.	Description of Document	Annexure	Page No.
1.	Service Appeal alongwith Affidavit	--	1-9
2.	Copy of appointment order	"A"	1-2
3.	Copy of order	"B"	3-4
4.	Copies of notice and reply	"C"	4-31
5.	Copy of the removal order	"D"	32-33
6.	<sup>appeal +</sup> Copy of order 01.11.2019	"E", F	34-44
7.	Vakalat Nama	G	45

  
...APPELLANT

Through:

  
(MUHAMMAD SHOAIK KHAN)  
Advocate High Court, Abbottabad

Dated: 11-11-2019

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA**  
**SERVICES TRIBUNAL, PESHAWAR.**

Service Appeal No. 1512 /2019

Sohail Ayub S/o Nazir Ayub R/o Darosh District Chitral.

...**APPELLANT**

Khyber Pakhtunkhwa  
Service Tribunal

**V E R S U S**

Diary No. 1605

Dated 11/11/2019

1. Chief Conservator Forest, Central Southern, Region-I, Peshawar.
2. Chief Conservator Forest, Malakand Region-III, Saidu Shareef, Swat.
3. Conservator of Forest, Malakand Forest Circle West at Tamergara, Lower Dir.
4. Divisional Forest <sup>offices</sup>, Chitral.
5. Mst. Shakira FFE, Forest Division Chitral.

...**RESPONDENTS**

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**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT  
1974 AGAINST THE OFFICE ORDER NO.162  
CHITRAL DATED 14.06.2019 PASSED BY THE  
RESPONDENT NO.4 VIDE WHICH THE  
APPELLANT WAS REMOVED FROM THE  
SERVICE AND AGAINST WHOM BY THE APPEAL  
OF THE APPELLANT WAS ALSO REJECTED BY  
THE RESPONDENT NO.2 DATED 01.11.2019.**

-----  
-----

Filed to-day

Registrar

11/11/2019

struck  
down  
29/11/20

**PRAYER:**

ON ACCEPTANCE OF INSTANT APPEAL, THE IMPUGNED ORDER DATED 14.06.2019 RESPONDENT NO.4 MAY KINDLY BE SET-ASIDE AND THE APPELLANT MAY GRACIOUSLY BE REINSTATED IN SERVICE WITH ALL BACK BENEFITS OR ANY OTHER RELIEF WHICH THIS HON'BLE TRIBUNAL DEEM FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE APPELLANT.

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***Respectfully Sheweth:***

***Following are the facts, giving rise to the instant services appeal.***

1. That appellant was appointed as a Junior Clerk BPS-11 in the office of District Forest Officer Chitral and the appellant resumed and assigned his job on 13.03.2019. ***(Copy of appointment order is annexed as Annexure "A")***
2. That petitioner/appellant throughout his professional carrier performed his duty by Zen



and zest, and never given opportunity to his officers to question his conduct or job.

3. That, appellant was recommended by DSc validly constituted for section of a Vacant post which itself is sufficient showing the efficiency and competency of the appellant.
4. That on appointment of appellant certain Elements in the office were not happy with the appellant appointment as their blue eyed, were not selected through the impartial procedure of selection therefore appellant was from the beginning of his timing faced hardship from the followers.
5. That, the respondent No.4 falsely charged the appellant for harassment of an aged women "Mst.Shakira Bibi" Absence from duty, Submission of resignation.
6. That, one Mst.Shakira Bibi who is an old and aged senior lady in the office who introduced herself as a good friend of appellant mother and she herself gave her mobile number. Appellant was in the knowledge that old and aged lady is

the mother of several children and astonishingly appellant messages of calling her as mother and according good morning & good night were treated with malafide intention in "Women harassment case" which is admittedly not comes in the domain of harassment case and neither the procedure according to law was not adopted.

- 4 7. That neither appellant was absent without information and nor tender his registration resignation allegations were baseless and with bona fide intent case outlay to harass the appellant.
8. That the allegation of absence & resignation after properly explanation respondent No.4 accepted the plea and was exonerated from the charge.  
**(copy of order is annex as Annexure "B")**
9. That after showcase notice the appellant personally appear and submitted his reply. Which is annexed as **Annexure "C"** and after that the appellant was removed from the service which is annexed as **Annexure "D"**)

10. That, appellant being aggrieved of the order passed by respondent No.4 dated 14.06.2019 filed an appeal which is was decided on 01.11.2019 order. **(Copy of order is annexed as Annexure "E")**

11. That, appellant left with no other option but to assail the acts of the respondents before this Honourable Tribunal who got ultimate jurisdiction, inter-alia, on the following grounds:-

**GROUND:**

✓ a) That impugned order dated 14.06.2019 passed by the respondent No.4 is wrong, illegal against law and fact, arbitrary fanciful, perverse, without lawful authority against natural justice & also against the rules and regulations & nullity in the eye of law.

b) That the impugned order dated 14.06.2019 is against procedures on laid down in term No.17 of Government Service (Efficiency & Disciplinary Rules 2011) therefore it is not tenable in the eye of law.

- ✓ c) That one sided inquiry was conducted without affording opportunity of hearing to the appellant was there sheer violation of Natural justice which is clear cut violation of law only this core is sufficient to set aside in the finding of the inquiry.
- d) That, the act of respondents is against the fundamental right of the appellant, which is guaranteed under constitution of Islamic republic of Pakistan 1973.
- e) That, the act of respondents is illegal, unlawful, against law, against facts and circumstances of the case and against the principle of natural justice.
- f) That, according to the prevailing law no employee cannot be terminated from service on account of the absence
- ✓ g) That the procedure of harassment was not adopted the law neither the procedure which was adopted for the removal of the appellant was not according to the law.

- h) That the respondents did all the proceedings without touching the legal requirements of the law and procedure hence the impugned order is liable to be set aside.
- i) That, from the available material / evidence as produced against the appellant if properly evaluated would result into exoneration of the appellant from the charge levelled.
- j) That, addresses of the parties have correctly and detailed mentioned in the heading of the appeal.
- k) That, the instant appeal is well within time.
- l) That, the other points would be urged at the time of arguments.

**On acceptance of instant petition / appeal, the impugned order dated 14.06.2019 respondent No.4 may kindly be set-aside and the appellant may graciously be reinstated in service with all back benefits or any other relief which this Hon'ble Tribunal deem fit and**

proper in the circumstances of the case may also be granted to the appellant.

  
...APPELLANT

**Through:**



**(MUHAMMAD SHOAIB KHAN)**  
Advocate High Court, Abbottabad

Dated: 11-11- /2019

**VERIFICATION:-**

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

Dated: 11-11- /2019

  
...APPELLANT

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL, PESHAWAR.**

**Service Appeal No. /2019**

Sohail Ayub

...APPELLANT

**V E R S U S**

Chief Conservator Forest and others

...RESPONDENTS

**SERVICE APPEAL**

**AFFIDAVIT**

I, ***Sohail Ayub S/o Nazir Ayub R/o Darosh District Chitral, Appellant*** do hereby solemnly affirm, and declare that the contents of forgoing ***Service Appeal*** are true and correct to the best of my knowledge and nothing has been suppressed from this Honourable Court.

Dated:- 11-11- /2019

**ATTESTED**



9/11/2019

*Sohail Ayub*  
...APPELLANT

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL, PESHAWAR.**

**Service Appeal No. /2019**

Sohail Ayub

**...APPELLANT**

**V E R S U S**

Chief Conservator Forest and others

**...RESPONDENTS**

**APPEAL**

**APPLICATION FOR SUSPENSION OF THE OPERATION  
OF IMPUGNED ORDERS DATED 14.06.2019 PASSED  
BY THE RESPONDENTS TILL FINAL DECISION OF THE  
INSTANT APPEAL.**

***Respectfully Sheweth,***

1. That the titled appeal is filed before this Honourable Court, the contents of the same may be treated as an integral part of this application.
2. That the petitioner has a good Prima-Facie case and balance of convenience also lies in his favour.
3. That if the impugned orders passed by the respondents have not been suspended then petitioner would suffer irreparable loss and the purpose of filing appeal would become infructuous.



It is, therefore, humbly prayed that on acceptance of the foregoing application, the orders of the respondents may kindly be suspended till final disposal of titled appeal.

*Sohail Ayub*  
...APPELLANT

Through:

*Naib*

Dated: 11-11-2019

(MUHAMMAD SHOAIB KHAN)  
Advocate High Court, Abbottabad

**AFFIDAVIT:-**

I, **Sohail Ayub S/o Nazir Ayub R/o Darosh District Chitral, Appellant** do hereby solemnly affirm, and declare that the contents of forgoing **Application** are true and correct to the best of my knowledge and nothing has been suppressed from this Honourable Court.

Dated:- 11-11-2019

*Sohail Ayub*  
ATTESTED ...APPELLANT



9/11/2019

Ammeaur  
A (1)


OFFICE ORDER NO. 100 DATED CHITRAL THE 18 / 03 / 2019, ISSUED BY  
MR. SHAUKAT FIAZ DIVISIONAL FOREST OFFICER,  
CHITRAL FOREST DIVISION, CHITRAL

Consequent upon the recommendation of the Departmental Selection Committee constituted vide this office No.29, dated 24.9.2018, for the selection against the vacant post Junior Clerk under Normal budget in Chitral Forest Division, Mr. Sohail Ayub S/o Nazer Ayub R Drosh Tehsil and District Chitral is hereby appointed as Junior Clerk in BPS-11 (Rs.12570-880-38970) with usual allowances as admissible under the rules with the following terms and conditions:-

**TERMS & CONDITIONS:**

- I. You will be governed by the Khyber Pakhtunkhwa Civil Servants Act 1973, all other laws applicable to the Civil Servants and the Rules made there under.
- II. You shall, initially be on probation for a period of one year in terms of Section 6(2) of Khyber Pakhtunkhwa Servants Act read with Rule-15(i) Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.
- III. Your services shall be liable to termination at any time without assigning any reason thereof before the expiry of the period of probation / extended period of probation. If your performance during this period is not found satisfactory, in such an event, you will be given one month prior notice of termination from service or one month pay in lieu thereof.
- IV. In case you wish to resign at any time, a month prior notice will be necessary or in lieu thereof, one month's pay shall be forfeited.
- V. You will not be entitled to any TA / DA on your first appointment as Junior Clerk in BPS-11 (Rs.12570-880-38970).
- VI. You will produce Medical Fitness Certificate from Medical Superintendent District Head Quarter Hospital Chitral.
- VII. Your appointment is subject to satisfactory report of verification of character / antecedents from District Police Officer Chitral.
- VIII. Your appointment is subject to verification of documents / testimonials from the concerned Board / University.
- IX. If the above terms and conditions are acceptable to you, you should report to the Department within 14 days from the date of issue of this order.
- X. If you are not willing to join or failed to report within stipulated time period, the post will be offered to the next candidate on merit list.

Attested:  
  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

  
(Shaukat Fiaz)  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral

(2)

No. 4431-10 IG,

Copy forwarded to the:-

1. The Chief Conservator of Forests, Central Southern Forest Region-I, Peshawar.
2. The Chief Conservator of Forests, Malakand Forest Region-III, Saidu Sharif Swat.
3. The Conservator of Forests, Malakand Forest Circle West at Timergara Lower Dir.
4. The Director, Budget & Accounts, Forestry, Environment & Wildlife Department, Government of Khyber Pakhtunkhwa, Peshawar.
5. The Section Officer Establishment, Forestry, Environment & Wildlife Department, Government of Khyber Pakhtunkhwa, Peshawar.

6. The Divisional Wildlife Officer, Chitral Wildlife Division, Chitral.
7. Mr. Abdul Majeed, D.F.O. Upper Dir (the then SDFO Drosh North Forest Sub Division).

**For favour of information, please.**

8. Mr. Sohail Ayub S/o Nazer Ayub R/o Drosh Tehsil and District Chitral for information.
9. Head Clerk/ Accountant Divisional Office Chitral for information & necessary action.
10. Office order/ personal files for record.

*Attested.*

*[Signature]*  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

*[Signature]*  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral

DIVISIONAL FOREST OFFICER  
CHITRAL FOREST DIVISION  
CHITRAL.



Amear B (1)  
NEAR CHEW BRIDGE DANIN

Phone No. (0943) 413381

Fax No. (0943) 413389

Email: dfochitral2017@gmail.com.pk

3

No. 5010 IG,

Dated. Chitral the 05/4 2019

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office, Chitral.

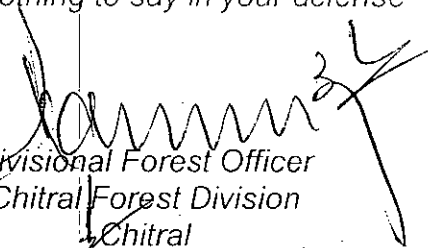
Subject- ABSENCE FROM DUTY—Explanation thereof  
Memo:-

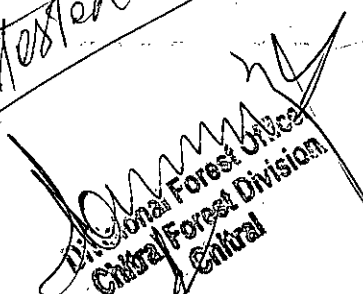
Today on 05.4.2019, you remained absent from duty without submission of any application or telephonic information for leave.

Therefore, you are hereby called to explain your position as why disciplinary action should not be taken against you, under Government of Khyber Pakhtunkhwa (Efficiency & Discipline) Rules 2011.

Your reply to the explanation should reach this office within seven days after issue of this letter. In case of failure it will be presumed that you have nothing to say in your defense and exparte action should be initiated against you.

pl. acknowledge Receipt

  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

Attested:-  
  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

Amman C. (4)

The District Forest Officer  
Chitral

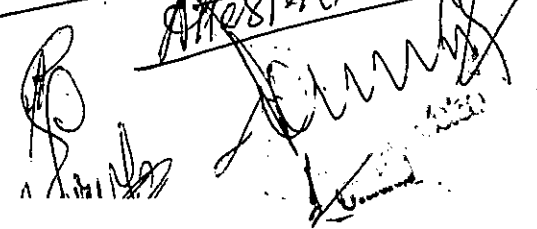
Subj: Absence from Duty on 05/04/19  
Reference your office letter No 5010/G  
Dated: 05/04/19

Sir,

With most respect I beg  
to say that I was not  
feeling well on the day  
of my absence.

Therefore I want to apologize to  
you for the absence of  
the day-- please grant  
my application to make  
acceptable of my presence  
at office--

Dated: 06/04/2019  
Es/   
not satisfied  
15/4/19

Lous Obedant  
O/C Chitral  
Attested  


The DFO Central  
Forest Region Chitral,





Sir, Most respectfully I  
beg to say that I am  
not eligible for the post  
of Asst (II), because I  
am not feeling comfort with  
my department staff.  
Therefore I am <sup>requesting</sup> resigning  
from this job.

Es called for  
personal reasons

Date 19/04/2019. 2374119.

Attested -  
[Signature]  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

6

<p><b>DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL</b></p>		<p><b>NEAR CHEW BRIDGE DANIN</b>   <b>Phone No.(0943) 413381</b>   <b>Fax No.(0943) 413389</b>   <b>Email: dfochitral2017@gmail.com</b></p>
<p><b>No. 5326 IG, Dated Chitral the 24/4/2019</b></p>		

To,

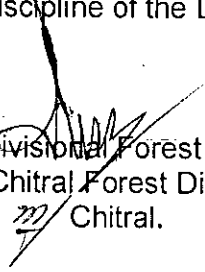
Mr. Sohail Ayub, Junior Clerk  
Divisional Forest Office, Chitral.


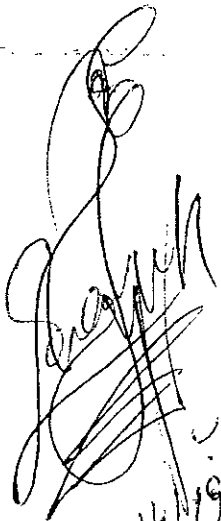
Subject: - **ABSENCE FROM GOVERNMENT DUTY.**  
Memo: -


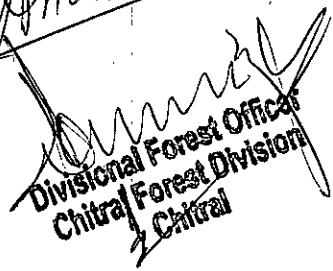
Consistently you have been advised verbally to ensure your presence in the office by 09:00 o'clock sharply and to do not leave the office before closing hours, but regrettably you are neither observing the office time nor complying the instructions of the undersigned and have adopted the habit to leave the office before the office closing hour without prior permission.

Most recently on 23.04.2019 you arrived in the office at 10:30 Am and by 02:30 pm you are not available in the office, which is not desirable in your part.

Keeping in view the above, you are directed to observe the office timing and discipline of the Department. This will be in your own interest.

  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.

 %  
  
24/4/19

  
Attested  
  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

خدمت جناب DFO صاحب نارست ڈویژن چترال

جناب عالی (6)

گزارش ہے چونکہ حدودیہ گزشتہ 13 سال سے نارست ڈویژن چترال میں بحیثیت FFE فرائض ستر انجام دے رہے ہیں۔ میرے سارے اسٹاف جو کیڈاڑ سے لیکر بیڑہ کلرک تک ہمارے ساتھ بیت اچھے طریقے سے پیش آ رہے ہیں۔ کئی بھی اسٹاف کی جانب سے آنے تک اس قسم کے کوئی نامہ یا Message یا کال مجھے موصول نہیں ہوا۔ آنے ایک جوئیئر کلرک سبیل الوب جو مجھے بار بار غلط نامہ یا الفاظ پر مشتمل Message بھیجتا ہے۔

جناب والا

میں بھی کئی کی بیوی کئی کی ہیں اور میں بچوں کی مار ہوں اور اپنی عزت بحال رکھ کر ملذمت کر رہی ہوں اور رشتہ ائمہ ائندہ بھی کروں گی

لینڈا جناب والا سے التماس ہے کہ موصوف (جوئیئر کلرک) کو سزا دے کہ انتہا کیا جانے۔ تاد ایڈہ ایسا کوئی شرکت نہ کرے بڑی میر بانی بیڑہ

Attested:  
Divisional Forest Officer  
Chitral Forest Division

سیکرٹری نارست ڈویژن چترال  
23/04/2019



8

DIVISIONAL FOREST OFFICER  
CHITRAL FOREST DIVISION  
CHITRAL.

NEAR CHEW BRIDGE DANIN  
Phone No. (0943) 413381  
Fax No. (0943) 413389  
Email: dfochitral2017@gmail.com.pk

No. 5332 IG, Dated Chitral the 24/4 /2019

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office,  
Chitral.

Subject:- ABSENCE FROM DUTY—Explanation thereof

Memo:-

Reference your reply to explanation dated 16.4.2019.

Your reply to the subject explanation not found satisfactory. However,  
keeping in view your short service, you are hereby warned to be careful in future.

Divisional Forest Officer  
Chitral Forest Division  
Chitral

Attested:

Divisional Forest Officer  
Chitral Forest Division  
Chitral

9

DIVISIONAL FOREST OFFICE  
CHITRAL FOREST DIVISION  
CHITRAL.

NEAR CHEW BRIDGE DANIN  
Phone No.(0943) 413381  
Fax No.(0943) 413389  
Email: dfochitral2017@gmail.com.pk

No. 5337 IG,

Dated Chitral the 25/4 / 2019

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office, Chitral.

Subject:- ABSENCE FROM DUTY—Explanation thereof

Memo:-

In spite of verbal instructions as well as written warning issued to you vide this office letter No.5326/G, dated 23.4.2019 and No.5332/G, dated 24.4.2019, you again remained absent from duty on 25.4.2019 which tantamount to mis-conduct and inefficiency on your part.

As per Terms and conditions at Sl. No. II and III of your appointment Order No.100 dated 18.3.2019, you are on probation period and liable to termination at any time without assigning any reason thereof.

You are, therefore called upon to explain as why action should not be taken against you under the Govt. of Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011.

Your reply to the explanation should reach this office within seven days of the issue of this letter. In case of failure it will be presumed that you have nothing to say in your defense and exparte action should be taken against you under the rules *ibid.*

*[Handwritten signature]*

Divisional Forest Officer  
Chitral Forest Division  
Chitral

*[Handwritten signature]*  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

DEO Forest Division  
Chitral Forest.

(17)

(10)

Sir = Absence from duty on 25/04/19  
Reference your office letter no. 5337  
dated 25/04/2019. P-15


Sir,  
with respect I argue that I was  
absent since I was in hospital.  
Therefore I want that please don't  
take any disciplinary action against me  
I have received the elaboratory  
letter and I am answering the  
hearing of me for being absent  
during the office time. Kindly  
grant my apologizing.  
I will be punctual in the office  
furtherly. Thanks.

Attested:

  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

For obedient  
Employee JIC  
Sohail Ayub

11

DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL.		NEAR CHEW BRIDGE DANIN Phone No. (0943) 413381 Fax No. (0943) 413389 Email: dfochitral2017@gmail.com.pk
No. 5487 IG,	Dated Chitral the 30/4/2019	

To,

**Mr. Shakeel Ahmad SDFO Chitral/  
 Chairman Committee for "Protection Against  
 Harassment of Women at the Workplace Act 2010,  
 Chitral Forest Division, Chitral.**

**Subject:- COMPLAINT UNDER "Protection Against Harassment of Women  
 at the Workplace Act 2010".**

**Memo:-**

**Enclosed find herewith an application/ complaint (in original which is self  
 explanatory) received From Mrs. Shakira Bibi F.F.E. of Chitral Forest Division for  
 investigation and submission of detail report at your end to this office within seven days  
 of the issue of this letter.**

**Encl. as above**

*[Signature]*  
 Divisional Forest Officer  
 Chitral Forest Division  
 Chitral

No. 5488-89 IG,

**Copy forwarded for information and necessary action to:-**


- 1. Mr. Muhammad Faraz Senior Clerk/ Member subject committee.**
- 2. Mrs. Shakira Bibi FFE with reference to his application dated 23.4.2019.**

*Received*  
 27/4/2019

*[Signature]*  
*[Signature]*

*[Signature]*  
 Divisional Forest Officer  
 Chitral Forest Division  
 Chitral  
*Noted:*  
*[Signature]*  
 Divisional Forest Officer  
 Chitral Forest Division  
 Chitral

12

SUB-DIVISIONAL FORST OFFICER CHITRAL FOREST SUB-DIVISION CHITRAL.		NEAR CHIEW BRIDGE DANIN
No. 50/019	/CL,	Dated Chitral the 06/05 /2019

To,


Mrs. Shakira Bibi,  
F.F.E. Chitral Forest Division.

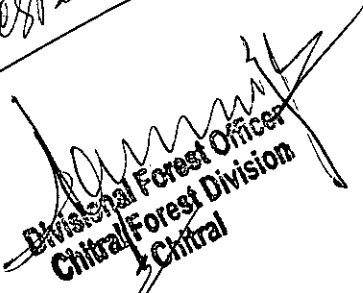
Subject:- COMPLAINT UNDER "Protection Against Harassment of Women at the Work Place Act 2010.

Memo:-

Reference Divisional Forest Officer Chitral letter No. 5487/G, dated 30/04/2019.

You are directed to appear in the office of the undersigned on 07/05/2019 for further proceeding the complaint received regarding harassment of women at work place.

  
Sub-Divisional Forest Officer,  
Chitral Forest Sub-Division,  
Chitral.

Attested:-  
  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

CSP  
dt: 06/5/2019

بخدمت جناب SDF&O صاحب پارکمنٹ ڈویژن چترال

(13)

*Amir*  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

جناب عالی

گزارش ہے جو اس وقت تک 50 تاریخ 06 مئی 2019، از دفتر  
SDF&O چترال مذکورہ کو موصول ہو گئی تھی۔ آج 07 مئی 2019  
مذکورہ SDF&O صاحب کے دو پرو زبانوں پر اہم فیصلہ کی طور  
پر بیان دیتے ہیں۔

چونکہ مذکورہ گزشتہ 13 سالوں سے فارسٹ ڈویژن  
چترال میں کمیٹی FPE فراڈز سرانجام دے رہی ہیں۔ آج  
تک میرے کئی بھی استفسارات کی جانب سے کئی بھی قسم کی مازیا  
Message یا کال موصول ہیں۔ میرے لیے تمام استفسار  
قابل فخر ہیں۔ اس طرح 23 اپریل 2019 کو ایک جوئیئر  
کلرک سٹیبل ایوب کی جانب سے مازیا الفیو پر مشتمل  
Messages موصول ہو گئی تھی۔ بار بار سمجھانے کے باوجود  
وہ بین سمجھتا ہے۔ مذکورہ ایک بھی ہونے کے ناطے بلکہ  
کو دراصلت کر رہی ہیں گو دراصل ایبہ آئڈرہ ہی  
کرونگی۔ میں ہیں جا رہی ہوں کہ میری وجہ سے میرے  
کانڈان کے لیے سائنس پیدا ہو رہی ہے۔

کٹاؤنگ لگ جائے۔

(14)

فدویہ میں بچوں کی ماں ہوں اس قسم کے سرکار  
کی وجہ سے میرے اہل میرے بچوں کے یہ مسئلہ پیدا ہوتا ہے  
اہل میرا ہوتا ہے گھر ویران ہونے کا فکرا ہے۔

لہذا اہل میرے سے التماس ہے کہ کام کی جگہ خواتین کو  
پراساں کیے جانے والے قوانین کو مدنظر رکھ کر صورت  
درج ذیل ملکی کو سزا دے کر انتباہ کیا جائے تاکہ  
وہ آئندہ ایسا کوئی حرکت نہ کرے

بڑی سہیلی ہونے


FFE شاہکار

ٹارگٹ ڈویژن چترال

dt: 07/05/2019

Attested:  
Jommi  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

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DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL.		NEAR CHEW BRIDGE DANIN Phone No.(0943) 413381 Fax No.(0943) 413389 Email dfochitral2017@gmail.com.pk
No. <u>5831</u> /G,	Dated Chitral the	<u>07/5</u> /2019

To,

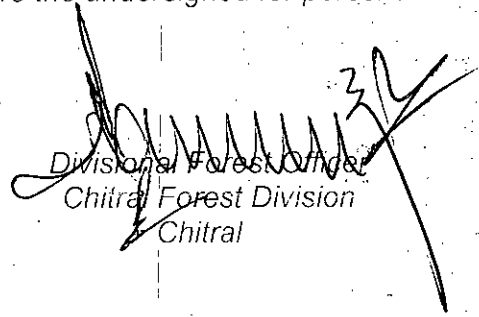
Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office, Chitral.

Subject:- **RESIGNATION FROM SERVICE**

Memo:-  
Reference this office letter No. 5383/G, dated 26.4.2019


You were called for personal hearing on 30.4.2019, but due to official engagements time could not be spared for the said hearing.

You are, therefore directed to be appear before the undersigned for personal hearing on 09.5.2019 at 11.00 AM positively.

  
Divisional Forest Officer  
Chitral Forest Division  
Chitral



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SUB-DIVISIONAL FORST OFFICER CHITRAL FOREST SUB-DIVISION CHITRAL.		NEAR CHIEW BRIDGE DANIN
No. 51/019	ICL,	Dated Chitral the 07/05 /2019

To,

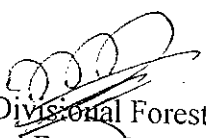
Mr. Sohail Ayub,  
Junior Clerk Chitral  
Forest Division Chitral.

Subject:- COMPLAINT UNDER "Protection Against Harassment of Women at the Work Place Act 2010."

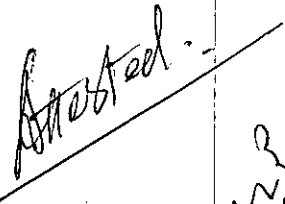
Memo:-

Reference Divisional Forest Officer Chitral letter No. 5487/G, dated 30/04/2019.

You are directed to appear in the office of the undersigned on 07/05/2019 for further proceeding the complaint received regarding harassment of women at work place.

  
Sub-Divisional Forest Officer,  
Chitral Forest Sub-Division,  
Chitral.

  
Sub-Divisional Forest Officer,  
Chitral Forest Sub-Division,  
Chitral.

  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.

Personal Hearing of Mr. Sohail Ahmad, JIC  
by The Committee today on 9/5/2019

سوال نمبر 1 - آپ درخواست گزار کو کیسے جانتے ہیں ؟

جواب نمبر 1 - فارمٹ آفس میں کام کرتے تھے اس لئے جانتا ہوں

سوال نمبر 2 - کیا جواب میں نمبر 03471917100 دیا ہے -

جواب نمبر 2 - ہاں یہ میرا زیر استعمال نمبر ہے

سوال نمبر 3 - آپ نے سزا گزشتہ کو کوئی عیب نہیں دیکھا ہے -

جواب نمبر 3 - میں Good morning / Goodnight اور I love you Mother کے الفاظ سے  
عیب نہیں دیکھا ہے۔

سوال نمبر 4 - آپ نے یہ عیب کیسے دیکھا اور کس وقت کی تھی -

جواب نمبر 4 - میں نے عیب نہیں دیکھا Good morning جمعہ وقت توڑتا ہے اور

Goodnight ملا عیب گزارتے توڑتا ہے (11:30) یا سڑک لگا رہے لگتا ہے۔

سوال نمبر 5 - آفیسر ظلم کے علاوہ آپ کا سزا گزشتہ کوئی عیب کیا ہے -

جواب نمبر 5 - اسٹاف / فیکلٹی جانر میں سزا گیا تھا۔

سوال نمبر 6 - آپ نے سزا گزشتہ کوئی عیب دیکھا ہے اور کون کونسا اسٹاف اسٹاف اسٹاف

جواب نمبر 6 - اسٹاف میں نے - عیب دیکھا - Ex-spt اور باہر کے کرتا ہوں -

سوال نمبر 7 - کیا آپ یہ سمجھتے ہیں کہ اسٹاف کوئی عیب دیکھتا ہے

جواب نمبر 7 - میں نہیں سمجھتا کہ اسٹاف کوئی عیب دیکھتا ہے Harassment والی کوئی عمل کرتا ہے  
اگلی سزا گزشتہ میں یہ اسٹاف سے ڈال دیا تو میں معافی چاہتا ہوں

*[Signature]*

*[Signature]*  
Member


*[Signature]*  
Member

Shakeel Ahmad (S.I.F.O)

Attested:  
*[Signature]*  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

OFFICE ORDER NO. 141 DATED CHITRAL THE 17 /05/2019,  
ISSUED BY MR. SHAUKAT FIAZ DIVISIONAL FOREST OFFICER,  
CHITRAL FOREST DIVISION, CHITRAL

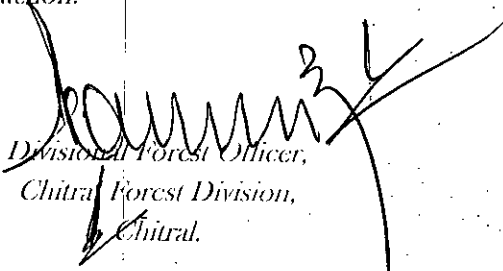
On arrival for duty in compliance of office order No.100, dated 18.03.2019, Mr. Sohail Ayub newly appointed Junior Clerk was assigned the job of 'Diary & Dispatch' and now he is hereby posted in General & Lease Branch under the supervision of Mr. Muhammad Paraz Senior Clerk with immediate effect in the interest of public service.

  
(Shaukat Fiaz)  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral

No. 5701-04 /G,

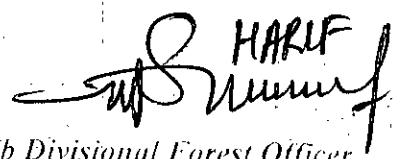
Copy forwarded to:-

1. The Conservator of Forests, Malakand Forest Circle West at Timergara for information, please.
2. Head Clerk/ Accountant Divisional Forest Office Chitral for information & necessary action.
3. ✓ Mr. Sohail Ayub Junior Clerk for information and necessary action.
4. Office order/ personal files for record.

  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.

CC: No. 302-305 dated 20/05/2019

- ✓ 1) DFO, Chitral for favor of information please.
- 2) All above officials.
- 3) Office File

*HARUF*  


Sub Divisional Forest Officer  
Droshi North Forest Sub Division

Submitted  
 To Subordinate in  
 Reply of the officials  
 along with his comments  
 and Recommendation.  
 2/5

DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL.		NEAR CHEW BRIDGE DANIN Phone No.(0943) 413381 Fax No.(0943) 413389 Email: dfochitral2017@gmail.com.pk
No. 5758 /G,	Dated Chitral the	21/5 2019

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office, Chitral.

Subject:- ABSENCE FROM DUTY—Explanation thereof

Memo:-

Besides consistently advised verbally to ensure your presence in the office during the fixed office hours and do not leave the office before closing hours but all in vain and it is regretted to say that you have again remained absent from duty on 10.5.2019.

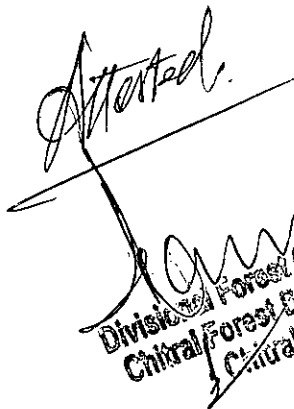
This is 3<sup>rd</sup> time you are being called to explain as to why you are not obeying the instructions issued to you in writing as well as verbally repeatedly.

You are, therefore finally called to explain as why not action should be taken against you in pursuance of terms & conditions at Sl. No. I, II and III of your appointment order bearing office order No.100, dated 18.3.2019.

Your reply to this explanation should reach this office within seven days of the issue of this letter. In case of failure necessary action should be taken against you in terms & conditions narrated above.




Attested.



Divisional Forest Officer  
Chitral Forest Division  
Chitral

Divisional Forest Officer  
Chitral Forest Division  
Chitral

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<b>DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL.</b>		<b>NEAR CHEW BRIDGE DANIN</b> Phone No. (0943) 413381 Fax No. (0943) 413389 Email: dfochitral2017@gmail.com.pk
No. <u>5757</u> /G, Dated Chitral the <u>21/5</u> / 2019		

To,

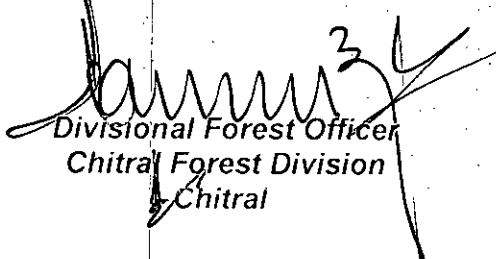
*Sub Divisional Forest Officer,  
Drosh North Forest Sub Division,  
Drosh.*

Subject:- EXPLANATION


Memo:-

*Reference your office Endst. No.302-305, dated 20/05/2019.*

*You are directed to submit reply of the official along with your comments  
and recommendations for further necessary action in this office.*

  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

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	OFFICE OF THE SUB DIVISIONAL FOREST OFFICER CHITRAL FOREST SUB DIVISION CHITRAL FOREST DIVISION CHITRAL
No. 61/019-cl	Dated. 21/05/2019

To

Divisional Forest Officer Chitral,  
Chitral Forest Division,  
Chitral.

**Subject: INQUIRY REPORT UNDER HARRASEMENT ACT.**

Dear sir,

Enclosed here find with detail report regarding harresement case under protection against harasement of women at work place act 2010 gainst sohail ayoub junior clerck.

Attested:  
  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

  
Sub Divisional Forest Officer  
Chitral Forest Sub Division

**INVESTIGATION REPORT REGARDING COMPLAINT RECIVED FROM MRS SHAKIRA BIBI F.F.P OF CHITRAL FOREST DIVISION AGAINST SOHAIL AYUB JUNIOR CLERCK OF CHITRAL FOREST DIVISION**

**BACK GROUND**

Letter received from the office of Divisional forest officer chitral regarding complaint received from Shakira bibi F.F.E about sohail ayub junior clerck regarding harassment in working place under "protection against harassment of women at the workplace act 2010"

**PROCEEDINGS**

On receipt of letter no 5488-89/G from the office of divisional forest officer along with complaint from Shakira Bibi in original, the chairman committee directed shakira bibi and sohail ayub to attend the committee on 07/05/2019 and 09/04/2019 for recording their statement regarding the harassment allegation.

Later on dated 07/05/2019 shakira bibi submitted hers written statement to the chairman committee, also shows all the messages that were received from sohail ayub on her numbers and also shows the number 0347 1917100r to the members of the committee. The messages were translated by the local member of the committee as the messages were in chitrali. The applicant shakira bibi also claimed that Sohail ayub also tried to physically molest in different manners.

On dated 09/05/2019 sohail ayub appeared before the committee for the purpose of statement/personal hearing, in his statement sohail ayub confirmed that 0347 1917100 is his personal number and is in his personal use. He also confirmed that he messaged shakira bibi late night around 11:30 pm and also early in the morning. He also stated that the messages that he sent to shakira bibi were " I love you" " I love you Mom" " good morning" and " good night" messages. He also stated that he only message Muhammad Rahim head clerk in the office staff. He rejected that he has done any harassment.

**DISCUSSION:**


The accused official admitted that he have messaged to Shakira bibi but was not accepting that the messages falls in the criteria of harassment and was repeatedly y saying that the messages were purely professional as she is his colleague but as far as reality is concerned the messages that he has forwarded to shakira bibi falls in the criteria of harassment and also contacting her repeatedly after the office hours also falls in harassment.


*Arrested:-*  
*[Signature]*  
Divisional Forest Officer  
Chitral Forest Division  
Chitral



**CONCLUSION:**


After examining all the facts it is concluded that sohail ayoub is found guilty for harassment of women at work place under Protection against harassment of women at work place act, 2010.

  
MUHAMMAD PARAZ  
S/CLERK (MEMBER)

  
SUB DIVISIONAL FOREST OFFICER  
CHITRAL FOREST SUB DIVISION

Attested.  
  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

25

<b>DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL.</b>		<b>NEAR CHEW BRIDGE DANIN</b> Phone No.(0943) 413381 Fax No.(0943) 413389 Email: dfochitral2017@gmail.com.pk
No. <b>5757</b> /G,	Dated Chitral the <b>21/5</b> / 2019	

To,

**Sub Divisional Forest Officer,  
Drosh North Forest Sub Division,  
Drosh.**

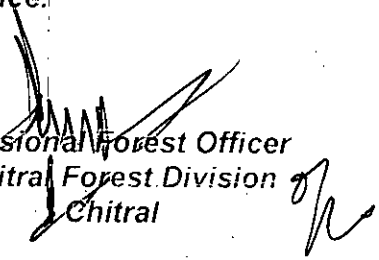
**Subject:- EXPLANATION**

**Memo:-**


**Reference your office Endst. No.302-305, dated 20/05/2019.**

**You are directed to submit reply of the official along with your comments and recommendations for further necessary action in this office.**

**Divisional Forest Officer  
Chitral Forest Division  
Chitral**



26

<b>DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL.</b>		<b>NEAR CHEW BRIDGE DANIN</b> Phone No.(0943) 413381 Fax No.(0943) 413389 Email: dfotchitral2017@gmail.com.pk
No. <u>5758</u> /G,	Dated Chitral	the <u>21/5</u> / 2019

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office, Chitral.

Subject:- ABSENCE FROM DUTY—Explanation thereof

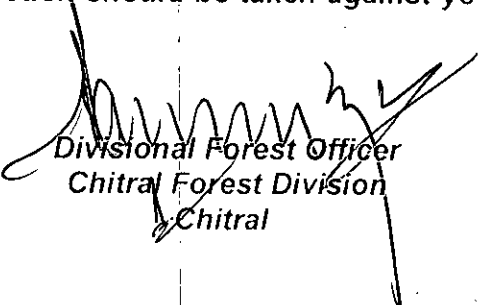
Memo:-

Besides consistently advised verbally to ensure your presence in the office during the fixed office hours and do not leave the office before closing hours but all in vain and it is regretted to say that you have again remained absent from duty on 10.5.2019.


This is 3<sup>rd</sup> time you are being called to explain as to why you are not obeying the instructions issued to you in writing as well as verbally repeatedly.

You are, therefore finally called to explain as why not action should be taken against you in pursuance of terms & conditions at Sl. No. I, II and III of your appointment order bearing office order No.100, dated 18.3.2019.

Your reply to this explanation should reach this office within seven days of the issue of this letter. In case of failure necessary action should be taken against you in terms & conditions narrated above.

  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

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DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL.		NEAR CHEW BRIDGE DANIN Phone No. (0943) 413381 Fax No. (0943) 413389 Email: dfochitral2017@gmail.com.pk
No. <u>5835</u> /G, Dated Chitral the <u>24/05</u> /2019		

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office, Chitral.

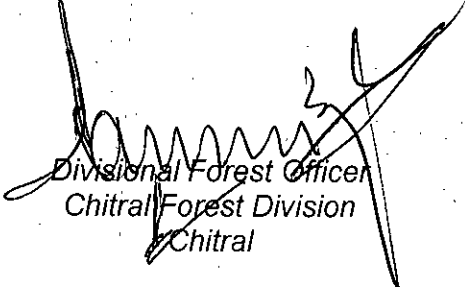
Subject:- RESIGNATION FROM SERVICE

Memo:-

Reference this office letter No.5531/G, dated 7.5.2019.

You were called for personal hearing on 09.5.2019 but due to official engagements, time could not be spared for the said hearing.

Therefore, you are directed to be appear before the undersigned for personal hearing on 29.5.2019 at 11.00 AM positively.

  
Divisional Forest Officer  
Chitral Forest Division  
Chitral

# Daily Attendance Register of the Divisional Forest Office Chitral (18)

Sl. No.	Name	Father's Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
1	Muhammad Faraz		S/C	M	M	M	M	M			M	M	M	M	
2	Gul Hassan Shah		S/C	L	L	L	L				L	L	L	L	
3	Muhammad Sabir		J/c	B	M	M	M				B	M	M	M	
4	Shamshad Ali		Driver	P	P	P	P	P			P	P	P	P	
5	Fazli Karim		-	P	P	P	P	P			P	P	P	P	
6	Istahuddin		NQ	P	P	P	P	P			P	P	P	P	
7	Nasim Ahmad		NQ	P	P	P	P	P			P	P	P	P	
8	Nazir Ahmad		NQ	P	Tan	Tan	Tan	Tan			P	P	P	P	
9	Saifur Rahman		NQ	P	P	P	P	P			P	L	L	L	
10	Mir Sowat Khan		NQ	P	P	P	P	P			P	P	Tan	Tan	
11	Abdul Karim		Chowkhi	P	P	P	P	P			P	P	P	4	
12	Amir Ejad		FLG	P	P	P	P	P			P	P	P	P	
13	Sohail Ayub		J/c	P	P	P	P	P			P	P	P	P	

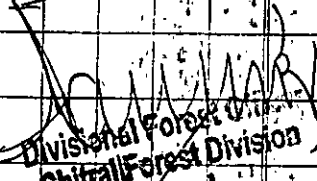
Attested

*[Signature]*  
 Divisional Forest Officer  
 Chitral Forest Division  
 Chitral

for the month of 4/2019

29

Sl	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
M	M			M	M	M	M	M			M	M	M	M	M				M	M		
L	L			L	L	L	L	L			L	L	L	L	L				L	L		
<del>M</del>	<del>M</del>			<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>			<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>				<del>M</del>	<del>M</del>		
P	P			P	P	P	P	P			P	P	P	L	L				P	P		
P	P			P	P	P	P	P			P	P	P	P	P				P	P		
P	P			P	P	P	P	P			P	P	P	P	P				P	P		
P	P			P	P	P	P	P			P	P	P	P	P				P	P		
P	P			P	P	P	P	P			P	P	P	P	P				P	P		
L	L			L	L	L	L	L			L	L	L	L	L				L	L		
<del>M</del>	<del>M</del>			<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>			<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>				<del>M</del>	<del>M</del>		
H	H			H	H	H	H	H			H	H	H	H	H				H	H		
<del>M</del>	<del>M</del>			<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>			<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>	<del>M</del>				<del>M</del>	<del>M</del>		
P	P			P	P	P	P	P			P	P	P	P	P				P	P		

Attested  
  
 Divisional Forest Officer  
 Chitral Forest Division  
 Chitral

# Daily Attendance Register of the

DFD office

30

Serial No.	Name	Father's Name	Rank	1	2	3	4	5	6	7	8	9	10	11
1.	Muhammed Faraz		S/L	X	m	m	X	X	m	m	m	m	m	X
2.	Gul Hassan Shah		S/L	X	L	L	X	X	L	L	L	L	L	X
3.	Muhammad Sabir		J/C	X	X	X	X	X	L	L	L	L	L	X
4.	Sobhan Ayub		J/C	X	P	P	X	X	P	P	P	P	P	(A)
5.	Shamshad Ali		Driver	X	P	P	X	X	P	P	P	P	P	X
6.	Fazal Karim		-/-	X	P	P	X	X	P	P	P	P	P	X
7.	Islahud Din		NQ	X	P	P	X	X	P	P	P	P	P	X
8.	Naseem Ahmad		NQ	X	P	P	X	X	P	P	P	P	P	X
9.	Nazir Ahmad		NQ	X	P	P	X	X	P	P	P	P	P	X
10.	Sajid Rehman		NQ	X	P	P	X	X	P	P	P	P	P	X
11.	Mir Saeed Khan		NQ	X	L	L	X	X	P	P	P	P	P	X
12.	Abdul Karim		Chook	X	P	P	X	X	P	P	P	P	P	X
13.	Amir Ejad		F/G	X	L	L	X	X	P	P	P	P	P	X

*Attested*

Divisional Forest Officer  
Chitral Forest Division  
Chitral

for the month of 05/2019

31

12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
<del>m</del>	<del>m</del>	<del>m</del>	<del>m</del>	<del>m</del>				<del>m</del>	<del>m</del>	<del>m</del>	<del>m</del>	<del>m</del>			<del>m</del>	<del>m</del>	<del>m</del>	<del>m</del>	<del>m</del>		
<del>L</del>	<del>L</del>	<del>L</del>	<del>L</del>	<del>L</del>				<del>L</del>	<del>L</del>	<del>L</del>	<del>L</del>	<del>L</del>			<del>L</del>	<del>L</del>	<del>L</del>	<del>L</del>	<del>L</del>		
<del></del>	<del></del>	<del></del>	<del></del>	<del></del>				<del></del>	<del></del>	<del></del>	<del></del>	<del></del>			<del></del>	<del></del>	<del></del>	<del></del>	<del></del>		
<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>				<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>			<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>		
<del>Fau</del>	<del>Fau</del>	<del>Fau</del>	<del>Fau</del>	<del>P</del>				<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>			<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>		
<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>				<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>			<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>		
<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>				<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>			<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>		
<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>				<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>			<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>		
<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>				<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>			<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>		
<del></del>	<del></del>	<del></del>	<del></del>	<del></del>				<del></del>	<del></del>	<del></del>	<del></del>	<del></del>			<del></del>	<del></del>	<del></del>	<del></del>	<del></del>		

*Attested*  
  
 Divisional Forest Officer  
 Chitral Forest Division  
 Chitral



Amean D  
14/06/2019

(32)

OFFICE ORDER NO. 162 DATED CHITRAL THE 14/06/2019,  
ISSUED BY MR. SHAUKAT FIAZ DIVISIONAL FOREST OFFICER,  
CHITRAL FOREST DIVISION, CHITRAL

Whereas Mr. Sohail Ayub S/o Nazer Ayub R/o Drosh Tehsil Drosh District Chitral was appointed as Junior Clerk in BPS-11 in Chitral Forest Division vide office order No.100, dated 18/03/2019 with the following terms and conditions that:-

1. He will be governed by the Khyber-Pakhtunkhwa Civil Servants Act 1973, all other laws applicable to the Civil Servants and Rules made there under.
2. He will, initially be on probation for a period of one year in terms of Section 6(2) of Khyber Pakhtunkhwa Servants Act read with Rule-15(i) Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.
3. His services shall be liable to termination at any time without assigning any reason thereof before the expiry of the period of probation / extended period of probation. If his performance during the period of probation is not found satisfactory, in such an event, he will be given one month prior notice of termination from service or one month pay in lieu thereof.
4. In case he wish to resign at any time, a month prior notice will be necessary or in lieu thereof, one month's pay shall be forfeited.

In contradiction of the above, he did not abide by the terms & conditions/rules and acted the following irregularities in the meaning of misconduct and inefficiency;

1. Absence from duty:

Besides instructing verbally and in writing he remained absent in the following dates:

- i. On 5.4.2019 he remained willfully absent from duty without getting prior permission/sanction of leave. Upon his absentia he was called to explain his position vide this office letter No.5010/G, dated 5.4.2019 but his reply dated 16.4.2019 was found not satisfactory. He was instructed verbally as well as vide this office letter No.5326/G, dated 23.4.2019 to observe office timing and be punctual in attending office. However he was warned to be careful in future vide this office letter No.5332/G, dated 24.4.2019.
- ii. In spite of verbal and written instructions he again remained absent on 25.4.2019 upon which he was again called explanation vide this office letter No.5337/G, dated 25.4.2019. He submitted his reply to the explanation on 16.5.2019 but found not satisfactory.
- iii. On 10.5.2019 he again remained absent from duty and was called to explain the reason of absentia vide this office letter No.5758/G, dated 21.5.2019 but he did not replied so far.

**2. Submission of resigning application:**

On 19.4.2019 he preferred application for resignation from Govt. service. Upon which he was called for personal hearing vide this office letter No.5383/G, dated 26.4.2019, No.5531/G, dated 7.5.2019 (dates of hearing were postponed due to office engagements) and No.5835/G, dated 24.5.2019 and date of hearing fixed for 29.5.2019.

**3. Incidence of Harassment of women at Workplace:**

On 23.4.2019, Mrs. Shakira Bibi FFE preferred a complaint before the undersigned that she has been harassed by sending obscenity & dirty messages from Mr. Sohail Ayub Junior Clerk. The said complaint was referred to SDFO Chitral/ Chairman of the Harassment Committee vide this office letter No.5487/G, dated 30.4.2019 for enquire/ investigation and report return.

The Chairman of the "Harassment Committee" submitted his enquiry findings/ report to the undersigned vide his office letter No.61/019-CI, dated 21.5.2019 wherein <sup>Committee</sup> he found the accused official as guilty for harassment of women at workplace under Protection against harassment of women at workplace act, 2010.

Now, whereas the undersigned conducted personal hearing of the accused official on 29.5.2019 Divisional office, wherein the accused official in his defense could not satisfied the undersigned with his replies, thus the undersigned reached to the conclusion and found the accused official Mr. Sohail Ayub Junior Clerk, being in probation period, guilty of misconduct /inefficiency and in capacity of authority awarded the penalty of "Termination / Removal from Service with immediate effect".

*sd/*  
(Shauikal Fiaz)

Divisional Forest Officer,  
Chitral Forest Division,  
Chitral

No. 6156-62/G, Dated Chitral the 19/6 /2019.  
Copy forwarded to:-

1. The Chief Conservator of Forests, Central Southern Forest Region-I Peshawar.
2. The Chief Conservator of Forests, Malakand Forest Region-III Saidu Sharif Swat.
3. The Conservator of Forests, Malakand Forest Circle West at Timergara Lower Dir.
4. The Section Officer (Establishment), Forestry, Environment & W/Life Deptt. Peshawar.

**For favour of information, please.**

5. Head Clerk/ Accountant Divisional Forest Office Chitral for information and necessary action.
6. ✓ Mr. Sohail Ayub S/o Nazer Ayub R/o Drosh Chitral (the then Junior Clerk) for information.
7. Office order/ personal files for record.

*[Signature]*  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral

Conservator of Forest,  
Malakand Forest Circle West,  
At Timergara Lower Dir.

Amal Kumar E

34

**Subject: DEPARTMENTAL REPRESENTATION/ APPEAL AGAINST THE OFFICE ORDER NO. 6156-6219 DATED CHITRAL THE 14/06/2019 MR. SHOUKAT FIAZ, DIVISIONAL FOREST OFFICER, CHITRAL FOREST DIVISION, CHITRAL, ALLEGEDLY AWARDED THE PENALTY OF "TERMINATION/ REMOVAL FROM SERVICE WITH IMMEDIATE EFFECT."**

Respectfully Sheweth: -

1. That, the appellant/ petitioner was appointed as Junior Clerk BPS-1' in the office of the D.F.O, Chitral Forest Division, Chitral and the appellant / petitioner resumed the duties and assigned job.
2. That, I was put on probation for a period of one year. however was extended with the condition No. iii mentioned in my appointment order that if my performance during period is not found satisfactory, in such an events, "I will be given one month prior notice of termination from service or one month pay in lieu thereof".
3. That, your goodself may take the notice of the following silent facts; -

I) Was recommended by the D.S.C validity constituted for selection of vacant post, which itself is sufficient showing the efficiency and competency of the appellant/petitioner.

II) That certain elements in the office were not happy with the appellant/ petitioner appointment as their blue eyed, were not selection, through the impartial procedure of selected, therefore, appellant/ petitioner was made the victim of the conspiracies prevailing over therein, this sort of game may be revealed as one office colleague namely Mrs. Shakira Bibi. FEF who herself introduced with me as a close friend of my mother and said Shakira Bibi herself given her mobile number to appellant / petitioner and the petitioner appellant was in knowledge that Shakira Bibi is a mother of children and astonishingly my messages of calling her as "Mother" and accordingly good morning and good night were treated as "Women Harassment Case" surely such type of conduct does not come within the definition and domain of harassment case, neither I was properly proceeded, nor proper opportunity was accorded.

- III) That petitioner/ appellat was proceeded unlawfully on the basis of 02 days absence, which was properly explained and at that time Honourable D.F.O has accepted the stance of the reason of the absence including medical ground and thereby even no reprimand was issued.
  
- IV) Although petitioner/ appellat may be on probation period but when the charges of misconduct is leveled then proper procedure of the inquiry was bound to be adopted and proceeded, neither any such show cause notice, statement of allegations, appointment of inquiry officer and vice virsa was adopted nor any other codal and mandatory requirement was extended.
  
- V) It is further submitted that, the Honourable DFO was bound to follow the law and legal procedure and adopt and uprightness in his conduct as the appellat / petitioner because of the source of bread earning of his family was required to have been dealt, whereby the petitioner ought to have been allowed to continue in the service with good atmosphere of working by excluding the conspiracies around the petitioner/ appellat.

It is therefore, your goodself is humbly requested that on acceptance of the present appeal/ representation the petitioner may graciously be reinstated in the service with all benefits and back benefits, me humble yours goodself subordinate and my family, white colloured,s will definitely pray for you and your dears.

Dated: 24/06/2019



**SOHAIL AYUB**  
S/o Nazer Ayub  
R/o Drosh, Tehsil & District Chitral,  
Junior Clerk BPS-II  
In the office of D.F.O. Chitral,  
Forest Division Chitral.

CC:

1. Chief Conservator of Forests, Melakand Forest Region-III, Saidu Shareef Swat.
2. Division Forest Officer, Chitral.

Receipt

38

Received photocopy of Appeal of  
Mr. Sohail Ayoub through his father  
namely Nazeer Ayoub resident of  
Dargah teher District Chitral  
in <sup>CP</sup> MKD West & office on: 1/7/2019



Stero circle west  
Timergane Div Lower

1/7/2019

Annexur  
E

39

OFFICE ORDER NO. 13 DATED 01/11/2019 ISSUED BY MR. MUHAMMAD YOUSAF KHAN CONSERVATOR OF FORESTS MALAKAND WEST FOREST CIRCLE TIMERGARA.

1. Whereas Mr. Sohail Ayoub Junior Clerk (appellant) was proceeded under E&D Rules, 2011 and Protection Against Harassment of Women at the work place Act 2010 issued by the (DFO Chitral) office order No. 162 dated 14/06/2019 on the following charges;
  - a. Misconduct.
  - b. Inefficiency.
  - c. Corruption.
2. Whereas inquiry officer (Shakeel Ahmad SDFO Chitral) was directed vide DFO Chitral letter No. 5487/G dated 30/4/2019 to investigate and submit the detail report under Protection Against Harassment of Women at the work place Act 2010.
3. Whereas the inquiry officer called the accused for personal hearing vide his office letter No. 51/019/CL dated 7/5/2019 after investigation of the subject case, he submitted the inquiry report to DFO Chitral vide his office letter No. 61/019-CL dated 21/05/2019 for further course of action.
4. Whereas the competent authority (DFO Chitral) after the detail report. The DFO Chitral conducted personal hearing on 29.05.2019.
5. Whereas the accused Official was awarded major penalty termination / Removal from service.
6. Whereas the appellant being aggrieved with the penalty awarded by DFO Chitral, filed the departmental appeal to the undersigned (appellate Authority) requesting to set aside the penalty. Para wise comments were asked from DFO Chitral and on receipt of the comments the appellant was provided chance of personal hearing, conducted the same at Conservator of Forests Malakand West Office on 4/09/2019.
7. Whereas on perusal of record, comments of the D.F.O Chitral and personal hearing of the appellant the facts surfaced that the accused was found guilty the, evidence proved the allgating against the appellant.
8. Whereas on perusal of service record the appellant during his short service proved himself unfit for the post of Junior Clerk as evident from his absence from duties language of correspondence with DFO Chitral and even his non serious and short tempered attitude of tendering resignations at the very beginning of his service.



ORDER:-

40

I Mr. Muhammad Yousaf Khan Conservator of Forests Malakand West Forest Circle Timergara in the capacity of appellate authority hereby rejected the appeal of the appellant and agree with the DFO Chitral office order No.162 dated 14/06/2019. And non-suitability are sufficient grounds for his discharge/ removal from service.


Sd/-  
(MUHAMMAD YOUSAF KHAN)  
CONSERVATOR OF FORESTS  
MALAKAND FOREST CIRCLE WEST  
TIMERGARA

No. 1450-52 /E dated the 01 / 11 /2019.

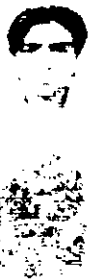
Copy to:-

1. The Chief Conservator of Forests, Malakand Forest Region (Region-III) Saidu Sharif Swat for favour of information please.
2. The Divisional Forest Officer Chitral for information and necessary action.
3. The Official concerned.


CONSERVATOR OF FORESTS  
MALAKAND FOREST CIRCLE WEST  
TIMERGARA



حکومت پاکستان  
قومی شناختی کارڈ  
15201-3976624-7  
نام: سید ایوب  
شعبہ: مو  
رکن کارڈ: 7  
شہر: کراچی  
15/02/1994



TT234Z 15201-3976624-7  
قومی شناختی کارڈ  
02/10/2022  
02/10/2012  
مسترد کردہ ہے پر کسی بینک میں اس کو



1

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42

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
CAMP COURT, ABBOTTABAD.

Appeal No. 842/2016

Date of institution ... 17.08.2016  
Date of decision .... 15.04.2019



Tariq Mahmood son of Muhammad Zareen PSHT Government  
Primary School Kolia Mada Khel, District, Kohistan.

(Appellant)

Versus

Government of Khyber Pakhtunkhwa through Secretary Education  
Peshawar and two others. ... (Respondents)

Present

Mr. Tanveer Ahmad Mughal,  
Advocate

... For appellant.

Mr. Muhammad Bilal,  
Deputy District Attorney

... For respondents.

MR. HAMID FAROOQ DURANI,  
MR. AHMAD HASSAN,

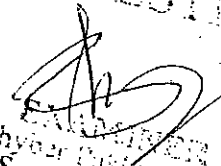
... CHAIRMAN  
... MEMBER.

JUDGMENT

HAMID FAROOQ DURRANI, CHAIRMAN:-

1. The appellant is aggrieved of order dated 29.04.2016 passed by respondent No. 3/District Education Officer (Male) Kohistan, whereby, major penalty of removal from service with retrospective effect was imposed upon him. A departmental appeal was submitted by appellant on 11.05.2016 which remained un-responded and during the pendency of instant appeal it surfaced through the comments of respondents that the departmental appeal of appellant was also dismissed on 26.09.2016. An amended appeal was,

**ATTESTED**

  
CHAIRMAN  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

2.

therefore, preferred wherein the order of departmental appellate authority was also questioned. 43

2. It is the case of appellant that he was appointed as PST on 23.05.1992 in GPS Kareen District Kohistan and was subsequently promoted as PSHT in the year 2014. He was not paid the salary for the month of June, 2015 and upon inquiry it revealed that the impugned order of removal from service was passed against the appellant.


3. We have heard learned counsel for the appellant; learned Deputy District Attorney on behalf of the respondents and have also gone through the available record.

4. The impugned order dated 29.04.2016 suggests that the appellant was proceeded against on account of his absence from duty since long. The reply/comments of respondents further contained the allegations that as per the report of ASDEO(M) Circle Pallas and SDEO(Male) Kohistan/IMU the appellant was continuously absent from duty during the month of September, 2015. That, he had marked fake attendance in the attendance register. Further, the appellant had travelled abroad for the purpose of job without obtaining N.O.C.

The record is, however, silent throughout regarding the fact that any enquiry was ever conducted against the appellant for his alleged wilful absence from duty. Besides, the specific period of absence attributed to the appellant has nowhere surfaced. Similarly,

10

ATTESTED

  
Sd/-  
Secretary  
Peshawar

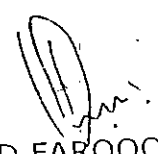
the impugned order though speak of removal of appellant from service with retrospective effect but is silent regarding the date of applicability of penalty against the appellant.

5. We are of the considered view that the appellant admittedly being a civil servant, was entitled to the treatment and departmental proceedings as provided in the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011. Needless to note that right of appellant in preferring his defence was also not extended to him. We, therefore, allow the appeal in hand and set aside the impugned orders dated 29.04.2016 and 26.09.2016 passed by the respondents. The appellant is resultantly reinstated in service while the respondents are required to conduct a proper enquiry in order to probe into the allegations against the appellant. The requisite enquiry shall be concluded within a period of ninety days from the receipt of copy of instant judgment, wherein, the appellant shall be provided fair opportunity of defence in accordance with law. The issue of back benefits in favour of appellant shall follow the outcome of enquiry proceedings.

Parties are left to bear their respective costs. File be consigned to the record room.

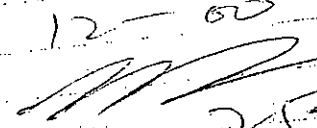


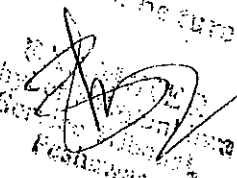
(AHMAD HASSAN)  
Member



(HAMID FAROOQ DURRANI)  
Chairman  
Camp Court, Abbottabad.

ANNOUNCED  
15.04.2019

Date of Prosecution	25-4-18
Number of Witnesses	1600
Copying Fee	105-00
Urgent	25-00
Total	125-00
Name of Copyholder	
Date of Claim	25-4-18
Date of Delivery of C. J.	25-4-18

Certified to be true copy  
  
Khyber Pakhtunkhwa  
Government

## وکالت نامہ

کورٹ فیس

سروس ٹریڈ ہونل فینڈر کٹواہ کسٹور

بعدالت

عنوان: سپیل الوپ نام صنف کٹور ٹریڈ ہونل فینڈر کٹواہ کسٹور

منجانب: سائل ایدو وکٹور

نوعیت مقدمہ: سروس ایپیل

## باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام  
محمد سندھو صاحب ایدو وکٹور - حدک شکیل خان ایدو وکٹور

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

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم:

بمقام:

محمد سندھو صاحب  
ایڈووکیٹ

BEFORE THE HONORABLE COURT OF KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR.

Appeal No.1512/2019.

Sohail Ayub S/o Nazir Ayub r/o Darosh, District Chitral Lower. ... Appellant.  
Versus

1. Chief Conservator of Forests, Central Southern Region-I, Peshawar. ... Respondents.  
2. Chief Conservator of Forests, Mkd: Forest Region-III, Saidu Sharif Swat.  
3. Conservator of Forests, Malakand Forest Circle West Timergara.  
4. Divisional Forest Officer, Chitral Forest Division, Chitral.  
5. Mst. Shakira FFE, Forest Division Chitral.

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS.

Respectfully Sheweth,

Preliminary Objection.

1. That the appellant has got no cause of action to file instant appeal.

2. That the instant appeal is not maintainable.

3. That the instant appeal is barred by law.

4. That the instant appeal is non-joinder and mis joinder.

5. That the appellant has not come with clean hands.

FACTS.

1. Correct.

2. **Incorrect**, this is his opinion, the office records shows that the appellant during his short service proved himself unfit for the post of Junior Clerk as evident from his absence from duties, non serious short tempered attitude towards his duty by tendering resignations at the very beginning of service. (Annexure - A).

3. **Correct**, to the extent that Departmental Selection Committee selected the appellant on the basis of his academic qualification and skill, however, unfortunately his attitude towards his duty was found unsatisfactory, non serious, lethargic and casual.

4. **Incorrect**, this is his presumption. The appellant was found unfit for the job due to his inappropriate attitude towards his duty and has acted in a very casual and lethargic manner while his job was demanding devotion which the appellant lacked even in the probation period.

5. **Incorrect**, It is the respondent No.4 who chaired the DSC proceeding and appointed the appellant as Junior Clerk, but unfortunately the appellant himself proved the selection otherwise. The appellant was correctly charged for harassment of Mst. Shakira Bibi, FFE and absence from duty. (Annexure - B).

6. **Incorrect**, Proper fact finding enquiry was conducted through a women harassment committee of Divisional Forest Officer Chitral office, who after conducting inquiry, submitted inquiry report, (Annexure - C).

7. **Incorrect**, the appellant was found non-serious towards his duty, the appellant has never been exonerated rather he was warned to be careful in future, but all in vain and the appellant remained absent even after administration of warning with no regards to his probation warning, and submitted his resignation, (Annexure-C).
8. **Incorrect**, the appellant remained absent and was attending the office in a very casual, lethargic and haphazard manner. The appellant failed to improve himself even after administration of warning and submitted resignation dated 19.04.2019, copy enclosed as above (Annexure - C).
9. **Incorrect**, The appellant was afford ample chance of improvement and defending himself.
10. **Correct**, The appellant was heard by the Conservator of Forests, Malakand West Forest Circle Timergara as appellate authority. The appellant has no cause of action to file instant appeal.

GROUND.

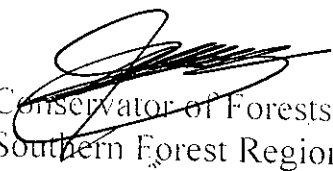
- a. **Incorrect**, the order have been passed under the provision of TOR of his appointment, Resignation, Women Harassment and casual/ lethargic attitude towards his official obligation in the first two months of his probation.
- b. **Incorrect**, the appellant has been heard under the provision of rule-17 of E&D Rules 2011, by the Conservator of Forests, Malakand Forest Circle, West and has passed the order, as per (Annexure - D).
- c. The appellant was probation, however the appellant have been granted the opportunity of being heard in the shape of enquiry for harassing Shakira Bibi, warning have been administered for his absence but failed to improve himself and has tendered resignation, nothing adverse based on malefity has been initiated against him, rather he himself proved unfit for the job from his own attitude towards official obligation.
- d. **Incorrect**, no fundamental right of the appellant have been violated, despite the fact that he was on probation, still he was given opportunity to improve himself, but due to his lethargic attitude and short temper, he failed to deliver as per his job description/TORs of his appointment and tendered his resignation.
- e. **Incorrect**, as per para- a, b, c, & d.
- f. **Incorrect**, the appellant have been removed from service on score of allegation referred in office order No.100 dated 18.03.2019 and TORs of the appointment letter. An employee; who dose not bother for his TOR of appointment letter in the first two months of probation, can not be kept on service. (Annexure - E).



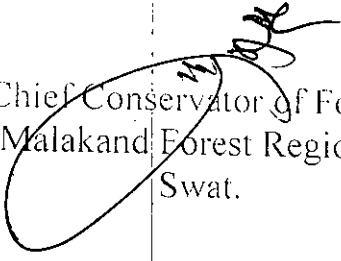
- g. **Incorrect**, proper Inquiry have been conducted by a committee constituted under Women Harassment act at her work place vide this office order No.17, dated 19.10.2017 and re-constituted vide office order No.121, dated 12.04.2019 upon transfer of Mr.Abdul Majeed SDFO/ Chairman and retirement of Mr.Abdur Rahim, Member of the committee.
- h. **Incorrect**, As per Para- a, b, c, d, above.
- i. **Incorrect**, As per Para- a, b, c, d, f, above.
- j. **No comment.**
- k. **No comment.**
- l. **No comment.**

Keeping in view the above, it is humbly requested that the service appeal may be rejected as all proceeding have been conducted in a fair manner as per TORs of his appointment and ample chance of opportunity have been granted to the appellant.

**Respondent No.1.**

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

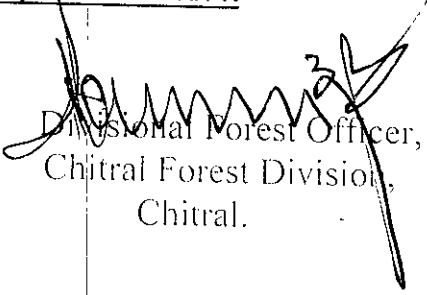
**Respondent No.2.**

  
Chief Conservator of Forests,  
Malakand Forest Region-III,  
Swat.

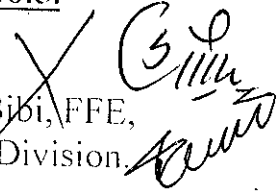
**Respondent No.3.**

  
Conservator of Forests,  
Malakand Forest Circle West,  
At Timergara.

**Respondent No.4.**

  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.

**Respondent No.5.**

  
Mst: Shakira Bibi, FFE,  
Chitral Forest Division.

Annex-A<sub>3</sub>

P-4

DIVISIONAL FOREST OFFICER  
CHITRAL FOREST DIVISION  
CHITRAL.

NEAR CHEW BRIDGE DANIN  
Phone No. (0943) 413381  
Fax No. (0943) 413389  
Email: dfochitral2017@gmail.com.pk

No. 5758 /G,

Dated Chitral the 21/5 2019

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office, Chitral.

Subject:- ABSENCE FROM DUTY—Explanation thereof

Memo:-

Besides consistently advised verbally to ensure your presence in the office during the fixed office hours and do not leave the office before closing hours but all in vain and it is regretted to say that you have again remained absent from duty on 10.5.2019.

This is 3<sup>rd</sup> time you are being called to explain as to why you are not obeying the instructions issued to you in writing as well as verbally repeatedly.

You are, therefore finally called to explain as why not action should be taken against you in pursuance of terms & conditions at Sl. No. I, II and III of your appointment order bearing office order No. 100, dated 18.3.2019.

P.1

Your reply to this explanation should reach this office within seven days of the issue of this letter. In case of failure necessary action should be taken against you in terms & conditions narrated above.

Divisional Forest Officer  
Chitral Forest Division  
Chitral

Annex-A (25)

P-5

DIVISIONAL FOREST OFFICER  
CHITRAL FOREST DIVISION  
CHITRAL.

NEAR CHEW BRIDGE DANIN

Phone No. (0943) 413381

Fax No (0943) 413389

Email: dfochitral2017@gmail.com.pk

No. 5337 IG,

Dated Chitral the 25/4 /2019

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office, Chitral.

Subject:- ABSENCE FROM DUTY—Explanation thereof

Memo:-


Inspite of verbal instructions as well as written warning issued to you vide this office letter No.5326/G, dated 23.4.2019 and No.5332/G, dated 24.4.2019, you again remained absent from duty on 25.4.2019 which tantamount to mis-conduct and inefficiency on your part.

As per Terms and conditions at Sl. No. II and III of your appointment Order No.100 dated 18.3.2019, you are on probation period and liable to termination at any time without assigning any reason thereof.

You are, therefore called upon to explain as why action should not be taken against you under the Govt. of Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011.

Your reply to the explanation should reach this office within seven days of the issue of this letter. In case of failure it will be presumed that you have nothing to say in your defense and exparte action should be taken against you under the rules ibid.

Divisional Forest Officer  
Chitral Forest Division  
Chitral

DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL		NEAR CHEW BRIDGE DANIN Phone No.(0943) 413381 Fax No.(0943) 413389 Email: dfochitral2017@gmail.com
No. 5383 /G, Dated Chitral the 26 / 04 / 2019		

To,

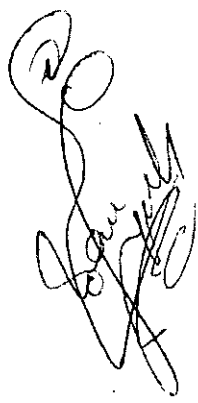
Mr. Sohail Ayub, Junior Clerk  
Divisional Forest Office, Chitral.

Subject: - RESIGNATION FROM SERVICE.  
Memo: -

Reference your resignation dated 19.04.2019.

You are hereby directed to be appear before the undersigned for hearing in person on 30.04.2019 at 10:00 AM positively.

  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.



گزارش ہے چونکہ حدودیہ گزشتہ ۱۳ سال سے فارست  
ڈویژن جنرال میں بحیثیت FFE فرائض ستر انجام دے  
رہی ہوں۔ میرے سارے اسٹاف جو کیدار سے لیکر بیڈ  
کلرک تک ہمارے ساتھ بیت اچھے طریقے سے ہیں آپ  
سے کہتی بھی اسٹاف کی جانب سے آئے تک اس قسم  
کے کوئی ناز یا Message یا کال مجھے موصول نہیں ہوا۔  
آئے ایک جوئیٹر کلرک سبیل الوں جو مجھے بار بار غلط نازیبا  
الفاظ پر مشتمل Message بھیجتا ہے


جناب والا

میں بھی کئی کی بیوی کہتی کی ہیں اور میں بچوں کی ماں  
ہوں اور اپنی عزت بحال رکھ کر ملذمت کر رہی  
ہوں اور رشتہ ائمہ ائذہ بھی کروں گی

لہذا جناب والا سے التماس ہے کہ موصوف ڈویژن  
کلرک کو سزا دے کر استیفاء کیا جائے۔ تاکہ  
ائمہ ایسا کوئی شرکت نہ کرے  
بڑی سہراٹی ہوگی

۲۶۵ صاحب کارنت ڈویژن جنرال  
۲۳/۱۰/۲۰۱۹ ۱۴: ۱۴ مارچ ڈویژن جنرال

25

DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL.		NEAR CHEW BRIDGE DANIN Phone No. (0943) 413381 Fax No. (0943) 413389 Email: dfchitral2017@gmail.com.pk
No. 5835 IG,	Dated Chitral the	24/05 2019

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office, Chitral.

Subject:- RESIGNATION FROM SERVICE

Memo:-

Reference this office letter No. 5531/G, dated 7.5.2019. <sup>P-21</sup>

You were called for personal hearing on 09.5.2019 but due to official engagements, time could not be spared for the said hearing.

Therefore, you are directed to be appear before the undersigned for personal hearing on 29.5.2019 at 11.00 AM positively.



Divisional Forest Officer,  
Chitral Forest Division  
Chitral

ذاتی سوالی از سہیل الوب جوئیٹر ملک پورہ 29/5/2019

سوال پڑھا: سہیل الوب! ہم آپ کو ملازمت پر کون رکھیں؟

جواب: سہیل! مجھے اور محنت کے ساتھ کام کرنا ہوں۔  
سوال پڑھا: دو مہینوں کے آگے کارکردگی کو دیکھتے ہیں اس وقت تک کہ  
آپ محنت سے کام کرتے ہیں۔ آپ اپنی طرف سے لے جانے اور  
جھینا منانے ہیں۔

جواب: گھر دور ہونے کی وجہ سے ان طرز سے دیکر ہو جاتی ہے۔ کوئی  
کرتا ہوں کہ بروقت آکر اچھا نہیں کرتے ہوں۔

سوال پڑھا: ان جانے کے مسئلے کو حل کرنے کے لیے آپ کے دروازے پر ہم لگاتی  
ہیں کو اثر الٹ کیا تھا۔ جبکہ آپ نے Occupy نہیں کیا۔ کیا آپ  
کدو دھیری نظام الروفات تبدیل کریں؟

جواب: گھر میں والدین کی طرف سے اجازت نہ ملنے پر میں کو اثر Occupy  
نہیں کیا۔ مجھے موقع مل جائے گا میں آپ کو impress کر لوں۔

سوال پڑھا: دو مہینے پہلے اس لیے میں کہیں فقیر ہونے لگی، ساگرہ کی FFE کے  
شکایت ہے، آپ پر ہمیشہ بہتر وقت یہ مسئلہ کئی ہے  
اور انکوائری کرنے کے لیے رپورٹ ارسال کر رہے ہیں۔ حسب مطالبہ  
آپ یہ مسئلہ کے مرتبہ ہو چکے ہیں۔

جواب: میں نے Sorry کہا تھا اور کرتا ہوں۔


سوال پڑھا: آپ اپنے دفاع میں نذر لکھ کر لیتا جاتے ہیں  
جواب: اور کرتے ہیں At





Annex-C

PID

DIVISIONAL FOREST OFFICER CHITRAL FOREST DIVISION CHITRAL		NEAR CHEW BRIDGE DANIN Phone No.(0943) 413381 Fax No.(0943) 413389 Email: dfochitral2017@gmail.com
No. <u>5326</u> /G, Dated <u>Chitral</u> the <u>23/4/2019</u>		

To,

Mr. Sohail Ayub, Junior Clerk  
Divisional Forest Office, Chitral.

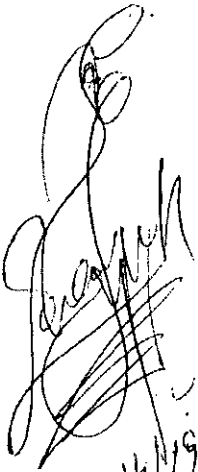
Subject: - ABSENCE FROM GOVERNMENT DUTY.  
Memo: -

Consistently you have been advised verbally to ensure your presence in the office by 09:00 o'clock sharply and to do not leave the office before closing hours, but regrettably you are neither observing the office time nor complying the instructions of the undersigned and have adopted the habit to leave the office before the office closing hour without prior permission.

Most recently on 23.04.2019 you arrived in the office at 10:30 Am and by 02:30 pm you are not available in the office, which is not desirable in your part.

Keeping in view the above, you are directed to observe the office timing and discipline of the Department. This will be in your own interest.

Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.

o/c  
  
24/4/19



Annex-C<sub>2</sub>

P.116

DIVISIONAL FOREST OFFICER  
CHITRAL FOREST DIVISION  
CHITRAL.

NEAR CHEW BRIDGE DANIN

Phone No. (0943) 413381

Fax No. (0943) 413389

Email: dfchitral2017@gmail.com.pk

No. 5332 IG,

Dated Chitral the 24/4 / 2019

To,

Mr. Sohail Ayub Junior Clerk,  
Divisional Forest Office,  
Chitral.

Subject:- ABSENCE FROM DUTY—Explanation thereof

Memo:-

Reference your reply to explanation dated 16.4.2019.

Your reply to the subject explanation not found satisfactory. However,  
keeping in view your short service, you are hereby warned to be careful in future.

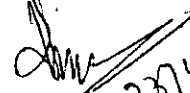
Divisional Forest Officer  
Chitral Forest Division  
Chitral

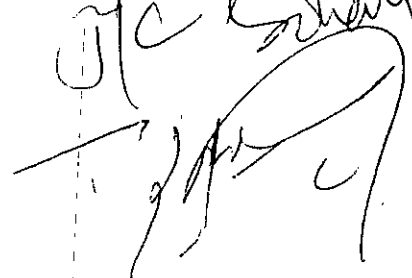
To,

The DFO Chitral  
Forest Regim Chitral,


Sir, Most respectfully I  
beg to say that I am  
not eligible for the post  
of Asst (II), because I  
am not feeling comfort with  
my department staff.  
Therefore I am <sup>requesting</sup> resigning  
from this job.

ES  
called for  
personal reasons

Date 19/04/2019.  2874/19.

O/C Chitral  


Annex-C<sup>P-13</sup> (4)

	OFFICE OF THE SUB DIVISIONAL FOREST OFFICER CHITRAL FOREST SUB DIVISION CHITRAL FOREST DIVISION CHITRAL
No. 61/019-CL	Dated. 21/05/2019

To

Divisional Forest Officer Chitral,  
Chitral Forest Division,  
Chitral.

**Subject : INQUIRY REPORT UNDER HARRASEMENT ACT.**

Dear sir,

Enclosed here find with detail report regarding harresement case under protection against harasement of women at work place act 2010 gainst sohail ayoub junior clerck.

  
Sub Divisional Forest Officer  
Chitral Forest Sub Division

**INVESTIGATION REPORT REGARDING COMPLAINT RECIVED FROM MRS SHAKIRA BIBI F.F.P OF CHITRAL FOREST DIVISION AGAINST SOHAIL AYUB JUNIOR CLERCK OF CHITRAL FOREST DIVISION**

**BACK GROUND**

Letter received from the office of Divisional forest officer chitral regarding complaint received from Shakira bibi F.F.E about sohail ayub junior clerck regarding harassment in working place under "protection against harassment of women at the workplace act 2010"

**PROCEEDINGS**

On receipt of letter no 5488-89/G from the office of divisional forest officer along with complaint from Shakira Bibi in original, the chairman committee directed shakira bibi and sohail ayub to attend the committee on 07/05/2019 and 09/04/2019 for recording their statement regarding the harassment allegation.

Later on dated 07/05/2019 shakira bibi submitted hers written statement to the chairman committee, also shows all the messages that were received from sohail ayub on her numbers and also shows the number 0347 1917100r to the members of the committee. The messages were translated by the local member of the committee as the messages were in chitali. The applicant shakira bibi also claimed that Sohail ayub also tried to physically molest in different manners.

On dated 09/05/2019 sohail ayub appeared before the committee for the purpose of statement/personal hearing, in his statement sohail ayub confirmed that 0347 1917100 is his personal number and is in his personal use. He also confirmed that he messaged shakira bibi late night around 11:30 pm and also early in the morning. He also stated that the messages that he sent to shakira bibi were " I love you" " I love you Mom" " good morning" and " good night" messages. He also stated that he only message Muhammad Rahim head clerk in the office staff. He rejected that he has done any harassment.


**DISCUSSION:**


The accused official admitted that he have messaged to Shakira bibi but was not accepting that the messages falls in the criteria of harassment and was repeatedly saying that the messages were purely professional as she is his colleague but as far as reality is concerned the messages that he has forwarded to shakira bibi falls in the criteria of harassment and also contacting her repeatedly after the office hours also falls in harassment.

Annex-C 6 P-15  
#5

CONCLUSION:

After examining all the facts it is concluded that sohail ayoub is found guilty for harassment of women at work place under Protection against harassment of women at work place act, 2010.

  
MUHAMMAD PARAZ  
S/CLERK (MEMBER)

  
SUB DIVISIONAL FOREST OFFICER  
CHITRAL FOREST SUB DIVISION

OFFICE ORDER NO. 13 DATED 01/11 /2019 ISSUED BY MR. MUHAMMAD YOUSAF KHAN CONSERVATOR OF FORESTS MALAKAND WEST FOREST CIRCLE TIMERGARA.

1. Whereas Mr. Sohail Ayoub Junior Clerk (appellant) was proceeded under E&D Rules, 2011 and Protection Against Harassment of Women at the work place Act 2010 issued by the (DFO Chitral) office order No. 162 dated 14/06/2019 on the following charges;
  - a. Misconduct.
  - b. Inefficiency.
  - c. Corruption.
2. Whereas inquiry officer (Shakeel Ahmad SDFO Chitral) was directed vide DFO Chitral letter No. 5487/G dated 30/4/2019 to investigate and submit the detail report under Protection Against Harassment of Women at the work place Act 2010.
3. Whereas the inquiry officer called the accused for personal hearing vide his office letter No. 51/019/CL dated 7/5/2019 after investigation of the subject case, he submitted the inquiry report to DFO Chitral vide his office letter No. 61/019-CL dated 21/05/2019 for further course of action.
4. Whereas the competent authority (DFO Chitral) after the detail report, The DFO Chitral conducted personal hearing on 29.05.2019.
5. Whereas the accused Official was awarded major penalty termination / Removal from service.
6. Whereas the appellant being aggrieved with the penalty awarded by DFO Chitral, filed the departmental appeal to the undersigned (appellate Authority) requesting to set aside the penalty. Para wise comments were asked from DFO Chitral and on receipt of the comments the appellant was provided chance of personal hearing, conducted the same at Conservator of Forests Malakand West Office on 4/09/2019.
7. Whereas on perusal of record, comments of the D.F.O Chitral and personal hearing of the appellant the facts surfaced that the accused was found guilty, the evidence proved the allegations against the appellant.
8. Whereas on perusal of service record the appellant during his short service proved himself unfit for the post of Junior Clerk as evident from his absence from duties language of correspondence with DFO Chitral and even his non serious and short tempered attitude of tendering resignations at the very beginning of his service.

Deptt Appeal  
order

ORDER:-

Annex-D2 P-17

I Mr. Muhammad Yousaf Khan Conservator of Forests Malakand West Forest Circle Timergara in the capacity of appellate authority hereby rejected the appeal of the appellant and agree with the DFO Chitral office order No.162 dated 14/06/2019. And non-suitability are sufficient grounds for his discharge/ removal from service.

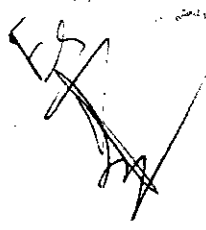
Sd/-  
(MUHAMMAD YOUSAF KHAN)  
CONSERVATOR OF FORESTS  
MALAKAND FOREST CIRCLE WEST  
TIMERGARA

No 1450-SR/E dated the 01/11 /2019.

Copy to:-

1. The Chief Conservator of Forests, Malakand Forest Region (Region-III) Saidu Sharif Swat for favour of information please.
2. The Divisional Forest Officer Chitral for information and necessary action.
3. The Official concerned.

  
CONSERVATOR OF FORESTS  
MALAKAND FOREST CIRCLE WEST  
TIMERGARA



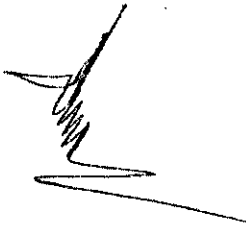
District No. 676  
Dated 12/11/19  
Ph.No. 0093-810101


OFFICE ORDER NO. 100 DATED CHITRAL THE 18 / 03 / 2019, ISSUED BY  
MR. SHAUKAT FIAZ DIVISIONAL FOREST OFFICER,  
CHITRAL FOREST DIVISION, CHITRAL

Consequent upon the recommendation of the Departmental Selection Committee constituted vide this office No.29, dated 24.9.2018, for the selection against the vacant post of Junior Clerk under Normal budget in Chitral Forest Division, Mr. Sohail Ayub S/o Nazer Ayub R/o Drosh Tehsil and District Chitral is hereby appointed as Junior Clerk in BPS-11 (Rs.12570-880-38970) with usual allowances as admissible under the rules with the following terms and conditions:-

**TERMS & CONDITIONS:**

- I. You will be governed by the Khyber Pakhtunkhwa Civil Servants Act 1973, all other laws applicable to the Civil Servants and the Rules made there under.
- II. You shall, initially be on probation for a period of one year in terms of Section 6(2) of Khyber Pakhtunkhwa Servants Act read with Rule-15(i) Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.
- III. Your services shall be liable to termination at any time without assigning any reason thereof before the expiry of the period of probation / extended period of probation. If your performance during this period is not found satisfactory, in such an event, you will be given one month prior notice of termination from service or one month pay in lieu thereof.
- IV. In case you wish to resign at any time, a month prior notice will be necessary or in lieu thereof, one month's pay shall be forfeited.
- V. You will not be entitled to any TA / DA on your first appointment as Junior Clerk in BPS-11 (Rs 12570-880-38970).
- VI. You will produce Medical Fitness Certificate from Medical Superintendent District Head Quarter Hospital Chitral.
- VII. Your appointment is subject to satisfactory report of verification of character / antecedents from District Police Officer Chitral.
- VIII. Your appointment is subject to verification of documents / testimonials from the concerned Board / University.
- IX. If the above terms and conditions are acceptable to you, you should report to the Department within 14 days from the date of issue of this order.
- X. If you are not willing to join or failed to report within stipulated time period, the post will be offered to the next candidate on merit list.



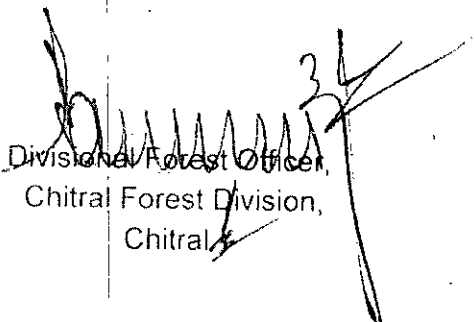
  
(Shaukat Fiaz)  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral



No 4431-401G.

Copy forwarded to the:-

1. The Chief Conservator of Forests, Central Southern Forest Region-I, Peshawar.
  2. The Chief Conservator of Forests, Malakand Forest Region-III, Saidu Sharif Swat.
  3. The Conservator of Forests, Malakand Forest Circle West at Timergara Lower Dir.
  4. The Director, Budget & Accounts, Forestry, Environment & Wildlife Department, Government of Khyber Pakhtunkhwa, Peshawar.
  5. The Section Officer Establishment, Forestry, Environment & Wildlife Department, Government of Khyber Pakhtunkhwa, Peshawar.
  6. The Divisional Wildlife Officer, Chitral Wildlife Division, Chitral.
  7. Mr. Abdul Majeed, D.F.O. Upper Dir (the then SDFO Drosh North Forest Sub Division).
- For favour of information, please.**
8. Mr. Sohail Ayub S/o Nazer Ayub R/o Drosh Tehsil and District Chitral for information.
  9. Head Clerk/ Accountant Divisional Office Chitral for information & necessary action.
  10. Office order/ personal files for record.

  
Divisional Forest Officer,  
Chitral Forest Division,  
Chitral.

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL, PESHAWAR.**

Service Appeal No. /2020

Sohail Ayub S/o Nazir Ayub R/o Darosh District Chitral.

...APPELLANT

**V E R S U S**

1. Chief Conservator Forest, Central Southern, Region-I, Peshawar.
2. Chief Conservator Forest, Malakand Region-III, Saidu Shareef, Swat.
3. Conservator of Forest, Malakand Forest Circle West at Tamergara, Lower Dir.
4. Divisional Forest, Chitral.
5. Mst.Shakira FFE, Forest Division Chitral.

...RESPONDENTS

**SERVICE APPEAL**

**REJOINDER ON BEHALF OF appellant**

*Respectfully Sheweth;*

*The Para-wise replies of the comments are as under:-*

**REPLY OF PRELIMINARY OBJECTIONS:**

- i) That appellant being aggrieved person has got cause of action so the preliminary objection is incorrect.
- ii) Preliminary objection No.2 is not legal.
- iii) Preliminary objection No.3 is not correct and according to the law.
- iv) Preliminary objection No.4 is not correct.

- v) Preliminary objection No.5 is not correct. Petitioner has come to the Court with clean hands for redressal of his grievances in competent forum.

**REPLY ON FACTS:-**

1. Para No.1 is correct.
2. Para No.2 of the written reply is not correct but the Para No.2 of the appeal is correct because matter of absence was decided by competent authority as the resignation which was not tendered by the appellant.
3. Para No.3 of written reply is correct to the extent of appointment rest of the Para is declined.
4. Para No.4 of the written reply is not correct but the Para No.4 of the appeal / presentation is correct appellant tried his best to did his job honestly because it was his duty.
5. Para No.5 of the reply is not correct.
6. Para No.6 of the reply is not correct while para No.6 of the petition is legal and correct and it is important to say that thinks to be done which has not been done in the instant case .
7. Para No.7 of the reply is not correct. No notice has been sent to the appellant.
8. Para No.8 of the factual objection is incorrect but Para No.8 of the appeal is correct because

the matter was decided and is a close chapter. Therefore appellant is seeking his reinstatement in his service.

9. Para No.9 is incorrect, denied.
10. Para No.10 of the reply is incorrect, no one should be condemned unheard.

**REPLY OF GROUNDS:-**

- a) Ground (a) of the petition is correct while the reply of the ground is incorrect and no required legal formalities were fulfilled and the appellant dismissed from service only with malafide intention.
- b) Ground (b) of the petition is correct and reply is incorrect.
- c) Ground (c) of the written reply is incorrect while taken the major penal action was against law.
- d) Ground (d) of the written reply is incorrect while the petition of the appellant is correct.
- e) Ground (e) of the written reply is incorrect.
- f) Ground (f) of the written reply is incorrect.
- g) Ground (g) of the written reply is incorrect and the petition of the appellant is correct and while no proper inquiry has been conducted by the

respondents and harsh measure were taken by the respondent against the appellant.

- h) Ground (h) of the written reply is incorrect.
- i) Ground (i) of the written reply is incorrect.
- j) Ground (j) of the petition is correct.

It is, therefore, humbly submitted that the comments of the respondents be rejected and the instant appeal of the appellant may graciously be accepted against the respondents and any other relief which this Hon'ble Court deem fit and appropriate may also be granted.



...APPELLANT

*Through:*

Dated:- /09/2020

  
(MUHAMMAD SHOAIB KHAN)  
Advocate High Court, Abbottabad

**VERIFICATION:**

Verified that the contents of the foregoing *Rejoinder* are true and correct to the best of my knowledge and belief and that nothing material has been suppressed from this Honorable Court.

Dated:- /09/2020



...APPELLANT

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL, PESHAWAR.**

Service Appeal No. \_\_\_\_\_ /2020

Sohail Ayub S/o Nazir Ayub R/o Darosh District Chitral.

...APPELLANT

**V E R S U S**

Chief Conservator Forest, Central Southern, Region-I, Peshawar and  
others

...RESPONDENTS

**SERVICE APPEAL**

**AFFIDAVIT**

I, ***Sohail Ayub S/o Nazir Ayub R/o Darosh District Chitral, Appellant,***  
do hereby solemnly affirm and declare on Oath that the contents of instant  
***Rejoinder*** are true and correct to the best of my knowledge and belief and  
that nothing has been concealed from this Hon'ble Tribunal while the  
contents of ***Written Reply*** of the respondents are incorrect.

Dated:- \_\_\_\_\_ /2020



...APPELLANT

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL, PESHAWAR.**

Service Appeal No. /2020

Sohail Ayub S/o Nazir Ayub R/o Darosh District Chitral.

...APPELLANT

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...APPELLANT

*Through:*

Dated:- /09/2020

(MUHAMMAD SHOAIB KHAN)  
Advocate High Court, Abbottabad

**VERIFICATION:**

Verified that the contents of the foregoing *Rejoinder* are true and correct to the best of my knowledge and belief and that nothing material has been suppressed from this Honorable Court.

Dated:- /09/2020

...APPELLANT

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL, PESHAWAR.**

Service Appeal No. \_\_\_\_\_ /2020

Sohail Ayub S/o Nazir Ayub R/o Darosh District Chitral.

...APPELLANT

**V E R S U S**

Chief Conservator Forest, Central Southern, Region-I, Peshawar and others

...RESPONDENTS

**SERVICE APPEAL**

**AFFIDAVIT**

I, *Sohail Ayub S/o Nazir Ayub R/o Darosh District Chitral, Appellant*, do hereby solemnly affirm and declare on Oath that the contents of instant *Rejoinder* are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal while the contents of *Written Reply* of the respondents are incorrect.

Dated:- \_\_\_\_\_ /2020

...APPELLANT

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 243 /ST Dated 01/02 / 2021

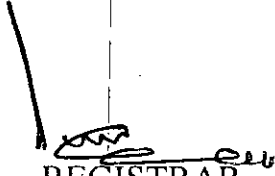
To

The Divisional Forest Officer,  
Government of Khyber Pakhtunkhwa,  
Chitral.

Subject: - JUDGMENT IN APPEAL NO. 1512/2019, MR. SOHAIL AYUB.

I am directed to forward herewith a certified copy of Judgement dated 22.01.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.