


# FORM OF ORDER SHEET

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

**Appeal No.** 1591/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/09/2024	<p>The appeal of Mr. Abid Hussain presented today by Mr. Sabir Shah Advocate. It is fixed for preliminary hearing before touring Single Bench at Swat on 09.10.2024. Parcha Peshi given to the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Service Appeal No. 1391 /2024

Abid Hussain

..... Appellant

Versus

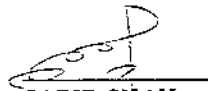
The DFO Dir(L) and others

..... Respondents

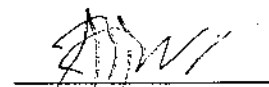
INDEX

S.No	Description of Documents	Annexure	Pages
1.	Memo of Service Appeal		1-5
2.	Certificate		6
3.	Affidavit		7
4.	Memo of Addresses		8
5.	Copy of appointment order	A	9
6.	Copies of situation reports dated 07.05.2024	B	10
7.	Copy of Fact Finding Inquiry	C	11-12
8.	Copies of suspension & attachment order	D	13
9.	Copy of arrival report	E	14
10.	Copy of show cause notice	F	15-17
11.	Copy of reply to show cause notice	G	18-23
12.	Copy of office order dated 27.05.2024	H	24
13.	Copy of departmental appeal	I	25-34
14.	Copy of order dated 27.08.2024	J	35
15.	Copies of relevant documents	K	36-40
16.	Copies of Attendance Register	L	41-46
17.	Wakalat Nama		47

Appellant  
Through Counsels



SABIR SHAH  
Advocate Supreme Court  
Cell: 0300-5746744

  
AFTAB HUSSAIN  
Advocate High Court  
Cell # 0313 933 1973

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Service Appeal No. 1591/2024

Abid Hussain, Ex Forest Guard, Chakdara Forest Range, R/O village Srail Bala,  
Talash, Tehsil Timergara, District Dir (Lower).....Appellant

Versus

1. District Forest Officer, Dir Lower Forest Division. *Timergara*
2. Conservator of Forests, Malakand Forest Circle West, At Timergara, Dir Lower.
3. Chief Conservator of Forests Malakand Forests Region-III Saidu Sharif Swat. .... Respondents

---

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED OFFICE ORDER NO.141 DATED 27.05.2024 OF RESPONDENT NO.1 WHEREBY THE APPELLANT HAS BEEN REMOVED FROM SERVICE AND ORDER NO.06 DATED 27.08.2024 OF RESPONDENT NO.2 WHEREBY APPEAL OF THE APPELLANT HAS BEEN REJECTED.

---

**PRAYER:**

On acceptance of the instant appeal, the Impugned Office Order No.141 dated 27.05.2024 of respondent No.1, whereby the appellant has been removed from service and Office Order No. 06 dated 27.08.2024 of respondent No.2, whereby his departmental appeal/representation has been rejected, may graciously be set aside and the appellant may kindly be reinstated with all back benefits.

Any other relief not specifically prayed but this august tribunal deems proper may also be granted.

---

Respectfully Sheweth,

1. That the Appellant is a bona fide resident of village Srail Bala, Talash, Tehsil Timergara, District Dir (Lower) and was appointed as a Forest Guard in the Respondents' Department. (copy of appointment order is annexed as Annexure-A)

2. That the appellant has, since his induction into service, consistently demonstrated unwavering dedication, unimpeachable integrity and exemplary efficiency in the discharge of his official duties, and was currently serving at Chakdara Forest Check Post, where he was diligently performing his assigned tasks with utmost zeal and zest and had never given any chance of complaint to his high-ups and the public in general.
3. That on 07.05.2024, two trucks, bearing Registration No. GLTD-1537 and No. RIS-5055, laden with illegal Deodar timber, were intercepted and apprehended by the staff of Malakand Forest Division at Malak Ahmad Khan Interchange, Swat Motorway, Batkhela, during the course of surveillance operation.
4. That it transpired, subsequent to the inception of the aforementioned trucks, that the alleged timber smuggler and drivers of the trucks were allegedly the residents of District Dir, and that the trucks, laden with the illicit timber, had purportedly traversed through the Forest Check Posts, Sinzo, Samar Bagh, Bandagai and Chakdara, thereby precipitating the chain of events, wherein the staff of Jandool Forest Sub Division, including the appellant, was erroneously held culpable and accountable for the incident. **(Copy of situation reports dated 07.05.2024 is annexed as Annexure-B)**
5. That, pursuant to the aforementioned events, a fact-finding inquiry was conducted against the appellant, along with his other fellow employees, to investigate and determine the extent of lapses and delinquencies, if any, on their part, in relation to the unauthorized passage of the trucks laden with illicit timber. **(Copy of Fact Finding Inquiry is annexed as Annexure-C)**
6. That, consequent to the flawed fact finding inquiry, the appellant, along with his other fellow employees, was precipitously placed under suspension and attached to the office of DFO for official duties and thereafter served with show cause notice, requiring him to explain his alleged dereliction of duty. **(Copies of suspension, arrival report & show cause notice are annexed as Annexure-D, E & F)**

7. That the appellant, in response to the show cause notice, submitted a comprehensive and detailed reply, wherein he categorically denied all the allegations levelled against him. The appellant's reply substantiated his position and demonstrated that the allegations against him were baseless, unfounded and motivated by malice, notwithstanding the detailed reply and absence of any visual evidence, the respondents failed to reconsider his position or withdraw the show cause notice. **(Copy of reply to show cause notice is annexed as Annexure-G)**
8. That the appellant was not afforded a fair and proper personal hearing contrary to the principles of natural justice and the right to fair hearing.
9. That notwithstanding the forgoing circumstances, which unequivocally establish the appellant's innocence and lack of culpability, and despite the glaring irregularities and improprieties in the proceedings leading to his removal, the appellant was nevertheless removed from service, vide office order No. 141 dated 27.05.2024. **(Copy of office order No. 139 dated 27.05.2024 is annexed as Annexure-H)**
10. That the appellant being aggrieved by the order of removal from service dated 27.05.2024 of respondent No.1, preferred a departmental appeal against the same, addressed to respondent No. 2, pursuant to the applicable service rules, however, the said appeal was rejected vide office order No. 06 dated 27.08.2024, whereby the removal order was upheld, without addressing the merits of the appellant's contentions. **(Copies of departmental appeal & order dated 27.08.2024 is annexed as Annexure-I & J)**
11. That the impugned order dated 27.05.2024 of respondent No.1 and order dated 27.08.2024 of respondent No.2 are hereby impugned and challenged as being utterly illegal, unlawful and contrary to the record and are thus liable to be set aside, inter alia, on the following grounds.

**GROUNDS:**

- A. That the said impugned office orders dated 27.05.2024 of respondent No.1 and order dated 27.08.2024 of respondent No.2 of awarding penalty of removal from service to the Appellant and upholding the same are quite illegal, unlawful, without authority/jurisdiction, hence, are liable to be set aside.
- B. That the Appellant was neither involved nor committed such like misconduct as defined under Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011 and alleged by the Respondents.
- C. That the impugned order of removal from service is unsustainable in law as it was without conducting a regular departmental inquiry in contravention of the applicable service rules.
- D. That it is pertinent to mention that the identical charges were levelled against all employees, and a common fact-finding inquiry was initiated against them, yet the appellant, along with two others namely Mr. Irfan Ullah FG and Mr. Abid Hussain FG, was subjected to the extreme penalty of removal from service, whereas three other delinquents namely Mr. Jamshed Khan FG, Mr. Zakir Ullah FG and Mr. Yasir Ahmad BM received minor penalties, and two others namely Mr. Nisar Wahid FG and Mr. Faridoon BM who were initially compulsorily retired, subsequently had their appeals allowed, leading to their reinstatement. Moreover, three employees Mr. Raees Khan Forester, Mr. Qaisar Shah FG and Ghulam Hussain FG, who were on duty at Bandagai Check Post and were made responsible by the SDFO Jandool and Timergara Forest Sub Division in his explanation letter No. 217/T/J dated 07.05.2024 but they were neither served show cause notices nor were they subjected to any departmental proceedings. (Copies of relevant documents are annexed as Annexure- K)
- E. That the respondents' assertion that there is no shifting/rotation duty in Forestry profession and that each individual is responsible for 24-hour activities is manifestly unreasonable and contradicted by the evidence

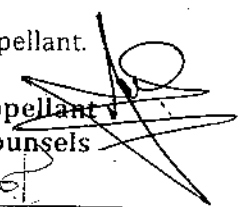
specifically, the attendance register annexed, both prior to and subsequent to the incident in question, unequivocally establish the existence of shifting system, thereby rendering the respondents aforementioned claim unsustainable and deserving of reversal. **(Copies of Attendance Register are annexed as Annexure-L)**

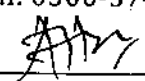
- F. That the penalty imposed upon appellant is disproportionate and discriminatory as compared to other employees who were charged with similar offense and received lesser penalties.
- G. That the respondents have failed to apply the principle of parity in meting out punishments, resulting in unequal treatment of similarly placed employees.
- H. That the respondents failed to take into account mitigating circumstances, such as his prior good record, length of service and other relevant factors.
- I. That the respondents violated the principles of natural justice by not providing the appellant with an appropriate opportunity to be heard before imposing penalty.

It is, therefore, humbly prayed that On acceptance of the instant appeal, the Impugned Office Order No.141 dated 27.05.2024 of respondent No.1, whereby the appellant has been removed from service and Office Order No. 06 dated 27.08.2024 of respondent No.2, whereby his departmental appeal/representation has been rejected, may graciously be set aside and the appellant may kindly be reinstated with all back benefits.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for may also be granted to appellant.

Appellant v  
Through Counsels

  
SABIR SHAH  
Advocate Supreme Court of Pakistan  
Cell: 0300-5746744

  
AFTAB HUSSAIN  
Advocate High Court  
Cell # 0313 933 1973

Dated: 21-09-2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Service Appeal No. \_\_\_\_\_/2024

Abid Hussain .....Appellant

Versus

The DFO Dir (L) & others.....Respondents

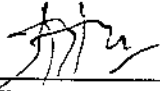
Certificate

As per instructions received from my client, it is certified that no such like service appeal against the impuned orders, has been earlier filed before this honorable court.



Appellant  
Through Counsels

SABIR SHAH  
Advocate Supreme Court of Pakistan  
Cell: 0300-5746744



AFTAB HUSSAIN  
Advocate High Court  
Cell # 0313 933 1973



7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Service Appeal No. \_\_\_\_/2024

Abid Hussain .....Appellant

Versus

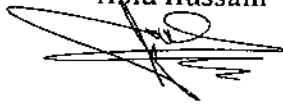
The DFO Dir (L) & others.....Respondents

**AFFIDAVIT**


I, Abid Hussain, Ex Forest Guard, Chakdara Forest Range, R/O village Srai Bala, Talash, Tehsil Timergara, District Dir (Lower), do hereby solemnly affirm and declare that the contents of the accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

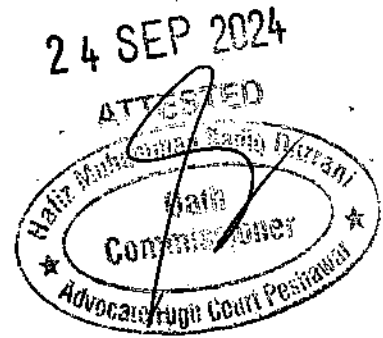
Deponent

Abid Hussain



Identified by:

  
AFTAB HUSSAIN  
Advocate High Court



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Service Appeal No. \_\_\_\_\_/2024

Abid Hussain .....Appellant

Versus


The DFO Dir (L) & others.....Respondents

Address of Appellant:

Abid Hussain, Ex Forest Guard, Chakdara Forest Range, R/O village Srai Bala,  
Talash, Tehsil Timergara, District Dir (Lower)

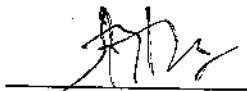
Addresses of Respondents:

- 4. District Forest Officer, Dir Lower Forest Division.
- 5. Conservator of Forests, Malakand Forest Circle West, At Timergara, Dir Lower.
- 6. Chief Conservator of Forests Malakand Forests Region-III Saidu Sharif Swat.



Appellant  
Through Counsel

SABIR SHAH  
Advocate Supreme Court of Pakistan  
Cell: 0300-5746744



AFTAB HUSSAIN  
Advocate High Court  
Cell # 0313 933 1973

Amended 'A' 9

OFFICE ORDER NO. 33 DATED TIMERGARA THE 20/09/2019 ISSUED BY MR. EJAZ-UR-REHMAN  
DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION TIMERGARA.

In term of the Government Policy of Khyber Pakhtunkhwa Circulated vide Establishment Department (Regulating Wing) Notification No. SO(R-VI) E&AD/1-3/2015 dated 19.04.2016, Mr. Abid Hussain son of Ahmad Hussain Village and Post Office Srai Bala Tehsil Timergara District Lower Dir is hereby appointed on retiring (On Medical Ground) of his father as Forest Guard in Basic Pay Scale-8 (Rs. 11380-670-31480) with usual allowance as admissible under the Rules with following terms and conditions:-

1. The appointment is purely temporary and can be terminated without assigning any notice or reason on abolition of post by Government.
2. The Forest Guard will remain on probation for a period of one (01) Year, which is extendable for further one (01) Year on need basis, as per Rules.
3. The Forest Guard will produce Medical Fitness Certificate from the Medical Superintendent of District Head Quarter Hospital Timergara.
4. The Forest Guard will produce Character Certificate from Police Department Lower Dir.
5. The service of the Forest Guard shall be governed by Khyber Pakhtunkhwa Government Servant conduct Rules, 1987, leave Rules and other Rules notified by the Government (With amendments from time to time).
6. In case the Forest Guard has to resign or leave the Department, he will have to notice the Department at least one month in advance or will have to refund pay equivalent to one month salary and lieu thereof.
7. In case the terms and condition are acceptable to Forest Guard he may report arrival for duty within seven (07) days otherwise, the Order will stand cancelled on 8<sup>th</sup> day of issuance.
8. The Forest Guard will provide verified copies of documents from the respective board/University/Institution of issue.


Sd/-  
(Ejaz-ur-Rehman)  
Divisional Forest Officer,  
Lower Dir Forest Division,  
Timergara.

No. 321-25/G.

Copy forwarded to the:

1. Conservators of Forests Malakand West Circle Timergara for favour of information please..
2. Abid Hussain son of Ahmad Hussain Village and Post Office Srai Bala Tehsil Timergara District Lower Dir for information and further necessary action.
3. Office Order file for record.
4. Divisional Accountant for information and necessary action.
5. Personal file for record.

  
**ATTESTED**

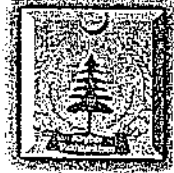
  
Divisional Forest Officer,  
Lower Dir Forest Division  
Timergara

Annexure "B"



OFFICE OF THE CONSERVATOR OF FORESTS  
MALAKAND WEST FOREST CIRCLE TIMERGARA

10



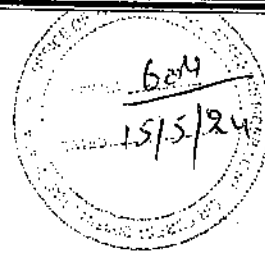
BALAMBAT COLONY LOWER DIR

Ph: 0945-9250120 Fax: 0945-9250118

No. IG&L/69, Dated Timergara the 08/05/2024

To,

The Chief Conservator of Forest,  
Malakand Forest Region-III,  
Saidu Sharif Swat.



Subject: SITUATION REPORT.  
Memo:

It is intimated that the DFO Lower Dir has reported vide his letter No.2347/G dated 07-5-2024 along with its enclosure (Copy enclosed) that at about 4:30 AM two numbers (02) Dumper vehicles bearing Registration No. GLTD-1537 and No. RIS-5055 has been apprehended by the staff of Malakand Forest Division. Bothe the vehicles were laced with illegal deodar timber. A total of 305 scants having 1157.3 cft volume is seized. The vehicles are currently parked at Divisional office Malakand and damage report has been chalked against the forest offenders.

Unfortunately and with sorrow it came to surface that the truck drivers are residents of Talash Lower Dir while the timber actually belongs to one notorious timber smuggler Mr. Ihsan hailing from Sammarbagh. The timber has been obtained from areas of Kambat on small scale and subsequently secretly stocked at Munda/Gosam. Later on loaded from Munda/Gosam area and was planned to be smuggled to down parts of the country.

The DFO Lower Dir / Patrol Squad was directed to check various CCTV cameras fixed at various points. Accordingly it has been reported by the DFO that the said vehicles can clearly be seen using Munda Khazana by pass road at around 2:59 and 3:15 AM.

Consequent upon the investigation, the DFO Lower Dir has initiated Disciplinary proceedings against the delinquent staff and their services have been placed under suspension besides serving of show cause upon them.

Encls:as above:

CONSERVATOR OF FORESTS  
MALAKAND WEST FOREST CIRCLE  
TIMERGARA

No. 4478-79 IG&L,

Copy forwarded to the:-

1. Chief Conservator of Forests Central Southern Forest Region-I Peshawar for favour of information please.
- ✓ 2. Divisional Forest Officer Lower Dir for information and necessary action. He is directed to submit draft charge sheet along with memo of allegation against SDFO Jandool / Timergara and RFO Chakdara.

*Estb / Estb  
For info*

*Shah*  
*Shah*  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

CONSERVATOR OF FORESTS  
MALAKAND WEST FOREST CIRCLE  
TIMERGARA

*[Handwritten signature]*

**1- (A- Back Ground):**

That consequent upon the apprehension of two dumper trucks at Malik Ahmad Khan Interchange on 07.05.2024 at 04.50 AM, loaded with the illicit timber, transported to down country, the Chief Conservator of Forests, Central Southern Forest Regional, Khyber Pakhtunkhwa, Peshawar directed the undersigned for fact finding enquiry vide Office NO: 06, Dated: 07.05.2024 with the following TORs:

1. Origin of the Timber.
2. Detail of Timber (Species, Types and Volume).
3. Action taken by the DFO Malakand.
4. Statement of the Offender /Driver.
5. Route followed by the trucks and check posts crossed.
6. Findings regarding lapses/irregularities on part of delinquent staff.

**2 (B-Proceedings):**

That I along with the staff of Patrol Squad Forest Division Central Forest Circle Peshawar initially visited the Divisional Office Malakand, Dated: 08-5-2024 at 04:30 PM to get the attested copies of the documents pertaining to necessary legal actions that have been taken on the part of the DFO, Malakand. The DFO Malakand provided the following documents: -

1. Damage Report NO: 61/67, dated: 07.05.2024, PST 04:50 AM before sun rise (Annex-I).
2. Damage Report NO: 62/67, dated: 07.05.2024, PST 04:50 AM before sun rise (Annex-II).
3. Statement of the Driver (Mr. Asghar Khan S/O Tor Khan R/O Nazim Talast Tehsil Timargara, District Lower Dir (Annex-III).
4. Statement of the Driver (Mr. Khalid Khan S/O Abdul Hameed R/O Sarai Sela Timargara, Tangay Noorakhel Lower Dir (Annex-IV).
5. Superdnama by Mr. Muhammad Iqbal S/O Said Muhammad Divisional Office regarding 155 NO: of Deodar Scants (Annex-V).
6. Superdnama by Mr. Muhammad Iqbal S/O Said Muhammad Divisional Office regarding 150 NO: of Deodar Scants (Annex-VI).
7. Fard-e-Maqbozgi by Mr. Ishfaq Hussain Forest Guard Malakand Forest Division regarding 155 NO: of Deodar Scants (Annex-VII).
8. Fard-e-Maqbozgi by Mr. Qaisar Hayat Forest Guard Malakand Forest Division regarding 150 NO: of Deodar Scants (Annex-VIII).
9. Application moved to Forest Magistrate Malakand by Sub-Divisional Forest Officer Batkhela for getting approval under Section 173 of (CrPC) for further 14 days to Investigate the matter comprehensively (Annex-IX).
10. Site map indicating the apprehension of the Two (02) Dumper Trucks at Forest Checking Point nearby Malik Ahmad Khan Interchange, Swat Expressway (Annex-X).

*Accepted*

That inspected the timber seized, wherein the general appearance & the texture indicate that these are fully dried and seems to be approximately from 12 to 18 months older. The scants / sleepers were counted as per detail tabulated as under:

S.No	Vehicle	Species	Type	Number of scants	Volume (cft)	Remarks
1	GLTD 1537	Deodar	Scants/Sleepers	155	590.81	Where most of the scants were of the standard market size of (8'x12'x6")
2	RIS 5055	Deodar	Scants/Sleepers	150	566.49	
<b>Total:</b>				<b>305</b>	<b>1157.3</b>	

• That hold meeting with the DFO Lower Dir on 09.05.2024, discussed the whole issue in detail, obtained documents and other related evidence regarding the movement of the two Dumpers loaded with the illicit timber. Besides, the DFO Lower Dir provided a brief situation report specifying the occurrence and Disciplinary action taken against the delinquent staff with detail as under:

1. Situation Report of the DFO Lower Dir, vide letter NO: 2347/G, Dated: 07/05/2024 (Annex-XI).
2. Suspension Order of the staff of Sinzo Forest Check Post Vide NO: 127, Dated: 07/05/2024 (Annex-XII).
3. Suspension Order of the staff of Bandagal & Chakdara Forest Check Post Vide NO: 126, Dated: 07/05/2024 (Annex-XIII).
4. Show Cause Notices to the staff of Bandagal, Chakdara and Sinzo Forest Check Posts vide NO: 2352-59/E, Dated: 08/05/2024 (Annex-XIV).
5. Videos / Photages showing passing of the dumpers through Bab-e-Jandool (Khazana Bypass), Bandagal and Chakdara Forest Check Posts (Videos / Photages in USB as Annex-XV).
6. Videos of miscreants during stoppage and dealing in connection with apprehension of illicit timber (Videos in USB as Annex-XVI).
7. Various FIRs lodged against the Timber Mafia (Annex-XVII)

TOR No.1.

As per verbal discussion with DFO Malakand, Lower Dir and statement of the Drivers, it came to surface that the truck have been loaded at Gosam Munda area of Jandool Forest Sub Division. Therefore, Inspected / cruised the whole watershed facing Sammarbagh and the other side facing Barawal Valley including Shahi and Bin Shahi, wherein, it was noticed that no mature Deodar Forests exist in the vicinity, which means that the timber in question might have been transported from somewhere else (probably either from Afghanistan, Arandu /Chitral or Upper Dir Forest Division) through head load / mule load on various numerous, secondary, tertiary & lateral routes secretly during odd hours, on Barawal Sammarbagh Road to various locations and stored at different scattered sites in residential / dwelling houses in the surrounding of Jandool Forest Sub Division.

Pertinent to mention here that being the remotest part of the District Dir (Lower & Upper) having boundaries with similar areas of the District Chitral (Arandu), District upper Dir, Bajaur as well as Afghanistan, having poor writ of the Government, the pocket is a safe heaven for outlaws. Furthermore, the junction parts i.e Shahi & Bin Shahi are still no go areas and observed huge military deployment on the roads where no general movement is allowed after sunset being border area with a poor law and order

*Attesteeel*

situation added with fragile social life of the locals and militancy have trailled the area to become bastion of the miscreants. Therefore, historically, the Shahl & Bin Shal have been hubs for timber storage for decades.

Q-34  
12

During militancy the timber has been carried to Bin Shahi through Secondary, Tertiary and lateral routes from surroundings including Afghanistan and stored. The same is being carried through head load or transported with the help of mules in piece meal to various houses at the upper reaches of Sammarbagh. Subsequently, taking advantage of uncertain law and order situation the timber is transported through various linked roads to Kambat or Munda areas and stored in dwelling houses where action is not possible because of stiff resistance as well as law & order situation where writ of Govt: is weak and such action always lead mob like situation, backed by the political figures of area who always support locals to enlarge their vote bank in such situation.

It also came to the knowledge during interaction with the public that the local people with all support of the political elites and unwilling assistance of the local police has always led to mob like situation, blockage of roads during any attempt of seizing timber stored in the dwelling houses by Forest Department. Numerous such like videos depicting the sensitivity, supports of the local to the illicit storage are available (referred as in Annex-XVI). Furthermore, the poor law and order situation can also be judged from the firing incident at Sinzo Forest Check Post where Forest Guard sustained major head injury as being shot to head region and culprits are still untraced and at large.

Besides above, a Forest Guard named as Mr. Kiramat (Shaheed), deputed at Akhgrame Check Post while fulfilling his obligations was martyred during the night hours by the same mafia. Another incident in Dir has deprived one of the SDFO Mr. Asad Khan (late) Dir Upper and Mr. Mushtaq Ahmad Forest Guard from their precious lives in line with their duties by dealing with the most aggressive community in Khyber Pakhtunkhwa (FIRs referred as in Annex-XVII).

Keeping in view the above elaboration it is concluded that despite odd conditions, weak writ of Government, shortage of field staff, poor law and order situation the Forest Department is still delivering with patience in the current uncertain and unstable scenario.

TOR- 2, 3 & 4.

- > Detail of timber as obtained from DFO Malakand i.e Damage Reports 61/67 & 62/67 (referred as in Annex- I&II).
- > The DFO Malakand has taken the following actions:-
  - i. Chalked out Damage Reports bearing No.61/67 and 62/67.
  - ii. Recorded statements of Drivers/offenders.
  - iii. Executed Superd Namas.
  - iv. Executed Fard-e-Maqbozgi of the apprehended timber.
  - v. Have obtained Fourteen (14) days time for further investigation under Section 173 of Cr PC.
  - vi. Prepared the crime spot MAP of the apprehension.
  - vii. Presented previous Damage Report chalked out against the same offenders proving that they are habitual (Annex-XVIII).
- > Statement of Drivers are almost the same wherein, they have stated that the trucks have been loaded from one of the streets of Munda Bazar owned to renowned timber smugglers Ihsan ul Haq S/O Rahman-ud-Din R/O Sammarbagh Mayar District Lower Dir seen implicated vide FIR No. 25 dated 27/02/2022 referred above for the martyrdom of Mr. Kiramat Khan and Fazal Hadi S/O Abdul Shaeed R/O Kabal District Swat.

Affected

**TOR-5**

Route followed:

Consequent upon receiving information from DFO Malakand regarding the apprehension of Dumper/Trucks, the DFO Lower Dir has promptly and instantly investigated the possible routes and loading point of the vehicle on both Dir Chitral main road and Timergara Sammarbagh road, wherein it was found with the help of CCTV installed at Bab-e-Jandool (on Timergara Sammarbagh Road) that the trucks have originated from Jandool Sub Division and have crossed the Bandagal and Chakdara Forest Check Posts, including Police, Levy Check Post at Bab-e-Jandool, Zulam, Bandagal and Chakdara Bab-e-Dir, duly verified by the undersigned.

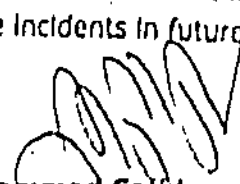
As a result of the Initial Investigation based on transcripts, the DFO Lower Dir has initiated disciplinary proceedings against the delinquent staff, right from Sammarbagh to Chakdara by placing the staff under suspension and served show cause notices upon them.

**TOR-6.**

As elaborated while the discussing the TOR-5 that the staff posted at Bandagal and Chakdara Forest Check Post have failed to perform their duty honestly and efficiently, thus allowed the trucks for onward movement. The DFO Lower Dir has already initiated disciplinary proceedings by placing them under suspension and issued Show Cause notices.

**CONCLUSIONS AND RECOMMENDATIONS:**

- i. The staff posted at Bandagal and Chakdara Forest Check Posts are involved in the heinous crime of illicit timber movement for ulterior motives and necessary disciplinary action has already been initiated by the concerned DFO.
- ii. No further action is warranted as the Forest Check Posts are simply meant to control illegal transit of forest produce against whom necessary disciplinary proceedings have been launched up under the rules.
- iii. The locals are facing serious problems in meeting their domestic needs. Therefore, local Depot may be established where the inhabitants will be granted timber through local auction for fulfillment of their domestic requirements as most of the timber through head loads in piece meal are allowed by law enforcement agencies for domestic need, which is misused.
- iv. Efforts may be made to provide full security to Forest staff so that they could perform their duties in the field and at Check Posts. Furthermore, proper investigation may be ensured in the un-traced Criminal Act against Forest Staff.
- v. The existing 53 vacant positions may be filled up to improve the Forest Protection / Conservancy.
- vi. The DFO Lower Dir should expedite the process of Departmental Enquiry against the delinquents.
- vii. The relevant Sub-Divisional Forest Officers / RFOs of West Forest Circle Timergara ought to have a close watch to monitor their Forest Check Posts on daily basis to avoid such unfavorable incidents in future.

  
Muhammad Sajid  
Divisional Forest Officer,  
Patrol Squad Forest Division,  
Central Forest Circle Peshawar  
(Enquiry Officer)

*Attested*



Annexure "0"

OFFICE ORDER NO. 126 DATED TIMERGARA THE 07/05/2024 ISSUED BY MR. ASIF ALI SHAH DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION TIMERGARA.

13

On 07/05/2024 at 4.30 AM, the staff of Malakand Forest Division apprehended 02 No Dumper (Truck) loaded with illicit timber at Batkhela. Both the Dumper (Truck) laced with illicit timber for smuggling purpose has crossed Bandagai and Chakdara Forest Check Post. Therefore, the following staff posted/deployed at Forest Check Post are hereby placed under suspension and attached with Divisional Office in the interest of public service till further order.

1. Mr. Nisar Wahid Forest Guard.
2. Mr. Irfan Ullah Forest Guard.
3. Mr. Gohar Ali Forester.
4. Mr. Abid Hussain Forest Guard.
5. Mr. Faridoon B/M.

Bandagai Forest Check Post

---do---

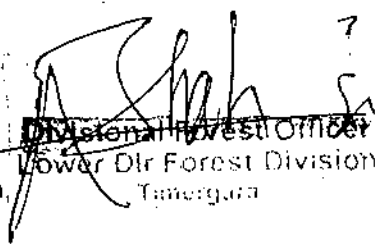
Chakdara Forest Check Post

---do---

---do---

Attested

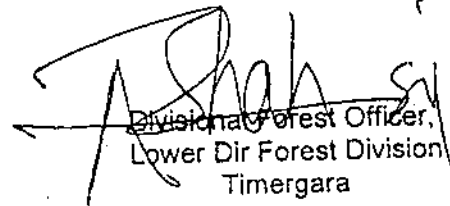
Sd/-  
(ASIF ALI SHAH)  
Divisional Forest Officer,  
Lower Dir Forest Division,  
Timergara.

  
Divisional Forest Officer,  
Lower Dir Forest Division,  
Timergara

No 2319-22 /G.

Copy forwarded to the:

1. Conservators of Forests Malakand West Circle Timergara for favour of information please
2. All SDFOs in Lower Dir Forest Division Timergara for information and further necessary action.

  
Divisional Forest Officer,  
Lower Dir Forest Division,  
Timergara

To

Amendment "E" 14

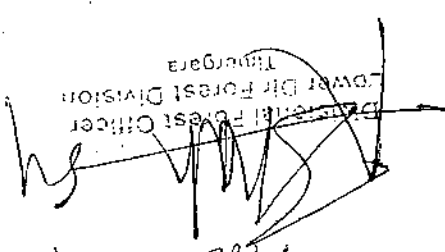
The Divisional Forest Officer (63) Lower Division Forest Division

Subject: Annual report. Timergara.

Memo:

for compliance of office order No 186 dated 7/5/2024, 3  
Mr. Abdul Husban Forest Guard  
Annual report my  
Forest Sub-division Chaddara Forest  
to Divisional Forest Officer  
Timergara Lower Division  
Forest

Ensure proper attendance  
19/05/24

Abdul Husban  
Forest Guard  
Date: 13/5/2024  
Attest  
  
Divisional Forest Officer  
Lower Division Forest  
Timergara

Ammeure "F"

15

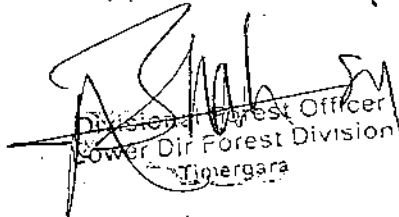
SHOW CAUSE NOTICE

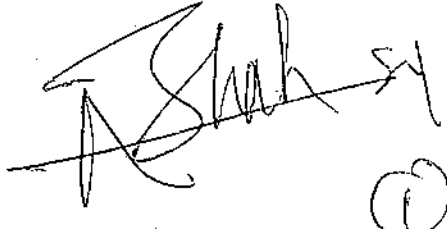
I Mr. Asif Ali Shah, Divisional Forest Officer Lower Dir Forest Division Timergara as competent authority under the Khyber Pakhtunkhwa Govt. Servants (Efficiency and Discipline) Rules, 2011 under Rules-7, do hereby serve you, Mr. Abid Hussain Forest Guard of Chakdara Forest Range with this Show Cause Notice as follows:

That while posted on duty as Forest Guard at Chakdara Forest Check Post of Chakdara Forest Range you have committed the following irregularities:-

- 1- i. That you were consistently directed and warned verbally as well as in writing vide DFO Lower Dir letter No.2753/E, dated 14/03/2024, No. 2862-64 dated 28/03/2024, No.2979-81/G dated 08/04/2024 and No.3170-72/G dated 02/05/2023, but you badly failed to comply with the directives of higher-ups in letter and spirit.
- ii. That while performing official duty at Chakdara Forest Check Post of Chakdara Forest Range, you have failed to check and control illegal movement of timber and forest produce due to inefficiency, misconduct and corruption.
- iii. Resultantly, two (02) Dumpers (Trucks) bearing No. GLTD-1537 and No.RIS-5050 loaded with illegal Deodar timber were apprehended by the staff of Malakand Forest Division at Swat express way and Damage Report No.60/26 and 61/26 of even dated 07/05/2024 have been chalked against the Forest offenders, which clearly speaks your active involvement and connivance with the timber smugglers.
- iv. You have deliberately allowed the referred consignments for your ulterior motives and are confirmed from the CCTC footage obtained from CCTV installed at Bab-e-Jandool, which tantamount to inefficiency, misconduct and corruption.
- v. Being a Forest Guard it is your prime responsibility to check and stop illegal movement of timber, but you failed to do so, did not perform your duty as per your job description which shows your inefficiency, mis-conduct towards performing your official duty and the vehicles laced with illicit Deodar timber have crossed the Check Post, which has created difficult and embarrassing situation both in Forest Department as well as in District Lower Dir.
- vi. That you have been directed during visit of higher officer to stay vigilant, watchful and to ensure proper blockage/closing of barrier at Check Post for the purpose of checking particularly during late Hours, but you have failed to do so which has paved easy way for timber smugglers.
- vii. During the checking of Check Post it also revealed that you were performing duty on shifting basis which is never been a practice in forestry profession and strict direction has been communicated already but you failed to do so.
- viii. The Range Forest Officer Chakdara has also reported your active involvements in the referred smuggling of timber vide his letter No.108/CHK dated 07/05/2024.

Attested

  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

  
①

Keeping in view the above, I am satisfied that you have committed the following acts/omissions specified in Rule – 3 of the said rules:-

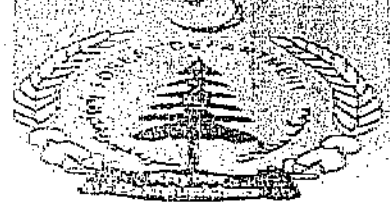

(39)

- a. Inefficiency.
  - b. Misconduct.
  - c. Corruption.
2. As a result thereof, I as competent authority have tentatively decided to impose upon you the major penalty specified under Rules-4(b) of the said rules.
  3. You, are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and else intimate whether you desire to be heard in person.
  4. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it should be presumed that you have no defense to put in that case an ex-parte action should be taken against you.
  5. A copy of report on the subject matter by Range Forest Officer Chakdara is attached.

*Handwritten signature*  
*Handwritten signature*  
 Divisional Forest Officer  
 Lower Dir Forest Division  
 Peshawar

*Handwritten signature*  
 Divisional Forest Officer  
 Competent Authority

17

	OFFICE OF THE DIVISIONAL FOREST OFFICER, LOWER DIR FOREST DIVISION, TIMERGARA		
	Phone No. 0945-9250105 Fax No. 0945-9250119 E-Mail dfollowerdir@gmail.com		
No 337683/G	Dated	Timergara	the 17/05/2024

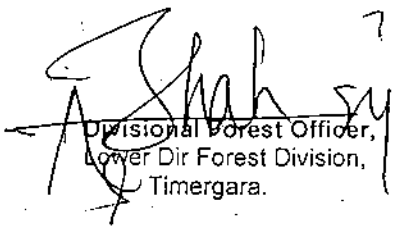
To

- |                                   |                             |
|-----------------------------------|-----------------------------|
| 1. Mr. Nisar Wahid Forest Guard.  | Bandagi Forest Check Post.  |
| 2. Mr. Irfan Ullah Forest Guard.  | -----do-----                |
| C/O<br>SDFO Timergara.            |                             |
| 3. Mr. Gouhar Ali Forester.       | Chakdara Forest Check Post. |
| 4. Mr. Abid Hussain Forest Guard. | -----do-----                |
| 5. Mr. Faridoon B.M.              | -----do-----                |
| C/O<br>RFO Chakdara.              |                             |
| 6. Mr. Jamshid Khan Forest Guard  | Samrbagh Block.             |
| 7. Mr. Zakir Ullah Forest Guard.  | Sinzo Forest Check Post.    |
| 8. Mr. Yasir Ahmad B.M.           | -----do-----                |
| C/O<br>SDFO Jandool               |                             |

Subject: SHOW CAUSE NOTICE THEREOF.  
 Memo: Reference this office letter No.2352-59/G, dated 08.04.2024

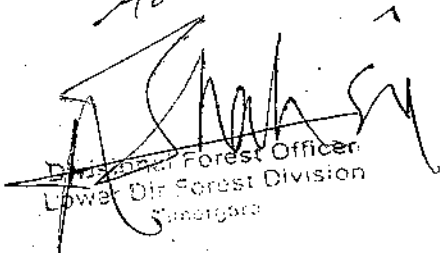
You are once again directed to submit your reply to the Show Cause notice issued vide this office letter cited above immediately within 03 days, otherwise it will be presumed that you have nothing to offer in your defense. In such a case ex- party action will be initiated against you under E&D Rules 2011.

Acknowledgment Receipt.

  
 Divisional Forest Officer,  
 Lower Dir Forest Division,  
 Timergara.

No \_\_\_\_\_ /G,

Copy forwarded to Conservator of Forests Malakand Forest Circle West, for favour of information please.

*Attested*  
  
 Divisional Forest Officer,  
 Lower Dir Forest Division,  
 Timergara

Divisional Forest Officer,  
 Lower Dir Forest Division,  
 Timergara

18 Appendix "a"

The Divisional Forest Officer,  
Lower Div Forest Division,  
at Timergama.

SHOW CAUSE NOTICE

Respected Sir,

SUBJECT:

Reference your letter no: 2352-59/1  
dated 08.05.2024.

It is respectfully stated that  
in response to your office letter quoted  
above, para-wise reply to the Show Cause  
notice is furnished as under:-

(1) The directives/instructions issued  
verbally as well as in writing by the higher officials  
from time to time have been noted and  
complied with in letter and spirit due to this  
no such like unpleasant incident has been reported  
in the recent past.

(ii) I am performing duties at Chaldhara  
Forest Check Post efficiently, devotedly and honestly  
and has controlled illegal movement of timber/forest  
produce to great extent through checking of each  
and every vehicle passing through Chaldhara Forest  
Post. *Attested*

(P/2)

(125)

(iii) I was on duty at Barrier of Chakdara Forest Check Post on 07.05.2024 from 02.00 am to 08.00 am. However has not observed crossing of the said trucks during the course of my duty time. The trucks have crossed barrier of Chakdara Forest Check Post at 04.30 am. As per photographs of CCTV Camera installed in Chakdara Forest Check Post when I was gone to the nearby mosque for praying "Namazi Fajer" and Mr. Sifat Barrierman (Private) was on duty at the barrier. He has also not observed timber in the said trucks and have allowed the trucks to cross barrier of Chakdara Forest Check Post.

Since I was not on duty at that time and was praying ("Namazi Fajer") in the nearby mosque, therefore, the charges/allegation of my active involvement and connivance with the timber smugglers is not based on facts and without any evidence and proofs.

(iv) As stated above, I was not on duty at that time and was praying "Namazi Fajer" in the nearby mosque which is situated on the opposite side of the road of Chakdara Forest Check Post, therefore, have not deliberately

"Namany fager" is the nearby message, therefore, on the banner at that time and was praying hours. As stated earlier I was not present purpose of checking particularly during late closing of banner at forest check post for the watchfully and has ensured proper blockage performed duty at the banner vigilantly complete in letter and spirit I always from time to time have been noted and the directive of higher officers issued

(vi) In tally bases and a un-qualified in-officiency and mis-conduct against me are in the nearby message, therefore, the charges of at that time and was praying "namany fager" practices. As stated above, I was not present and has never indulged myself in any sort of accordance with the directive of higher officers duties at Chandana forest check post/barricade in my duties (job descriptions) and my prime responsibility and always performed my Respected Sir, I am well aware of

allow the said illegal engagement for any ulterior motives.

125

Director  
Forest Division  
Muzaffargarh

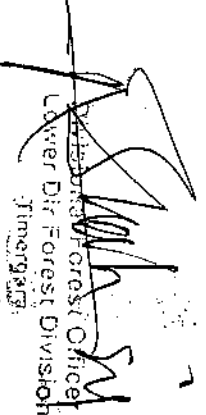
(P/3)

20

Director



Attested

  
Subhrajit Ghosh  
Deputy Forest Officer  
Lower Dir Forest Division  
Jhargana

(BQ)

do not have easy way for timber smugglers.

(14)

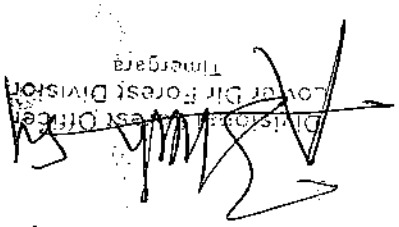
(vii) It is not possible for human lines to work round the clock (24 hours) round like a machine without taking rest, therefore duty is performed on the basis at the rotation basis tentatively. This practice is in vogue every where ~~of~~ <sup>on</sup> the check posts of Police and other law enforcing agencies. The directive of your govt in this regard (without sitting) is practically not possible and contrary to the ground realities.

(viii) The report of Range Forest Officer

Chakdara regarding the active involvement of the forest staff of Chakdara Forest Check Post in the instant case do not base on facts. The allegations have been levelled against me without any proof/evidence, therefore un-justified and untenable keeping in view the above explanation. It is quite clear, that I am neither involved in timber smuggling nor committed the acts/omissions of Inefficiency, misconduct

and exception as specified in Rule-3 of the  
Khyber Pakhtunkhwa Govt. (Punishment, Discipline and Discipline) Rules, 2011.

(121)

  
District Forest Officer  
Lower Dir Forest Division  
Timergara

(P/S)

aa

Attestee

2) In view of the above explanation  
the tentative decision of your 'good self'  
for imposing major penalty upon me as  
specified under Rule-4(b) of the Board  
Rules may be reviewed and I may be  
exonerated from all the charges/allegations.

3) As explained above, the charges of  
In-efficiency, mis-conduct and corruption  
have not been proved against me with  
certainty, therefore, the proposed penalty  
may not be imposed please.

4) The requisite defence reply is being  
furnished herewith in stipulated period  
and separate action may not be taken  
against me.

Feb 17

on personal reply  
20/05/24 hearing is  
20/05/24 date for as the

20/05/24  
as the  
20/05/24

ATTACHED DIVISIONAL  
OFFICE, TIRUPUR  
FOREST GUARD  
(ABID HUSSAIN)

Date:

your's obediently

The report of Range Forest Officer Chaddava  
don't base on facts. The involvement of check  
post staff and compliance with timber manager  
has been generated without any first evidence  
and witnesses. It is clarified that I have always  
performed my duties efficiently, devotedly, honestly  
and upto the best satisfaction of my higher  
officers and has never indulged myself in  
any corrupt practices which is also evident from  
my service record. Therefore it is requested  
that I may kindly be exonerated from all  
the charges/allegations for which I shall be  
highly obliged and thankful please  
taken due to be heard in person also.  
Thanks.

13

Regional Forest Officer  
Lower Dir Forest Division  
Tirupur

(P/6)

23

Attended

24 Annexure "H" (210)

OFFICE ORDER NO. 141 DATED TIMERGARA THE 27/05/2024, ISSUED BY MR. ASIF ALI SHAH DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION TIMERGARA.

WHEREAS, On 07-05-2024 at about 4:30 AM two numbers (02) Dumpers vehicles bearing Registration No. GLT-1537 and RIS-5050 have been apprehended by the forest staff of Malakand Forest Division. Both the vehicles were laced with illegal deodar timber, a total 305 scants measuring 157.3 cft volume is seized and the damage report have been chalked against the forest offenders.

AND WHEREAS, Mr. Abid Hussain Forest Guard BPS-08, deputed at Chakdara Forest Check Post of Chakdara Forest Range, was proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 against the charges as mentioned in the Show Cause issued vide this office letter No. 2352-59/E, dated 08.05.2024, served upon the said Forest Guard.

AND WHEREAS, the undersigned as (Competent Authority) after having examined the charges, evidence on record and reply of the Show Cause of the accused official, wherein the charges against the official are proved accordingly.

AND WHEREAS, the Competent Authority, after considering the other related documents of the case, served a Show Cause Notice upon the said official to which he replied, and provided him opportunity of personal hearing vide this office letter No. 3410/G, dated 20.05.2024.

NOW THEREFORE, after having considered the charges, evidence on record, report of RFO Chakdara vide letter No. 108/Ckd dated 07.05.2024 and the reply of Show Cause notice by the accused official, as well as personal hearing conducted in this office on 23.05.2024, I Mr. Asif Ali Shah Divisional Forest Officer Lower Dir in the capacity of competent authority impose Major penalty of "REMOVAL FROM SERVICE" under E&D Rules 2011, Section 4 (b) Sub Section (III) of the Ibid rules, in the interest of Public Service.

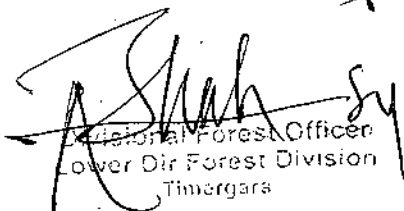
Sd/-  
(Asif Ali Shah)  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara


No. 2483-86 IG&L,

Copy forwarded to the:-

1. Conservator of Forests, Malakand Forest Circle west Timergara for favour of information of information pleases.
2. RFO, Chakdara, for information and necessary action.
3. Divisional Accountant for information and necessary action.
4. Officials concerned for information.

Attest

  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

25 Ammeure "I"

BEFORE THE WORTHY CONSERVATOR OF FORESTS  
MALAKAND WEST FOREST CIRCLE TIGER GARA.

SUBJECT: DEPARTMENTAL APPEAL AGAINST  
OFFICE ORDER NO: 141 DATED 27.05.2024  
ISSUED BY D.F.O. LOWER DIR F/ DIVISION

Respected Sir,

It is respectfully stated that:

(1) Appellant is the resident of Sarai  
Talash District Lower Dir and was serving  
as forest Guard (B/S-8) in Lower Dir Forest Division  
wef. 18th September, 2019. While posted on charada  
forest check post, the respective DFO Lower Dir  
proceeded the appellant under Whyyer Pakh Bunkh  
Govt. Servants (Efficiency and Discipline) Rules, 20  
and major penalty of "Removal from Service" has  
been awarded to the appellant vide his office order  
no. quoted in the Subject and Copy is enclosed  
herewith as (Annex-A) for favour of perusal.

(2) The respective DFO Lower Dir  
Forest Division served upon the appellant a  
"Show Cause notice" vide his office letter no.  
2352-58/E, dated 08.05.2024 where in it was  
alleged that:

(i) you were consistently directed and  
warned verbally as well as in writing vide DFO Lower  
Dir letter no. 2753/E, dated 14.03.2024, No. 2862-64

ATTESTED

ATTESTED

(P/2) 26

Dated 28.03.2024, No. 2979-81/G, dated 08.04.2024

and No. 3170-72/G, dated 02.05.2024 but you badly failed to comply with the directives of higher ups in letter and spirit.

(ii) That strike performing official duty at State Forest Check Post of Chaledara forest Range, you have failed to check and control illegal movement of timber and forest produce due to in-efficient ms-conduct and corruption.

(iii) Resultantly, two (2) Dumpers (Trucks) bearing no: 9LTD-1537 and No. RIS-5050 loaded with illegal teak timber were apprehended by the staff of Malabar Forest Division at Swat Express way and Damage Report no: 60/26 and 61/26 of even date of 07.05.2024 have been chalked against the forest offenders, which clearly speaks your active involvement and connivance with the timber smugglers.

(iv) you have deliberately allowed the referred engagement for your ulterior motives and are conferred from CTV installed at Base Tandoo, which tantamount to in-efficiency, mis-conduct and corruption.

(v) Being a forest guard it is your prime responsibility to check and stop illegal movement of timber, but you failed to do so, did not perform your duty as per your job description which shows

(3) The appellant furnished comprehensive and convincing copy of the show cause notice to the respective DFO Lower An Forest Division and denied the charges/allegations, flat copy of the reply is enclosed herewith as (Annex-13) for favour of him.

(vii) During the check post it also revealed that you were performing duty on shifting basis which is never been a practice in forestry profession and strict direction has been communicated already but you failed to do so. The Range Forest Officer Chakdara has also reported your active involvement in the referred smuggling of timber vide his letter No. 108 dated 07.05.2024.

(vi) That you have been directed during visit of higher officers to stay vigilant, watchful and ensure proper hoisting/closing of barrier at Check Post for the purpose of checking, particularly during late hours - but you failed to do so which has paved way for timber smugglers.

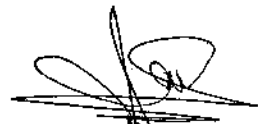
(v) You are directed during visit of higher officers to stay vigilant, watchful and ensure proper hoisting/closing of barrier at Check Post, which has created difficult and embarrassing situation in Forest Department as well as in District level. Your superior officers have crossed the Check Post, when your official duty and/or vehicles loaded with logs dealer timber have crossed the Check Post, when you in-efficiency, mis-conduct towards performing

ATTESTED



27

(P/3)



to the Show Cause Notice that: **ATTESTED**

- (i) The directives/instructions issued verbally as well as in writing by the high officers have been noted and complied with in letter and spirit due to which no such like unpleasant incident has been noted/reported in the recent past.
- (ii) It was further clarified that the appellant is performing duty at Chakudara Forest Check Post efficiently, devotedly and honestly and has controlled illegal movement of timber/forest produce to great extent through checking of each and every vehicle passing through Chakudara Forest Check Post.
- (iii) It was clarified that the appellant was on duty at Barrier of Chakudara Forest Check Post on 07-05-2024 from 02.00 am to 08.00 am, however has not observed crossing of the said trucks during the course of his duty time. The trucks have crossed barrier of Chakudara Forest Check Post at 04.30 am as per photographs of CCTV Camera installed in Chakudara Forest Check Post when the appellant was gone to the nearby mosque for praying "Namazi-Fajar" and Mr. Sifat Barrierman (Private) was on duty at the barrier. He has also not observed timber in the said trucks and have allowed the trucks to cross barrier of Chakudara Forest Check Post.



Since the appellant was not on duty at that time and was praying "Namazi Fajav" in the nearby mosque, therefore, the charges/allegations of his active involvement and connivance with the timber smugglers is not based on facts and without any evidence, proof and witness.

(iv)

It was stated that the appellant was not on duty at that time and was praying "Namazi Fajav" in the nearby mosque situated on the opposite side of the road therefore he not deliberately allowed the said illegal consign<sup>ment</sup> for any ulterior motives.

(v)

Under this item it was clarified that the appellant is well aware of his duty (Job description) and he prime responsibility and always performed duty at Chakdara forest Check Post strictly in accordance with the directives of higher officers and he never indulges himself in any corrupt practice. As stated earlier, the appellant was not present at that time and was praying "Namazi Fajav" in the nearby mosque, therefore, the Charges of In-efficiency and mis-conduct against him are totally baseless and un-justified.

(vi)

It was stated in the reply to the Show Cause notice that the directives of higher officers were

ATTESTED



30

(P/B)

from time to time have been noted and compiled.

left in Keith and Spirit. The appellant always performed his duty at the barrier vigilantly, and has ensured proper blockage/clearing of barrier at the Forest Check Post, particularly during late hours. As stated earlier, the appellant was not present on the barrier at the time and was playing "Namaste Jagar" in the nearby mess, therefore, do not have any way for timber smugglers.

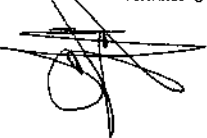
(VII) It was clarified in the reply to the SC case that being a human it is not possible for anybody to work twenty four (24) hours without taking rest, therefore, duty is being performed on the tentative/rotation basis. This practice is in vogue in all the forest check posts as well as on the check post of Police and other law enforcing agencies.

(VIII) The Report of Range Forest Officer Evaluation regarding the active involvement of the appellant in the instant case does not have merits. The allegation have been levelled against the appellant without any proof, evidence and witnesses, untrustworthy and untenable.

The disciplinary proceedings has been initiated and completed in many without fulfillment of provisions/ formalities contained in the rules and regulations on the subject and against the norms of justice. The whole process has been completed within twenty (20) days from 07.05.2024 to 27.05.2024. The matter has not been investigated/enquired through impartial Enquiry officer/committee as required under the higher Pakistan Bureau Govt. Servants (Efficiency and Discipline) Rules, 2011. There is a procedural flaw in the disciplinary proceedings.

(1) The disciplinary proceedings has been initiated and completed in many without fulfillment of provisions/ formalities contained in the rules and regulations on the subject and against the norms of justice. The whole process has been completed within twenty (20) days from 07.05.2024 to 27.05.2024. The matter has not been investigated/enquired through impartial Enquiry officer/committee as required under the higher Pakistan Bureau Govt. Servants (Efficiency and Discipline) Rules, 2011. There is a procedural flaw in the disciplinary proceedings.

(4) Since the charges of Inefficiency, misconduct and corruption were not proved against the appellant, therefore, the respective DFO Lower Dir was requested to drop the charges/allegations and exonerate him from all the charges/allegations. However, the reply furnished to the Show Cause Notice has been turned down by the respective DFO Lower Dir without any valid/legal reasons and merger penalty of "Removal from Service" has been imposed upon the appellant vide DFO Lower Dir Office order No: 141 dated 27.05.2024. The said order is illegal, irregular, against the law, rules, regulations and norms of justice, therefore, untenable and unjustified due to the following reasons:-

ATTESTED  


Statement of allegation has been served upon the appellant nor the Case has been enquired through impartial Enquiry officer/committee therefore the impugned office order of the Respective DFO Lower Div is illegal, irregular and unjust & untenable.

(ii) The report of Range Forest officer Chakdara has been considered as evidence against the appellant where as he ~~has~~ is himself responsible in the instant case of smuggling of illegal timber. He has been given clean chit on his false statement and false report of involvement of the appellant in the instant case. He could not be absolved of his responsibility as Range Forest officer Chakdara due to writing of baseless and false letter against the appellant.

(iii) The impugned order of the Respective DFO Lower Div is discriminatory because, the Staff of Jandool Forest Sub-Division has been awarded minor punishment (where from the illegal timber originated) where as the appellant has been awarded major punishment of "Removal from Service" without committing any irregularity. Since the appellant was not present on duty at that time, therefore, award of penalty is totally unjustified and against the rules and regulations on the Subject.

(iv) The Range Forest officer Chakdara should have been treated as accused in the instant case of disciplinary proceedings, therefore, his incorrect and false statement and fake report could not be treated/considered as evidence against the appellant. In case the appellant is involved in the smuggling of timber, the Range Forest officer Chakdara is also equally responsible such as forester and forest guard. However no action has been taken/initiate against the Range Forest officer Chakdara for un-known reasons.

(v) The Charges of In-efficiency, mis-conduct and Corruption have not been proved with certainty through impartial Enquiry officer/committee as required under the rules, therefore the impugned order of respective D.Fo Lower Div is illegal, irregular, against the rules/regulations on the subject.

(vi) The appellant has always performed duty efficiently, devotedly, honestly strictly in accordance with the directives of higher officers and has never indulged himself in any corrupt practices which is also evident from his service records.

ATTESTED

*[Signature]*

(ABID HUSSAIN)  
Ex-Forest Guard  
Chakdara Forest  
Check Post.

*[Signature]*

Yours obediently,

Thanks

The appellant also desire to be heard  
in person please.

(b)

Keeping in view the above exposition, it  
is therefore prayed that by accepting this appeal  
of the appellant, the impugned order no  
141 dated 27.05.2024 may be set aside and the  
appellant be reinstated in service from the date  
of removal with all back benefits. For this  
act of kindness the appellant will be highly  
obliged/thankful and will pray for the prosperity  
of your good sety.

(5)

(P/10) 34

Whereas, Mr. Abid Hussain Forest Guard posted at Chakdara Forest Check post was served upon show cause notice under Section-7 of Efficiency and Discipline Rules 2011 by DFO Lower Dir vide his letter No.2352-59/E dated 08-05-2024 for smuggling of timber through two (02) Dumper bearing Registration No.1537/GLTD and No.5050/RIS loaded with 305 scants having 1157.3 cft via Chakdara Forest Check Post with active connivance of accused official and subsequently apprehended by the staff of Malakand Forest Division on 07-05-2024 and issued Damage Report No.61/67 and 62/67 of even dated.

Whereas the accused official submitted reply to show cause notice and also provided opportunity of personal hearing on 23-05-2024 under Section 7 (d) of ibid Rules in the instant case.

Whereas, the DFO Lower Dir on perusal of record i.e reply to show cause notice, CCTV footage, Range Forest Officer Chakdara letter No.108/CKD dated 07-05-2024 as well as personal hearing and fact finding enquiry conducted by DFO Patrol Squad Central Southern Forest Circle Peshawar, the DFO Lower Dir Ordered removal from services of referred official vide his Office Order No.141 dated 27-05-2024.

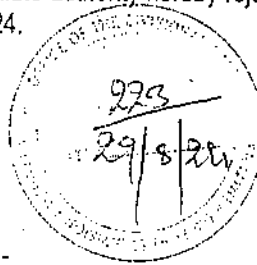
Whereas the accused Official feeling aggrieved, preferred Departmental appeal in the instant case to appellate authority (Conservator of Forests Malakand West Forest Circle).

Whereas comments were asked from DFO Lower Dir vide Conservator of Forest Malakand West Forest Circle letter No.5165/G&L dated 14-06-2024. Accordingly, the DFO Lower Dir submitted his detail comments vide letter No.653/Acctt dated 21-08-2024.

Whereas the accused Official was summoned for personal hearing vide Conservator of Forest Malakand West Forest Circle letter No.919-23/E dated 22-08-2024 and as such personal hearing was conducted on 26-08-2024 under Section 7 (d) of ibid Rules.

Whereas on perusal of record i.e contents of Damage Reports referred above, statement of smugglers / Drivers, show cause notice, reply to the show cause furnished by the accused official, comments of DFO Lower Dir, report of Range Forest Officer Chakdara vide his letter No.108/CKD dated 07-05-2024, findings of fact finding committee conducted by DFO Patrol Squad Forest Division Central Forest Circle Peshawar vide his letter No.182/PS dated 21-05-2024 received with Chief conservator of Forest Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar vide his letter No.3186/GB dated 10-06-2024, CCTV footage of Bab-e-Jandool and Chakdara Forest Check Post besides confession of accused Official during personal hearing would reveal that the referred Dumper loaded with illicit scants have crossed Chakdara Forest Check Post with active connivance of accused official.

Consequent upon the above, I Mr. Shaukat Fiaz Conservator of Forests Malakand West Forest Circle Timergara in the capacity of appellate authority hereby reject the appeal of appellant and upheld DFO Lower Dir Office Order No.141 dated 27-05-2024.



SD/-  
Mr. SHAUKAT FIAZ  
Conservator of Forests  
Malakand Forest Circle West,  
At Timergara

No. 952-54 /E

Copy forwarded to the:-

1. Chief Conservator of Forests Malakand Forest Region-III Saidu Sharif Swat for favour of information, please.
- ✓ 2. Divisional Forest Officer, Lower Dir Forest Division Timergara for information and further necessary action.
3. Mr. Abid Hussain Forest Guard C/O of DFO Lower Dir for information.

*App*  
*For record and to communicate to official concerned*

*Shaukat Fiaz*  
*29/8/24*  
Conservator of Forests  
Malakand Forest Circle West  
At Timergara

*[Signature]*  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

Annexure 'A'

(2021)

OFFICE ORDER NO. 138 DATED TIMERGARA THE 27/05/2024, ISSUED BY MR. ASIF ALI SHAH DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION TIMERGARA.

36

WHEREAS, On 07-05-2024 at about 4:30 AM two numbers (02) Dumpers vehicles bearing Registration No. GLT-1537 and RIS-5050 have been apprehended by the forest staff of Malakand Forest Division. Both the vehicles were laced with illegal deodar timber, a total 305 scants measuring 157.3 cft volume is seized and the damage report have been chalked against the forest offenders.

AND WHEREAS, Mr. Nisar Wahid Forest Guard BPS-08, deputed at Bandagi Forest Check Post of Timergara Forest Sub Division, was proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 against the charges as mentioned in the Show Cause issued vide this office letter No. 2352-59/E, dated 08.05.2024, served upon the said Forest Guard.

AND WHEREAS, the undersigned as (Competent Authority) after having examined the charges, evidence on record and reply of the Show Cause of the accused official, wherein the charges against the official are proved accordingly.

AND WHEREAS, the Competent Authority, after considering the other related documents of the case, served a Show Cause Notice upon the said official to which he replied, and provided him opportunity of personal hearing vide this office letter No. 3410/G, dated 20.05.2024.

NOW THEREFORE, after having considered the charges, evidence on record, report of SDFO Timergara vide letter No. 217/T/J dated 07.05.2024 and the reply of Show Cause notice by the accused official, as well as personal hearing conducted in this office on 23.05.2024, I Mr. Asif Ali Shah Divisional Forest Officer Lower Dir in the capacity of competent authority impose Major penalty of "REMOVAL FROM SERVICE" under E&D Rules 2011, Section 4 (b) Sub Section (III) of the Ibid rules, in the interest of Public Service.

Sd/-  
(Asif Ali Shah)  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

No. 3471-74 IG&L.

Copy forwarded to the:-

1. Conservator of Forests, Malakand Forest Circle west Timergara for favour of information of information please.
2. SDFO Timergara, for information and necessary action.
3. Divisional Accountant for information and necessary action.
4. Officials concerned for information.

*Asif Ali Shah*  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

*Asif Ali Shah*  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara



OFFICE ORDER NO. 149 DATED TIMERGARA THE 27/05/2024, ISSUED BY MR. ASIF ALI SHAH DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION TIMERGARA.

WHEREAS, On 07-05-2024 at about 4:30 AM two numbers (02) Dumpers vehicles bearing Registration No. GLT-1537 and RIS-5050 have been apprehended by the forest staff of Malakand Forest Division. Both the vehicles were laced with illegal deodar timber, a total 305 scants measuring 157.3 cft volume is seized and the damage report have been chalked against the forest offenders.

AND WHEREAS, Mr. Faridoon Khan Barrier Man BPS-04, deputed at Chakdara Forest Check Post of Chakdara Forest Range, was proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 against the charges as mentioned in the Show Cause issued vide this office letter No. 2352-59/E, dated 08.05.2024, served upon the said Barrier Man.

AND WHEREAS, the undersigned as (Competent Authority) after having examined the charges, evidence on record and reply of the Show Cause of the accused official, wherein the charges against the official are proved accordingly.

AND WHEREAS, the Competent Authority, after considering the other related documents of the case, served a Show Cause Notice upon the said official to which he replied, and provided him opportunity of personal hearing vide this office letter No. 3410/G, dated 20.05.2024.

NOW THEREFORE, after having considered the charges, evidence on record, report of RFO Chakdara vide letter No. 108/CKd dated 07.05.2024 and the reply of Show Cause notice by the accused official, as well as personal hearing conducted in this office on 23.05.2024, I Mr. Asif Ali Shah Divisional Forest Officer Lower Dir in the capacity of competent authority impose Major penalty of "REMOVAL FROM SERVICE" under E&D Rules 2011, Section 4 (b) Sub Section (III) of the Ibid rules, in the interest of Public Service.

Sd/-

(Asif Ali Shah)

Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

No. 3487-90 IG&L,

Copy forwarded to the:-

1. Conservator of Forests, Malakand Forest Circle west Timergara for favour of information of information pleases.
2. RFO, Chakdara, for information and necessary action.
3. Divisional Accountant for information and necessary action.
4. Officials concerned for information.

  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

  
Divisional Forest Officer  
Lower Dir Forest Division

OFFICE ORDER NO. 143 DATED TIMERGARA THE 27/05/2024, ISSUED BY MR. ASIF ALI SHAH DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION TIMERGARA.

WHEREAS, On 07-05-2024 at about 4:30 AM two numbers (02) Dumpers vehicles bearing Registration No. GLT-1537 and RIS-5050 have been apprehended by the forest staff of Malakand Forest Division. Both the vehicles were laced with illegal deodar timber, a total 305 scants measuring 1157.3 cft volume is seized and the damage report have been chalked against the forest offenders.

AND WHEREAS, Mr. Jamshid Khan Forest Guard BPS-08, deputed as Block Officer, Samar Bagh Block of Jandool Forest Sub Division, was proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 against the charges as mentioned in the Show Cause issued vide this office letter No. 2352-59/E, dated 08.05.2024; served upon the said Forest Guard.

AND WHEREAS, the undersigned as (Competent Authority) after having examined the charges, evidence on record and reply of the Show Cause of the accused official, wherein the charges against the official are proved accordingly.

AND WHEREAS, the Competent Authority, after considering the other related documents of the case, served a Show Cause Notice upon the said official to which he replied, and provided him opportunity of personal hearing vide this office letter No.3410/G, dated 20.05.2024.

NOW THEREFORE, after having considered the charges, evidence on record, report of SDFO Jandool vide letter No.217/T/I dated 07.05.2024 and the reply of Show Cause notice by the accused official, as well as personal hearing conducted in this office on 23.05.2024, I Mr. Asif Ali Shah Divisional Forest Officer Lower Dir in the capacity of competent authority impose Minor penalty of "withholding 02 annual increment for a period of two year" under E&D Rules 2011, Section 4 (a) Sub Section (II) of the Ibid rules, in the interest of Public Service.

Sd/-  
(Asif Ali Shah)  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

No. 3491-94 IG&L.

Copy forwarded to the:-

1. Conservator of Forests, Malakand Forest Circle west Timergara for favour of information of information pleases.
2. SDFO Jandool, for information and necessary action.
3. Divisional Accountant for information and necessary action.
4. Officials concerned for information.

Received  
[Signature]

Attested  
[Signature]

[Signature]  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

[Signature]  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

OFFICE ORDER NO. 144 DATED TIMERGARA THE 27<sup>th</sup> 10<sup>th</sup> 2024, ISSUED BY MR. ASIF ALI SHAH DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION TIMERGARA.

WHEREAS, On 07-05-2024 at about 4:30 AM two numbers (02) Dumpers vehicles bearing Registration No. GLT-1537 and RIS-5050 have been apprehended by the forest staff of Malakand Forest Division. Both the vehicles were laced with illegal deodar timber, a total 305 scants measuring 1157.3 cft volume is seized and the damage report have been chalked against the forest offenders.

AND WHEREAS, Mr. Yasir Ahmad Barrier Man BPS-03, deputed at Senzo Forest Check Post of Jandool Forest Sub Division, was proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 against the charges as mentioned in the Show Cause issued vide this office letter No. 2352-59/E, dated 08.05.2024, served upon the said Barrier Man.

AND WHEREAS, the undersigned as (Competent Authority) after having examined the charges, evidence on record and reply of the Show Cause of the accused official, wherein the charges against the official are proved accordingly.

AND WHEREAS, the Competent Authority, after considering the other related documents of the case, served a Show Cause Notice upon the said official to which he replied, and provided him opportunity of personal hearing vide this office letter No.3410/G, dated 20.05.2024.

NOW THEREFORE, after having considered the charges, evidence on record, report of SDFO Jandool vide letter No.217/T/I/J dated 07.05.2024 and the reply of Show Cause notice by the accused official, as well as personal hearing conducted in this office on 23.05.2024, I Mr. Asif Ali Shah Divisional Forest Officer Lower Dir in the capacity of competent authority impose Minor penalty of "withholding 02 annual increment for a period of two year" under E&D Rules 2011, Section 4 (a) Sub-Section (II) of the Ibid rules, in the interest of Public Service.

Sd/-  
(Asif Ali Shah)  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

No. 3395-98 IG&L

Copy forwarded to the:-

1. Conservator of Forests, Malakand Forest Circle west Timergara for favour of information of information pleases.
2. SDFO Jandool, for information and necessary action.
3. Divisional Accountant for information and necessary action.
4. Officials concerned for information.

Received  
B.M. [Signature]

[Signature]  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

[Signature]  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

40. (218)

OFFICE ORDER NO. 145 DATED TIMERGARA THE 27/05/2024, ISSUED BY MR. ASIF ALI SHAH DIVISIONAL FOREST OFFICER LOWER DIR FOREST DIVISION TIMERGARA.

WHEREAS, On 07-05-2024 at about 4:30 AM two numbers (02) Dumpers vehicles bearing Registration No. GLT-1537 and RIS-5050 have been apprehended by the forest staff of Malakand Forest Division. Both the vehicles were laced with illegal deodar timber, a total 305 scants measuring 1157.3 cft volume is seized and the damage report have been chalked against the forest offenders.

AND WHEREAS, Mr. Zakir Ullah Forest Guard BPS-08, deputed at Senzo Forest Check Post of Jandool Forest Sub Division, was proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 against the charges as mentioned in the Show Cause issued vide this office letter No. 2352-59/E, dated 08.05.2024, served upon the said Forest Guard.

AND WHEREAS, the undersigned as (Competent Authority) after having examined the charges, evidence on record and reply of the Show Cause of the accused official, wherein the charges against the official are proved accordingly.

AND WHEREAS, the Competent Authority, after considering the other related documents of the case, served a Show Cause Notice upon the said official to which he replied, and provided him opportunity of personal hearing vide this office letter No.3410/G, dated 20.05.2024.

NOW THEREFORE, after having considered the charges, evidence on record, report of SDFO Jandool, vide letter No.217/T/J dated 07.05.2024 and the reply of Show Cause notice by the accused official, as well as personal hearing conducted in this office on 23.05.2024, I Mr. Asif Ali Shah Divisional Forest Officer Lower Dir in the capacity of competent authority impose Minor penalty of "withholding 02 annual increment for a period of two year" under E&D Rules 2011, Section 4 (a) Sub-Section (II) of the Ibid rules, in the interest of Public Service.

Sd/-  
(Asif Ali Shah)  
Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

No. 3499-3503 IG&L

Copy forwarded to the:-

1. Conservator of Forests, Malakand Forest Circle west Timergara for favour of information of information pleases.
2. SDFO Jandool, for information and necessary action.
3. Divisional Accountant for information and necessary action.
4. Officials concerned for information.

Received

Zakir Ullah FG

Divisional Forest Officer  
Lower Dir Forest Division  
Timergara

Divisional Forest Officer  
Lower Dir Forest Division  
Timergara







1822

1823



ATTESTED

*[Signature]*

Date	Name	Time	Signature	Date	Name	Time	Signature
10/05	Ahmad Ahmad Fg	2:00 am to 8:00 am	<i>[Signature]</i>	12/22	Shahab Khan Fg	2:00 pm to 8:00 pm	<i>[Signature]</i>
19/05	Rafiq Ahmad B.M	2:00 am to 8:00 am	<i>[Signature]</i>	11/	Rafiq Ahmad B.M	5:00 pm to 8:00 pm	<i>[Signature]</i>
11/05	Shahab Khan Fg	8:00 am to 2:00 pm	<i>[Signature]</i>	11/	Asif Khan Fg	8:00 pm to 2:00 pm	<i>[Signature]</i>
11/05	Shahab Khan Fg	11:00 am to 8:00 pm	<i>[Signature]</i>	13/22	Shahab Khan Fg	8:00 pm to 2:00 pm	<i>[Signature]</i>
11/05	visit to f. station on dated 10/05/2024			11/	Rafiq Ahmad B.M	2:00 am to 8:00 am	<i>[Signature]</i>
11/05	Staff found Personal file Shahab			11/	Asif Khan Fg	8:00 to 2:00 pm	<i>[Signature]</i>
11/05	Instructions to keep class work			11/	Shahab Khan B.M	8:00 to 2:00 pm	<i>[Signature]</i>
11/05	on vehicle for paper check			11/	Shahab Khan B.M	8:00 to 2:00 pm	<i>[Signature]</i>
11/05	Cow stall			11/05	Shahab Khan B.M	8:00 am to 2:00 pm	<i>[Signature]</i>
11/05	SPR check			14/05	Asif Khan Fg	2:00 am to 8:00 am	<i>[Signature]</i>
10/05/24	Shahab Khan B.M	8:00 pm to 2:00 am	<i>[Signature]</i>	11/	Rafiq Ahmad B.M	2:00 am to 8:00 am	<i>[Signature]</i>
11/05	Ali Haidar Fg	9:15 pm to 11:30 am	<i>[Signature]</i>	11/	Shahab Khan B.M	8:00 am to 2:00 pm	<i>[Signature]</i>
11/05	Shahab Fg	2:00 pm to 8:00 pm	<i>[Signature]</i>	11/	Ali Haidar Fg	8:00 am to 2:00 pm	<i>[Signature]</i>
11/05	Asif Khan Fg	10:00 pm to 3:00 pm	<i>[Signature]</i>	11/	Rafiq Ahmad B.M	2:00 am to 8:00 am	<i>[Signature]</i>
11/05	Shahab Khan Fg	3:00 pm to 8:00 pm	<i>[Signature]</i>	11/	Shahab Khan B.M	8:00 am to 2:00 pm	<i>[Signature]</i>
11/05	Rafiq Khan Fg	8:00 pm to 2:00	<i>[Signature]</i>	11/	Asif Khan Fg	2:00 am to 8:00 am	<i>[Signature]</i>
11/05	Shahab Khan B.M	8:00 pm to 2:00	<i>[Signature]</i>	11/	Shahab Khan B.M	8:00 am to 2:00 am	<i>[Signature]</i>
11/05	Shahab Khan Fg	2:00 pm to 8:00 am	<i>[Signature]</i>	11/	Ali Haidar Fg	9:30 pm to 1:30 am	<i>[Signature]</i>
11/05	Asif Khan Fg	8:00 am to 2:00 pm	<i>[Signature]</i>	15/05	Asif Khan Fg	2:00 am to 8:00 am	<i>[Signature]</i>
11/05	Shahab Khan B.M	8:00 am to 2:00 pm	<i>[Signature]</i>	11/	Rafiq Ahmad B.M	2:00 am to 8:00 am	<i>[Signature]</i>





Stamp: *Handwritten signature/initials*  
Stamp: *Handwritten signature/initials*

ATTESTED

*Handwritten signature/initials*

The Register from page - (01) is now by issue to Chakdora for check post as a duty Register.

43

57

*Handwritten signature/initials*

*Handwritten signature/initials*

Date	Name	Time	Signature
19/5/24	Asif Khan F.g	2:00pm to 8:00am	
11	Rafiq Ahmad B.M	2:00pm to 8:00pm	
11	Shahab Khan F.g	8:00pm to 2:00pm	
11	Sherramin B.M	8:00pm to 2:00pm	
11	Shahab Khan F.g	8:00pm to 2:00am	
11	Sherramin B.M	8:00pm to 2:00am	
20/5/24	Asif Khan F.g	2:00am to 8:00am	
11	Rafiq Ahmad B.M	2:00am to 8:00am	
11	Sherramin B.M	8:00am to 2:00pm	
11	Shahab Khan F.g	8:00am to 10:00am	
11	Alie Hossain F.g	10:00am to 2:00pm	
11	Rafiq Ahmad B.M	2:00pm to 8:00pm	
11	Sherramin B.M	8:00pm to 2:00am	
11	Alie Hossain F.g	9:20pm to 1:00am	
21/5/24	Rafiq Ahmad B.M	2:00pm to 8:00am	
11	Sherramin B.M	8:00am to 2:00pm	
11	Alie Hossain F.g	9:00am to 2:00pm	

ATTESTED \_\_\_\_\_  
 44  
 58

Date	Name	Time	Signature
19/5/24	Rasheed Khan F.G	2:00pm to 8:00am	
"	Rafiq Ahmad B.M	2:00pm to 8:00pm	
"	Shahab Khan F.G	8:00am to 2:00pm	
"	Shahab Khan F.G	8:00pm to 2:00am	
"	Sherramin B.M	8:00pm to 2:00am	
20/5/24	Asif Khan F.G	2:00am to 8:00am	
"	Rafiq Ahmad B.M	2:00am to 8:00am	
"	Sherramin B.M	8:00am to 2:00pm	
"	Shahab Khan F.G	8:00am to 10:00am	
"	Alk Hendar F.R	10:00am to 2:00pm	
"	Rafiq Ahmad B.M	2:00pm to 8:00pm	
"	Sherramin B.M	8:00pm to 2:00am	
"	Alk Hendar F.R	2:00pm to 8:00am	
21/5/24	Rafiq Ahmad B.M	2:00am to 8:00am	
"	Sherramin B.M	8:00am to 2:00pm	
"	Alk Hendar F.R	2:00pm to 8:00am	
"	Sherramin B.M	8:00pm to 2:00am	
"	Alk Hendar F.R	2:00pm to 8:00am	

ATTESTED

Time

Name

Date

us

(1)

(2)

Date	Name	Time	Sign	Date	Name	Time	Sign
20/5/24	Rafiq Ahmad B.M	2:00 pm to 8:00 pm	AS	05/23/24	Asif Khan F.G	2:00 am to 8:00 am	AS
	Shayqamun B.M	8:00 pm to 2:00 am	AS	"	Shohab Khan F.G	2:00 am to 8:00 am	AS
	Ali Haider F.R	9:20 pm to 1:00 am	AS	"	Shayqamun B.M	8:00 am to 2:00 pm	AS
22/5/24	Rafiq Ahmad B.M	2:00 am to 8:00 am	AS	"	Ali Haider F.R	9:20 am to 1:30 pm	AS
	Shayqamun B.M	8:00 am to 2:00 am	AS	"	Shohab Khan F.G	2:00 pm to 8:00 pm	AS
	Ali Haider F.R	9:20 am to 1:30 pm	AS	"	Asif Khan F.G	2:00 pm to 8:00 pm	AS
"	Shohab Khan F.G	11:00 am to 8:00 pm	AS	"	Ali Haider F.R	8:00 pm to 11:00 am	AS
"	Asif Khan F.G	10:00 am to 2:00 pm	AS	"	Shayqamun B.M	8:00 pm to 2:00 pm	AS
	Shayqamun B.M	8:00 pm to 2:00 am	AS	24/5/24	Asif Khan F.G	2:00 am to 8:00 am	AS
	Ali Haider F.R	9:20 pm to 1:30 am	AS	"	Shohab Khan F.G	2:00 am to 8:00 am	AS
03/5/24	Visit to Chauda forest			"	Shayqamun B.M	8:00 am to 2:00 am	AS
	Check post on dated 23/05/2023			"	Ali Haider F.R	9:20 am to 1:30 pm	AS
	Dins 3:00 Am, Give initiation			"	Shayqamun B.M	8:00 pm to 2:00 pm	AS
	to stop on paper chabiy			"	Asif Khan F.G	2:00 am to 8:00 am	AS
	of big vehicle and also 4			"	Rafiq Ahmad B.M	2:00 pm to 8:00 pm	AS
	any incident occur yk want be			"	Waqar Khan F.G	2:00 pm to 8:00 am	AS
	responsible.			25/5/24	Shayqamun B.M	8:00 pm to 2:00 am	AS
				"	Rafiq Ahmad B.M	2:00 am to 8:00 pm	AS
				"	Shayqamun B.M	8:00 am to 2:00 pm	AS

97

65

APPROVED

*[Signature]*

9/5/24  
11/5/24  
15/5/24

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL AT PESHAWAR**

**WAKALAT NAMA**

SERVICE APPEAL No. \_\_\_\_\_ - /2024

47

Abid Hussain FG **VERSUS** The DFO Dir(L) and others

I, Abid Hussain, Ex Forest Guard, Chakdara Forest Range, R/O village Srai Bala, Talash, Tehsil Timergara, District Dir (Lower) do hereby appoint Sabir Shah Advocate Supreme Court, Aftab Hussain Butt Advocate, High Court (s), in the above mentioned case, to do all or any of the following acts, deeds and things: -

- 1) To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard, and any other proceedings arising out of or connected therewith.
- 2) To sign and verify and file, petitions, appeals, affidavits and applications as may be deemed necessary or advisable by them for the conduct, prosecution or defense of the said case at all its stages.
- 3) To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of the proceedings.
- 4) To do any act necessary or ancillary to the above acts, deed and things.
- 5) To appoint any other counsel to do any/all of the acts, deeds and things.
- 6) I/we, shall appear in the court/tribunal on every date of hearing for assistance and if due to my/our nonappearance, any adverse judgment/order/decree is passed, they will not be held responsible.

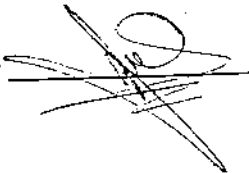
IN WITNESS whereof I/we have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this **10-09-2024**

**Signature of Executant(s)**

**Abid Hussain**


NIC No: 15302-4240436-7

Cell No. 03429503461



**ATTESTED & ACCEPTED BY:**

  
**SABIR SHAH**  
Advocate Supreme Court

  
**AFTAB HUSSAIN BUTT**  
Advocate High Court