


FORM OF ORDER SHEET

Court of _____

Appeal No. 916/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/07/2024	<p>The appeal of Mr. Muhammad Shahoore presented today by Mr. Muhammad Arshad Tanoli Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 23.07.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE CHAIRMAN KP SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 916 /2024

Muhammad. Shaḥoor son of Muhammad Saleem resident of Village Gumavan Tehsil & District Abbottabad.

...APPELLANT

VERSUS

Conservator Forest Lower Hazara Forest Circle Abbottabad & others.

....RESPONDENTS

SERVICE APPEAL
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3.	Copy of relevant description chits	11-12	"B"
4.	Copy of removal from service order dated 24/01/2024 of the appellant	13-14	"C"
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Shahoor
...APPELLANT

Through

Dated: _____/2024

(Muhammad Arshad Khan Tanoli)
Advocate Supreme Court of Pakistan

&

(Muhammad Ibrahim Khan)
Advocate High Court Abbottabad

BEFORE THE CHAIRMAN KP SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 9/6 /2024

Muhammad Shahoor son of Muhammad Saleem resident of Village
 Gumavan Tehsil & District Abbottabad
Et- Chowkidar Forest Gallies Forest Division A.Abad.
 ...APPELLANT

VERSUS

1. Conservator Forest Lower Hazara Forest Circle Abbottabad.
2. Divisional Forest Officer Gallies Forest Office *A.Abad.*

...RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF
 KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
 ACT 1974 FOR DECLARATION TO THE EFFECT
 THAT THE PETITIONER OF WAS SUFFERING
 FROM AILMENT AND REMAINED UNDER
 TREATMENT. THEREFORE COULD NOT RESUME
 HIS DUTIES WITH EFFECT FROM 06/09/2023 TO
 04/12/2023. THE APPELLANT FINALLY ON
 GAINING HEALTH REPORTED TO THE OFFICE OF
 RESPONDENT NO. 2 AND PRODUCED MEDICAL
 CHITS FOR GRANT OF MEDICAL LEAVE BUT THE
 RESPONDENTS REMOVED THE APPELLANT

FROM SERVICE DATED 24/01/2024 WITHOUT CONDUCTING ANY REGULAR INQUIRY WHICH IS PERVERSE, ILLEGAL, CONTRARY TO THE RULES AND THE SAME IS LIABLE TO BE SET-ASIDE.

PRAYER: ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE IMPUGNED REMOVAL FROM SERVICE ORDER DATED 24/01/2024 MAY GRACIOUSLY BE ORDERED TO BE SET-ASIDE AND RESPONDENTS MAY BE DIRECTED TO REINSTATE THE APPELLANT IN TO SERVICE WITH EFFECT FROM THE DATE OF REMOVAL FROM SERVICE I.E. 24/01/2024 WITH ALL SERVICE BACK BENEFITS ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS APPROPRIATE MAY ALSO BE GRANTED TO THE APPELLANT.

Respectfully Sheweth;-

1. That the appellant got appointment as Chowkidar in Gallies Forest Division on 19/04/2022. Copy of

appointment order of the appellant is annexed as Annexure "A".

2. That the appellant was suffering from the disease of depression and could not sleep at nights due to depression etc. As a result, the appellant started getting treatment from Ikhlas welfare foundation Peshawar and also get him medically checked from ATH Abbottabad. Copy of relevant description chits is annexed as Annexure "B".

3. That as a result, the appellant could not resume his duties with effect from 06/09/2023 to 04/12/2023 but respondents' departments without proper inquiry, issuing statement of allegation as well as providing opportunity of personal hearing as per KP E & D Rule 2011. Hence, without adopting the prescribed formalities, removed the appellant from service vide impugned removal from service order dated 24/01/2024. Copy of removal from service order dated 24/01/2024 of the appellant is annexed as Annexure "C".

4. That feeling aggrieved, the appellant filed departmental appeal against the impugned order

which has been rejected vide rejection letter dated 12/06/2024. Copy of departmental appeal and its rejection order dated 12/06/2024 are annexed as Annexure "D".

5. Hence, the instant service appeal is filed inter-alia on the following grounds;-

GROUND:

- a) That the impugned removal from service order is malafide, discriminatory, perverse, against the law and the same is liable to be set-aside.

- b) That as per law, regular inquiry is sine qua non prior to removal from service. It is further submitted that no statement of allegation as well as final opportunity of personal hearing was provided to the appellant. In these circumstances the removal from service order is liable to be set-aside.

- c) That this fact may not be left to fade in oblivion that no one can be removed from service due to absence as the period of absence can be adjusted from total account of leave at the credit of the employees. Therefore the removal from service of the appellant is not covered by the rules on the subject.
- d) That the good governance demands that prior to awarding of punishment i.e. removal / dismissal from service the competent authority is suppose to look into the matter/ circumstances under which forced the appellant / employee not to resume his duties. It is further submitted that whenever an employee/officer suffering from any disease getting treatment of that disease is the supreme rule. Hence, to get treatment cannot be considered as misconduct.
- e) That it is submitted that the respondents Deptt alleged that the appellant is an addicted person. In this regard, the procedure of dope test of the employee is always there with the department. The

allegation of addiction in the impugned removal order is baseless and without proof and no one can be declared guilty of any omission / commission of Act until or unless it is proved by cogent and convincing inspiring evidence/record. The appellant is thorough gentleman and keeps 5 time prayers. Hence the question of using drug as an addiction does not arise.

- f) That as per KP Revised Leave Rules 1981, presumption of truth is attached to medical certificates issued by concerned medical authority with regard to imparting treatment. The procedure for acceptance and rejection of medical leave on the basis of medical prescription chits is also available in KP Revised Leave Rules 1981. The appellant was suffering from severe disease of depression and circumstances were beyond the control of appellant as human being.
- g) That it is not out of place to mention here that appellant belongs to a poor family segment of society and is unable to shoulder

his household responsibilities in term of unavoidable expenditures towards his dependent family members.

- h) That imposition of penalty of removal from service against the appellant is pungent, unwarranted as Quantum of punishment awarded to the appellant is irrational, illogical and punishment of removal from service of appellant is the result of surmises, conjectures, hypothesis. The respondents' department without considering the circumstances under which the appellant could not resume his duties w.e.f. 06/09/2023 to 04/12/2023 and without considering the human factor which should have been the prime factor.
- i) That service appeal is well within the period of limitation and this Honourable Tribunal has jurisdiction to entertain the appeal of the appellant under Article 212 of the constitution of Islamic Republic of Pakistan 1973.

j) That other ground shall be urged at the time of arguments with the permission of Honourable Tribunal.

It is therefore humbly prayed that on acceptance of the instant Service Appeal, the impugned removal from service order dated 24/01/2024 may graciously be ordered to be set-aside and respondents may be directed to reinstate the appellants in to service with effect from the date of removal from service i.e. 24/01/2024 with all service back benefits any other relief which this Honourable Tribunal deems appropriate may also be granted to the appellants.

Dated: _____/2024

Through

Shahoor
...APPELLANT

Muhammad Arshad Khan Tanoli
(Muhammad Arshad Khan Tanoli)
Advocate Supreme Court of Pakistan

&

Muhammad Ibrahim Khan
(Muhammad Ibrahim Khan)
Advocate High Court Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing service appeal are true and correct to the best of our knowledge and belief and nothing has been concealed therein from this Honourable tribunal.

Shahoor
...APPELLANT

BEFORE THE CHAIRMAN KP SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. _____/2024

Muhammad Shahoor son of Muhammad Saleem resident of Village
Gumavan Tehsil & District Abbottabad.

...APPELLANT

VERSUS

Conservator Forest Lower Hazara Forest Circle Abbottabad & others.

....RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, *Muhammad Shahoor son of Muhammad Saleem resident of Village
Gumavan Tehsil & District Abbottabad*, do hereby solemnly affirm and
declare that the contents of foregoing service appeal are true and correct to
the best of my knowledge and belief and nothing has been concealed therein
from this Honourable Tribunal.

Shahoor
DEPONENT

Annex - A

OFFICE ORDER NO. 83 DATED ABBOTTABAD THE 19/04/2022 ISSUED BY
TAIMUR ILYAS DIVISIONAL FOREST OFFICER GALIS FOREST DIVISION
ABBOTTABAD

P-10

In pursuance with the recommendation of Departmental Selection Committee constituted vide office order No. 82 dated 12.04.2022 and minutes of meeting dated 18.04.2022, The following candidates are hereby appointed as Chowkidar in BPS-03 (9610-390-21310) with usual allowances as admissible under the rules on regular basis with effect from the date of their arrival.

1. Mr. Ahmed Shamraiz S/O Shamraiz Khan R/O Thanda Maira Tehsil and District Abbottabad (under son's quota on medical ground).
2. Mr. Muhammad Shahoor S/O Muhammad Saleem R/O Ghumawan Nawansher Tehsil and District Abbottabad
3. Mr. Raham Nawaz S/O Shah Nawaz Khan of Kharper Tehsil and District Abbottabad.

The appointment is subject to the following condition:

1. Their appointment is on regular basis and can be terminated on 15 days notice without any reason being assigned at any time irrespective of the fact that They are holding a post other than the one to which they were originally recruited or on the payment of 15 days salary in lieu thereof.
2. The appointees shall remain on one-year probation period in accordance with section 6(1) of the Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule 15(1) of the Khyber Pakhtunkhwa Civil Servant (appointment, Promotion and Transfer) Rules 1989. If any appointee failed to complete the probation period un-successfully or any adverse remarks received from his superior officer then his service will be terminated without any further notice.
3. In case they wishes to resign at any time, one month notice will be necessary or in lieu thereof one month pay shall be forfeited.
4. They shall be governed by such rules, orders and instructions relating to pay, leave, TA and medical attendance etc. as may be issued by the Government from time to time for the status of the Government servants to which he belongs.
5. They will be entitled to draw pay and allowances as admissible under the rules for BPS-03 as per Budget Book.
6. They'll have to produce medical certificate from any authorized Medical Officer.
7. Any case of implication/ ambiguity found at any stage, their services shall be terminated and they'll have no right/remedy to approach the court etc.

Sd/- (Taimur Ilyas)
Divisional Forest Officer
Galisi Forest Division
Abbottabad

Memorandum;

Copy forwarded to:

1. Conservator of Forests Lower Hazara Forest Circle Abbottabad for favour of information, please.
2. Divisional Accountant Galisi Forest Division Abbottabad for information and similar necessary action.
3. All concerned for information and necessary action.
4. Office order file.

Divisional Forest Officer
Galisi Forest Division
Abbottabad

Attested

Muhammad Arshad
Advocate High Court
Office No. 13 Adjacent
Distt. Bar Abbottabad



AYUB TEACHING HOSPITAL, ABBOTTABAD

Accident & Emergency Service Department

Book No.

29 YEAR S. No. SERIAL 738847
MALE

PATIENT NO. 00023256346 MUHAMMAD SAIKOOR

DATE 06-09-2023

FATHER NAME MUHAMMAD SALEEM

RECEIPT NO 4231153572

NIC INVOICE NO K04233526248

Annex - B

P-11

40

Headach
Sweating
Anorexia } 10 days

Weakness
Hypocarotris
Agitation } 05 days

Rx

TAB EpiVal 50mg - BD
1+1

TAB Topamax 5mg - B.D
1+1

TAB ALP 0.5mg - OD
①

ADU

CT Brain

CBC

DRY PNS

Ref to Sycatony w Consultand
Dr Umar Mustafa Shireli

06/09/2023

Attested

Muhammad Arshad Khan
Advocate
Office No: 33 Adjacent to
Court Abbottabad

Office No. 23 Adjacent to
Advanced High Court
Muzaffargarh
District 301 Abbudabad

TRADING INDUSTRY SIGNALS
IN CASE OF CORE CREDITORS/COMPPLICATED THE PATENT IS FILED TO BRANCH
PATENT NUMBER IN BRANCH
PATENT DATE OF ACQUISITION 12.9.2003
PATENT NAME 17-11-1993

FOR OFFICE USE ONLY

12.11.1993
5-886717-19121

PATENT ADMISSION FORM

0280

PATENT ADMISSION FORM

PATENT ADMISSION FORM

IKHTIAR VILVARD FOUNDATION
ADDRESS HEAD OFFICE: CANAL TOWN, STREET 03 NARIBACH ROAD PESHAWAR
HEAD OFFICE CONTACT NO: 301100

Annex C

**OFFICE ORDER NO. 211 DATED ABBOTTABAD THE 24/01/2024,
ISSUED BY MR. SHEHRYAR KHAN DIVISIONAL FOREST OFFICER GALIS
FOREST DIVISION ABBOTTABAD**

P-13

Mr. Muhammad Shahoor Chowkidar son of Muhammad Saleem of Ghumawan, Nawansher Tehsil and District Abbottabad was appointed as a Chowkidar vide office order No. 83 dated 19.04.2022 on one year probation period.

Whereas his father preferred an application narrating therein that he was ill and needs special treatment. Also, requested for grant of three(03) months leave. Accordingly, he was directed vide this office letter No. 882/E dated 21.09.2023 to furnish medical certificates in support of his illness.

Whereas, his father submitted OPD Chit of Benazir Bhutto Shaheed (BBS) Teaching Hospital Abbottabad (Emergency Department) alongwith OPD chit of Ayub Teaching Hospital Abbottabad and admission form of Ikhlās Welfare Foundation on dated 23.10.2023. During scrutiny of the medical documents, it reveals that neither any disease has been mentioned nor pasted any official stamp rather simply referred which makes the OPD chit suspicious. Also the element of forgery in the name and age has been observed.

Accordingly, the said OPD Chit was sent to Medical Superintendent BBS Teaching Hospital Abbottabad with a request to kindly verify the same that whether he was examined and referred for said treatment or otherwise.

Whereas, the Medical Superintendent BBS Teaching Hospital Abbottabad vide letter No. 5538/Estab dated 13.11.2023 intimated that the referral chit / slip in respect of Muhammad Shahoor is not verified. Also, his where abouts was unknown w.e.f. 06.09.2023 to 04.12.2023. Accordingly, a show cause notice bearing No. 2779/E dated 04.12.2023 followed by reminder No. 3045/E dated 18/12/2023 was served to the above named Chowkidar under section 5(a) of E&D Rules 2011 and the above named Chowkidar furnished his reply on dated 28.12.2023.

Accordingly, the above named Chowkidar was called for personal hearing in the undersigned office vide letter No. 3365/E dated 02.01.2023 and No. 3715/E dated 16.01.2023 and subsequently, heard in person on 17.01.2024. During personal hearing, he narrated that the OPD chit was furnished by his father and he further disclosed that he was tied up in Ikhlās Welfare Foundation to restrain him from addiction. From the perusal of record, the Chowkidar Mr. Shahoor is also addicted person.

The undersigned is satisfied that he being a government official, absented from official duty under the guise of fake medical certificates and tried to dodge his immediate officer which is totally against the service decorum and tantamount to "**inefficiency**" and "**misconduct**".

Alleged

Muhammad Ashraf Khan
Advocate
Office No. 13 Adjacent to
Distt. 307 Abbottabad

P-14


Now therefore, I, Shehryar Khan Divisional Forest Officer, Galis Forest Division Abbottabad in the capacity of authority under section 2(f) and 4(b)(iii) of the Efficiency and Discipline Rule, 2011 hereby order that Mr. Muhammad Shahoor Chowkidar son of Muhammad Saleem is removed from service with immediate effect in the best interest of public service.

Sd/- (Shehryar Khan)
Divisional Forest Officer
Galis Forest Division
Abbottabad

Memorandum:-

Copy forwarded to the:-

1. Conservators of Forests Lower Hazara Forest Circle Abbottabad for favour of information and necessary action, please.
2. Head Clerk for information and necessary action.
3. Divisional Accountant for information and further necessary action.
- ✓ 4. Mr. Muhammad Shahoor Chowkidar son of Muhammad Saleem of Ghumawan, Nawansher, Tehsil and District Abbottabad for information.
5. Personal file record.


Divisional Forest Officer
Galis Forest Division
Abbottabad

Attested
Advocate High Court
Office No. *1111*
Dist. *Abbottabad*

67
Annex - D
OFFICE ORDER NO. ~~67~~ DATED ABBOTTABAD THE 11/06/2024, ISSUED BY
MUHAMMAD YOUSAF KHAN CONSERVATOR OF FORESTS LOWER HAZARA FOREST
CIRCLE ABBOTTABAD

Read With:

- P-15
- 1- Service Appeal preferred by Muhammad Shahoor, Ex-Chowkidar Galies Forest Division, Abbottabad dated 01/02/2024
 - 2- This office letter No.4714/GE dated 20/2/2024.
 - 3- Comments furnished by the DFO Galies vide letter No.6319/E dated 22/4/2024.
 - 4- Personal hearing of the appellant dated 5/6/2024.

Brief History of the Case

Muhammad Shahoor Chowkidar son of Muhammad Saleem of Ghumawan, Nawansher Tehsil and District Abbottabad was appointed as a Chowkidar vide office order No. 83 dated 19.04.2022 on one year probation period.

Whereas his father preferred an application narrating therein that he was ill and needs special treatment. Also, requested for grant of three (03) months leave. Accordingly, he was directed vide DFO Galies letter No. 882/E dated 21.09.2023 to furnish medical certificates in support of his illness.

Whereas, his father submitted OPD Chit of Benazir Bhutto Shaheed (BBS) Teaching Hospital Abbottabad (Emergency Department) along with OPD chit of Ayub Teaching Hospital Abbottabad and admission form of Ikhlas Welfare Foundation on dated 23.10.2023. During scrutiny of the medical documents, it revealed that neither any disease has been mentioned nor pasted any official stamp rather simply referred which makes the OPD chit suspicious. Also the element of forgery in the name and age has been observed.

Accordingly, the said OPD Chit was sent to Medical Superintendent BBS Teaching Hospital Abbottabad with a request to verify the same that whether he was examined and referred for said treatment or otherwise.

Whereas, the Medical Superintendent BBS Teaching Hospital Abbottabad vide letter No. 5538/Estab dated 13.11.2023 intimated that the referral chit / slip in respect of Muhammad Shahoor was not verified. Also, his where abouts were unknown w.e.f. 06.09.2023 to 04.12.2023. Accordingly, a show cause notice bearing No. 2779/E dated 04.12.2023 followed by reminder No. 3045/E dated 18/12/2023 was served to the above named Chowkidar under section 5(a) of E&D Rules 2011 and the above named Chowkidar furnished his reply on dated 28.12.2023.

Order:

I Muhammad Yousaf Khan, Conservator of Forests, Lower Hazara Circle, Abbottabad in the capacity of Appellate Authority under power vested in me vide Appeal Rules, 1986 duly amended, hereby reject the instant appeal in view of the foregoing circumstances.

Sd/-

(Muhammad Yousaf Khan)
Conservator of Forests,
Lower Hazara Forest Circle,
Abbottabad

Memo:

Copy forwarded to:-

- 1- Divisional Forest Officer Galies Forest Division Abbottabad for information and necessary action with reference to his letter No.6319/E dated 22/4/2024.
- 2- Muhammad Shahoor, Ex-Chowkidar S/O Muhammad Saleem for information with reference to his appeal dated 01/02/2024.

Conservator of Forests,
Lower Hazara Forest Circle,
Abbottabad

Advocate High Court
Office No. 33
Abbottabad

خدمت جناب کنستبل سپر جہاں لہجہ تازہ سہیل ایسٹ ایجا
P-15-A

صہا علی کوٹہ ڈی ایچ او گلبرگ ایسٹ اردو ٹری 211
گزارش کے سلسلے میں
نوٹری سے درخواست پر باگہ ہے۔
صہا علی کے ساتھ مافیا کے ساتھ

میں مثلاً تھامس سے ڈی این طور پر پیشانی
عالمی پروانہ کیا۔ بحالی حکمت میں
طافہ ہو گیا۔ اس دوران سہیل کو بڑے غیر جانبدار بن گیا
جس کے دوران میں سہیل نے اپنے علی کے خلاف غیر
عیا سیکر۔ مگر صہا ڈی ایچ او جہاں نے بااثر ہونے
کہتے ہوئے سہیل کو نوٹری سے درخواست کر دیا
صہا سے گزارش کے سلسلے میں نوٹری سے درخواست
ہوئے نوٹری میں بحال کیا گیا

Received
By M. Arshad
(A) M. Arshad
11/4/23

محمد شہزاد
Attested
Muhammad Arshad Khan Tanoli
Advocate High Court
Office No. 23 Adjacent
24/2/2024

P. 16

بخدمت جناب ڈویژنل فارسٹ آفیسر صاحب گلین فارسٹ ڈویژن ایبٹ آباد

مضمون: غیر حاضری

فدوی انتہائی عاجزی کے ساتھ جناب عالی کی جمعی نمبری 2779 مورخہ 4.12.2023 کے ذمین میں درج ذیل حقائق جناب کے گوش گزار کرنا چاہتا ہوں:

یہ کہ فدوی انتہائی غریب خاندان سے تعلق رکھتا ہے بوجہ غربت گوں ناگوں مسائل کا شکار ہونے کی وجہ سے گزشتہ 6 ماہ سے عجیب و غریب نفسیاتی مسائل کا شکار رہا۔ بدیں وجہ فدوی کو مسلسل کئی دنوں سے نیند نہ آنے کی وجہ سے مختلف ڈاکٹروں کے پاس جانا پڑا۔ بل آخر اخلاص ویلفیئر فاؤنڈیشن پشاور سے علاج کروانا شروع کیا۔ (کا لہ الفص 2) اللہ کے فضل و کرم سے ابھی کافی حد تک صحت یاب ہوا ہوں اور لہجہ نوکری پر حاضر ہو گیا ہوں۔

لہذا جناب سے استدعا ہے کہ مذکورہ بلا وجوہات کی بنا پر فدوی کی غیر حاضری کو جمعی استغاثہ کر کے مسائل کے ساتھ غریب پروری کی جائے جناب کا دعا گو ہوں گا

العارض

محمد شہور سہیل

چوکیدار گلین فارسٹ ڈویژن ایبٹ آباد۔

مورخہ 28.12.2023

Attested

Muhammad Arshad Khan, Law
Advocate, High Court
Office No. 113 Adjacent to
Distt. Court, Abbottabad

Sealed with Green Seal



P. 17
OFFICE OF THE DIVISIONAL FOREST OFFICER
GALIS FOREST DIVISION
ABBOTTABAD
Email: gfo@galis@gmail.com; Tel: (+92)992-9310306
No. 3369/E
Dated Abbottabad the 02/01/2023



To,

Muhammad Shahoor Chowkidar
Son of Muhammad Saleem
Resident of Ghumawan, Nawansher,
Tehsil and District Abbottabad

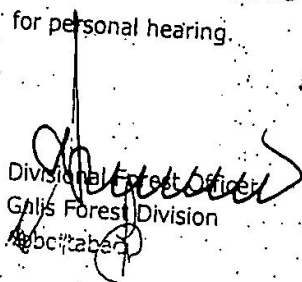
Subject;

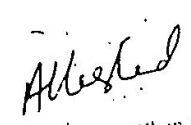
UNAUTHORIZED ABSENTEE AND FORGERY -SHOW CAUSE
NOTICE THEREOF

Memo;

Reference your reply dated 28.12.2023

You are directed to attend the office of undersigned on 11-01-2024 at 11:00 AM
for personal hearing.


Divisional Forest Officer
Galīs Forest Division
Abbottabad


Muhammad Arshad Khan (encl.
Advocate High Court
Office 55 Adjacent to
Court



P-18

**OFFICE OF THE DIVISIONAL FOREST OFFICER
GALIS FOREST DIVISION
ABBOTTABAD**

Email: dfogaliss@gmail.com, Tel: (+92)992-9310306

No. 2779/E

Dated Abbottabad the 06/11/2023



To,

Muhammad Shahoor Chowkidar
Son of Muhammad Saieem
Resident of Ghumawan, Nawansher,
Tehsil and District Abbottabad

Subject; **UNAUTHORIZED ABSENTEE AND FORGERY -SHOW CAUSE NOTICE
THEREOF**

Memo;

I, Shehryar Khan, Divisional Forest Officer Galis Forest Division Abbottabad as competent Authority, under the Khyber Pakhtunkhwa Civil Servants Efficiency and Discipline Rules 2011 do hereby serve you Muhammad Shahoor Chowkidar show cause notice as follows that:

You were appointed as a Chowkidar vide office order No. 83 dated 19.04.2022 on one year probation period.

Whereas, your father preferred an application narrating therein that you were ill and needs special treatment. Also, requested for grant of three(03) months leave.

Whereas, you were directed vide this office letter No. 882/E dated 21.09.2023 to furnish medical certificates in support of your illness. Accordingly, your father submitted OPD Chit of Benazir Bhutto Shaheed (BBS) Teaching Hospital Abbottabad (Emergency Department) alongwith OPD chit of Ayub Teaching Hospital Abbottabad and admission form of Ikhlas Welfare Foundation on dated 23.10.2023.

Whereas, during scrutiny of the medical documents, it reveals that neither any disease has been mentioned nor pasted any official stamp rather simply referred which makes the OPD chit suspicious. Also the element of forgery in the name and age has been observed. Accordingly, the said OPD Chit was sent to Medical Superintendent BBS Teaching Hospital Abbottabad with a request to kindly verify the same that whether you were examined and referred for said treatment or otherwise.

Whereas, the Medical Superintendent BBS Teaching Hospital Abbottabad vide letter No. 5538/Estab dated 13.11.2023 intimated that the referral chit / slip in respect of Muhammad Shahoor is not verified.

And whereas, your where abouts are unknown w.e.f. 06.09.2023 to till date.

Therefore, as provided vide Rule-5(a) of E&D Rules 2011, the undersigned is satisfied that you being a government official, absented from official duty under the guise of fake medical certificates and tried to dodge your immediate officer which is totally against the service decorum and tantamount to "inefficiency" and "misconduct" and liable to be proceeded under E&D Rules 2011.

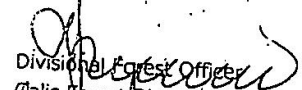
Attested
Muhammad Saieem Khan
Advocate High Court
Office No. 21 Adjacent to
Dist. Court

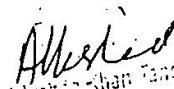
P-19

Therefore, in view of forgoing facts, I, as competent authority have tentatively decided to impose upon you the **major penalty i.e. removal from service** under Government Servant (Efficiency and Discipline) Rules 2011.

You are therefore required to show cause as to why the penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

If no reply received from your side within seven (07) days of its delivery, in the normal course of circumstances, it should be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.


Divisional Forest Officer
Galis Forest Division
Abbottabad


Muhammad Arshad Khan Feroze
Advocate High Court
Office No. 77 adjacent to
Distt. Office Abbottabad



OFFICE OF THE DIVISIONAL FOREST OFFICER
GALIS FOREST DIVISION
ABBOTTABAD

Email: dfogalies@gmail.com, Tel: (+92)992-9310306

No. 2645 / E

Dated Abbottabad the 18 / 12 / 2023



To,

Muhammad Shahoor Chowkidar
Son of Muhammad Saleem
Resident of Ghumawan, Nawansher,
Tehsil and District Abbottabad

REMINDER

Subject;

**UNAUTHORIZED ABSENTEE AND FORGERY -SHOW CAUSE
NOTICE THEREOF**

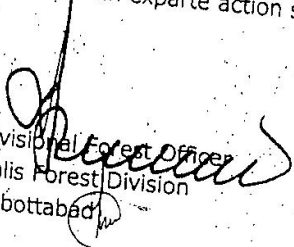
Memo;


Reference this office letter No. 2779/E dated 04.12.2023

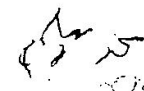
You were directed vide this office letter cited under reference to show cause as to why the *major penalty i.e. removal from service* under Government Servant (Efficiency and Discipline) Rules 2011 should not be imposed upon you and also intimate whether you desire to be heard in person within seven (07) days but after lapse of 14 days, your response is still awaited.

Therefore, you are hereby once again and finally directed to show cause as to why the penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

In case of failure, it should be presumed that you have no defence to put in and in that case an exparte action shall be taken against you.


Divisional Forest Officer
Galisi Forest Division
Abbottabad


Muhammad Arshad Khan Janori
Advocate High Court
Office No. 33 Adjacent to
Distt B...


20-12-2023

وکالت نامہ

بعدالت جناب سرور مسٹر محمد شہزاد

M Shy hood

بنام Court of the

مقدمہ بعنوان

Applicant منجانب

دعویٰ

علت

مورثہ

جرم

تخلف

باعث تحریر آنکہ

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
Distt Bar Abbottabad

مقدمہ عنوان بالا میں اپنی طرف سے واسطے بیروی و جواب دہی کاروائی متعلقہ / جملہ

آن مقام اس کے لیے محمد ارشد مسٹر ایڈووکیٹس

کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم بیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی نظر ثانی و بیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختیار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جواب دہ جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کہ بیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سدر ہے

کے لئے منظور ہے

مقام اس کے لیے دستخط ایڈووکیٹس

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
Distt Bar Abbottabad

M. Ibrahim Adil

M. Ibrahim Adil

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