

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

C.M No...../ 2021

IN

Service Appeal No 59 of 2024

Muhamad Iqbal Khan Deputy Ranger (Retd) Kohat Forest Division R/O
Mohallah Khoedad Khel District Lakki Marwat**Appellant**

V E R S U S


Government of Khyber Pakhtunkhwa through Secretary Climate Change,
Forestry, Environment and Wildlife Department Civil Secretariat Peshawar
and others**Respondents**

INDEX OF DOCUMENT

S. No	Description of Documents	Annex:	Page No
1.	Rejoinder		1-3
2.	Affidavit		4
3.	Copy of Application,	A-1	5-6

Appellant 

Through


Hamza Amir Gulab
Advocate

①

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

C.M No...../ 2021

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16721

Dated 15-10-24

IN

Service Appeal No 59 of 2024

Muhamad Iqbal Khan Deputy Ranger (Retd) Kohat Forest Division R/O
Mohallah Khoedad Khel District Lakki MarwatAppellant

V E R S U S

1. Government of Khyber Pakhtunkhwa through Secretary Climate Change, Forestry, Environment and Wildlife Department Civil Secretariat Peshawar
2. Chief Conservator of Forests, Central and Southern Forest Region-I Khyber Pakhtunkhwa Peshawar.
3. Conservator of Forests, Kohat Forest Circle Peshawar.
4. Divisional Forest Officer Kohat Forest Division Kohat

.....Respondents

REJOINDER ON BEHALF OF APPELLANT

Respectfully Submitted,

On Preliminary Objections:

1. Incorrect. Aggrieved from the Order of Respondents Appellant got cause of action against the Respondents.

2. Incorrect. Appeal in hand is well within time
3. Incorrect. Appellant has come to this Court with Clean Hands
4. That all the necessary parties are made party in the instant Appeal.
5. Incorrect. Appellant has legal rights to approach this Honourable Court.

ON PARAWISE COMMENTS



1. Admitted, hence needs no Reply.
2. Appellant timely submitted his relevant documents to the concerned Official. Despite of submission of the documents Respondents time and again demanded the said documents due to which delayed the process of promotion.
3. Incorrect. As stated earlier, the Appellant provided the relevant documents on time.
4. Incorrect. Appellant was at serial Number 10 of the working paper whereas all other junior Deputy Rangers were promoted to the post of Forest Ranger. Hence in this state of matter, refusing proforma promotion to the Appellant is result of discrimination.
5. Needs no Reply.
6. Needs no Reply.
7. Needs no Reply.

ON GROUNDS

- A. Incorrect. Appellant was at serial Number 10 of the working paper whereas all other junior Deputy Rangers were promoted to the post of Forest Ranger. Hence in this state of matter, refusing proforma promotion to the Appellant is result of discrimination.

- B.** Incorrect. As Respondents have admitted to the extent of seniority position at serial Number 10 and the number of posts at the time of promotion were 40, except Appellant rest of 29 Deputy Rangers junior to the Appellant were promoted. The competent Authority vide letter dated 01.12.2023 directed the Respondents for placing the case of Appellant for promotion before the DPC as he had already qualified the required criteria. DPC meeting was held on 6.12.2023 for the promotion of Appellant on notional/Acting charge basis, even the Respondent did not provide minutes of the meeting. Appellant submitted application for providing copy of minutes but till date minutes were not provided. **Copy of Application is annexed as Annexure A-1**
- C.** Incorrect. Promotion Policy of the Government circulated by the Establishment Department had clearly mention the method of notional/proforma promotion. Furthermore FR-17 is also clear regarding proforma promotion in favour of the Civil Servants who had retired before the recommendation of promotion.
- D.** Incorrect. as stated above all the junior Deputy Rangers have been promoted but the Appellant promotion was refused due to his retirement one day before the DPC meeting which is evident from the record.
- E.** Incorrect. Letters of Respondents clearly suggest that Appellant was eligible for the the notional/acting charge basis promotion.
- F.** Needs no Reply.
- G.** Needs no Reply

In the light of above rejoinder, Service Appeal of the Appellant may graciously be allowed as prayed for.

Appellant 
Through

Hamza Amir Gulab
Advocate

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

C.M No...../ 2021

IN

Service Appeal No 59 of 2024

Muhamad Iqbal Khan Deputy Ranger (Retd) Kohat Forest Division R/O
Mohallah Khoedad Khel District Lakki MarwatAppellant

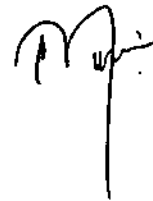
V E R S U S

Government of Khyber Pakhtunkhwa through Secretary Climate Change,
Forestry, Environment and Wildlife Department Civil Secretariat Peshawar
and othersRespondents

AFFIDAVIT

I, Muhamad Iqbal Khan Deputy Ranger (Retd) Kohat Forest Division R/O
Mohallah Khoedad Khel District Lakki Marwat do hereby solemnly affirm and
declare on oath that the contents of the accompanying Rejoinder are true and correct
to the best of my knowledge and belief and nothing has been concealed from this
Hon'ble Court.



Deponent 

The Secretary (Forest)
Khyber Pakhtunkhwa.

Answer-A-11

Subject: Application for providing of minutes of the department promotion committee meeting held on 6th December 2023

Respected Sir,

that the Applicant was performing his duties in the Ranger Department and now the applicant is required as Deputy Ranger and after completion of his duties from his duties after completion of his supervision period.

That the law abiding citizen of Pakistan and ex-employee of the department concerned is required the minutes of the department promotion committee meeting which was held on 6th Dec 2023

It is therefore requested that the Department on 6th Dec 2023 my kindly be provided to the promotion committee meeting which was held on 6th Dec 2023

Yours obediently
Mr.

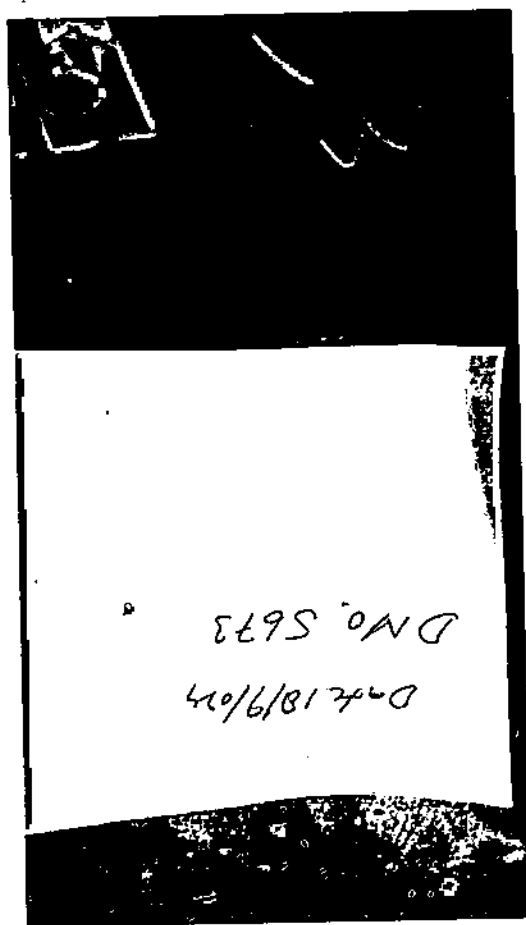
Mr. Makhammad Iqbal
Ex-Deputy Ranger (RTO)
Cell no 03-805852698

ATTESTED

Date: 18-09-2023



ATTACHED



⑨



You
Today at 21:19

