

Original

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

CMA No. \_\_\_\_\_/2024

In Service Appeal No. 1087 / 2024

Muhammad Ali, SDFO K-P Forest School Thai Abbottabad.....APPELLANT

VERSUS

Government of KP

.....RESPONDENT

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 17656

Dated 06-11-24

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**APPLICATION FOR ADDITIONAL EVIDENCE IN TITLED  
SERVICE APPEAL**

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1. That the titled Service Appeal No. 1087/2024, has been filed on 19.07.2024 before this Hon'ble Court, these Specific Evidence which may pleased be treated as integral part of the instant Appeal.

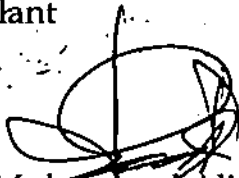
**FACTS:-**

**ADDITIONAL EVIDENCE**

1. That in compliance the order 24.09.2024, in service appeal no. 1087/2024, directed honorable tribunal court to the appellant that "to be re-submitted the departmental representation against final seniority list (stood on 15<sup>th</sup> February 2024) of the SDFO (BS-17) issued on dated 3.04.2024",  
(Representation against the Final seniority list is annexed as Annexure A)

2. That the Same departmental representation dated 25.03.2024, against the tentative seniority list (as stood on 15<sup>th</sup> February 2024) had already been submitted on 4.04.2024, after issuing FSL which is still pending.  
(Representation Tentative seniority List is annexed as Annexure B)

Appellant



Muhammad Ali,

SDFO (BS-17) KP Forest School Thai Abbottabad


Cell No. 0315-319931 Dated 5.10.2024

**FORM OF ORDER SHEET**

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

Appeal No. 1087/2024



S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/08/2024	<p>The appeal of Mr. Muhammad Ali resubmitted today by himself. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 24.09.2024. Parcha Peshi Given to appellant.</p> <p align="right">By the order of Chairman    <b>REGISTRAR</b></p> <p>01: Appellant present in person.</p> <p>02. Against the impugned seniority list circulated on 03.04.2024, appellant is referring to a departmental appeal which was preferred by him on 25.03.2024 against the tentative seniority list. He requested for some time to place on record departmental appeal preferred by him against the final seniority list circulated on 03.04.2024. He may do so before the next date. To come up for preliminary hearing on 25.11.2024 before the SB at camp court, Abbottabad. PP given to the learned DDA.</p>
	24.09.2024	

*Certified to be true copy*

**EXAMINER**  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar

(Fareeha Paul)  
 Member(E)  
 (Camp Court, A/Abad)

Application NO. \_\_\_\_\_ Date 05/11/24  
 Name of Applicant M. A. R.  
 Number of Words 100  
 Copying Fee 5/-  
 Urgent/Ordinary Ordinary  
 Total 10/-  
 Name & Sign of Copyist Shahjal  
 Date of Completion of Copy 05/11/24  
 Date of Delivery of Copy 05/11/24

PSW  
Dir  
05/11/2024

**Annex-A**  
091-9210/24  
EX-205

To,  
THE HONORABLE CHIEF SECRETARY,  
GOVERNMENT OF KHYBER PAKHTUNKHWA, PESHAWAR.

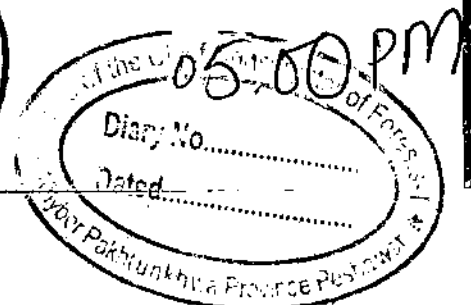
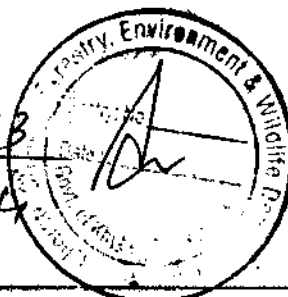
Through: Proper Channel Principal KP Forest School Thai A Abad

**DEPARTMENTAL REPRESENTATION**

OK  
IN COMPLIANCE THE ORDER 24.09.2024, IN SERVICE APPEAL NO. 1087/2024, DIRECTED HONORABLE TRIBUNAL COURT TO THE APPELLANT THAT "TO BE RE-SUBMITTED THE DEPARTMENTAL REPRESENTATION AGAINST FINAL SENIORITY LIST (STOOD ON 15<sup>TH</sup> FEBRUARY 2024) OF THE SDFO (BS-17) ISSUED ON DATED 3.04.2024". AND SAME DEPARTMENTAL REPRESENTATION DATED 25.03.2024, AGAINST THE TENTATIVE SENIORITY LIST (AS STOOD ON 15<sup>TH</sup> FEBRUARY 2024) HAD ALREADY BEEN SUBMITTED ON 4.04.2024, AFTER ISSUING FSL WHICH IS STILL PENDING. BUT ON THE BASIS ON IMPUGNED FSL THE PROVINCIAL SELECTION BOARD HAS BEEN ISSUED NOTIFICATION OF PROMOTION OF THE SDFOs, ON 1.07.2024.

APPELLANT FIT AND ELIGIBLE FOR PROMOTION AND HAVE LEGAL RIGHT, BUT TO HAVE NOT BEEN CONSIDERED FOR PROMOTION IN ACCORDANCE WITH LAW.

D. NO: 7033  
05/11/2024



## PRAYER

MAY GRACIOUSLY BE DIRECTED TO THE AUTHORITIES TO COMPLIANCE THE HONORABLE TRIBUNAL ORDER IN SERVICE APPEAL NO. 1728/2023, DATED 25.09.2024, THAT "THE IMPUGNED ORDER DATED 19.07.2023, IS SET ASIDE AND THE MATTER IS REMITTED BACK TO THE APPELLATE AUTHORITY TO PASS A DETAILED ORDER IN THE LIGHT OF FR-54, WITHIN 60 DAYS OF PASSING OF THIS ORDER'.

Respectfully Shenweth;

## FACTS

1. That the appellant was initially recruited regular basis in the department in 18.12.1986, as Forest Gourd (BS-2). And promoted as Forester (BS-7) in the 1995.  
(Appointment letter is annexed as Annexure A)
2. That the appellant had been Qualified B. Sc in Forestry from Pakistan Forest Institute in 2001.
3. That the appellant have been working as Team leader (Job of RFO) in Pak German Siran Project since from 1993 up to 2007. To acknowledged the credibility's of the appellant the then Conservator of Forests W/P Circle Peshawar was passed an order dated 4<sup>th</sup> day of January 2006, posted against the vacant post of Forest Ranger in the working Plan Unit No, IV Abbottabad.  
(Post as Forest Ranger in own pay scale is annexed as Annexure B)
4. That the appellant had been appeared in the PCS exam in 2007, and the NWFP PSC Peshawar has been selected and issued a letter 23.06. 2007 as RFO (BS-16).  
(NWFP PSC letter is annexed as Annexure C)

5. That the Chief Conservator of Forests has been **consider through proper channel** and issued a an order dated 15.11.2007, in pursuance of the recommendation of NWFP Public Service Commission appellant is 2<sup>nd</sup> appointment as RFO (BS-16) in the Forest Department.  
(2<sup>nd</sup> Appointment letter is annexed as Annexure D)
6. That the Department had been issued the *Final Seniority list 2009 & 2014*.  
(FSL 2009 & 2014, are annexed as Annexure E)
7. That the Department has not been compliance the Hon'ble K P Service Tribunal Court was decided the same in the judgment dated 16.02.2016, in the service appeal No. 100/2015, that the **wide order dated 25.08.2014**, was passed by CCF-II Abbottabad, who was not competent authority as the competent authority CCF-I Peshawar, being in violation of the Notification dated 29 August 2012, the CCF-I Head of attached Department and rule 4 (2) BS-16 (c)(i) the Head of attached Department, KP Civil servants (AP&T) Rules 1989.  
(Notification 29 August 2012, is annexed as Annexure F)
8. That the then complainants (DFO) of the *charge sheets* had been issued on the basis of **Personal Grudge and Malfidely**, and the enquiry officers recommended Major penalty (compulsory retirement) on plain allegations, and the then CCF-II Northern region II Abbottabad, (*Incompetent Authority*) had been issued *wide order* for compulsory retirement against appellant on 25/08/2014, **without conducting of personal hearing**.  
(Wide order 25/08/2014, is annexed as Annexure G)
9. That the departmental authorities **did not compliance the Judgment dated 16.02.2016**, as directed by the Hon'ble K P Service Tribunal Court passed an order 22.08.2016.  
(Judgment dated 16.02.2016, is annexed as Annexure H)

10. That the Hon'ble K P Service Tribunal Court directed to the Departmental authorities in Execution Petition No. 83/2016 in Service appeal No. 100/2015, in order sheet date 20.10.2016

*that "Petitioner in person and Mr. Aminul Islam, SDFO along with Mr. Muhammad Siddique, Sr.GP for the respondents present. Copy of order dated 22.08.2016 submitted according to which the competent authority has decided the departmental appeal of the petitioner.*

*It is observed with concern that the appellate authority as well as the competent authority has decided the issue in the mode and manners destructive to the order of this Tribunal dated 16.02.2016. The said order cannot be therefore considered as an order passed in accordance with the judgment of this Tribunal. The judgment thus remained un-implemented. Salaries of respondents No. 1 & 2 are therefore attached. In case the respondents fail to decide departmental appeal in the mode and manners required then further coercive measures including detention in civil prison will be considered against the defaulting officer. To come up for implementation report on 22.12.2016 before S.B at camp court, Abbottabad".*

*(Order Execution Petition No. 83/2016 is annexed as Annexure I)*

11. That the Department being violate the order dated 20.10.2016, in Execution Petition No. 83/2016, of the Hon'ble K P Service Tribunal Court, that CCF-I has passed an order dated 22.08.2016, up hold the wide order dated 25.08.2014, issued by the (CCF-II).

*( 22.08.2016 )*

12. That the Department has not been compliance the Hon'ble K P Service Tribunal Court Judgment dated 19.03.2018, that "vitiating the whole proceedings and impugned order of the compulsory retirement on the basis of wide order dated 25.08.2014, issued by the (CCF-II), being incompetent authority of the appellant (BS-16) in the judgment dated 19.03.2018, in the service appeal No.

30/2016. "This Tribunal reaches the conclusion that the proceedings before the CCF-I culminating into order dated 22.08.2016, cannot be sustained in the eye of law nor the department appellate authority could maintain the said order. The CCF-I therefore directed to resume the proceedings from the stage (Personal Hearing) mentioned above decide the same within 60 days from the receipt of this Judgment failing which the appellant shall be deemed to have been reinstated in service".

(Judgment dated 19.03.2018, is annexed as Annexure K)

13. That the Hon'ble K P Service Tribunal Court Peshawar was sand to the CCF-I Peshawar along with covering letter dated 26.03.2018, through Registered Mail which was received with in week.

(Covering letter 26.03.2018, is annexed as Annexure L)

14. That to the CCF-I Peshawar call to the appellant (at that time appellant was Ex-employee of the department) for personal hearing on 11.05.2018, (before any proceedings pass an order for reinstatement to the appellant) at Peshawar Office, CCF-I was conducted personal hearing on 12 & 14 May 2018, but prosecution was failed to prove their charges.

(Letter 9.04.2019,M)

15. That the then CCF-I Peshawar was passed an order dated 06.06.2018, for De-novo Enquiry proceedings under rules 14 (6) of the E&D rules 2011, as illegal, unlawful and without lawful authority being in violation of rules 14 (5) read with Section 24-A of General Clauses Act 1897, and against the direction of the Honorable Tribunal Court in Judgment dated 19.03.2018.

(Order 06.06.2018, De-novo is annexed as Annexure N)

16. That the De-novo Enquiry proceedings means **Double Jeopardy Volatile of Article 13 of the Constitution of Pakistan (no person shall be vexed twice for the same cause/charges)**



17. That the Secretary to the Government, Climate Change, Forestry, Environment and wildlife Department, Government of Khyber Pakhtunkhwa Peshawar vide letter dated 15/11/2021, impugned the personal hearing of the CCF-I dated 12 & 14 May 2018, and directed to the than Competent Authority (CCF-I) has passed an order to be reinstate the appellant, before conducting De-novo enquiry proceedings.  
(Order to be reinstate 15.11.2021 is annexed as Annexure O)
18. That the Competent Authority (CCF-I) has passed an order of the reinstated on 22.12.21, before conducting De-novo enquiry proceedings.  
(Order to reinstated 22.12.21, is annexed as Annexure P)
19. That the appellant batch mate Mr. Muhammad Shakeel was promoted as SDFO on regular basis on 15/01/2015, and appointment on acting charge basis as DFO since from 2018, and PSB had been recommended acting charge basis as DFO (BS-17) as per FSL 30.08. 2017.  
(Final Seniority list 2017 is annexed as Annexure Q)
20. That the than Conservator of Forests Lower Hazara Abbottabad, (Enquiry Officer) was after having consider the charges, evidence on records, Findings in the both De-novo Enquiry, appellant is hereby Honorable Exonerated from the charges leveled against him as per charge sheets/statement of allegations.  
(De-novo Enquiry Reports is annexed as Annexure R)
21. That the than CCF-I, Peshawar after having consider the charges, evidence on records, Findings of the Enquiry Officer in the subject case, exercising his powers under rule 14 (3)(Charges have not been proved) of KP Servants (E&D) Rules 2011, appellant is hereby exonerated from the charges leveled against him as per charge sheets/statement of allegations. When the charges have not been proved

under rule 14(3) therefore the appellant was exonerated honorably.

(Order 27.06.2022, & 2013 SCMR 752, are annexed as Annexure S)

22. That the competent Authority (Hon'ble Chief Secretary Khyber Pakhtunkhwa) is Please to promote appellant Forest Range Officer (BS-16) (from the period from 2007 up to 24/08/2014,) to the post of Sub Divisional Forest Officer (BS-17) on regular basis in the Forest Department KP on 20.01.2023.

(Order dated 20.01.2023, is annexed as Annexure T)

23. That the Secretary to the Government, Climate Change, Forestry, Environment and wildlife Department, Government of Khyber Pakhtunkhwa Peshawar the directed to the CCF-I that the seniority of the appellant may be place in the seniority list of the SDFO (BS-17 in the light of Para-V (d) of promotion policy) on 20.02.2023.

(Order dated 20.02.2023, TSL of SDFO 10.08.2023, are annexed as Annexure U)

24. That the appellant had been submitted appeal dated 31.03.23, through proper channel to the Secretary to Government, Climate Change, Forestry, Environment and wildlife Department, Government of Khyber Pakhtunkhwa Peshawar.

(Appeal under FR 54, dated 31.03.23, is annexed Annexure V)

25. That the Administrative Department, Climate Change, Forestry, Environment and wildlife Department, Government of Khyber Pakhtunkhwa Peshawar has been rejected the appeal on 19 July 2023.

(Rejected the appeal, 19.07.2023, is annexed Annexure W)

26. That the Honorable K P Service Tribunal Court Peshawar, Announced Judgment dated 1.07.2024, in service appeal

No. 2307/2023, that the department was bound to determine his (M. Sajid appellant batch mate) seniority by following the provision of section 8 of the K P Civil Servants Act 1073 and Rule 17 (1) (b) Explanation II of K P Civil Servant (AP&T) Rules 1989.

(Judgment dated 1.07.2024, in service appeal No. 2307/2023- Annexure X)

27. That the K. P Service Tribunal Court camp Court Abbottabad, has been passed an order in Service Appeal No. 1728/2023, dated 25.09.2024, that "*the impugned order dated 19.07.2023, is set aside and the matter is remitted back to the appellate authority to pass a detailed order in the light of FR-54, within 60 days of passing of this order*".

(Order Sheet dated 26.09.2024, Annexure Y)

28. That the appellant had been submitted **Representation of dated 25.03.24**, against the Tentative Seniority List of the SDFOs as stood 15<sup>th</sup> February 2024, which was received on 4.04.2024, through proper channel to the Honorable Chief Secretary Government of KP Peshawar. And the department has been issued same Final Seniority List of the SDFOs as stood 15<sup>th</sup> February 2024, on dated 3.04.2024, to may be directed to the department **to correction of Seniority of the appellant.**

29. That the than CCF-I, Peshawar that the seniority of the appellant was consider from immediate effect dated 20.01.2023, name listed at S. No. 58, instead before initial recruitment from 12.09.2013, or 05.08.2014, may be place in the seniority list of the SDFO (BS-17 in the light 20% quota for promotion,).

30. That the Administrative Department had been forwarded letter to get opinion from Secretary to Government of Khyber Pakhtunkhwa Finance Department Peshawar on dated 21.2.2023.

(No. SO (Estt)/FE &WD/1-43/2021/PF is annexed as Annexure Z)

31. That the Secretary to Government of Khyber Pakhtunkhwa Establishment Department Peshawar, has replied that the subject matter involves pay and allowances which are dealt with by finance Department. It is therefore advised that the case may be taken up finance Department Please on dated 22.3.2023.  
(No. SO (Estt)/FE &WD/1-43/2021/PF is annexed as Annexure AA)
32. That the Secretary to Government of Khyber Pakhtunkhwa Finance Department Peshawar has replied that the instant case may be examined at your own level in the light of FR-54.  
(No. FD (SOSR-1)1-1/2023, Mr. Muhammad Ali dated Peshawar the 16.03.2023 is annexed as Annexure BB)
33. That the CCF Region-I, Peshawar vide letters No: No. 2851/E, dated 25th November, 2020, on other hand competent authority on the recommendation of Inquiry Committee finalized the De-novo inquiry vide office order 03 dated 24/7/2020 imposing minor punishment i.e. stoppage of two Annual increments against the **Muhammad Tariq Khan Ex-DFO**.
34. That the Administrative Department had been passed NOTIFICATION No. SO(Estt) FE&WD/1-50(69)/PF: In compliance with the judgment dated 11th August, 2020 of Khyber Pakhtunkhwa Service Tribunal in Execution Petition No: 155/2019 filed by Muhammad Tariq Ex DFO (BS-18) in service appeal No. 795/2015, subsequent recommendations of CCF Region-I, Peshawar vide letters No: 2 2527/E, dated 10th November, 2020 and No. 2851/E, dated 25th November, 2020. The competent authority is pleased to authorize Muhammad Tariq, Ex-DFO BS-18), Forest Department, Khyber Pakhtunkhwa to draw his salary and allowances against the following vacant positions for the period as noted against each 12/2/2015 up to 1/6/2019 (Consider Intervening Period).  
(NOTIFICATION No. SO (Estt) FE&WD/1-50 (69 /PF: Annexure CC)

35. That the department has been issued proposed Final seniority List dated 15.02.2024, of the SDFOs, and appellant name listed at S. No. 58, instead of S. No. 1, and correction of Promotion / Seniority right of appellant before 12/09/2013, instead of 20/01/2023 explain in Para No. 15, please.

(Final seniority List dated 15.02.2024, Annexure DD)

### G R O U N D S

- A. That "the CCF-II, (incompetent authority of the BS-16) on the basis of enquiries reports without conducting any personal hearings has been passed wide order on dated 25.08.2014, Compulsory retirement from service.
- B. That the Honorable Tribunal Judgment dated 19.03.2018, directed to the CCF-I was required to have the matter from the stage of submission of enquiry report, and decide the same within 60 days from the receipt of this Judgment failing which the appellant shall be deemed to have been reinstated in service. The issue of back benefits in case of reinstatement shall be subject to the rules on the subject.
- C. That the CCF-I has not been decided the issue in the mode and manners to the order Honorable Tribunal Judgment dated 19.03.2018.
- D. That the CCF-I, has been conducted personal hearings on 12 & 14 May 2018, that the prosecution did not proved their charges, but the CC-I passed an wide order for de-novo enquiry proceedings, instead to be passed an order under E&D rule 14(5) rules 2011.

E. That causes *Double Jeopardy which Volatile of Article 13 of the Constitution of Pakistan (no person shall be vexed twice for the same cause).*

F. Therefore in this case the order for **De-novo Enquiry proceedings** under **rules 14 (6)** of the E&D rules 2011, cannot be imposed due to following reasons.

- i. When the competent authority at stage 1<sup>st</sup> is satisfied that the enquiry proceedings has not been conducted in accordance with the provisions of these rules,
- ii. It may after recording reason in writing (in built requirement)
- iii. Without realizing the requirement of sub rule (3), which only empower it to have recourse to sub rule (6), when the charges have not been proved
- iv. **Section 24 A of General Clauses Acts, 1897, (ii)** the competent authority was required to record reason in support of his order, adversely affecting appellant.

G. That the department being violate the Judgment dated 19.03.2018, has proceed De-novo enquiry proceedings to be dismissed the appellant, but after having consider the charges, evidence on records, the prosecution were badly failed to prove their charges, the Findings of the Enquiry Officer in the subject case, to exonerate the accused.

H. That the than CCF-I, Peshawar after having consider the charges, evidence on records, Findings of the Enquiry Officer in the subject case, exercising his powers under rule 14 (3)(Charges have not been proved) of KP Servants (E&D) Rules 2011, appellant is hereby exonerated from the charges leveled against him as per charge sheets/statement of allegations.

I. That the appellant under the sub rule of (3) (*charges have not been proved*) of the rule 14 of the E&D rules 2011. That means appellant Honorable exonerated from the charges, therefore the appellant is

entitle for Intervening period as under the provisions of FR 54 (a) (*the period of absence from duty will be treated as a period spent on duty*).

- J. That the department has been committed under section 4 contempt of Court ordinance 2003, against the Honorable Tribunal Judgment dated 19.03.2018, that "*the CCF-II, (incompetent authority) the whole proceedings and wide order dated 25.08.2014, vitiated thereafter. And the issue of back benefits in case of reinstatement shall be subject to the rules on the subject*".
- K. That the appellant was entitled for grant of back benefits. Because the appellant had been reinstated into service from the date 25.08.2014, from compulsory retirement, however, the Authority did not pass any order regarding intervening period and consequent benefits, intervening period, during which appellant remained out of service and did not engage in any gainful profession.
- L. That the Concept of reinstatement into service with original seniority and back benefits is based on the established principle of jurisprudence that if an illegal action/wrong is struck down by the Court, as a consequence, it is also to be ensured that no undue harm is caused to any individual due to such illegality or as a result of delay in the redressal of appellant grievance.
- M. That the appellant also be entitled for the consequential relief of the back benefits (including salary) for the period he was kept out of service as if he was actually performing duties.
- N. Being in violation of the section 8 of the NWFP Civil Servants Act 1973, *and read with Para V (d) of the promotion policy.*
- O. That the PSB has not determination of seniority cum fitness of the officers gone through impugned recommendation which was not fulfill the requirement of the S.24-A of General Clauses Act, 1897, may kindly be directed to the departmental authorities to act in accordance with law and rules on the subject and to withdraw the Impugned Notification dated 1.07.2024.
- P. Section 24A of General Clauses Acts, 1897, (i) Where, by or under any enactment, a power to make any order or give any direction is conferred on any

authority, office or person such power shall be exercised reasonably, fairly, justly and for the advancement of the purposes of the enactment.

**F. R. 54.**— *Where a Government Servant has been dismissed or removed is reinstated, the revising or appellate authority may grant to him for the period of his absence from duty:—*

(a) *If he is honorably acquitted, the full pay to which he would have been entitled if he had not been dismissed or removed and, by an order to be separately recorded, any allowance of which he was in receipt prior to his dismissal or removal; or*

*In a case falling under clause (a), the period of absence from duty will be treated as a period spent on duty.*

That the Para V (d) of Promotion Policy 2009

*(d) If and when an officer, after his seniority has been correctly determined or after he has been exonerated of the charges or his PER dossier is complete, or his inadvertent omission for promotion comes to notice, is considered by the Provincial Selection Board/ Departmental Promotion Committee and is declared fit for promotion to the next higher basic scale, he shall be deemed to have been cleared for promotion along with the officers junior to him who were considered in the earlier meeting of the Provincial Selection Board/Departmental Promotion Committee. Such an officer, on his promotion will be allowed seniority in accordance with the proviso of sub-section (4) of Section 8 of the North-West Frontier Province Civil Servants Act, 1973, whereby officers selected for promotion to a higher post in one batch on their promotion to the higher post are allowed to retain their inter-se-seniority in the lower post. In case, however, the date of continuous appointment of two or more officers in the lower post/grade is the same and there is no specific rule whereby their inter-se-seniority in the lower grade can be determined, the officer older in age shall be treated senior.*

That the Sub Section (4) of the Section 8, of the N W F P Civil Servants Act 1973, "Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post :

*Provided that civil servants who are selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post."*

## PRAYER

THAT MAY KINDLY BE DIRECTED TO THE DEPARTMENTAL AUTHORITIES TO ACT IN ACCORDANCE WITH LAW AND RULES ON THE SUBJECT AND PLACE ORIGINAL SENIORITY/ PROMOTION IN ACCORDANCE WITH ONE BATCH AS FINAL SENIORITY LIST OF THE RFO



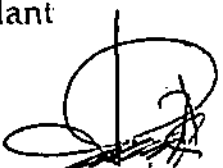
31.08.2014. THEREFORE IN ACCORDING TO ABOVE FACTS AND LAW MAY KINDLY BE RESTORED SENIORITY TO ORIGINAL POSITION IN FINAL SENIORITY LIST OF SDFOs (BS-17).

APPELLANT JUNIOR'S HAVE BEEN WORKING AS DFO SINCE LONG IN THE DEPARTMENT.

Copy in advance to,

1. THE HONORABLE CHIEF SECRETARY,  
Government of Khyber Pakhtunkhwa, Peshawar.
2. THE SECRETARY TO THE GOVERNMENT,  
Climate Change, Forestry, Environment and wildlife Department,  
Government of Khyber Pakhtunkhwa  
Peshawar.
3. THE CHIEF CONSERVATOR FORESTS - I,  
Central Southern Forest Region -I, Peshawar
4. THE REGISTRAR,  
Honorable KP Service Tribunal Court Peshawar.

Appellant



Muhammad Ali,

SDFO (BS-17) KP Forest School Thai Abbottabad

Cell No. 0315-319931 Dated 24.10.2024

Annex - A  
13

ABBOTTABAD.

On recommendation of Selection Committee constituted for the selection/appointment of Forest Guard, Mr. Mehamad Ali S/O Anwar-Ali Naz Ali/Aziz Stationers and General Store Link Road, Abbottabad is hereby appointed as Forest Guard in B.P.S.No.-2(460-12-700) per month plus special allowances as admissible under rules with effect from the date of arrival in Working-Plan Forest Division Unit No.IV, Abbottabad.

The Post which is being offered to him is temporary and therefore his employment in the Forest Department is also purely temporary and his services can be terminated in accordance with Government of West Pakistan Services and General Administration Department notification No.Sc.VIII-1-3/1965 dated 10.9.1965 at any time irrespective of the effect that he is holding a post other than the one to which he was originally recruited for the post mentioned above.

1. He has to join duty on his own expenses.

2. The offer is subjected to the conditions that he is domiciled in Hazara civil Division.

3. In case he wished to resign at any time a month's notice will be necessary or in lieu therefore a month's pay may be forfeited.

4. He will have to produce a medical fitness certificate.

5. He will have to govern by such rules and orders relating to leave, travelling allowances, medical attendance, pay etc. as may be issued by Government for the category of Govt. servants which he will belong. If he accepts the post on these conditions he would report himself for duty to the undersigned, on 18/12/66 and produce original certificates in connection with his age and domicile.

6. The offer will be cancelled if no reply is received by 18/12/66 if he fails to report for duty the offer will be cancelled.

Sd/-  
(MR. SHAH WAZIR KHAN)  
DIVISIONAL FOREST OFFICER  
WORKING-PLAN FOREST DIVISION  
UNIT NO. IV, ABBOTTABAD.

No. 146-48 WP-IV, Dated Abbottabad the 16 /12, 1966.

Copy forwarded to:-

The PD/Conservator of Forests WWFP, Forestry pre-investment centre Peshawar for information please.

The Divisional Forest Officer W/Plan Unit No. II A'ABAD for information.

Mr. Mehamad Ali S/O Anwar Ali Naz Ali Tah: and Distt: A'Abad G/O Aziz stationers and General Store Link Road Abbottabad. for information.

Accepted  
*[Signature]*

*[Signature]*  
DIVISIONAL FOREST OFFICER  
WORKING-PLAN FOREST DIVISION  
UNIT NO. IV, ABBOTTABAD.

16

Ann - B

OFFICE ORDER NO. 38 DATED PESHAWAR, THE 04/11  
JANUARY, 2006 ISSUED BY MR. JALALUD DIN CONSERVATOR OF  
FORRESTS WORKING PLANS & P&M CIRCLE, PESHAWAR.

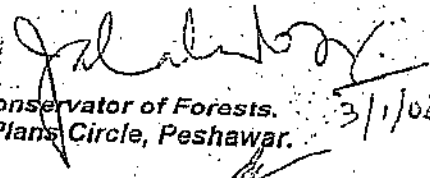
Mr. Muhammad Ali Forester (BS-7) presently posted in Working Plan Unit-IV Abbottabad who has completed Forest Ranger training (B.Sc. Forestry) is hereby posted against the vacant post of Forest Ranger in Working Plan Unit-IV Abbottabad in his own pay scale with immediate effect in the interest of public service.

Sd/-  
(JALALUD DIN)  
Conservator of Forests.  
W/Plans Circle, Peshawar.


No. 1781-83 JPA.

Copy to the:

1. Chief Conservator of Forests NWFP Peshawar for favour of information with reference to our discussion and verbal permission dated 03-1-2006 please.
2. The Divisional Forest Officer Working Plan Unit-IV, Abbottabad for information and necessary action.
3. Mr. Muhammad Ali Forester Working Plan Unit-IV, Abbottabad.

  
Conservator of Forests.  
W/Plans Circle, Peshawar.

3/1/06

Attested  


RECORDED WITH ORIGINALS

23/6

Medical & Veterinary  
Classical

*[Handwritten signature]*

10/11/07

(SIA) (M) (M)  
15/11/07

Yours faithfully,

are enclosed for your record. Please acknowledge receipt.  
Direct applications (with enclosures) of the recommenders  
subsequently.  
Recommendation in favour of one candidate will be considered  
subject to medical fitness.

Sl. No.	Name with Father's Name	Education	Age	Religion	Other
01	Narayan Kumar S/O Panna Kumar	B.A. (Hons.)	21	Hindu	
02	Sanjay Kumar S/O Panna Kumar	B.A. (Hons.)	21	Hindu	
03	Manoj Kumar S/O Panna Kumar	B.A. (Hons.)	21	Hindu	
04	Manoj Kumar S/O Panna Kumar	B.A. (Hons.)	21	Hindu	
05	Manoj Kumar S/O Panna Kumar	B.A. (Hons.)	21	Hindu	
06	Manoj Kumar S/O Panna Kumar	B.A. (Hons.)	21	Hindu	

I am directed to refer to your letter No. (EST) 100/1-6/  
18.11.2006 on the subject noted above and to state that the  
Commission recommends the following for appointment for the subject after posting

RECOMMENDATION OF RANGE FOREST OFFICER B-16 IN INVIRONMENTAL DEPT.

The Secretary to Govt. of M.P.,  
Environment Department Bhopal.

N.W.R.P. Public Service Commission  
Banglow No. 186 Sector P1 Phase IV  
Hayabhad Peshawar.  
No. M.P.R.P. 100/1-6/07  
Dated: 23.11.07



Telephone: 2217558

Amra C

17

Annex-D

30

OFFICE ORDER NO. 113 DATED PESHAWAR THE 15/11/2007 ISSUED BY MR. MUHAMMAD IQBAL SWATI CHIEF CONSERVATOR OF FORESTS NWFP PESHAWAR

In pursuance of the recommendations of NWFP Public Service Commission, Mr. Muhammad Ali Siddiq Anwar Ejaz Ali of Distt: Abbottabad is hereby appointed as Forest Ranger (HS-16) in NWFP Forest Department.

His appointment is subject to the terms and conditions mentioned hereunder:-

- a) He will for all intents and purposes, be Civil Servant except for purpose of pension or gratuity. In lieu of pension and gratuity, he will be entitled to receive such amount contributed by him toward contributory Provident Fund (C.P.F) alongwith the contribution made by Govt: to his account in the said fund, in the prescribed manner.
- b) He will be governed by the NWFP Civil Servants Act, 1973 and all the laws applicable to the Civil Servants and Rules made there-under.
- c) He will initially be on probation for a period of two years extendable up to three years.
- d) His service shall be liable to termination during initial/extended period of probation without any notice.
- e) His service will be liable to termination at any time without assigning any reason thereof, if his work is not found satisfactory. In such an event, he will be given a month's notice of termination from service or one month's pay in lieu thereof. In case he wish to resign at any time, one month's notice will be necessary or in lieu thereof a month's pay will be forfeited.
- f) He will not be entitled to any TADA on his first appointment as Forest Ranger.

If the above terms and conditions are acceptable to him he should report to the CCF NWFP for duty within 14 days of the receipt of this order. In case of failure to do so the offer will be considered as withdrawn.

Sd/-

Muhammad Iqbal Swati  
Chief Conservator Forest

NWFP Peshawar

No. 2187-7/11E

15 X-26

Copy forwarded for information and necessary action to the:-

- 1. Section Officer (Establishment), Govt: of NWFP, Environment Department, Peshawar with reference to his office letter No. SO (Estt) ENVT/1-6/2K5/4107, dated 5/11/2007.
- 2. Superintendent Budget and Accounts Head Office Peshawar.
- 3. Official concerned.

*[Signature]*  
Chief Conservator of Forests  
NWFP Peshawar

15/11/2007

Attested  
*[Signature]*

FINAL SENIORITY LIST OF FOREST RANGERS (BPS-16) NWFP. FOREST DEPARTMENT

Ann-E

61

S. No	Name of officer	Academic Qualification	Date of Birth	Domicile	Date of first entry in to service	Regular appointment/ promotion to the present post			Present appointment with date	Remarks
						Date	BPS	Method of recruitment		
1	Mr. Arjad Samad	B. Sc. Forestry	6/7/65	Peshawar	1/10/88 F/Ranger	1/10/88	16	By initial recruitment	1/10/88	Appointed as SDFO on acting charge basis
2	Mr. Shaukat Fiaz	B. Sc. Forestry	1/4/66	Karak	19/0/88 F/Ranger	1/10/88	16	-do-	1/10/88	-do-
3	Mr. Muhammad Raad Sher	B. Sc. Forestry	1/3/68	Swat	12/10/89 F/Ranger	12/10/89	16	-do-	12/10/89	-do-
4	Mr. Muhammad Saleem-I.	B. Sc. Forestry	14/4/67	Bannu	12/10/89 F/Ranger	12/10/89	16	-do-	12/10/89	-do-
5	Mr. Karim Khan	B. Sc. Forestry	2/2/64	Malakand Agency	12/10/89 F/Ranger	12/10/89	16	-do-	12/10/89	-do-
6	Mr. Raees Khan	B. Sc. Forestry	1/4/67	Dir	12/10/89 F/Ranger	12/10/89	16	-do-	12/10/89	-do-
7	Mr. Abdul Manan	B. Sc. Forestry	13/10/68	D. I. Khan	12/10/89 F/Ranger	12/10/89	16	-do-	12/10/89	-do-
8	Mr. Abid Muntaz	B. Sc. Forestry	27/5/75	Malakand Agency	29/10/96 F/Ranger	29/10/96	16	-do-	29/10/96	Appointed as SDFO on acting charge basis
9	Mr. Farhad Ali	B. Sc. Forestry	6/4/76	Abbottabad	27/10/99 F/Ranger	27/10/99	16	-do-	27/10/99	-do-
10	Mr. Hayat Ali	B. Sc. Forestry	27/3/76	Swat	27/10/99 F/Ranger	27/10/99	16	-do-	27/10/99	Appointed as SDFO on acting charge basis
11	Mr. Shahid Noor Khattak	B. Sc. Forestry	2/4/75	Karak	27/10/99 F/Ranger	27/10/99	16	-do-	27/10/99	-do-
12	Mr. Shah Hussain	B. Sc. Forestry	4/3/74	Charsadda	27/10/99 F/Ranger	27/10/99	16	-do-	27/10/99	-do-
13	Mr. Muhammad Siddique	B. Sc. Forestry M. Sc. Physics	1/4/72	Charsadda	27/10/99 F/Ranger	27/10/99	16	-do-	27/10/99	-do-
14	Mr. Manzoor Ahmed	FS	1/1/56	Mansehra	5/5/78 Forester	28/11/88 D/Ranger	16	By promotion	BPS-16 24/5/2000	-do-

Accepted

4

	Mr. Sajjad Ahmad	FS	4/1/50	Manshra	18/2/75 Forester	10/6/92 D/Ranger	16	By promotion	BPS-16 24/5/2000	
16	Mr. Zia Muhammad	Matric/FS	6/1/50	Manshra	16/4/70 Forester	26/1/94 D/Ranger	16	-do-	BPS-16 26/1/2001	
17	Mr. Fazal Habib	B. A/FS	19/11/53	Bajaur Agency	25/2/77 Forester	31/10/94 D/Ranger	16	-do-	BPS-16 11/12/2001	
18	Mr. Muhammad Saeed	Matric/FS	24/10/49	Manshra	16/4/70 Forester	5/5/94 D/Ranger	16	-do-	BPS-16 11/2/2004	
19	Mr. Mukhtiar Ahmad	Matric/FS	29/10/57	Bajaur Agency	15/4/77 Forester	31/10/94 D/Ranger	16	-do-	BPS-16 11/2/2004	
20	Mr. Muhammad Farid	FA/FS	10/12/49	Kohat	30/8/78 Forester	14/12/95 D/Ranger	16	-do-	BPS-16 11/2/2004	
21	Mr. Muhammad Yar Jan	Matric/FS	6/9/54	Dir	3/8/75 Forester	23/7/96 D/Ranger	16	-do-	BPS-16 11/2/2004	
22	Mr. Jamsher Khan	FA/FS	1/10/58	Mohmand Agency	23/11/76 Forester	23/7/96 D/Ranger	16	-do-	BPS-16 11/2/2004	
23	Mr. Ajab Khan	Matric/FS	5/4/61	Mardan	18/10/79 Forester	23/7/96 D/Ranger	16	-do-	BPS-16 11/2/2004	
24	Mr. Abdul Hamid	Matric/FS	15/2/65	Kohat	27/7/82 Forester	23/7/96 D/Ranger	16	-do-	BPS-16 3/1/2006	
25	Mr. Muhammad Iqbal	Matric/FS	9/4/56	Manshra	1/1/75 Forester	10/9/97 D/Ranger	16	-do-	BPS-16 3/1/2006	
26	Mr. Amir Akbar Shah	FA/FS	4/1/54	Buner	14/10/72 Forester	13/7/99 D/Ranger	16	-do-	BPS-16 3/1/2006	
27	Mr. Muhammad Farooq	Matric/FS	1/1/54	Mardan	1/4/75 Forester	26/11/01 D/Ranger	16	-do-	BPS-16 3/1/2006	
28	Mr. Abdul Qayum	M. A/FS	18/1/53	Nowshera	19/7/75 Forester	26/11/01 D/Ranger	16	-do-	BPS-16 3/1/2006	
29	Mr. Aqil Khan	Matric/FS	1/9/53	Nowshera	19/7/75 Forester	26/11/01 D/Ranger	16	-do-	BPS-16 3/1/2006	
30	Mr. Khurshid Alam	BA/FS	10/11/56	Malakand Agency	15/8/75 Forester	26/11/01 D/Ranger	16	-do-	BPS-16 3/1/2006	
31	Mr. Musa Khan	Matric/FS	1/4/57	D.I. Khan	14/4/76 Forester	26/11/01 D/Ranger	16	-do-	BPS-16 3/1/2006	
32	Mr. Jan Nisar	FS/BA	14/5/55	Charsadda	1/1/75 Forester	19/4/02 D/Ranger	16	-do-	BPS-16 18/6/2007	

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33	Mr. Shaukat Hayat	MA/FS	7/6/54	Charsadda	22/2/77	19/4/82	16	By promotion	BPS-16	
34	Mr. Naik Zaman	Matric/FS	8/4/57	Lower Dir	9/9/75	24/5/02	16	-do-	BPS-16	18/6/2007
35	Mr. Mukamil Shah	FA/FS	5/12/52	Buner	5/12/79	24/5/02	16	-do-	BPS-16	18/6/2007
36	Mr. Pervez Manan	M. Sc. Forestry	15/4/84	Malakand Agency	20/8/80	24/5/02	16	-do-	BPS-16	18/6/2007
37	Mr. Muhammad Shakeel	M. Sc. Forestry	3/11/80	Bajaur Agency	29/10/80	24/8/07	16	By initial recruitment	BPS-16	24/8/2007
38	Mr. Jan-e-Ajam	M. Sc. Forestry	6/3/83	Nowshera	24/8/07	24/8/07	16	-do-	BPS-16	24/8/07
39	Mr. Muhammad Sajid	M. Sc. Forestry	10/4/75	Mardan	24/8/07	24/8/07	16	-do-	BPS-16	24/8/07
40	Mr. Muhammad Ali	B. Sc. Forestry	25/5/66	Abbottabad	25/8/07	25/8/07	16	-do-	BPS-16	25/8/07
41	Mr. Iftikhar Ahmad	Matric/FS	13/2/50	Shangla	27/11/07	27/11/07	16	-do-	BPS-16	27/11/07
42	Mr. Sar Ahmad	FA/FS	25/2/53	Swat	11/10/72	24/5/02	16	By promotion	BPS-16	28/11/2008
43	Mr. Shah Hussain	F. Sc/FS	1/4/54	Abbottabad	29/9/82	24/5/02	16	-do-	BPS-16	28/11/2008
					12/10/72	29/6/02	16	-do-	BPS-16	28/11/2008
					27/9/84					

Chief Conservator of Forests  
NWFP Peshawar

Senior in Age

Para v (d) PP-2007, s. 17(a) (A) (B) (C) (D) (E) (F) (G) (H) (I) (J) (K) (L) (M) (N) (O) (P) (Q) (R) (S) (T) (U) (V) (W) (X) (Y) (Z)

PSC, B.D. Dated: 23-12-07  
NO-NWFP-PSC-SRA/3538

Swat Zone with



22

Annex - E

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FOREST DEPARTMENT

NOTIFICATION

No \_\_\_\_\_ /E in pursuance of section 8 (1) of the Khyber Pakhtunkhwa Civil Servant Act, 1973, read with rule-17 Civil Servant (Appointment, Promotion and Transfer) rules, 1989, the competent authority is pleased to notify circulate Seniority List of Deputy Ranger (BPS-11) Khyber Pakhtunkhwa Forest Department as it stood on 31/08/2014 for general information.

FINAL SENIORITY LIST OF FOREST RANGERS (BPS-16) KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT  
STOOD ON 31/08/2014.

S. No	Name of officer	Academic Qualification	Date of Birth	Domicile	Date of first entry in to service	Regular appointment/ promotion to the present post			Present appointment with date	Remarks
						Date	BPS	Method of recruitment		
1.	Mr. Muhammad Ghani	B.Sc. Forestry	10/1/57	Bannu	2/10/80	1.7.2006	17	By initial recruitment	3/6/2011	Reduction to lower post for five years vide order dated 3/6/2011
2.	Mr. Saleem Khan	B. Sc Forestry	25/2/57	Malakand Agency	13/10/83	1/7/2006	17	-do-	19/7/2013	Reduction to lower scale for three years vide order dated 19/7/2013
3.	Mr. Muhammad Iqbal	Matric/FS	9/4/56	Manshera	1/1/75 Forester	10/9/97 D/Ranger	16	By promotion	BPS-16 3/1/2006	Already appointed as SDFO on acting charge basis
4.	Mr. Khurshid Alam	BA/FS	10/11/56	Malakand Agency	15/8/75 Forester	26/11/01 D/Ranger	16	-do-	BPS-16 3/1/2006	-do-
5.	Mr. Musa Khan	Matric/FS	1/4/57	D.I. Khan	14/4/76 Forester	26/11/01 D/Ranger	16	-do-	BPS-16 3/1/2006	-do-
6.	Mr. Jan Niser	FS/DA	14/5/55	Charsadda	1/1/75 Forester	19/4/02 D/Ranger	16	-do-	BPS-16 18/6/2007	Already appointed as SDFO on acting charge basis

R-Final Seniority list of Forest Rangers.

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7.	Mr. Naik Zaman	Matric/FS	8/4/57	Lower Dir	9/9/73 5/12/79 Forester	24/5/02 D/Ranger	16	-do-	BPS-16 18/6/2007	-do-
8.	Mr. Muhammad Shakeel	M. Sc. Forestry	3/11/80	Bajaur Agency	24/8/07	24/8/07	16	By initial recruitment	BPS-16 24/8/07	-do-
✓ 9.	Mr. Muhammad Sajid	M. Sc. Forestry	10/1/75	Mardan	25/9/07	25/3/07	16	-do-	BPS-16 25/8/07	-do-
10.	Mr. Muhammad Ali	B. Sc. Forestry	25/5/66	Abbottabad	27/11/07	27/11/07	16	-do-	BPS-16 27/11/07	-do-
11.	Mr. Shabir Ahmad	B. Sc. Forestry	1/8/1967	Swat	26/9/09 F/Ranger	26/9/09	16	-do-	BPS-16 26/9/09	Service regularized as per ordinance 2009
12.	Mr. Arangir Khan	B. Sc. Forestry	3/1/1969	Swat	26/9/09 F/Ranger	26/9/09	16	-do-	BPS-16 26/9/09	-do-
✓ 13.	Syed Tariq Ali Shah	B. Sc. Forestry	30/10/75	Mardan	26/9/09 F/Ranger	26/9/09	16	-do-	BPS-16 26/9/09	-do-
✓ 14.	Mr. Bararas Khan	Matric/FS	12/12/55	Abbottabad	13/5/77	26/9/09 F/Ranger	16	-do-	BPS-16 26/9/09	-do-
✓ 15.	Mr. Muhammad Muzaffar	FA/FS	8/7/60	Mansehra	30/9/85	29/6/2002 D/Ranger	15	By promotion	BPS-16 21/12/2010	-do-
✓ 16.	Mr. Muhammad Saleem	EA/B.Sc Forestry /FS	12/12/64	Abbottabad	1/10/87	1/11/2007 D/Ranger	16	-do-	BPS-16 21/12/2010	-do-
✓ 17.	Syed Riaz Ahmad	BA/FS	24/4/58	Charsadda	8/6/76	29/6/2002 D/Ranger	16	-do-	BPS-16 21/12/2010	-do-
18.	Mr. Eisan-ud-Din	B. Sc. Forestry /FS	20/4/66	Upper Dir	1/10/88	2/12/2002 D/Ranger	16	-do-	BPS-16 21/12/2010	-do-
19.	Mr. Mohammad Riaz	BA/FS	4/4/58	Malakand Agency	15/8/75	22/11/2003 D/Ranger	16	-do-	BPS-16 21/12/2010	Seniority restored vide CCF office No. 10 dated 16/8/2012
20.	Mr. Ghafoor Khan	FA/FS	10/3/59	Mardan	30/11/77	30/12/2003 D/Ranger	16	-do-	BPS-16 21/12/2010	-do-
21.	Mr. Mirza Ahmad	Matric/FS	16/3/56	Kurram	6/5/80	30/6/04 D/Ranger	16	-do-	BPS-16 21/12/2010	-do-
22.	Mr. Nisar Akbar	Matric/FS	16/4/59	Peshawar	1/12/77 1/7/80	30/6/04 D/Ranger	16	-do-	BPS-16 31/5/2012	-do-

DFO - Khyber Peshawar

S.No 15

S.No - 16

S.No - 2

S.No 2

DFO - Kohat

E-Final Seniority list of Forest Rangers.

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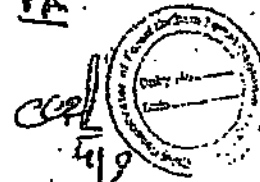
D. Rangar

23.	Mr. Ihsanullah	Matric/FS	5/10/57	Lower Dir	1/3/77	23/7/04 D/Ranger	16	-do-	BPS-16 23/1/2013
24.	Mr. Tasleem Shah	Matric/FS	3/1/55	Swabi	16/4/77	4/7/05 D/Ranger	16	-do-	BPS-16 23/1/2013
25.	Mr. Mohammad Lr. 1-11	Matric/FS	12/3/60	Nowshera	9/12/78 17/1/80	5/7/06 D/Ranger	15	-do-	BPS-16 23/1/2013
26.	Mr. Iqtidar Hussain	Matric/FS	17/2/59	Kolhat	16/8/77	12/7/06 D/Ranger	16	-do-	BPS-16 23/1/2013
27.	Mr. Mohammad Nawab	Matric/FS	12/3/59	Bannu	3/12/78	12/7/06 D/Ranger	16	-do-	BPS-16 23/1/2013
28.	Mr. Tehsinullah	Matric/FS	3/11/56	Charsadda	19/6/80	12/7/2006 D/Ranger	16	-do-	BPS-16 30/5/2013
29.	Mr. Moia-ud-Din	Matric/FS	22/12/56	Bannu	23/6/80	12/7/2006 D/Ranger	16	-do-	BPS-16 30/5/2013
30.	Mr. Razi-ur-Rahman	Matric/FS	12/9/59	Peshawar	13/7/80	12/7/2006 D/Ranger	16	-do-	BPS-16 30/5/2013
31.	Mr. Mohammad Hayat	Matric/FS	14/12/56	Nowshera	14/7/80	12/7/2006 D/Ranger	16	-do-	BPS-16 30/5/2013
32.	Mr. Ahmad Nawaz	Matric/FS	13/3/58	D.I.Khan	19/4/80	4/10/2007 D/Ranger	16	-do-	BPS-16 31/1/2014

## CERTIFICATE

Certified that the seniority is final, notified, un-disputed and attested.

FA



*[Handwritten Signature]*

Chief Conservator of Forests  
Central Southern Forest Region  
Khyber Pakhtunkhwa Peshawar

E-Final Seniority list of Forest Rangers.

25

10/1/14

*[Signature]*

Chief Conservator of Forests  
Central Southern Forest Region  
Khyber Pakhtunkhwa Peshawar

No. 542-95 /E

CERTIFICATE

Certified that the seniority is final, notified, un-disputed and attested.

Dated Peshawar the 01 /09/2014.

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Khyber Pakhtunkhwa Abbottabad.
2. Chief Conservator of Forests Malakand Forest Region-III Swat.
3. CF Southern Circle Peshawar.
4. CF FATA Circle Peshawar.

*[Signature]*

Chief Conservator of Forests  
Central Southern Forest Region  
Khyber Pakhtunkhwa Peshawar

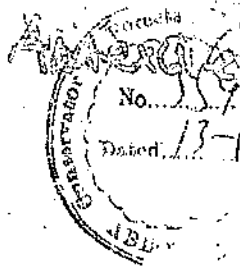
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10/1/14





GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

Dated Pesh: 29<sup>th</sup> August, 2012



26

**NOTIFICATION**

No.SO(Estt)Envt/I-41/2k12: In supersession of this department orders No.SO(Estt)Envt/I-14/2k11/2918-35 dated 3/10/2011, the Competent Authority is pleased to order establishment of three Forest Regions of the Chief Conservator of Forests, in the Khyber Pakhtunkhwa Forest Department with separate Headquarters, having distribution of official work as per following details:

Annex-F

#	Name of Forest Regions	Comprising Forest Circles	Location of Headquarters
1-	Central Southern Forest Region (Region-I)	Existing Southern Forest Circle covering Forest areas in Peshawar, Mardan, Kohat, Bannu, D.I.Khan Civil Divisions, Working Plan P&M Circle, Peshawar and Administration Control of the five Integrated Specialized Units (ISUs) located at Peshawar	Peshawar
2-	Northern Forest Region (Region-II)	Existing Lower Hazara Forest Circle, Upper Hazara Forest Circle and Watershed Forest Circle	Abbottabad
3-	Malakand Forest Region (Region-III)	Existing Malakand Forest Circle (East) and Malakand Forest Circle (West)	Mingora Swat Sharif

The Chief Conservator of Forests, Central Southern Forest Region (Region-I) will continue as Head of Attached Department, for all the three Regions of the Forests Department.

SECRETARY TO GOVT. OF  
KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT.

Envst: No.SO(Estt)Envt/I-41/2k12

Dated Pesh: 29<sup>th</sup> August, 2012

Copy is forwarded for information and necessary action to:-

- 1) PS to Minister for Environment, Khyber Pakhtunkhwa.
- 2) PS to Secretary Environment Department.
- 3) Chief Conservator of Forests, Central Southern Forest Region (Region-I), Khyber Pakhtunkhwa, Peshawar.
- 4) Chief Conservator of Forests, Northern Forest Region (Region-II), Khyber Pakhtunkhwa, Abbottabad.
- 5) Chief Conservator of Forests, Malakand Forest Region (Region-III), Khyber Pakhtunkhwa, Swat Sharif Swat.
- 6) All Heads of Attached Department in Khyber Pakhtunkhwa.
- 7) Director Budget & Accounts Cell, Environment Department.
- 8) Chief Conservator of Forests, in Khyber Pakhtunkhwa, Forests Department.
- 9) All Directors ISUs in Forest Department.
- 10) Master file.
- 11) Office order file.
- 12) File No SO(Estt)Envt/1-41/03 Bifurcation.

(ASHFAQ KHAN)  
SECTION OFFICER (EST)

D.No 195

E.A. 514-20

Dated Peshawar the 6/9/2012

Copy forwarded for information and necessary action to the:-

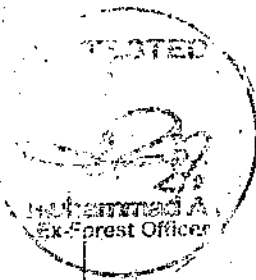
- Chief Conservator of Forests-II, Abbottabad.
- Chief Conservator of Forests-III, Mingora Swat.
- Chief Conservator of Forests in Khyber Pakhtunkhwa, Peshawar.
- Director of Forests (PAD) Head Office Peshawar.
- All Incharge of Divisions in Head Office Peshawar.

Handwritten signature and date 13/9/2012

Supervisor  
Lower Hazara Forest Circle  
Abbottabad

Handwritten signature and date 5/9/12

56 85



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Annex-5

OFFICE ORDER NO. 17 DATED ABBOTTABAD THE 25/11/2014  
ISSUED BY SARDAR MUHAMMAD SULTAN, CHIEF CONSERVATOR OF FORESTS,  
NORTHERN FOREST REGION-II ABBOTTABAD KHYBER PAKHTUNKHWA.

Whereas, Muhammad Ali Range Forest Officer (BPS-16) the then I/C of Pattan Forest Sub Division Lower Kohistan Forest Division and Upper Siran Forest Sub Division of Siran Forest Division was proceeded against the Khyber Pakhtunkhwa Removal from Service (Special Powers), ordinance, 2000 (as amended from time to time) for the charges as mentioned in the charge sheets and statement of allegations vide letter No. 4380-81/E, dated 20/3/2010 and No. 407-08/E, dated 29/7/2011 served upon the said officer.

And whereas, Enquiry committees, comprising M/S Abdul Malik Khan DFO (BPS-18) and Pir Gaim Ali Shah DFO (BPS-18) and Mr. Rustam Khan DFO (BPS-18) respectively were constituted to conduct the inquiries against the said accused officer in both the enquiry cases.

And whereas, the enquiry committees, after having examined the charges evidence on record and explanation of the accused officer, submitted their report as under:

**A. Findings/Recommendations of Enquiry Committee constituted for proceeding of Pattan Forest Sub-Division.**

Memo of allegation is quite solid and apprehend-able and reply furnished by concerned Officer is not convincing. He has drawn Rs. 36,700/- from Govt. treasury and not disbursed to the concerned Chowkidar.

In view of the discussion as narrated in the Enquiry Report, the Enquiry Committee came to the conclusion that accused Muhammad Ali, Forest Ranger has drawn the amount from Govt. treasury and mis-appropriated. Thus, the charges of inefficiency, mis-conduct and corruption proved against the accused officer and major penalty against him is recommended.

**B. Findings/Recommendations of Enquiry Committee constituted for proceeding of Upper Siran Forest Sub-Division**

From the foregoing facts and discussion elaborated in the Enquiry Report it is crystal clear that the accused viz Muhammad Ali, Forest Ranger while holding charge of Upper Siran Forest Sub-Division always disobeyed the orders/instructions of his immediate and superior officers. These instructions and directives were delivered in the state interest.

His performance throughout the tenure of Upper Siran Forest Sub-Division remained poor. Despite of repeated telephonic contacts and written letters mostly acknowledged by him, he failed to submit defense statement and not joined the enquiry proceedings.

All this amounts to inefficiency and mis-conduct on his part. Thus, the charges of (i) inefficiency (ii) mis-conduct leveled against him vide Chief Conservator of Forests, Khyber Pakhtunkhwa letter No. 407-08/E dated 29/07/2011 established fully.

He deserves for major penalty, therefore, recommended for compulsory retirement from Govt. service.

And whereas the undersigned in the capacity of competent authority on receipt of the Enquiry reports of both the Enquiry Committees, the accused Forest Ranger was served with Show-cause Notices bearing No. 251/E, dated 15.1.2012 No. 196/E, dated 19.9.2012 alongwith Enquiry Reports in both disciplinary cases respectively with the directive to explain your position as to why the major penalties as recommended by the Enquiry committees may not be imposed upon you.

Chief Conservator of Forests  
Northern Forest Region-II  
Abbottabad, Khyber Pakhtunkhwa

Muhammad Ali  
Forest Officer

The accused Forest Ranger failed to furnish his reply to the show cause notices within the stipulated time period, despite of time and again reminding through serious of reminders vide No.128/E, dated 13.8.2012, No.203/E, dated 13.9.2012, No.649/E, dated 08.11.2012 but he did not paid any heed to furnish his reply, which clearly speaks that he has nothing to say in his defense.

Since considerable time period has passed on but no response is received from the accused officer, therefore, he was reminded through a press notice appeared in the Daily "Sarhad News" dated 05.1.2013 to furnish his reply within 15 days otherwise ex parte action will be initiated. Accordingly, he contacted this office through an application dated 16.1.2013 demanding some papers.

And whereas Muhammad Ali, Forest Ranger was afforded chance of personal hearing vide this office letter No.2452/E, dated 6.2.2013, No.596/E, dated 01.4.2013, No.5599/E, dated 24.6.2013, No.562/E dated 24.7.2013 respectively and heard in person on 8.2.2013, 12.4.2013 and 29.7.2013 but he could not prove himself innocent thus the accused was again given a chance of personal hearing vide No.5845/E, dated 4.2.2014, No.6645/E, dated 25.2.2014, No.832/E, dated 4.4.2014, No.8430/E, dated 15.4.2014 and No.8699/E, dated 24.4.2014, but the accused Forest Ranger neither surrendered any documentary proof in his defence, nor gave any solid/convincing arguments.

The undersigned in the capacity of authority under Section-03 (Removal from Service) of the Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance 2000, do hereby agree with the findings/recommendations of Enquiry Committees in the instant cases and after having considered the charges, evidence on record Muhammad Ali Range Forest Officer (BPS-16) presently serving in Kohistan Watershed Division Besham is hereby retired from Government service compulsorily with immediate effect.

Sd/- (Sardar Muhammad Qaitan)  
Chief Conservator of Forests  
Northern Forest Region-II Abbottabad  
Khyber Pakhtunkhwa

Memorandum

Copy for information and necessary action forwarded to the:

- 1 Chief Conservator of Forests, Southern Forest Region-I Khyber Pakhtunkhwa Peshawar.
- 2 Director Budget and Account, Government of Khyber Pakhtunkhwa Environment Department, Peshawar
- 3 Section Officer (Establishment) Government of Khyber Pakhtunkhwa Environment Department, Peshawar.
- 4 Conservator of Forests, Lower Hazara Forest Circle Abbottabad.
- 5 Conservator of Forests, Upper Hazara Forest Circle, Mansehra.
- 6 Conservator of Forests, Watershed Management Circle Abbottabad
- 7 Divisional Forest Officer, Siran Forest Division Mansehra.
- 8 Divisional Forest Officer Lower Kohistan Forest Division Pattan.
- 9 Divisional Forest Officer Kohistan Watershed Division Besham. The order meant for the above named Officer is enclosed which may be delivered to the Officer concerned under proper receipt which should be sent to this office for record
- 10 Muhammad Ali Forest Ranger C/O Divisional Forest Officer Kohistan Watershed Division Besham

Chief Conservator of Forests  
Northern Forest Region-II Abbottabad  
Khyber Pakhtunkhwa



Received on 20/01/2014

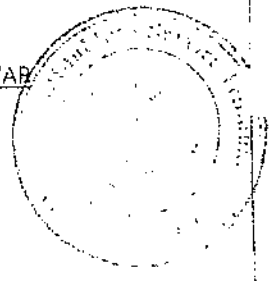
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No. of proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
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1	2	3
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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
CAMP COURT ABBOTTABAD.

SERVICE APPEAL NO. 100/2015



(Muhammad Ali-vs-Govt. of Khyber Pakhtunkhwa through Secretary Environment Department, Peshawar and others).

16.02.2016

JUDGMENT

MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:

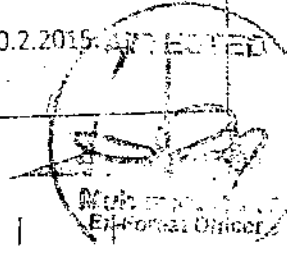
Appellant in person and Mr. Muhammad Pervaiz, Range Forest Officer alongwith Mr. Muhammad Saddique, Senior Government Pleader for respondents present.

2. Muhammad Ali, Ex-Range Forest Officer, hereinafter referred to as the appellant, has preferred the instant appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the impugned order 25.8.2014 vide which the appellant was compulsorily retired from service under the provisions of NWFP Removal from Service (Special Powers) Ordinance, 2000 on the allegations of involvement in illegal activities.

3. Brief facts giving rise to the present appeal are that the appellant was serving as Range Forest Officer, Kohistan Watershed Forest Division, Besham when subjected to inquiry on the allegations of corruption, misconduct and inefficiency and vide impugned order dated 25.8.2014 compulsorily retired from service where-against he preferred departmental appeal on 16.9.2014 which was not responded and hence the instant service appeal on 10.2.2015.

*Handwritten signature and date: 16.02.16*


**ATTENDED**  
*Handwritten signature*  
Secretary  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

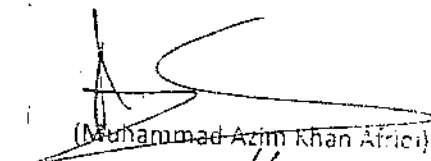




4. We have heard appellant in person as well as learned Senior Govt. Pleader on behalf of official respondents and perused the record.

5. The stance taken before us was that the impugned order was passed by the Chief Conservator of Forests, Northern Forest Region-II, Abbottabad who was not competent authority as the competent authority was the Chief Conservator of Forests, Central Southern Forest Region (Region-I) as reflecting in the Notification dated 29th August 2012. This stance of the appellant as well as other grounds taken in departmental appeal were not decided by the appellate authority. The stance taken by the appellant is of far-reaching effect and we, therefore, deem it more appropriate to direct that the grounds taken by the appellant in departmental appeal shall be decided by the appellate authority at first instance within a period of 30 days from the date of receipt of copy of this judgment and if the appellant is still aggrieved of any such order of the departmental authority he may then re-agitate his grievances before the Tribunal in service appeal afresh. The appeal is disposed of in the above terms. No order as to costs. File be consigned to the record room.

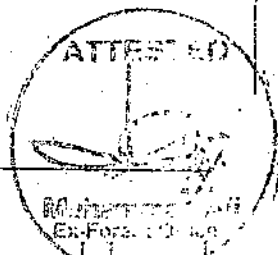
  
(Abdul Latif)  
Member

  
(Muhammad Azim Khan Afridi)  
16-02-2016 Chairman

ANNOUNCED  
16.02.2016

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Peshawar

Date of ... 14-2-15  
Number of ... 1250  
Copying ... 8  
Urgent ...  
Total ...  
Date of ... 15-2-15  
Date of ... 15-2-15

ATTESTED  
  
Ex-Forest Division

Annex-I

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Execution Petition 83 /2016  
In Service Appeal No. 100/2015

K.W.F. Province  
Service Tribunal  
Diary No. 332  
Case No. 28-4-16

Muhammad Ali S/o Anwar Ajaz Ali Ex-Forest Officer,  
Kohistan, Water Shad Forest Division Beshan Khyber  
Pakhtunkhwa.



Appellant

**VERSUS**

1. The Government of Khyber Pakhtunkhwa through Secretary to Government, Environment Department Khyber Pakhtunkhwa, Peshawar
2. The Chief Conservator Forest, Northern Region-II, Abbottabad.
3. The Sardar Muhammad Sultan the then Chief Conservator Forest Northern Region-II, Abbottabad.
4. The Chief Conservator of Forests, Central Southern Forest Region (Region-I) Peshawar.

.....Respondents

ATTESTED

*[Signature]*

Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar


**EXECUTION PETITION TO DIRECT THE RESPONDENTS TO IMPLEMENT THE JUDGMENT DATED 16/02/2016, AND THE IMPUGNED ORDER DATED 25/08/2014 WHICH MAY KINDLY BE SET ASIDE AND THE APPELLANT BE RESTATED WITH ALL THE BACK BENEFITS.**



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20.07.2016

Petitioner with counsel and Mr. Muhammad Siddique, Sr.GP for respondents present. Learned Sr.GP is directed to inform the respondents for implementation of judgment of this Tribunal before the next date of hearing. To come up for implementation report on 20.10.2016 before S.B at camp court, Abbottabad.

Chairman  
Camp court, A/Abad  



20.10.2016

Petitioner in person and Mr. Aminul Islam, SDFO alongwith Mr. Muhammad Siddique, Sr.GP for the respondents present. Copy of order dated 22.08.2016 submitted according to which the competent authority has decided the departmental appeal of the petitioner.

It is observed with concern that the appellate authority as well as the competent authority has decided the issue in the mode and manners destructive to the order of this Tribunal dated 16.02.2016. The said order cannot be therefore considered as an order passed in accordance with the judgment of this Tribunal. The judgment thus remained un-implemented. Salaries of respondents No. 1 & 2 are therefore attached. In case the respondents fail to decide departmental appeal in the mode and manners required then further coercive measures including detention in civil prison will be considered against the defaulting officer. To come up for implementation report on 22.12.2016 before S.B at camp court, Abbottabad.

Chairman  
Camp Court, A/Abad

Certified to be true copy

  
Muhammad Ali  
Ex-Forest Officer  
Peshawar

ATTESTED  
  
Muhammad Ali  
Ex-Forest Officer

Exhibit No. 14-2-18  
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APP

OFFICE ORDER NO. <sup>15</sup> DATED PESHAWAR THE <sup>22</sup> /08 /2016  
ISSUED BY MR. MUHAMMAD SIDDIQUE KHAN KHATTAK CHIEF  
CONSERVATOR OF FORESTS CENTRAL SOUTHERN FOREST REGION-I  
KHYBER PAKHTUNKHWA PESHAWAR

Annex-J  
97  
33

WHEREAS, Mr. Muhammad Ali the then Forest Ranger (BPS-16) was proceeded against under the Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance, 2000 for the charges as mentioned in the charge sheets and statement of allegations served upon the said Forest Ranger.

AND WHEREAS, Enquiry Committee, comprising of M/S Abdul Malik, Pir Qaim Shah and Rustam Khan DFOs were constituted to conduct the enquiries against the said accused Forest Ranger.

AND WHEREAS, the Enquiry Committee, after having examined the charges, evidence on record and explanation of the accused Forest Ranger, submitted its report.

AND WHEREAS, on report of the Enquiry Committee show cause notices were issued to the Forest Ranger, which were responded by him. On receipt of replies to the show cause notices of the Forest Ranger, which were not convincing and the charges against the accused (Forest Ranger) were established. The Chief Conservator of Forests Northern Forest Region-II Abbottabad issued compulsorily retirement order of the accused Forest Ranger vide office order No. 17 dated 25/08/2014. The issued order was challenged by the accused Forest Ranger through service appeal No. 100/2015 in Khyber Pakhtunkhwa Service Tribunal Peshawar. The Khyber Pakhtunkhwa Service Tribunal Peshawar vide order sheet dated 16/02/2016 remanded back the case to Secretary Government of Khyber Pakhtunkhwa Forestry Environment & Wildlife Department being appellate authority to dispose off his grievances.

NOW THEREFORE, in response to the advice of appellate authority vide No. SO(Estt)/FE&WD/143/2K/15/3727-28 dated 10.08.2016 the competent Authority (being head of attached department) after having considered the charges, evidence on record, findings of the enquiry committee, has been pleased to uphold the office order No. 17 dated 25/08/2014 for compulsorily retirement of the above Forest Ranger issued by then Chief Conservator of Forests Northern Forest Region-II Abbottabad.

Sd/-  
(Muhammad Siddique Khan Khattak)  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

No. <sup>514-19</sup> /E

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II Abbottabad.
2. Section Officer (Establishment) Government of Khyber Pakhtunkhwa Forestry Environment & Wildlife Department Peshawar
3. Director Budget & Accounts Government of Khyber Pakhtunkhwa Forestry Environment & Wildlife Department Peshawar.
4. Conservator of Forests Upper Hazara Forest Circle Mansehra.
5. Conservator of Forests Lower Hazara Forest Circle Abbottabad.
6. Mr. Muhammad Ali Ex-Forest Ranger. C/O C. F. Hazara Circle, Abbottabad.

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

D-Office Orders

Recd on 30/08/2016  
in the office of the  
Secretary  
Hazara Circle  
Abbottabad

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Annex - K

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Service Appeal No. 30 /2017

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 35

Date: 16-01-2017

Muhammad Ali s/o Anwar Ajaz Ali Ex- Range Forest Officer Kohistan  
Forest Water Shed Forest Division Besham Khyber  
Pakhtunkhwa.....APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary to Government, Forestry, Environment & Wildlife Department Peshawar.
2. Chief Conservator of Forests, Central Southern Forest Region-I Peshawar.
3. Chief Conservator of Forests, Northern Region-II Abbottabad.....RESPONDENTS

APPEAL UNDER SECTION NO. 4 OF KYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974, READ WITH PARA NO. 5 OF THE KYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT 16/02/2016 AGAINST THE OFFICE ORDER NO 15 DATED 22/08/2016, WHEREBY CHIEF CONSERVATOR OF FORESTS. REGION-I, PESHAWAR, UPHOLD THE IMPUGNED ORDER NO. 17 DATED 25/08/2014, NEW IMPUGNED ORDER ISSUED BY APPELLANT AUTHORITY VIDE NO: SO(ESTT)ENVTI/1-5/06/MF 3965 DATED PESHAWAR 13/12/2016 TO REJECT APPEAL DATED 16TH SEPTEMBER, 2014 WITH OUT SOLVING THE OBJECTIONS RAISED IN GROUNDS, WHICH IS AGAINST THE FACTS AND LAW.

Filed to-day

REGISTER PRAYER

16/1/17

That on acceptance of this appeal, the Impugned Orders no. 17 dated 25/08/2014 & No. 15 dated 22/08/2016, new impugned order issued by Appellant authority vide No. So(Estt)Envvt/1-5/06/Mf 3965 dated Peshawar 13/12/2016 may kindly be set-aside and respondents may be directed to re-instate the appellant with all back benefits. Any other remedy, which this august Tribunal deems fit that, may also, be awarded in favor of the appellant.

ATTESTED



Signature and official stamp of the Registrar.

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Anwar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR  
CAMP COURT ABOTTABAD.

Appeal No. 30/2017

Date of Institution ... 16.01.2017

Date of Decision ... 19.03.2018



Muhammad Ali s/o Anwar Ajaz Ali Ex-Range Forest Officer Kohistan Forest Water  
Shed Forest Division Besham Khyber Pakhtunkhwa.

(Appellant)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary to Government, forestry,  
Environment and Wildlife Department Peshawar and 2 others.

(Respondents)

APPELLANT

Pro se.

MR. USMAN GHANI,  
District Attorney

For respondents.

MR. NIAZ MUHAMMAD KHAN,  
MR. AHMAD HASSAN.

CHAIRMAN  
MEMBER (Executive)

ATTESTED

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN:- Arguments of the learned

counsel for the parties heard and record perused.

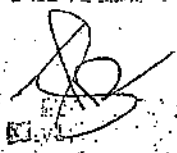
FACTS

2. The appellant was compulsorily retired on 25.08.2014 against which he filed  
departmental appeal on 16.09.2014 which was not responded to and thereafter the  
appellant filed a previous service appeal on 14.01.2015 which was decided on  
16.02.2016. This Tribunal vide order dated 16.02.2016 by accepting appeal of the  
appellant directed the departmental appellate authority to decide the pending appeal  
within a period of 30 days and in case any fresh order was passed by the  
departmental appellate authority then the appellant was given the right to re-agitate

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through another service appeal. After this judgment the departmental appellate authority referred the matter to Chief Conservator-1 for deciding the disciplinary proceeding against the appellant (being competent authority). The reason for this direction to the C.C-1 was on the ground that this Tribunal in the said judgment observed that the final order of compulsory retirement was passed by C.C-2 who was not competent authority. Before the order of the C.C-1 dated 22.08.2016 the appellant had filed an execution petition in this Tribunal for the execution of the judgment dated 16.02.2016. During pendency of that execution petition the C.C-1 passed the order dated 22.08.2016 by upholding the earlier order passed by C.C-2 dated 28.08.2014. But when this order was passed by C.C-1 on 25.08.2016 this Tribunal in the said execution petition directed the appellate authority to decide the appeal referred to the departmental appellate authority and set aside the order of C.C-1 dated 22.08.2016. On this the departmental appellate authority passed an order on 13.12.2016 upholding the order of C.C-1. The appellant then withdrew the execution petition on 22.12.2016 in order to challenge the said order through regular service appeal and then he filed the present service appeal on 16.01.2017.

ATTEST  
  
 District Attorney  
 District Court  
 District

ARGUMENTS

3. The appellant *pro se* argued that the present impugned order passed by C.C-1 dated 22.08.2016 was again passed without affording him personal hearing and without issuing him the show cause notice. That he was provided personal hearing by the departmental appellate authority and the order of the departmental appellate authority maintaining the order of C.C-1 dated 22.08.2016 was illegal.
4. On the other hand learned District Attorney argued that the present service appeal of the appellant was time barred. He vehemently argued that in the judgment of this Tribunal dated 16.02.2016 department was given 30 days period for decision

of the departmental appeal and when the departmental appeal was not decided within the specified period the appellant had only more 30 days to file the present service appeal. But the appellant filed the present service appeal after ten months of the judgment of this Tribunal. He further argued that the appellant had been pursuing his remedy in execution petition which was a wrong forum which could not enlarge the period of limitation. In this regard he relied upon the judgment of august Supreme Court of Pakistan reported as PLD 2016 Supreme Court 872. He next contended that the C.C-I was the competent authority and he had rightly imposed the penalty from the stage where it was left by his predecessor i.e C.C (Chief Conservator) as at that time there was only one Chief Conservator when the proceedings were initiated against the appellant.

#### CONCLUSION.

5. This Tribunal is first to decide the question of limitation as raised by the learned District Attorney. The judgment dated 16.2.2016 gave thirty days time to the departmental appellate authority for decision of the departmental appeal which he failed to do within the specified time. There is no law whereby a direction issued by the Tribunal for decision of departmental appeal within specified time would be deemed to be a *terminus a quo* for the purpose of limitation. Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 covers only departmental remedy availed by the civil servant himself and not the departmental remedy on the direction of the Service Tribunal. Be as it may, the point as raised by the learned District Attorney is hypertechnical and judgment relied upon by the appellant of the august Supreme Court of Pakistan saves all those appeals due to bonafide mistake in choosing proper forum. This Tribunal is, therefore, of the view that the appellant cannot be deprived of his legal right on the basis of such hypertechnical ground. If this argument is



granted then what would be the legal effect of orders of C.C-1 after six months and order passed by the departmental authority after nine months instead of thirty days. The appellants in order to get the judgment of this Tribunal implemented filed execution petition and it was only after issuing coercive measures by this Tribunal that the departmental authority passed the orders after six months and then nine months.

6. Now the moot question is whether the departmental appellate authority did attend to the observations made by this Tribunal in the judgment dated 16.2.2016 in which it was observed that CC-2, perhaps lacks the powers to issue the orders and departmental appellate authority was directed to apply his mind and then specifically decide this issue. But the departmental appellate authority, perhaps after reaching the conclusion that it was the C.C-1 who could pass the order referred the matter to C.C-1 who passed the order by maintaining the same penalty vide order dated 22.08.2016. Again this Tribunal in execution petition set aside that order of 22.08.2016 on 20.10.2016 directing the departmental appellate authority to meet the spirit of the judgment dated 16.02.2016. The departmental appellate authority while deciding the appeal did not answer the question of the issue of competency of C.C-1 or C.C-2 and only rejected the departmental appeal of the appellants by upholding the decision of C.C-1 dated 22.08.2016. Paradoxical situation is that order of 22.08.2016 was set aside by this Tribunal on 20.10.2016 then how could the departmental appellate authority uphold the order which was set aside by this Tribunal. Secondly, if this is taken to be a technical ground in favour of the department then the departmental appellate authority himself accepted that it was not C.C-2 but C.C-1 who was the competent authority. The whole proceedings up to the enquiry were made on the orders of the competent authority (Chief Conservator) but from the stage of submission of the enquiry report to C.C-2 (incompetent

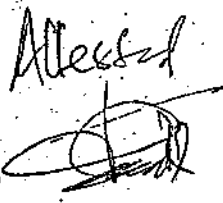
ATTESTED

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*SD*

authority) the whole proceedings vitiated thereafter. The C.C-1 was then required to have seized the matter from the stage of submission of enquiry report. The next step was to issue show cause notice to the appellant tentatively deciding the imposing of penalty or otherwise by asking him to submit reply of the said show cause notice. And then should have afforded him personal hearing and thereafter should have decided the same. But the C.C-1 did not issue show cause notice etc.

7. This Tribunal reaches the conclusion that the proceedings before the C.C-1 culminating into order dated 22.08.2016 cannot be sustained in the eyes of law nor the departmental appellate authority could maintain the said order. The C.C-1 is therefore, directed to resume the proceedings from the stage as mentioned above and decide the same within 60 days from the receipt of this judgment failing which the appellant shall be deemed to have been reinstated in service. The issue of back benefits in case of reinstatement shall be subject to the rules on the subject. Parties are left to bear their own costs. File be consigned to the record room.

*Ahmed*  


(AHMAD HASSAN)  
 MEMBER

*Niaz Muhammad Khan*  
 (NAZ MUHAMMAD KHAN)  
 CHAIRMAN  
 CAMP COURT ABBOTTABD.

ANNOUNCED  
 19.03.2018

*SD*  
 Certified copy  
  
 Registrar

Name of Institution: *30-3-18*  
 Number of Books: *2000*  
 Copying Fee: *12*  
 Urgent: *2*  
 Total: *24*  
 Name of Officer: *[Signature]*  
 Date of Copying: *30-3-18*  
 Date of Delivery: *30-3-18*

Annex - L  
57

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

40

No 626 /ST

Dated 26 /03/2018


To

The Chief Conservator of Forests, Central Southern Forest Region-I,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: ORDER/JUDGEMENT IN APPEAL NO. 30/2017, MR. MUHAMMAD ALI.

I am directed to forward herewith a certified copy of Judgment/Order dated 19/03/2018 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.



Chief Conservator of Forests Central Southern Forest Region-I Khyber Pakhtunkhwa Peshawar		Shami Road Peshawar Phone # 091-9212177 Fax # 9211478 E-mail: ccfforests.pesh@gmail.com
No. /E	Dated	Peshawar the 09/04/2019

To

1. Divisional Forest Officer  
Lower Kohistan Forest Division at Pattan.
2. Divisional Forest Officer  
Siran Forest Division, Manshra.

*Annex - M*

Subject: DISCIPLINARY PROCEEDINGS AGAINST MUHAMMAD ALI EX-FOREST RANGER/PROVISION OF DOCUMENTS UNDER RTI ACT, 2013

Memo:- Reference this office letter No. 172/E, dated 06.06.2018.

Enclosed please find herewith photocopy of the application of Muhammad Ali Ex-Forest Ranger which is self-explanatory.

You are therefore directed to provide the documents listed at S.No.1 and 3 to the Ex-Forest Ranger under RTI Act, 2013 under intimation to this office.

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

No. *4005-7* /E,

Copy forwarded for information to the:-

1. Chief Conservator of Forests Northern Forest Region-II Abbottabad. A copy of the application of the Ex-Forest Ranger is enclosed herewith for reference and record.
2. Sheikh Amjad Ali, Director General PFI, Peshawar. A copy of the application of the Ex-Forest Ranger is enclosed herewith for reference and record.
3. Muhammad Ali Ex-Forest Ranger C/O DFO Siran Forest Division Mansehra. Copies of the written complaints of the daily Labors Timber Market Dargai i.e. M/S Kamal Khan, Awal Khan, duly attested are enclosed while the documents i.e. Question and Answer are not recorded at the time of personal hearing on 12 and 14 May, 2018.

*[Signature]*  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

Establishment-19-B

*[Signature]*

*[Signature]*

*DE*  
*14/4*

35



OFFICE ORDER NO. 172 DATED PESHAWAR THE 26 /06/2018 ISSUED BY  
MUHAMMAD SIDDIQUE KHAN KHATTAK CHIEF CONSERVATOR OF FORESTS  
CENTRAL SOUTHERN FOREST REGION-I KHYBER PAKHTUNKHWA PESHAWAR

22

An enquiry committee comprising Sheikh Amjad Ali CF/Director CDE & GAD Peshawar (BPS-19) (as convener) and Syed Muqtada Shah, Divisional Forest Officer Patrol Squad Lower Hazara Forest Circle Abbottabad (as member) is constituted by the competent authority to conduct de-novo enquiry under rules-14 (6) of the Khyber Pakhtunkhwa Govt. Servants (Efficiency and Disciplinary) Rules, 2011 against Muhammad Ali Ex-Forest Ranger (BPS-16) for the charges/allegations leveled against him in the respective charge sheets and statement of allegations.

Annex-N

The enquiry committee shall submit its findings within 30 days positively.

42

Sd/-  
(Muhammad Siddique Khan Khattak)  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

No. 4847-57 /E,

Copy alongwith copies of the charge sheet/statement of allegations are forwarded for further necessary action to the:-

1. Sheikh Amjad Ali, CF/Director CDE & GAD Peshawar (as convener).
2. Syed Muqtada Shah, Divisional Forest Officer Patrol Squad Lower Hazara Forest Circle Abbottabad (as member).
3. Divisional Forest Officer Siran Forest Division Mansehra.
4. Divisional Forest Officer Lower Kohistan Forest Division Paitan.

The DFO Siran and Lower Kohistan are requested to depute departmental representatives to assist the enquiry committee during the enquiry proceedings.

5. Muhammad Ali, Ex-Forest Ranger C/O Raja Abdul Ghani near Aaj news paper Kehal Abbottabad. (Cell No.0315-3199931)

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

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

0. Order-2

Page 102





GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WYLDLIFE DEPARTMENT

NO.SO(Estt)/FE&WD/1-43/2021

Dated Peshawar the, 15<sup>th</sup> November, 2021

43

Any - 0

To  
The Chief Conservator of Forests,  
Central & Southern Forest Region-I,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: APPEAL OF MUHAMMAD ALI, EX RANGE FOREST OFFICER.

I am directed to refer to appeal dated 20.9.2021 preferred by Muhammad Ali, Ex-Forest Ranger, Forest Department, Khyber Pakhtunkhwa (copy enclosed) and to state that in compliance with the Khyber Pakhtunkhwa Service Tribunal order dated 19.3.2018 passed in the Service Appeal No.30/2017, show cause notice was served upon him and he was granted the opportunity of personal hearing on 12.5.2018 by the competent authority (CCF-I). After hearing proceeding, the competent authority was required to decide the case as per Rule-14(5) of E&D Rules, 2011, but instead he decided to conduct de novo inquiry against the appellant and a committee has been constituted by CCF-I to conduct de novo inquiry against him but without issuance of his reinstatement order in violation of the rules as inquiry cannot be conducted against ex-officer/official.

In view of the above, you are directed to issue reinstatement order in respect of the appellant w.e.f. 6.6.2018 (the date of notifying the inquiry committee for conducting de novo inquiry) to legalize the inquiry proceedings against him. Furthermore, instructions may also be issued to the inquiry committee or inquiry officer, as the case may be, for finalizing the inquiry proceedings as soon as possible in accordance with the norms of justice, please.

Encl: as above

SECTION OFFICER (ESTT)

Endst: No. & Date even.

Copy is forwarded to:

1. PS to Secretary, FE&W Department, Khyber Pakhtunkhwa.
- ✓ 2. Muhammad Ali, Ex-Forest Ranger, near Seathy House Kunj Ground Abbottabad w/r to his appeal dated 20.9.2021. He is directed to appear before the inquiry committee or inquiry officer, as the case may be, as and when called for early finalizing the inquiry proceedings.

SECTION OFFICER (ESTT)

Saddam Hussain  
JK  
16/11/2021

Allah Bakhsh

44  
Annex - R

Annex -

OFFICE ORDER NO. 87 DATED PESHAWAR THE 22 /12/2021  
ISSUED BY MR. AZHAR ALI KHAN, CHIEF CONSERVATOR OF FORESTS  
CENTRAL SOUTHERN FOREST REGION-I, KHYBER PAKHTUNKHWA  
PESHAWAR.

In pursuance of the directions available in the Administrative Department letter bearing No. SO(Estt)FE&WD/1-43/2021, dated 15/11/2021 and dated 21/12/2021, Muhammad Ali Ex-Forest Ranger who was earlier compulsorily retired from service vide Chief Conservator of Forests Northern Forest Region-II Office Order No. 17, dated 25/08/2014 is hereby reinstated into service w.e.f 06/06/2018 for the purpose of conducting and concluding de-novo Inquiry. The period from 25/08/2014 to 05/06/2018 under which the Ex-Forest Ranger has not served the department is hereby treated as leave without pay, so far the period from 06/06/2018 to date of issue of this order is concerned decision will be taken in light of the report of Inquiry Officer as per rules.

Consequent upon his reinstatement into service, he is hereby posted in Khyber Pakhtunkhwa Thai School Abbottabad against the vacant post of SDFO in the interest of public service with immediate effect till further order.

Sd/-  
(Azhar Ali Khan)  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar

No. 2204-10/E

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Region-II, Abbottabad
2. Conservator of Forests Lower Hazara Forest Circle Abbottabad with the direction to complete the inquiry proceedings against Muhammad Ali Forest Ranger as early as possible.
3. Section Officer (Establishment) Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department Peshawar with reference to his letter cited above.
4. Director, I&HRD&M Peshawar
5. Principal Khyber Pakhtunkhwa Forest School Thai Abbottabad.
6. Budget & Accounts Officer, Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department Peshawar
7. Muhammad Ali, Forest Ranger near City House Kunj Ground Tehsil and District Abbottabad with the direction to appear before the Inquiry Officer.

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

00Order-3 (NAI)

Affes  


Annex - R

45

ENQUIRY REPORT/DISCIPLINARY PROCEEDINGS IN ALLEGATIONS CONDUCTED AGAINST MUHAMMAD ALI, FOREST RANGER

3/65

READ WITH

1. CCF-CSFR- I letter No.259P-2600/E dated 08/12/2021, addressed to SO Establishment FE & WD, enlisting and narrating lengthy proceedings conducted, in finalization of the subject enquiry proceedings, since office Order No.17 dated 25/8/2014, Issued by the Chief Conservator of Forests Northern Forest Region-II, Abbottabad regarding Compulsorily Retirement of the accused, subsequent departmental appeal, service appeals, execution petitions, CPLA, objections of the accused on enquiry officer. All these proceedings culminated on re-instatement of accused, vide CCF-CSFR-I Office Order No.87 dated 22.12.2021 w.e.f 06.06.2018, resumption of enquiry proceeding and directions to CFLH Circle for completion of inquiry proceedings.
2. Penalty order of accused for compulsory retirement vide CCF-CSFR-1 Peshawar o/o No 15 dated 22-8-2016, and Services Tribunal judgment dated 19-3-2016.
3. Reply of the accused dated 11-7-2019 to Enquiry committee for suspension of enquiry till decision on CPLA.
4. Notice and application of accused dated 24-8-2021 to stop proceedings till changing enquiry officer and decision on his appeal from Service Tribunal.
5. Appeal to Secretary FEWD dated 09-09-2021 for changing enquiry officer
6. Application of accused dated 23-10-2021 to stop proceedings till decision on his appeal by appellate authority.
7. Personal Hearings
8. Questionnaires and reply to the questionnaire by the Department and accused.

BACKGROUND HISTORY OF THE CASE

Muhammad Ali, Forest Ranger while posted as SDFO Pattan of Lower Kohistan Forest Division w.e.f. 01/07/2008 to 15/2/2009 and as SDFO Upper Siran, In Siran Forest Division Mansehra w.e.f. March, 2011 to July 2011, committed several errors and omissions within the meaning of Government of Khyber Pakhtunkhwa, Removal from Service (Special Power) Ordinance 2000 and was proceeded against under the provisions of the ordinance Ibid. These proceedings initiated during 2010 and as an outcome of the 1st disciplinary proceedings, Penalty of "Compulsorily Retirement" imposed upon him vide Chief Conservator of Forests, Northern Forest Region-II, Abbottabad Office Order No.17 dated 25/8/2014.

The accused impugned the said order of penalty in Service Tribunal and since then, which remained under litigations as detail given under, till re-instatement of accused and resumption of enquiry proceedings vide CCF-CSFR-I Office Order No.87 dated 22.12.2021 w.e.f .06.06.2018 and directives issued to CFLH Circle for completion of inquiry proceedings.

1. Office Order No.17 dated 25/8/2014, issued by the Chief Conservator of Forests Northern Forest Region-II, Abbottabad, ordering compulsorily Retirement of the accused.
2. Judgment of Khyber Pakhtunkhwa Service Tribunal dated 16/2/2016, accepting appeal and declaring Competent Authority-for proceedings against accused as CCF-I (HAD) with direction to Appellate Authority to decide the case.

Ali Asghar  
IA



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assurance of record correction. The same consignment on release was duly recorded by accused in the check post registers. However later on, neither any inquiry conducted nor requisite corrective measures effected for record correction as assured. Rather, as a revengeful action, the instant charge sheet has been served upon him after lapse of two years since then, with mala fide intention and that he is now suffering for the last seven and a half years.

3). The accused in his written reply, personal hearing, appeals and petitions before departmental appellate authority, Services Tribunal, and Supreme court of Pakistan, since 2014 till date and during instant enquiry proceedings has constantly tried to dispute serving of the instant charge sheet, attributing it to mala fide intention developed against him from the reporting/ charge sheet issuance authority.

4). Counter allegations of the accused being worth consideration were explored during proceedings with following outcome.

- DFO Lower Kohistan, based upon Divisional office and Timber Market Abbottabad record, denied issuance of the said Transport Pass No 127 dated 2-4-2010 as well its ancillary record.
- Record of Ahal Forest Check post Battal and information provided by the then posted staff confirmed entry of the said Five trucks loaded with 2838.50 cft deodar timber, under the authority of Transport Pass No 127 dated 02-04-2010, dispatched from Lower Kohistan Pattan, duly recorded in the register of the check post.
- The above ambiguity regarding consignment of TP No 127 dated 02-4-2010, non availability of its record in Gohar Abad Timber Market, silence and ignorance of DFO Lower Kohistan from the said consignment, smells error and omission or embezzlement at some level which needs proper enquiry to dig out facts and to fix responsibilities, beside recovery of loss sustained to Govt. if any.

CONCLUSIONS

- The accused while posted as SDFO Pattan in Lower Kohistan Forest Division, has failed to follow departmental rules of business as expected from him, hence found guilty of in-efficiency (unintentional negligence).
- The department could not explore the facts regarding irregularities/alleged embezzlement of 2538.50 cft deodar timber, transported via consignment of TP No 127 dated 02-04-2010, issued from Lower Kohistan Pattan, despite cognizance, halting and entry at Ahal Forest Check post Battal as well as persistent follow up by the accused since then till date.

RECOMMENDATIONS

- The accused remained penalized and removed from service for a long period of more than seven years w.e.f 25-8-2014 till 21/12/2021, facing disciplinary proceedings, litigating in various courts of law up to Apex court of the country, social defamator and mental torture, thus has been circumstantially penalized within the given system of justice. Therefore no additional penalty under E & D rules 2011 is recommended. He may be exonerated from all the charges.
- The department shall investigate the missing consignment of 2838.50 cft deodar timber if any, transported vide TP No 127 dated 02-04-2010 from Lower Kohistan Forest Division Pattan as pointed out by the accused in his counter allegations. This will provide mental satisfaction to the accused for the hardships he faced while defending allegations for a long period of more than seven years.

*[Signature]*  
Syed Muqtada Shah  
Conservator, of Forest  
Lower Hazara Abbottabad

*[Signature]*

5

B. ALLEGATIONS PERTAINING TO SIREN FOREST DIVISION

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I	Allegation
	<p>That a complaint lodged by one Muhammad Alam S/O Ghulam Jallani was sent to you vide DFO Siren letter No: 8434/GB dated 25.05.2011. This complaint was endorsed by Conservator of Forests, Lower Hazara Forest Circle Abbottabad vide No: 4852/3L dated 02.06.2011, which was also endorsed to you vide No: 8699/GB dated 07.06.2011 for enquiry and detailed report but failed to respond.</p> <p>The accused stated that in compliance to the said letter, he conducted enquiry into the complaint, resolve the issue to the satisfaction of applicant, resultantly the issue never agitated by the applicant. However he could not provide any justification for non submission of compliance report as per instructions of DFO Siren office.</p> <p>The departmental representative admitted that complaint pertained to ownership disputes in the forests of cooperative society area amongst owners and as per available record neither loss has sustained to owners nor Govt. in the dispute, due to the alleged error and omission of the accused.</p> <p>The accused was however required to intimate compliance report to DFO Siren for onward appraisal of the department but he failed to manage affairs of a sensitive Forest Sub Division like Upper Siren, in a professional manner. <i>Inefficiency to observe Govt./ department rules of business is proved</i></p>
ii.	<p>That another complaint regarding illicit cutting of trees endorsed by Conservator of Forests, Lower Hazara Forest Circle Abbottabad vide No: 3926/GL dated 09.04.2011, was also endorsed to you through DFO Siren No: 7317/GB dated 14.04.2011 with the directives to probe into the complaint and submit fact finding report but you did not respond.</p> <p>The accused stated that in compliance to the said letter, he conducted enquiry into the complaint, no forest damages detected and found it baseless. Although the complaint pertained to private area outside designated forests, however he could not provide any justification for non submission of compliance report as per instructions of DFO Siren office.</p> <p>The departmental representative also conceded that it was a vague complaint, result of a personal dispute amongst locals pertaining to ownership claims and no Govt. stake was involved in the area and issue.</p> <p>The accused was required to submit compliance report to DFO Siren for onward appraisal of the department but failed to manage affairs of a sensitive Forest Sub Division like Upper Siren in a professional manner. <i>Inefficiency to observe Govt./ department rules of business is proved.</i></p>

*Allegations*  
*[Signature]*

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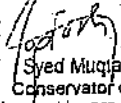
Allegation No xi and xviii are inter related and the accused is persistently challenging its veracity through counter allegation, hence have been discussed and concluded in detail to dig out of facts and conclude accordingly. The issue needs further disciplinary proceedings by the department in light of situation explored.


#### CONCLUSION

- Charges of inefficiency and Mis-conduct against the accused are proved beyond any doubt while neither corruption charge nor any loss to Govt. due to his In-efficiency or Mis-conduct could be proved or quantified by the department.
- The accused while posted as SDFO Upper Siren and custodian of Govt. resources, has failed to perform his duties as per his assigned job description, by not abiding by Govt. Rules of business, standing operating Procedure and instructions of the department to ensure required administration of forest resource.
- Non proceedings against offenders as per law through issuance of damage reports despite detecting timber smuggling, seizing illegal forest produce at Domet Check post and ignorance to initiate legal action against forest offenders or forest staff involved in forceful snatching of case properly enroute, non pursuing litigation cases of the department in the court of law culminating into contempt of court notices, are clear proof of his inefficiency and incompetence.
- The counter allegations as pointed out and being persistently agitated by the accused against subordinate staff and higher officers are worth consideration and were required to be investigated prior to issuance of charge sheet against him so as to forestall against his firm opinion of malafide intentions towards him.

#### RECOMMENDATIONS

- The accused remained compulsory removed from service for a long period of more than seven years w.e.f 25-8-2014 till 21/12/2021, facing disciplinary proceedings, litigating in various courts of law up to Apex court of the country, social defamation and mental torture, thus has been circumstantially penalized within the given system of justice. Therefore no additional penalty under E&D rules is recommended. He may be exonerated from all the charges.
- The department shall conduct proceedings to enquire, dig out facts and to proceed against delinquents to recovers loss sustained to Govt department if any, as pointed out by the accused in his counter allegations. This will provide mental satisfaction to the accused for the hardships he faced in defending the seven year long proceedings and discriminatory treatment.

  
Syed Muqjada Shah  
Conservator of Forests  
Lower Hazara Abbottabad

Alleged  


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OFFICE ORDER NO. 268 DATED PESHAWAR THE 27 10/6/2022  
ISSUED BY MR. EJAZ QADIR, CHIEF CONSERVATOR OF FORESTS CENTRAL  
SOUTHERN FOREST REGION-I, KHYBER PAKHTUNKHWA PESHAWAR.

WHEREAS, Muhammad Ali Forest Ranger was proceeded against under the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011, for the charges as mentioned in the charge sheets and statement of allegations served upon him:-

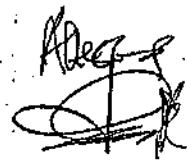
AND WHEREAS, Enquiry Officer, (Syed Muqtada Shah) the then Conservator of Forests Lower Hazara Forest Circle Abbottabad and now Chief Conservator of Forests Malakand Forest Region-III, Saidu Sharif Swat constituted as enquiry Officer.

AND WHEREAS, Keeping in view, report of the Inquiry Officer under which the following recommendations were made:-

*"The accused remained penalized and removed from service for a long period of more than seven years w.e.f 25/08/2014 till 21/12/2021, facing disciplinary proceedings, litigating in various course of law upto apex court of the country, social deformation and mental torture, thus has been circumstantially penalized within the given system of justice. Therefore, no additional penalty under E & D Rules 2011 is recommended. He may be exonerated from the charges"*

NOW THEREFORE, in the capacity of Competent Authority (Chief Conservator of Forest Central Southern Forest Region- I Peshawar), after having considered the charges, evidence on record, findings of the enquiry Officer in the subject case, exercising his powers under Rule-14(3) of the Khyber Pakhtunkhwa Government Servants (E&D) Rules 2011, Muhammad Ali Forest Ranger is hereby exonerated from the charges leveled against him as per charge sheets / statement of allegations already served upon him.

Sd/-  
(Ejaz Qadir)  
Chief Conservator of Forests  
Central Southern Forest Region-I  
Khyber Pakhtunkhwa Peshawar



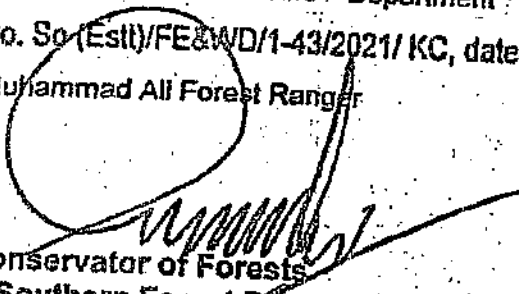
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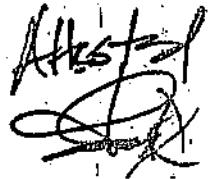
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No. 7421-26 /E.

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II, Abbottabad. Photocopy of the inquiry reports are sent herewith with the request to investigate the missing consignments of 2638.50 cft Deodar Timber if any transported vide Divisional Forest Officer Lower Kohistan TP No. 127, dated 02/04/2010 as well as dig out facts and furnish your comments on the recommendation of Inquiry report charge sheet related to Siran Forest Division, so that to proceed against the delinquents and to recover loss sustained to Govt. if any.
2. Conservator of Forests Lower Hazara Forest Circle Abbottabad
3. Conservator of Forests Upper Hazara Forest Circle Mansehra
4. Budget & Accounts Officer, Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department Peshawar.
5. Section Officer (Establishment) Government of Khyber Pakhtunkhwa Forestry, Environment & Wildlife Department Peshawar with reference to his letter No. So (Estt)/FE&WD/1-43/2021/ KC, dated 21/12/2021.
6. Muhammad Ali Forest Ranger

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



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Aux -



GOVERNMENT OF KHYBER PAKHTUNKHWA  
CLIMATE CHANGE, FORESTRY, ENVIRONMENT & WILDLIFE  
DEPARTMENT

Dated Peshawar the, 20<sup>th</sup> January, 2023

**NOTIFICATION**

No. SOIES/FE&WD/1-3/2022: On the recommendations of Departmental Promotion Committee in its meeting held of 1<sup>st</sup> December, 2022, the Competent Authority (Chief Secretary, Khyber Pakhtunkhwa) is pleased to promote Muhammad Ali, Range Forest Officer (BS-16) to the post of Sub Divisional Forest Officer (BS-17) on regular basis in Forest Department, Khyber Pakhtunkhwa, with immediate effect.

3) The officer on promotion shall remain on probation for a period of one year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and extendable for another year with the specific order of appointing authority within two month of the expiry of first year of probation period as specified in Rule 15(2) of rules ibid.

3 His posting/transfer notification will be issued later-on.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
CLIMATE CHANGE, FORESTRY, ENVIRONMENT & WILDLIFE  
DEPARTMENT

Ends: No. and date of even

Copy is forwarded to -


- 1) Chief Conservator of Forests, CSFR-I, Peshawar. He is requested to furnish a proposal regarding posting/transfer of the above officer, to this department for further necessary action.
- 2) Director Budget and Accounts Cell, FE&W department, Khyber Pakhtunkhwa.
- 3) PS to Secretary, Climate Change, FE&W department.
- 4) Officer concerned
- 5) Personal file of the officer concerned
- 6) Master file
- 7) Office order file

(SANGIJA KAKAR)  
SECTION OFFICER (ESTT)

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Amr - U

	GOVERNMENT OF KHYBER PAKHTUNKHWA CLIMATE CHANGE, FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT	38
	NO. SO(ESTT)/F&W/D/1-39/2022/KC Dated Peshawar the, 20 <sup>th</sup> February, 2023	

To

The Chief Conservator of Forests,  
Central & Southern Forest Region I,  
Khyber Pakhtunkhwa,  
Peshawar

Subject: - APPEAL FOR SENIORITY

I am directed to refer to your letter No. 100001 dated 17 February 2023 on the subject cited above and to state that the seniority of the applicant (Muhammad Ali SDFO-BS-17) may be placed at his due place in the seniority list of SDFO (BS-17) in light of Para-V (d) of Promotion Policy; circulate the same amongst the officers concerned of the cadre tentative and after fulfilling all the formalities, final seniority list of SDFO may be furnished to this department for further necessary action.

Endst: No. & Date even

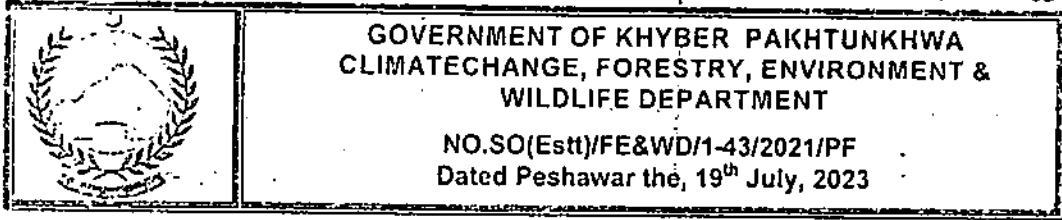
SECTION OFFICER (ESTT)

Copy is forwarded for information to PS to Secretary Climate Change Forestry, Environment & Wildlife department, Khyber Pakhtunkhwa.

*Ali Hassan*

SECTION OFFICER (ESTT)

Annex-W



To  
Muhammad Ali, SDFO  
Khyber Pakhtunkhwa Forest School,  
Thai Abbottabad.

S3

Subject: - APPEAL AGAINST THE THEN CCF-I LETTER NO. 1566-70/E, DATED 13-9-2022, WHICH THE TIME PERIOD FROM 25-8-2014 TO 5-6-2018 TREATED AS LEAVE WITHOUT PAY

I am directed to refer to your subject appeal dated 31<sup>st</sup> March, 2023 and to state that after having been examined the case in line with the relevant rules, your subject appeal has been rejected by the Appellate Authority, being not covered under the rules.

(HAFIZ ABDUL JALIL)  
SECTION OFFICER (ESTT)

Enst: No: & date even 17018-21

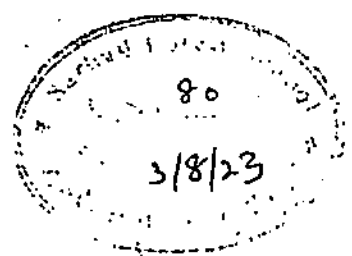
Copy is forwarded for information to:

1. Chief Conservator of Forests, CSFR-I, Peshawar w/r to his letter No. 11515/E, dated 14<sup>th</sup> November, 2023.
2. Chief Conservator of Forests, NFR-II, Abbottabad.
3. Principal Khyber Pakhtunkhwa Forest School Thai Abbottabad.
4. PS to Secretary, CC, FE&W Department, Khyber Pakhtunkhwa.

E.C  
1/10/23  
PKP  
3/18/23

Forwarded  
to M-Ali  
1/10/23

SECTION OFFICER (ESTT)





Annex - X



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 2307/2023

54

**BEFORE: MR KALIM ARSHAD KHAN ... CHAIRMAN**  
**MRS. RASHIDA BANO ... MEMBER (J)**

Muhammad Sajid S/O Abdul Qayyum R/O Khwaja Bagh Near Mian Gul Kalay, Tehsil and District Mardan.

.... (Appellant)

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa Climate Change, Forestry, Environment & Wildlife Department, Civil Secretariat, Peshawar.
3. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat, Peshawar.
4. Chief Conservator Central Southern Forest Region-I, Khyber Pakhtunkhwa, Shami Road, Peshawar....(Respondents)

Mr. Hazrat Said  
Advocate ... For appellant

Mr. Muhammad Jan  
District Attorney ... For respondents

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Date of Institution.....07.11.2023  
 Date of Hearing.....01.07.2024  
 Date of Decision.....01.07.2024

**JUDGMENT**

**RASHIDA BANO, MEMBER (J):** The instant service appeal has been instituted under section 4 of the Khyber Pakhtunkhwa Service Tribunal, Act 1974 with the prayer copied as below:

“It is therefore, most humbly prayed that on acceptance of the instant appeal stand with cost, the respondents may

**ATTESTED**  
  
**EXAMINER**  
 Khyber Pakhtunkhwa  
 Service Tribunal  
 Peshawar

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kindly be directed to recommend the appellant with seniority/regular promotion in the cadre of SDFO (BPS-17) since the date of availability of the vacancy w.e.f 13.05.2015 under Promotion Quota, on the retirement of SDFO Jan Nisar and to restore his assigned seniority by the PCS after Muhammad Shakeel (currently serving as DFO Khyber BPS-18)."

2. Brief facts of the case are that appellant was appointed as Range Forest Officer (BPS-17) and was placed after his batch mate namely Muhammad Shakeel RFO; that vide Notification dated 15.01.2015, Muhammad Shakeel was promoted to the post of SDFO (BPS-17) on regular basis and the appellant was also promoted to the said post, however, he was granted promotion on acting charge basis; that one Jan Nisar, SDFO was retired from service on 13.05.2015 and his seat fell vacant; that Mr. Muhammad Shakeel was later on promoted to the post of DFO (BPS-18) while the appellant was still requesting for regular promotion to the post of SDFO (BPS-17); that for the purpose of granting regular promotion w.e.f the date of occurring of vacancy i.e. 13.05.2015, the appellant made application to the authority, however the same remained un-responded, hence, the instant service appeal.

3. On receipt of the appeal and its admission to full hearing, the respondents were summoned. Respondents put appearance and contested the appeal by filing written reply raising therein numerous legal and factual objections. The defense setup was a total denial of the claim of the appellant.

4. We have heard learned counsel for the appellants and learned District Attorney for the respondents.

5. The learned counsel for the appellant reiterated the facts and grounds

**ATTESTED**  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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detailed in the memo and grounds of the appeal while the learned District Attorney controverted the same by supporting the impugned order(s).

6. Appellant was consider for promotion on acting charge basis to the post of SDFO (BS-17) by the DPC in its meeting held on 20.11.2014 due to non-availability of regular post and notification in this respect was issued on 15.01.2015. Charge sheet was issued to him on 27.09.2016 and said inquiry was completed on 11.06.2020 wherein appellant was exonerated from charges. During this period, DPCs were conducted but appellant due to the pending inquiry, department had not submitted his case for regular promotion to the post of SDFO (BPS-17).

7. Learned Counsel for the appellant argued that appellant was promoted to the post of SDFO vide notification dated 08.12.2020 and his inter seniority was restored with effect from 13.12.2018 vide notification dated 14.06.2021 upon his application. Appellant along with Mr. Shakeel S/o Fazil Rehman was directly appointed Range Forest Officer vide order dated 23.06.2007 upon recommendation of Public Service Commission on the basis of merit order. Appellant was placed at Serial No.9 below the Mr. Shakeel his batch mates who stood at Serial No.8. Appellant was not regularly promoted due to non-availability of post in meeting held on 20.01.2014 and was recommended for promotion on acting charge basis who later on promoted as SDFO on 08.12.2020. but as regards the question of determination of seniority of the appellant or for that matter the persons selected in one combined competitive examination, they will squarely be belonging to the same batch and their inter se seniority was necessarily to be determined in accordance with their respective orders of merit prepared by the selection authority, as required by Section-8 of the Khyber Pakhtunkhwa Civil Servants Act,

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ATTESTED  
8/11/20  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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1973 and Rule 17 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Transfer and Promotion) Rules, 1989. Both the provisions are reproduced as under:

Khyber Pakhtunkhwa, Civil Servant Act, 1973:

"8. Seniority:- (1) For proper administration of a service, cadre or [post], the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or [post] to be prepared, but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or [post] as the case may be.

(4) Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post; Provided that civil servants who are selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter-se-seniority as in the lower post.

(5) The seniority lists prepared under sub-section(1), shall be revised and notified in the official Gazette at least once in a calendar year, preferably in the month of January.

Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion & Transfer) Rules, 1989:

"(b) in the case of civil servants appointed otherwise, with reference to the dates of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall; on their promotion to the higher post, retain their inter se seniority as in the lower post.

Explanation-II.—If a junior person in a lower post is promoted to a higher post by superseding a senior person and subsequently that senior person is also promoted the person promoted first shall rank senior to person promoted subsequently; provided that junior person shall not be deemed to have superseded a senior person if the case of the senior person is deferred for the time being for want of certain

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ATTESTED  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
25/11/20

information or for incompleteness of record or for any other reason not attributing to his fault or demerit."

8. The appellant was promoted, therefore, the official respondents were bound to determine his seniority by following the provisions of section 8 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 and Rule 17 (1) (b) Explanation-II of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, which, as the record reflects or/and the facts and circumstances brought before us, was never done.

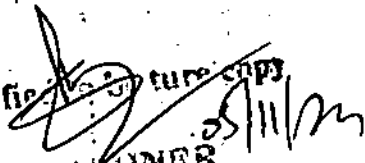
9. As a sequel to above discussion, the instant service appeal is partially allowed and respondents are directed to fix the seniority of the appellant in accordance with their respective seniority with his batch mates. Appellant is not entitled for arrears of pay and back benefits. Costs shall follow the event. Consign.

10. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 01<sup>st</sup> day of July, 2024.

  
(KALIM ARSHAD KHAN)  
Chairman

\*M.Khan

  
(RASHIDA BANO)  
Member (J)

Certified true copy  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Khyber Pakhtunkhwa Service Tribunal, Peshawar  
Application No. \_\_\_\_\_ Date 05/11/24  
Name of Applicant Mr. AS  
Number of Words/Pages 58  
Copying Fee 25/-  
Urgent/Ordinary    
Total 25/-  
Name & Sign of Copyist Shafiq  
Date of Completion of Copy 05/11/24  
Date of Delivery of Copy 05/11/24

- 24.06.2024
1. Appellant alongwith his counsel present. Mr. Muhammad Jan, District Attorney for the respondents present.
  2. Security fees have not been deposited, therefore, appellant is directed to deposit security fee within three days. To come up for arguments on 01.07.2024 before D.B. P.P given to the parties.

(Muhammad Akbar Khan)  
Member (E)

(Rashida Bano)  
Member (J)

**ORDER**  
01.07.2024

1. Learned counsel for the appellant present. Mr. Muhammad Jan, learned District Attorney for official respondents present.
2. Vide our detailed judgment of today placed on file, the instant service appeal is partially allowed and respondents are directed to fix the seniority of the appellant in accordance with their respective seniority with his batch mates. Appellant is not entitled for arrears of pay and back benefits. Costs shall follow the event. Consign.
3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 01<sup>st</sup> day of July, 2024.*

(KALIM ARSHAD KHAN)  
Chairman

(RASHIDA BANO)  
Member (J)

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14.02.2024 01. Junior to counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General for the respondents present.

02. Reply/comments on behalf of respondents submitted which are placed on file. Copy of the same handed over to junior of learned counsel for the appellant who sought time to go through the same. Adjourned. To come up for preliminary hearing on 29.02.2024 before S.B. P.P given to the parties.

(Muhammad Akbar Khan)  
Member (E)

SCANNED  
KPST  
Peshawar

29.02.2024 1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Zahid Iqbal, Deputy Director for the respondents present. Preliminary arguments heard.

2. Points raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections by the other side. Appellant is directed to deposit security fee within ten days. Reply/comments on behalf of respondents have already been submitted. To come up for arguments on 01.07.2024 before D.B. P.P given to the parties.

(Muhammad Akbar Khan)  
Member (E)

SCANNED  
KPST  
Peshawar

\*KamranJalil\*

Annex - X

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
CLIMATE CHANGE, FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

Dated Peshawar thu, 11<sup>th</sup> September, 2024

**NOTIFICATION**

**No. SO (SILVA/WD/1-2/2024):** On the recommendations of Provincial Selection Board in its meeting held on 1<sup>st</sup> July, 2024, the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) is pleased to promote following Sub Divisional Forest Officer (DS-17) to the post of Divisional Forest Officer / Deputy Conservator of Forest (DS-18) on regular basis in Forest Department, Khyber Pakhtunkhwa, with immediate effect:

#	Name of officer	Present posting
1	Mr. Shahbir Ahmad	SDFO Kalam Forest Sub Division of Kalam Forest Division
2	Mr. Jamgir Khan	SDFO Alpur Forest Sub Division of Alpur Forest Division
3	Muhammad Usman	DFO Lower Swat Forest Division (OPS)
4	Shakeel Ahmad	DFO Torghar Forest Division (OPS)
5	Muhammad Waqas	Assistant Project Director, VP, VLUP, PFDP in KFW Assisted Billion Trees Support Project
6	Mr. Bilal Ahmad	SDFO Besham Watershed Division
7	Mr. Shahbir Ahmad Jan	Attached with the office of CCF-I, Peshawar/awailing posting
8	Mr. Shah Faliad	DFO Bannu Forest Division (OPS)
9	Mr. Saeed Anwar	SDFO Karak Forest Sub Division of Kohat Forest Division

2. The officers on promotion shall remain on probation for a period of one year in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(3) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

3. Consequent upon above, the officers at serial no. 3, 4 & 8 are allowed to actualize their promotion in BPS-18 against their already occupied posts whereas the posting / transfer notification in respect of the officer named at serial no. 1, 2, 6, 7 & 9 will be issued later-on.

4. The officer at serial no. 5 is allowed to actualize his promotion in BPS-18 against the post of DFO (Silva), FP&M Circle, Peshawar for one day. Thereafter, he will continue as Assistant Project Director, VP, VLUP, PFDP in KFW Assisted Billion Trees Support Project.

-sd-


Secretary to Govt of Khyber Pakhtunkhwa  
Climate Change, Forestry, Environment & Wildlife  
Department

## Kp Forest Updates

Endst: No: and date of even

Copy is forwarded to:-

- 1) Chief Conservator of Forests, CSFR-I, Peshawar, MFA-III, Swat and NFR-II, Abbottabad.
- 2) Conservators of Forests, Kohat Forest Circle at Peshawar, Malakand East Forest Circle at Swat and Malakand West Forest Circle Dir at Timgara.
- 3) Conservators of Forests, Lower and Upper Hazara Forest Circle, Abbottabad/Mansehra.
- 4) DFOs Kohat, Kalam, Alpur, Lower Swat, Torghar, Bannu Forest Divisions and Besham Watershed Division.
- 5) Director Budget and Accounts Cell, FE&W department, Khyber Pakhtunkhwa.
- 6) PS to Secretary, FE&W Department, Khyber Pakhtunkhwa
- 7) Officers concerned
- 8) Personal files of the officers.
- 9) Master file
- 10) Office order file

  
(AMIR SHAHZAD KHATTAK)  
SECTION OFFICER (ESTT)







Service Appeal No.1728/2023 titled "Muhammad Ali Vs. Government of Khyber Pakhtunkhwa"

ORDER  
25<sup>th</sup> Sept. 2024

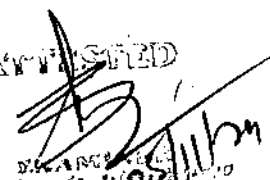
**Kalim Arshad Khan, Chairman:** Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Appellant's case that Earlier Appeal No.30/2017 of the appellant was decided by this Tribunal on 19.03.2018, wherein, the issue of back benefits was held to be subject to the rules on the subject. The appellant was reinstated on 06.06.2018 for the purpose of de-novo inquiry. The period from 25.08.2014 to 05.06.2018 during which the appellant had served the department, was treated as leave without pay, while decision on the period after 05.06.2018 was deferred in the report of inquiry. There is an order on the file dated 27.06.2022, which shows that the appellant was exonerated from the charges leveled against him but no order was passed regarding the issue of back benefits. For the purpose, he filed departmental appeal but the same was rejected, hence, the instant service appeal.

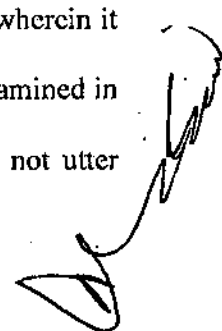
3. Arguments heard. Record perused.

4. Perusal of record shows that there is a letter dated 16.03.2023 of the Finance Department to the Section Officer (Estt.) Climate Change, Forestry, Environment & Wildlife Department, wherein it has been stated that the case of the appellant might be examined in the light of FR-54. However, the impugned order does not utter single word regarding FR-54.

APPROVED



Kalim Arshad Khan  
Chairman  
Khyber Pakhtunkhwa  
Service Tribunal



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5. FR-54 is reproduced as under:

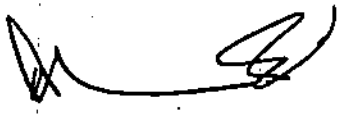
"54. When proposals for a new grant-in-aid are placed before the Standing Finance Committee, details should be furnished showing the purpose of the grant and the exact nature of the conditions on which it is proposed to be made. To enable the Accountant-General to compare such purposes and conditions with those enumerated by the sanctioning authority in its subsequent orders of sanction, the Accountant General should be supplied, when the sanction is conveyed to him under para. 51, with relevant extracts from the Proceedings of that Committee."

6. Besides, the reasons mentioned for rejection of the appeal of the appellant that is not sustainable.

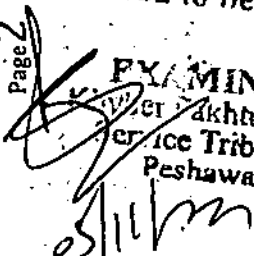
7. Keeping in view the above, the impugned order is set aside and the matter is remitted back to the appellate authority to pass a detailed order in the light of FR-54, within 60 days of passing of this order. Costs shall follow the event. Consign.

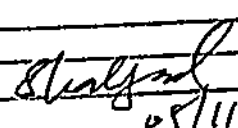
8. Pronounced in open Court at Abbottabad and given under our hands and seal of the Tribunal on this 25<sup>th</sup> day of September, 2024.

  
(Farzana Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*

Page 2  
Certified to be true copy  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar.  
05/11/24

Khyber Pakhtunkhwa Service Tribunal, Peshawar  
Application No. \_\_\_\_\_ Date 05/11/24  
Name of Applicant M. A. S.  
Number of Words/Pages 29  
Copying Fee \_\_\_\_\_  
Urgent/Ordinary    
Total 15/-  
Name & Sign of Copyist   
Date of Completion of Copy 05/11/24  
Date of Delivery of Copy 05/11/24

64 Annex-2

**CHIEF CONSERVATOR OF FORESTS  
CENTRAL SOUTHERN FOREST REGION-I  
KHYBER PAKHTUNKHWA  
(HAD)**



**SHAMI ROAD PESHAWAR**  
Ph: +92 91 9212177, Fax: +92 91  
9214478  
E-mail:  
cciforests.pesh@gmail.com

Dated 13/09/2022

No. \_\_\_\_\_ /E,  
To

The Secretary,  
Government of Khyber Pakhtunkhwa  
Forestry, Environment & Wildlife Department  
Peshawar

**Subject: - APPLICATION OF MUHAMMAD ALI, SDFO INSTRUCTOR, KP FOREST  
SCHOOL THAI ABBOTTABAD REGARDING HIS ARREARS**

**Memo: - Reference Administrative Deptt: letter No. SO (Estt)/FE&WD/1-43/2021, dated  
15/11/2021 & No. SO (Estt)/FE&WD/1-43/2021/KC, dated 21/12/2021**

Muhammad Ali Forest Ranger was involved in two separate charge sheets served by this office and on arrival of the finding of the inquiry committees, the Chief Conservator of Forests Northern Region-II, Abbottabad has compulsory retired from Govt service during the year 2014, which was challenged by the Forest Ranger concerned in the court of law. Lastly on the recommendation of Administrative Deptt, he was reinstated into Govt service w.e.f 06/06/2018 with the following position:-

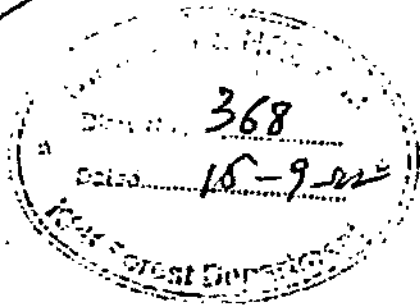
1. The period from 25/08/2014 to 05/06/2018, under which the Forest Ranger has not served the department was treated as leave without pay.
2. The period from 06/06/2018 to 21/12/2021, will be decided in light of inquiry report.

On receiving the inquiry report, he was exonerated from all the charges leveled against him. Now the Forest Ranger concerned has made request as per the following position:-

1. The period from 25/08/2014 to 05/06/2018 already treated as leave without pay may be considered as per FR-54.
2. Promotion to the post of SDFO may also be considered.

Being such the position, it is therefore requested to advise this office for further course of action in the matter, So far his promotion to the post of SDFO is concerned his ACR for the period from 01/01/2008 to 25/08/2014 are not available in this office for which the Forest Ranger concerned has since been asked to supply the same and after completion of ACR the promotion case will be placed before the DPC for its consideration.

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



AA  
Director  
15/9

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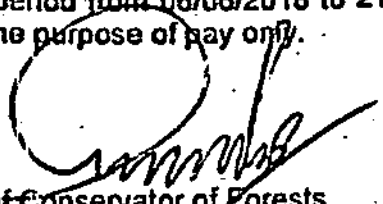
03

No. 1566-70 IE.

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Region-II, Abbottabad
2. Chief Conservator of Forests Malakand Forest Region-III, Saidu Sharif Swat
3. Conservator of Forests Southern Circle Peshawar
4. Conservator of Forests Merged Areas Forest Circle Peshawar
5. Director, I&HRD&M Peshawar

They are requested to report the vacant position in the cadre of Forest Ranger BPS-16 for the period from 06/06/2018 to 21/12/2021 for adjustment of Muhammad Ali Forest Ranger for the purpose of pay only.



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

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66 Annex-7



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT**

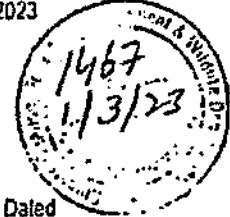
Finance Department, Civil Secretariat, Peshawar (4) Finance gtp ps (5) Finance gtp gov (6) Finance gtp gov

No. BO-II/FDJ1-3/Fores/Grant/2021-22

Dated Peshawar, the 01.03.2023

To

The Secretary to Government of Khyber Pakhtunkhwa,  
Forestry, Environment & Wildlife Department



6-3-23  
10:10  
07/1

**SUBJECT: DEMAND FOR RELEASE OF FUNDS AS SPECIAL CASE.**

Dear Sir,

I am directed to refer to your letter No.B&A/Bud/22-23/Reg-II/5612 Dated 16.02.2023 on the subject noted above to state that Finance Department agrees to the release of funds amounting to Rs.2,527,764/- (Rupees two million, five hundred twenty seven thousand, seven hundred and sixty four only) for payment of pay & allowances in i/o Mr. Muhammad A6, Forest Ranger, under the DDO code and object head indicated below through the re-appropriation:-

Sender Fund	Sender Cost Centre	Object Head	Receiver fund	Receiver cost Centre	Object Head	Amount (In Rs)
NC21027(021)	PR4855	A03970	NC21027(021)	AD4340	A01101-Pay of off:	1,471,912
					A01202-HRA	209,032
					A01203-Conv. All:	108,728
					A01217-Med. All:	65,971
					A0121T-ARA 2013	35,554
					A0122C-ARA 2015	25,377
					A0122M-ARA 2016	114,550
					A0122Y-ARA 2017	147,191
					A0123G-ARA 2018	128,266
					A0123P-ARA 2019	87,336
					A01229-Spt. Compensatory All:	133,455
<b>TOTAL</b>						<b>2,527,764</b>

2. The expenditure involved is debitable to functional classification 04-Economic Affairs 042-Agric: Food, Irrigation Forestry & Fishing 0424-Forestry 042402-Forestry, NC21027 (021), AD4340-Princip Forest School at Thai Abbottabad, during the current financial year 2022-23.

3. Incurrence of expenditure against the released funds is subject to observance of all codal formalities and financial rules/regulations and laid down procedure by the Administrative Department.

*Handwritten notes and signatures on the left side of the page.*

*Handwritten signature: SS/AS/AM/Dir B&A*

Yours faithfully,

*Signature of Kaleem Ullah*  
(KALEEM ULLAH)  
BUDGET OFFICER-II

Encls: No. & Date Encls.



Encls: No. B&A/Bud/2022-23/Reg-II/7827-28

Dated Peshawar the 07.03.2023

Copy of the above is forwarded for information and further necessary action please.

- The Chief Conservator of Forest-I Peshawar,
- The Divisional Forest Officer Principal Khyber Pakhtunkhwa Forest School Thai, Abbottabad.

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*Handwritten signature and initials at the bottom of the page.*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT & ADMN: DEPARTMENT  
(REGULATION WING)

No. SOR-III (E&AD)/2-2/2022  
Peshawar the 22.03.2023

To.


The Secretary to Govt. of Khyber Pakhtunkhwa,  
Climate Change, Forestry, Environment & Wild Life Department.

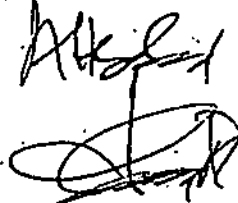
Subject: - APPLICATION OF MUHAMMAD ALI, SOFO INSTRUCTOR, KHYBER  
PAKHTUNKHWA FOREST SCHOOL THAI ABBOTABAD

Dear Sir,

I am directed to refer to your letter No. SO(Estt)FE&WD/1-43/2021/PF dated 21.02.2023 on the subject noted above and to state that the subject matter involves pay and allowances which are dealt with by Finance Department. It is therefore, advised that the case may be taken up Finance Department, please.

Yours faithfully,

  
SECTION OFFICER (R-III)  
Phone No. 9211793



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Annex - BB



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT**

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GovKPTD](https://www.facebook.com/GovKPTD) [twitter.com/GovKPTD](https://twitter.com/GovKPTD)

**NO. FD(SOSR-1)1-1/2023/Mr. Muhammad Ali  
Dated Peshawar the: 16-03-2023**

To

The Section Officer (Estt.),  
Climate Change, Forestry, Environment &  
Wildlife Department,  
Peshawar.

Subject: - APPLICATION OF MUHAMMAD ALI, SDFO INSTRUCTOR,  
KHYBER PAKHTUNKHWA FOREST SCHOOL THAI  
ABBOTTABAD

I am directed to refer to your letter No.SO(Estt) /FE&WD/1-43  
/2021/FF/2104-5 dated 21.02.2023 on the subject noted above and to state  
that the instant case may be examined at your own level in light of FR-54  
(copy enclosed) if covered under the same being self-explanatory, please.

Encl:A.A

*[Signature]*  
16/03/23  
SECTION OFFICER (SR-1)

*[Signature]*  
*[Signature]*

Dated Peshawar the, 11<sup>th</sup> December, 2020

**NOTIFICATION**

In compliance with the judgment of the Hon. SO (Estt) FE&WD/1-SO(69)/PE: dated 11<sup>th</sup> August, 2020 of Khyber Pakhtunkhwa Service Tribunal in Execution Petition No. 159/2019 filed by Muhammad Tariq, Ex DFO (BS-18) in service appeal No. 205/2019, subsequent recommendations of CCF Region-I, Peshawar vide letters No. 2851/E, dated 10<sup>th</sup> November, 2020 and No. 2851/E, dated 25<sup>th</sup> November, 2020 and in continuation of this department notification of even No. (7464-68), dated 24<sup>th</sup> October 2019, the competent authority is pleased to authorize Mr. Muhammad Tariq, Ex-DFO (BS-18), Forest Department, Khyber Pakhtunkhwa to draw his salary and allowances against the following vacant positions for the period as noted against each:

#	Name of vacant post	Period
1	Kunhar Watershed Division	12/3/2015 to 30/6/2015
2	Kohistan Watershed Division	1/7/2015 to 31/10/2015
3	Patrol Squad Mansehra	1/11/2015 to 31/5/2016
4	Lower Kohistan Pattan	1/6/2016 to 5/10/2017
5	Working Plan Unit-I, Abbottabad	1/12/2017 to 31/12/2017
6	Dir Kohistan Forest Division	1/1/2018 to 31/3/2018
7	Deputy Director R&D	1/4/2018 to 31/5/2018
8	Working Plan Unit-I, Abbottabad	1/6/2018 to 30/8/2018
9	Deputy Director R&D	1/9/2018 to 30/11/2018
10	Dir Kohistan Forest Division	1/12/2018 to 31/1/2019
11	Deputy Director R&D	1/2/2019 to 29/2/2019
12	Dir Kohistan Forest Division	1/3/2019 to 1/6/2019

SECRETARY TO GOVY: OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE  
DEPARTMENT

Order No: SO (Estt) FE&WD/1-SO (69)/PE: Dated Pesh: 11<sup>th</sup> December, 2020

Forwarded to:-  
1) Chief Conservator of Forests, CSFR-I, Peshawar w/r to his letters quoted above. He is requested to indicate a vacant post for authorization of the above ex-officer to draw his salary and allowances for the remaining period w.e.f 6<sup>th</sup> October, 2017 to 30<sup>th</sup> November, 2017. Furthermore, an officer may be deputed to submit the same in the Service Tribunal by 14<sup>th</sup> December, 2020 positively, under intimation to this department.

- 2) Additional Advocate General, Khyber Pakhtunkhwa, Service Tribunal, Peshawar w/r to his letter No. 292-96, dated 20<sup>th</sup> August, 2020.
- 3) Secretary, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
- 4) Director, P&D Directorate of Forest Department.
- 5) DFO, Kunhar Watershed/Kohistan Watershed, Patrol Squad, Mansehra, Lower Kohistan, Dir Kohistan Forest Divisions.
- 6) DFO, Working Plan Unit-I, Abbottabad.
- 7) Deputy Director (L1), FE&WD department, Khyber Pakhtunkhwa.
- 8) Deputy Director (L1), FE&WD C/o CCF-I, Peshawar.
- 9) Director General & Accounts Cell, FE&WD department, Khyber Pakhtunkhwa.
- 10) Director General, FE&WD department, Khyber Pakhtunkhwa.
- 11) Personal file of the ex-officer.
- 12) Master file.
- 13) Office order file.

*(Signature)*  
ZIA UR RAHMAN



Annex-55

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
ENVIRONMENT DEPARTMENT

NOTIFICATION

NOS/ESTD FLS/W/D/1-02/2021: In pursuance of Section 8(1) of the Khyber Pakhtunkhwa Civil Servants Act, 1973, read with Rule-17 Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the competent authority is pleased to notify/circulate final Seniority List of Sub-Divisional Forest Officers (BPS-17) Khyber Pakhtunkhwa Forest Department (as it stood on 10/09/2023) for general information.

FINAL SENIORITY LIST OF SUB-DIVISIONAL FOREST OFFICERS (BPS-17) KHYBER PAKHTUNKHWA, FOREST DEPARTMENT AS IT STOOD ON 10/09/2023.

S.#	Name of Officer with academic qualification	Date of Birth and Domicile	Date of first entry into Govt. Service	Regular appointment/ promotion to the present post			Departmental Examination passed	Remarks
				Date	BPS	Method of recruitment		
1.	Mr. Shabir Ahmad B. Sc. Forestry	1/9/1967 Swat	01/7/2005	24/09/2009	17	By promotion	Passed	Seniority fixed w.e.f 24/09/2009 as per judgment of Peshawar High Court/Dar-ul-Qaza Swat dated 02/11/2021 & opinion of Law Department dated 15/12/2021. SDFO Kalam
2.	Mr. Alarrgir Khan B. Sc. Forestry	3/1/1969 Swat	01/7/2005	24/09/2009	17	-do-	Passed	-do-
3.	Muhammad Usman M.Sc Forestry	25/3/1989 Charzadda	19/10/2015 SDFO	19/10/2015	17	By initial recruitment	Passed	SDFO Aipuri DFO Upper Dir (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt;
4.	Muhammad Arif M. Sc Forestry	16-05/1991 Mohmand	19/10/2015 SDFO	19/10/2015	17	-do-	Passed	(Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt;
5.	Mr. Waseem Abbas M. Sc Forestry	31/03/1982 Kehat	19/10/2015 SDFO	19/10/2015	17	-do-	Not yet	SDFO Working Plan Unit-I Abbottabad  (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt;

E-Establishment Final Seniority list of SDFOs.

Alleged  
[Signature]

6.	Mr. Shehr Yarkhan M.Sc Forestry	03/02/1995 Swabi	14/12/2017 SDFO	14/12/2017	17	By Initial recruitment	Passed	Appointed to the post of DFO (BPS-18) on ACB and posted as DFO Galis (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt.)
7.	Mr. Shaheer Ahmad M.Sc Forestry	23/01/1995 Atarlan	14/12/2017 SDFO	14/12/2017	17	--do--	Passed	SDFO Battagram  (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt.)
8.	Muhammad Waqas Khan M.Sc Forestry	01/11/1990 Bannu	14/12/2017	14/12/2017	17	--do--	Passed	Monitoring and Evaluation Officer 10-BTIP  (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt.)
9.	Mr. Bilal Ahmad M.Sc Forestry	04/05/1995 Shangla	14/12/2017 SDFO	14/12/2017	17	--do--	Passed	SDFO Besham Watershed with additional charge of DFO Kohistan Watershed Division  (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt.)
10.	Mr. Shabir Ahmad Jan M.Sc Forestry/M Phil Forestry in Range Management	20/06/1990 Lower Dir	20/11/2014 F/Ranger	14/12/2017	17	--do--	Passed	SDFO Dargai  (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt.)
11.	Mr. Zahid Muhammad M.Sc Forestry	10/10/1994 South Waziristan	14/12/2017 SDFO	14/12/2017	17	--do--	Passed	Appointed to the post of DFO (BPS-18) on ACB and posted as DFO Demarcation Peshawar  (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt.)

E-Establishment-First Seniority list of SDFOs.

12	Mr. Shah Fakal M.Sc Forestry	15/08/1959 Banru	14/12/2017 SDFO	14/12/2017	17	By initial recruitment	Passed	DFO Banru  (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt)
13	Mr. Saad Ahmad M.Sc Forestry	4/5/1991 Banru	14/12/2017 SDFO	14/12/2017	17	--do--	Passed	SDFO Karak  (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt)
14	Mr. Amanullah M.Sc Forestry	08/02/1993 Manshra	14/12/2017 SDFO	14/12/2017	17	--do--	Passed	SDFO Abbottabad  (Seniority fixed as per Judgment of Khyber Pakhtunkhwa Service Tribunal and opinion of Law Deptt)
15	Mohammad Sajid M.Sc. Forestry	10/4/1975 Mardan	25/8/2007	13/12/2018	17	By promotion	Passed	SDFO Patrol Squad Southern circle with Additional charge of DFO Patrol Squad Southern Circle
16	Muhammad Ali	25/5/1968 Abbottabad	27/11/2007 FRanger	13/12/2018	17	--do--	Passed	Seniority restored under Para-V(d) of Promotion Policy, 2009/advice of AD, SDFO Khyber Pakhtunkhwa Forest School Thal Abbottabad
17	Muhammad Saleem B.Sc Forestry	12/12/1964 Abbottabad	01/10/1987	13/12/2018	17	--do--	Passed	DFO Hazara Tribal Banagram
18	Mr. Ihsanuddin B.Sc Forestry	20/04/1966 Upper Dir	01/10/1988	13/12/2018	17	--do--	Passed	SDFO Litigation Dir
19	Mr. Saeed Ahmad B.Sc Forestry	14/11/91 Mardan	20/11/2014 FRanger	10/06/2020	17	--do--	Not yet	SDFO Khar
20	Mr. Umair Nawaz B.Sc. Msc Forestry	18/11/1992 Chitral	20/11/2014 FRanger	10/06/2020	17	--do--	Passed	SDFO Drosh North
21	Mr. Turab Khan M.Sc Forestry & B.Sc Forestry	21/03/1991 D.I. Khan	20/11/2014 FRanger	10/06/2020	17	--do--	Passed	SDFO Tank
22	Mr. Ghulam Naraza B.Sc Forestry	01/03/1983 Manshra	20/11/2014 FRanger	10/06/2020	17	--do--	Passed	SDFO Manshra
23	Mr. Zahid Ullah M.Sc Forestry & B.Sc Forestry	20/05/1983 North Waziristan	20/11/2014 FRanger	10/06/2020	17	--do--	Not yet	SDFO FP&M Circle
24	Mr. Abdul Ghani Shah MBA/FS	28/3/1967 Banru	10/7/1994	10/06/2020	17	--do--	Passed	SDFO Siran Watershed
25	Mr. Zareen Gul	1/4/1984 Buner	18/3/1985	25/11/2021	17	--do--	Not yet	SDFO Buner Watershed with additional charge of DFO Buner Watershed

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36.	Muhammad Riasat Matric/FS	25/3/1966 Abbottabad	01/10/1986	25/11/2021	17	By promotion	Passed	Seniority restored w.e.f 25/11/2021. SDFO Daur Watershed
37.	Mr. Sardar Salih	20/1/1972 Dir	1/10/1990	25/11/2021	17	--do--	Passed	Seniority restored w.e.f 15/04/2009 with the direction of Administrative Deptt;
38.	Mr. Izzat Sher	1/4/1967 Swat	1/10/1990	25/11/2021	17	--do--	Not yet	SDFO Pattak with additional charge of DFO Sheringal.
39.	Mr. Shariullah	2/3/1995 Swat	17/10/2017	25/11/2021	17	--do--	Not yet	SDFO Demarcation with Additional Charge of DFO Demarcation
30.	Mr. Zohab Hassan	12.11.1992 Mardan	17/10/2017	25/11/2021	17	--do--	Not yet	SDFO Timergara
31.	Muhammad Junaid	20.9.1994 Charsadda	17/10/2017	25/11/2021	17	--do--	Passed	SDFO Makhniai
32.	Mr. Umer Khitab	6.4.1992 South Waziristan	27/05/2016 (as R O Wildlife) 17/10/2017 (as RFO FD)	25/11/2021	17	--do--	Passed	SDFO Patrol Squad Merged Areas
33.	Mr. Junaid Alam	1.11.1993 Karak	17/10/2017	25/11/2021	17	--do--	Not yet	SDFO Dunga Gali
34.	Mr. Shahzad Khan BS Forestry	6/7/1993 Peshawar	24/2/2022	24/2/2022	17	By Initial recruitment	Not yet	SDFO Swabi (presently under training at PFI)
35.	Mr. Adnan Rasool	North Waziristan	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Lower Stran (presently under training at PFI)
36.	Mr. Bilal Ahmad-II M.Phil Environmental Sciences	03/03/1992 Malakand	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Karora
37.	Mr. Muzakir Shah M.Sc Forestry	08/01/1995 D.I.Khan	24/2/2022	24/2/2022	17	--do--	Passed	SDFO W.P Unit-V (presently under training at PFI)
38.	Muhammad Uzair M.Sc Forestry	25/4/1995 Abbottabad	24/2/2022	24/2/2022	17	--do--	Passed	SDFO Patrol Squad Lower Hazara (presently under training at PFI)
39.	Mian Izaz Alim M.Sc Forestry	10/9/1989 Swat	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Marna
40.	Sayed Aslam Shah M.Phil Plant Biodiversity and Conservation	30/1/1992 Charsadda	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Thandiani (presently under training at PFI)
41.	Ziaullah BS Forestry	12/5/1993 North Waziristan	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Judbah (presently under training at PFI)
42.	Sayyed Masoom Shah M.Sc Forestry	9/4/1992 Mohmand	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Warai (presently under training at PFI)

E. Establishment-Final Seniority List of SDFOs.

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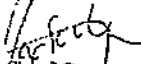
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43	Mr. Bilal Ahmed Khan M.Sc Forestry	21/4/1994 Mohmand	24/2/2022	24/2/2022	17	By initial recruitment	Not yet	Assistant Professor PFI
44	Mr. Salmaan Khan M.Sc Forestry	28/2/1995 Lakki Marwat	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Agror (presently under training at PFI)
45	Muhammad Younas B.Sc Forestry	08/02/1993 Lower Dir	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Timergara (presently under training at PFI)
46	Mr. Irfanullah Muhammadi M.Sc Forestry	12/10/1994 South Waziristan	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Upper Siran
47	Mr. Yasir Mahmood	20/09/1996 Abbottabad	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Kohat
48	Mr. Zahoor Khan M.Phil Forestry and Wildlife Management	12/7/1993 Bajaur	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Upper Dir (presently under training at PFI)
49	Mr. Safdar Shah	13/01/1995 Abbottabad	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Range Management
50	Mr. Khurshid Alam M.Phil Forestry and Range Management	03/01/1988 Swat	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Behrain South
51	Muhammad Ishfaq M.Sc Forestry	5/12/1982 Peshawar	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Drosh South
52	Mr. Marnoon Khan	Bannu	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Lower Siran
53	Mr. Sajid Aman M.Phil Forestry and Range Management	04/03/1994 Swabi	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Gadoon
54	Mr. Khurram Shahzad M.Sc Forestry	01/05/1993 Charsadda	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Nizampur
55	Mr. Usman Ali M.Phil Forestry and Wildlife Management	13/12/1992 Mansehra	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Khanpur
56	Muhammad Waseem Sadiq Abbasi M.Phil Forestry and Wildlife Management	03/04/1995 Haripur	24/2/2022	24/2/2022	17	--do--	Not yet	SDFO Bagnoter
57	Homish Kumar BS Forestry	06/07/1999 Swat	09/06/2022	09/06/2022	17	--do--	Not yet	SDFO Patrol Squad Malakand East (presently under training at PFI)
58	Mr. Sher Amanullah Matric/FS	27/6/1965 FR Bannu	1/10/1988	7/7/2022	17	By promotion	Not yet	SDFO Orakzai

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It is certified:-

1. That the final seniority list has been circulated amongst the Officers.
2. That there is no seniority dispute amongst the Officers, except M/S Zohaib Hassan, Muhammad Junaid, Umer Khitab, Junaid Alam & Zahid Muhammad & Zahid Muhammad
3. That none of the Officer has pointed/raised any objection pertaining to his seniority except M/S Zohaib Hassan, Muhammad Junaid, Umer Khitab, Junaid Alam & Zahid Muhammad

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

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

NO.SO(EST)FF&WD/40/2021

Dated. Peshawar the. 1/09/2021

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II, Abbottabad.
2. Chief Conservator of Forests Malakand Forest Region-III, Saidu Sharif Swat.
3. Conservator of Forests Kohat Forest Circle at Peshawar
4. Conservator of Forests Forestry Planning & Monitoring Circle Peshawar.
5. Conservator of Forests Central Forest Circle Peshawar
6. Conservator of Forests Range Management Circle Peshawar
7. Conservator of Forests Southern Forest Circle Bannu
8. Director, I&HRD&M Peshawar

(SECTION OFFICER (ESTT))

E-Establishment-Final Seniority list of SLFOs.

It is certified:-

1. That the final seniority list has been circulated amongst the Officers.
2. That there is no seniority dispute amongst the Officers except M/S Zohaib Hassan, Muhammad Junaid, Umer Khitab, Junaid Ahmi & Zahid Muhammad
3. That none of the Officer has pointed/raised any objection pertaining to his seniority except M/S Zohaib Hassan, Muhammad Junaid, Umer Khitab, Junaid Ahmi & Zahid Muhammad

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

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

NO.SO/(ESTT) FE&WD/I-40/2021

Dated Peshawar the 10/09/2023

Copy forwarded for information and necessary action to the:-

1. Chief Conservator of Forests Northern Forest Region-II, Abbottabad.
2. Chief Conservator of Forests Malakand Forest Region-III, Saidu Sharif Swat.
3. Conservator of Forests Kohat Forest Circle at Peshawar
4. Conservator of Forests Forestry Planning & Monitoring Circle Peshawar.
5. Conservator of Forests Central Forest Circle Peshawar
6. Conservator of Forests Range Management Circle Peshawar
7. Conservator of Forests Southern Forest Circle Bannu
8. Director, I&HRD&M Peshawar

(SECTION OFFICER (ESTT))

1-Establishment-Final Seniority list of SDFOs.

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**CLIMATE CHANGE, FORESTRY, ENVIRONMENT & WILDLIFE**  
**DEPARTMENT**

**NOTIFICATION**

**NO. SO(ESTI) FE&WD/1-10/2024-353649** In pursuance of Section-8(1) of the Khyber Pakhtunkhwa Civil Servants Act, 1973, read with Rule-17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Competent Authority (Secretary Establishment, Khyber Pakhtunkhwa) is pleased to approve to notify final seniority list of Sub-Divisional Forest Officers (SPS-17), Forest Department Khyber Pakhtunkhwa (as stood on 15<sup>th</sup> February, 2024) for general information.

Sl. No.	Name of Officer with academic qualification	Date of Birth and District	Date of first entry into Govt. Service	Regular appointment/promotion to the present post			Departmental Examination passed	Remarks
				Date	BPS	Method of recruitment		
1	2	3	4	5	6	7	8	9
1	Mr. Shabir Ahmad B.Sc. Forestry	1/8/1967 Swat	01/7/2005	24/09/2009	17	By promotion	Passed	SDFO Kalam, Seniority fixed w.e.f 24/09/2009 as per judgment of Peshawar High Court/Oaz-ul-Qaza Swat dated 02/11/2021 & opinion of Law Department dated 15/12/2021.
2	Mr. Alamgir Khan B. Sc. Forestry	3/1/1969 Swat	01/7/2005	24/09/2009	17	--do--	Passed	--do-- SDFO Alporai
3	Muhammad Usman B.Sc Forestry	15/3/1989 Charsadda	19/10/2015 SDFO	19/10/2015	17	By initial recruitment	Passed	DFO Demarcation Peshawar, Seniority fixed as per judgment of KP Service Tribunal, Opinion of Law Deptt; notified vide A. Deptt; No.SO( Estt)/FE&WD/2-50(91)/PFL, dated 9/8/2023.
4	Muhammad Arif M. Sc Forestry	16-05-1991 Mehmand	19/10/2015 SDFO	19/10/2015	17	--do--	Passed	Presently on study leave. Seniority fixed as per judgment of KP Service Tribunal, Opinion of Law Deptt; notified vide A. Deptt; No.SO (Estt)/FE&WD/2-50(91)/PFL, dated 9/8/2023.
5	Mr. Wasim Abbas B.Sc Forestry	31/03/1982 Kohat	19/10/2015 SDFO	19/10/2015	17	--do--	Not yet	SDFO Working Plan Unit-I Abbottabad Seniority fixed as per judgment of KP Service Tribunal, Opinion of Law Deptt; notified vide A. Deptt; No.SO (Estt)/FE&WD/2-50(91)/PFL, dated 9/8/2023.

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6	Mr. Shehryar Khan M.Sc Forestry	03/03/1993 Swabi	14/12/2017 SDFO	14/12/2017	17	By initial recruitment	Passed	Appointed to the post of DFO (BPS-18) on ACB and posted as DFO Galis Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt; notified vide A. Deptt; No.SO (Estt)/FE&WD/2-50(91)/PFI, dated 9/8/2023.
7	Mr. Shakeel Ahmad M.Sc Forestry	25/01/1995 Mardan	14/12/2017 SDFO	14/12/2017	17	--do--	Passed	OFO Torghar Seniority fixed as per Judgment of KP Service Tribunal; Opinion of Law Deptt; notified vide A. Deptt; No.SO (Estt)/FE&WD/2-50(91)/PFI, dated 9/8/2023.
8	Muhammad Waqas Khan M.Sc Forestry	01/11/1990 Bannu	14/12/2017	14/12/2017	17	--do--	Passed	Monitoring and Evaluation Officer-10-BTP Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt; notified vide A. Deptt; No.SO (Estt)/FE&WD/2-50(91)/PFI, dated 9/8/2023.
9	Mr. Bilal Ahmad-I M.Sc Forestry	04/05/1995 Shangla	14/12/2017 SDFO	14/12/2017	17	--do--	Passed	SDFO Besham Watershed with additional charge of DFO Kohistan Watershed Division Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt; notified vide No.SO (Estt)/ FE&WD/ 2-50(91)/PFI, dated 9/8/2023.
10	Mr. Shabir Ahmad Jan M.Sc Forestry/M.Phil Forestry in Range Management	20/06/1990 Lower Dir	20/11/2014 F/Ranger 14/12/2017 SDFO	14/12/2017	17	--do--	Passed	Presently under suspension Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt; notified vide No.SO (Estt)/ FE&WD/2-50(91)/PFI, dated 9/8/2023.
11	Mr. Zahid Muhammad M.Sc Forestry	10/10/1994 South Waziristan	14/12/2017 SDFO	14/12/2017	17	--do--	Passed	Appointed to the post of DFO (BPS-18) on ACB and posted as DFO North Waziristan Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt; notified vide No.SO (Estt)/ FE&WD/2-50(91)/PFI, dated 9/8/2023.

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No.	Name	DOB	14/12/2017	14/12/2017	14/12/2017	17	By Initial recruitment.	Passed	DFO Bannu Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt notified vide No. SO(Estt)/FE&WD/2-50(91)/PP, dated 9/8/2023.
12.	Mr. Shah Ehtad M.Sc Forestry	15/05/1989 Bannu	14/12/2017 SOFO	14/12/2017	17	-do-	Passed	DFO Karak Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt notified vide No. SO(Estt)/FE&WD/2-50(91)/PP, dated 9/8/2023.	
13.	Mr. Saeed Anwarul M.Sc Forestry	4/8/1992 Bannu	14/12/2017 SOFO	14/12/2017	17	-do-	Passed	DFO Agor Tarnawal Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt notified vide No. SO(Estt)/FE&WD/2-50(91)/PP, dated 9/8/2023.	
14.	Mr. Amanullah M.Sc Forestry	02/07/1985 Manshra	14/12/2017 SOFO	14/12/2017	17	-do-	Passed	DFO Agor Tarnawal Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt notified vide No. SO(Estt)/FE&WD/2-50(91)/PP, dated 9/8/2023.	
15.	Muhammad Sajid M. Sc. Forestry	10/4/1975 Mardan	25/8/2007	13/12/2018	17	By promotion	Failed	DFO Agor Tarnawal Seniority fixed as per Judgment of KP Service Tribunal, Opinion of Law Deptt notified vide No. SO(Estt)/FE&WD/2-50(91)/PP, dated 9/8/2023. Additional charge of DFO Patrol Squad Southern Circle. Seniority restored under Para-5(d) of Promotion Policy, 2009 vide Notification No. SO(Estt)/FE&WD/1-39/ 2019, dated 14/06/2021.	
16.	Muhammad Saleem B.Sc Forestry	12/12/1964 Abbottabad	01/10/1987	13/12/2018	17	-do-	Passed	DFO Hazara Tribal Battagram	
17.	Mr. Ihsanuddin B.Sc Forestry	20/04/1966 Upper Dir	04/10/1988	13/12/2018	17	-do-	Passed	SDFO Litigation Dir	
18.	Mr. Saeed Ahmad B.Sc Forestry	14/11/91 Mardan	20/11/2014 F/Ranger	10/06/2020	17	-do-	Not yet	SDFO Mhar	
19.	Mr. Umar Nawaz B.Sc. M.Sc Forestry	18/1/1992 Chitral	20/11/2014 F/Ranger	10/06/2020	17	-do-	Passed	SDFO Dmash South	
20.	Mr. Turabzaan Khan M.Sc Forestry & B.Sc Forestry	21/03/1991 D.J.Khan	20/11/2014 F/Ranger	10/06/2020	17	-do-	Passed	SDFO Tank	
21.	Mr. Ghulam Murtaza B.Sc Forestry	01/03/1983 Manshra	20/11/2014 F/Ranger	10/06/2020	17	-do-	Passed	SDFO Manshra	
22.	Mr. Zahid Ullah, M.Sc Forestry & B.Sc Forestry	20/05/1983 North Waziristan	20/11/2014 F/Ranger	10/06/2020	17	-do-	Not yet	SDFO FR&M Circle	

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21	Mr. Asif Ghani Shah MBA/FS	18/3/1967 Bannu	10/7/1994	10/06/2020	17	-do-	Passed	SDFO Swan Watershed
22	Mr. Zameen Gul	1/9/1964 Buner	10/7/1985	15/11/2021	17	-do-	Not yet	SDFO Buner Watershed with additional change of DFO Buner Watershed DFO Dir Kohistan Sheringal
23	Mr. Sadeer Saib Dir	10/1/1972 Dir	1/10/1990	25/11/2021	17	-do-	Passed	SDFO Demarcation with Additional Charge of BFO Demarcation SDFO Bahraich North
24	Mr. Asif Sher	14/1/1967 Swat	1/10/1990	15/11/2021	17	-do-	Not yet	SDFO Bahraich North
25	Mr. Sharifullah	2/3/1995 Swat	17/10/2017	15/11/2021	17	-do-	Not yet	SDFO Bahraich North
26	Mr. Zahid Hassan	12.11.1991 Mardan	17/10/2017	15/11/2021	17	-do-	Passed	SDFO Bahraich North
27	Muhammad Javid	20.9.1994 Charsadda	17/10/2017	25/11/2021	17	-do-	Passed	SDFO Bahraich North
28	Mr. Umar Khitab	6.1.1992 South Waziristan	22/09/2016 (as RO/WR/Dir)	25/11/2021	17	-do-	Passed	Deputy Coordinator Forestry (Climate Resilience) Agriculture Department
29	Mr. Javid Alam	1.11.1993 Karnak	17/10/2017	15/11/2021	17	-do-	Not yet	SDFO Abbotabad
30	Mr. Saqib Khan BS Forestry	6/7/1993 Peshawar	24/7/2022	24/7/2022	17	By initial recruitment	Not yet	SDFO Swabi
31	Mr. Adnan Rasool	11th Vaziristan	24/7/2022	24/7/2022	17	-do-	Not yet	SDFO FPM/Cide
32	Mr. Bilal Ahmad M.A.P.H Environmental Sciences	09/03/1997 Malakand	24/7/2022	24/7/2022	17	-do-	Not yet	SDFO Kamra
33	Mr. Munir Shah M.Sc Forestry	03/03/1995 D.I.Khan	24/7/2022	24/7/2022	17	-do-	Passed	SDFO Juddah
34	Muhammad Uzair M.Sc Forestry	15/11/1995 Abbotabad	24/7/2022	24/7/2022	17	-do-	Passed	SDFO Agor Tanawal
35	Muhammad Adnan M.Sc Forestry	10/9/1988 Swat	24/7/2022	24/7/2022	17	-do-	Not yet	SDFO Matto

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38	Sayed Aslam Shah M.Phil Plant Biodiversity and Conservation	30/1/1992 Charsadda	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Thandiani
39	Ziaullah BS Forestry	12/5/1993 North Waziristan	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO W/P Unit-V
40	Sayed Masoom Shah M.Sc Forestry	9/4/1992 Mohmand	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Waral
41	Mr. Bilal Ahmed Khan M.Sc Forestry	21/4/1994 Mohmand	24/2/2022	24/2/2022	17	By Initial recruitment	Not yet	SDFO Daggar
42	Mr. Salman Khan M.Sc Forestry	28/2/1995 Lakki Marwat	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Harban
43	Muhamamd Younas B.Sc Forestry	06/02/1993 Lower Dir	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Indool
44	Mr. Irfan ulah Alhamadi M.Sc Forestry	12/10/1994 South Waziristan	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Warina
45	Mr. Yasar Mahmood	Bannu 20/09/1996	24/2/2022	25/2/2022	17	-do-	Not yet	SDFO Kohat
46	Mr. Zahoor Khan M.Phil Forestry and Wildlife Management	12/7/1993 Rajaur	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Upper Dir
47	Mr. Saifdar Shah	13/01/1995 Abbottabad	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Range Management
48	Mr. Khurshid Alam M.Phil Forestry and Range Management	03/01/1988 Swat	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Behrain South
49	Muhammad ulfaq M.Sc Forestry	5/12/1982 Peshawar	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Nizampur
50	Mr. Mameen Khan	Bardua 16/04/1995	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Lower Siran with additional charge of: SDFO Upper Siran
51	Mr. Sajid Aman M.Phil Forestry and Range Management	04/03/1994 Swabi	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Gadoon
52	Mr. Khurram Shahzad M.Sc Forestry	01/05/1993 Charsadda	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Kaghan

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	Mr. Usman Ali ALPHI Forestry and Wildlife Management.	13/12/1992 Mansehra	24/2/2022	24/2/2022	17	-do-	Not yet	SDFO Khanpur.
54.	Muhammad Waqar Sadiq Abbas ALPHI Forestry and Wildlife Management	05/04/1995 Haripur	24/2/2022	24/2/2022	17	-do-	Not yet.	SDFO Bagnoteer.
55.	Hemish Kumar BS Forestry	06/07/1999 Swat	09/06/2022	09/06/2022	17	-do-	Not yet	SDFO Patrol Squad Malakand East
56.	Mr. Sher Amanullah M.Agric/FSc	27/6/1985 FR Bannu	1/10/1986	7/7/2022	17	By promotion	Not yet	SDFO Orakzai
57.	Muhammad Rasat Master/FSc	25/3/1966 Abbottabad	01/10/1986	7/7/2022	17	By promotion	Passed	SDFO Daur Watershed
58.	Muhammad Ali	25/5/1966 Abbottabad	27/11/2007 F/Ranger	20/1/2023	17	-do-	Passed	SDFO Khyber Pakhtunkhwa Forest School Thal Abbottabad

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
CLIMATE CHANGE, FORESTRY, ENVIRONMENT & WILDLIFE  
DEPARTMENT

Encl No: SD (E-IT)/FE&WDF-40/2024

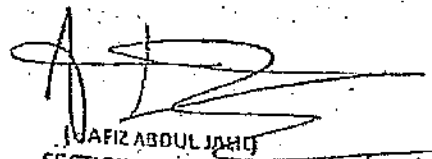
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Copy is forwarded to the:-

1. Chief Conservator of Forests-I, Khyber Pakhtunkhwa.
2. Chief Conservator of Forests-II, Khyber Pakhtunkhwa.
3. Chief Conservator of Forests Malakand Forest Region-III Saidur Sharif Swat.
3. Officer concerned C/O ECF-I, Peshawar.
4. Office Order file.
5. Master file.

Dated Peshawar the, 01<sup>st</sup> April, 2024.

Attested



HAFIZ ABDUL JARIQ  
SECTION OFFICER (ESTT)

3/4/2024

e/c 83

Personal Copy

Annex-B-4

To,

THE HONORABLE CHIEF SECRETARY,  
GOVERNMENT OF KHYBER PAKHTUNKHWA, PESHAWAR.

SECRETARY  
GOVT. of Khyber Pakhtunkhwa  
Peshawar

Through: Proper Channel Principal KP Forest School Thai A Abad

DEPARTMENTAL REPRESENTATION

PROPOSED FINAL SENIORITY LIST OF SDFO (BS-17) KP FOREST DEPARTMENT DATED 15/02/2024, AS ILLEGAL, UNLAWFUL AND WITHOUT LAWFUL AUTHORITY, BEING IN VIOLATION OF FR 54 (a), READ WITH PARA V (d) OF PROMOTION POLICY AND THE PROVISO OF SUB-SECTION (4) OF SECTION 8 OF THE NWFP CIVIL SERVANTS ACT 1973, WITHOUT DECIDING THE DEPARTMENTAL REPRESENTATION DATED 5/02/2024, WITHOUT THE CONSIDERING SENIORITY AND REGULARIZED THE PERIOD MORE THAN SEVEN YEARS AFTER HON'BLE EXONERATION, WITH IN ONE BATCH AS PER LAW, WITH FURTHER DIRECTION TO THE DEPARTMENT TO ACT IN ACCORDANCE WITH LAW AND RULES ON THE SUBJECT AND TO WITHDRAW THE IMPUGNED PROPOSED SENIORITY LIST DATED 15.2.2024 OF SDFO (BS-17)

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Respectfully Shenweth;

FACTS

1. That the Appellant had been initially recruited in the Forest deptt; in 18.12.1986, as Forest Guard (BS-2), and then promoted as Forester (BS-7) on 1994, and thereafter forest Deptt; nominated for B. Sc in Forestry /Training Course 1999-2001, and the appellant qualified said Degree /training.
2. That the Appellant before appeared PCS departmental Exam, through Proper Channel for next regular promotion, and PSC recommended with Subject: **one Batch of Seven RFOs for the same Cadre of different Zones in (BS-16)** PSC letter Dated 23.06.2007, **Petitioner is senior in age among all of Batch fellows.**  
(PSC letter Dated 23.06.2007, is annexed as Annexure A)
3. That the then CCF NWF!P being a Competent Authority had passed an order No. 103, dated 15.11.2007, and considered previous service since from 1986.
4. That the fundamental rules No. 54, of the volume - I 2018, that *"the period of absence from duty will be treated as a period spent on duty"* very much cleared in this regard.
5. That the competent Authority (Hon'ble Chief Secretary Khyber Pakhtunkhwa) is Please to promote Petitioner Forest Range Officer (BS-16) to the post of Sub Divisional Forest Officer (BS-17) on regular basis in the Forest Department KP on 20.01.2023.
6. That the Secretary to the Government, Climate Change, Forestry, Environment and wildlife Department, Government of Khyber Pakhtunkhwa Peshawar the directed to the CCF-I that the seniority of the petitioner may be place in the seniority list of the SDFO (BS-

7. That the **Administrative Department** had been forwarded letter to get opinion from Secretary to Government of Khyber Pakhtunkhwa Finance Department Peshawar on dated 21.2.2023.  
(No. SO(Estt)/FE &WD/1-43/2021/PF is annexed as Annexure B)
8. That the Secretary to Government of Khyber Pakhtunkhwa Establishment Department Peshawar, has replied that the subject matter involves pay and allowances which are dealt with by finance Department. It is therefore advised that the case may be taken up finance Department Please on dated 22.3.2023.  
(No. SO(Estt)/FE &WD/1-43/2021/PF is annexed as Annexure C)
9. That the Secretary to Government of Khyber Pakhtunkhwa Finance Department Peshawar has replied that the instant case may be examined at your own level in the light of FR-54.  
(No. FD(SOSR-1)1-1/2023, Mr. Muhammad Ali dated Peshawar the 16.03.2023 is annexed as Annexure D)
10. That the Hon'ble K P Service Tribunal Court had been "vitiating the whole proceedings and impugned order of the compulsory retirement dated 25/08/2014, issued by the then incompetent authority (CCF-II), in the judgment dated 19.03,2018, in the service appeal no. 30/2016, "that the issue of back benefits in case of reinstatement shall be subject to the rules on the subject".
11. That the respondents had been proceeded to the Law Department and the law department did not permit to proceed file CPLA against the judgment dated 19.03,2018, in the service appeal no. 30/2016, therefore the said Judgment is binding to execute as per directed to the respondents.
12. That the CCF Region-I, Peshawar vide letters No: No. 2851/E, dated 25th November, 2020, on other hand competent authority on the recommendation of Inquiry Committee finalized the De-novo inquiry vide office order 03 dated 24/7/2020 imposing minor punishment i.e. stoppage of



judgment dated 11th August, 2020 of Khyber Pakhtunkhwa Service Tribunal in Execution Petition No: 155/2019 filed by Muhammad Tariq Ex DFO (BS-18) in service appeal No. 795/2015, subsequent recommendations of CCF Region-I, Peshawar vide letters No: 2 2527/E, dated 10th November, 2020 and No. 2851/E, dated 25th November, 2020. The competent authority is pleased to authorize Mr. Muhammad Tariq, Ex-DFO BS-18), Forest Department, Khyber Pakhtunkhwa to draw his salary and allowances against the following vacant positions for the period as noted against each 12/2/2015 up to 1/6/2019.

(NOTIFICATION No. SO (Estt) FE&WD/1-50(69)/PF: Annexure E)

14. That the appellant had been submitted 2<sup>nd</sup> Departmental Representation to the Hon'ble Chief Secretary Govt; of KP Peshawar, dated 05.02.2024, for correction of Promotion / Seniority right of appellant before 12/09/2013, instead of 13.12.2018, being SDFO, on the basis of seniority-cum- fitness, from amongst the batch of RFOs, which were inducted in 2007.
15. That the department has been issued proposed Final seniority List dated 15.02.2024, of the SDFOs, and appellant name listed at S. No. 58, instead of S. No. 1, and correction of Promotion / Seniority right of appellant before 12/09/2013, instead of 20/01/2023 explain as under please.

Final Seniority List of RFO dated 31/08/2014					
S.No.	Name of Officer	Date of birth	Date of First entry in service	Regular Promotion	Remarks
8	Mr. M Shakeel	3/11/80	24/08/07 (16)	24/08/07	By Initial Recruitment
9	Mr. Muhammad Sajid	10/4/75	25/8/07	25/8/07	-do-
10	Muhammad Ali	25/5/66	27/11/07	27/11/07	-do-
11	Mr. Shabir Ahmad	1/8/67	26/9/09	26/9/09	Service regularized

Final Seniority List of SDFO dated 31/10/2015						
S.No.	Name of Officer	Date of birth	Date of First entry in service	Regular Promotion		Remarks
-	Muhammad Ali	25/5/66	27/11/07 (16)	12/9/13, (17)	Appellant was in the Deptt;	One Batch PCS In 2007 Senior in Age therefore Seniority restore from 12/09/2013 as SDFO
59	Mr. M Shakeel	3/11/80	24/08/07 (16)	15/1/15 (17)		

Tentative Seniority List of DFO dated 20/05/2022							
S.No.	Name of Officer	Date of birth	Date of First entry in service	Regular Promotion			Remarks
37	Syed Tariq Ali Shah	3/11/80	24/08/07	24/08/07 (16)	11/8/21	(17)	?
					11/8/21	(18)	?

Tentative Seniority List of SDFO dated 31/05/2023						
S.No.	Name of Officer	Date of birth	Date of First entry in service	Regular Promotion		Remarks
1	Mr. Shabir Ahmad	1/8/67	26/9/09	7/7/22	(17)	Service regularized as per ordinance 2009
2	Mr. Alamgir Khan	3/1/69	26/9/09	7/7/22	(17)	-do-
13	Muhammad Ali	25/5/66	27/11/07	13/12/18, Instead of 12/09/13	(17)	Seniority restored under Para V(d) of Promotion policy 2009./ Advised of AD

Proposed Final Seniority List of SDFO dated 31/05/2023						
S.No.	Name of Officer	Date of birth	Date of First entry in service	Regular Promotion		Remarks
1	Mr. Shabir Ahmad	1/8/67	26/9/09	24/09/2009	(17)	Service regularized as per ordinance 2009 Date of Promotion has been changed
2	Mr. Alamgir Khan	3/1/69	26/9/09	24/09/2009	(17)	-do-

				12/09/13		
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16. That the department may be promoted SDFOs through PSB on the basis proposed final seniority List dated 15.02.2024, of the SDFOs.  
(Final seniority List dated 15.02.2024, of the SDFOs Annexure F)

### G R O U N D S

- A. That the department may be promoted SDFOs through PSB top 10 SDFOs they were Junior from appellant and appellant Batch fellows had been serving in the department as DFO since from 2018, and got regular promotion as DFO on dated 6/01/2022.
- B. That the in violation of sub rule (2) of the rule 19 of the of KP Govt; Servants Rules (E&D) Rules 2011, the authority with whom the departmental appeal is pending, shall not take any further action.
- C. That the department had not severed to the appellant proposed final seniority List dated 15.02.2024, of the SDFOs.
- D. That the Secretary to Government of Khyber Pakhtunkhwa Establishment Department Peshawar, has replied that the subject matter involves pay and allowances which are dealt with by finance Department. It is therefore advised that the case may be taken up finance Department Please on dated 22.3.2023.
- E. That the Secretary to Government of Khyber Pakhtunkhwa Finance Department Peshawar has replied that the instant case may be examined at your own level in the light of FR-54.
- F. That the respondent No. 2 had been passed NOTIFICATION

allowed seniority in accordance with the proviso of sub-section (4) of Section 8 of the North-West Frontier Province Civil Servants Act, 1973, whereby officers selected for promotion to a higher post in one batch on their promotion to the higher post are allowed to retain their inter-se-seniority in the lower post. In case, however, the date of continuous appointment of two or more officers in the lower post/grade is the same and there is no specific rule whereby their inter-se-seniority in the lower grade can be determined, the officer older in age shall be treated senior.

H. That the Sub Section (4) of the Section 8, of the N W F P Civil Servants Act 1973, "Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post:

*Provided that civil servants who are selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post."*

I. That the department has been issued proposed Final seniority List dated 15.02.2024, of the SDFOs, and appellant name listed at S. No. 58, instead of S. No. 1, and correction of Promotion / Seniority right of appellant before 12/09/2013, instead of 20/01/2023 explain in Para No. 15, please.

**P R A Y E R**

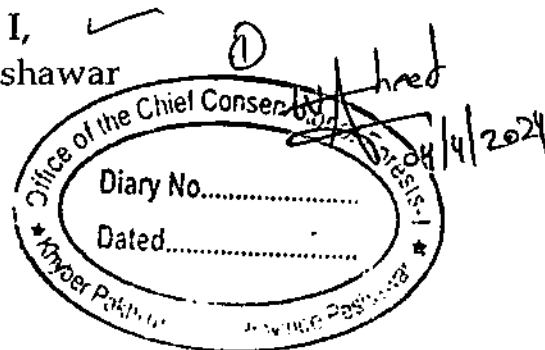
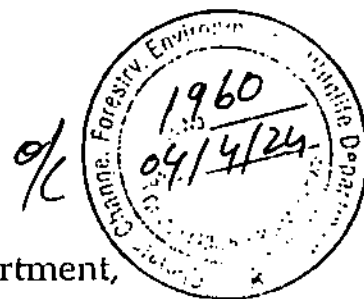
BATCH FELLOW HAS BEEN WORKING IN THE DEPARTMENT AS DFO SINCE FROM 2018, AND THE APPELLANT HAD BEEN REGULARIZED SDFO (BS-17) BEFORE 12/09/2013. THAT, THE RIGHTS OF LIFE IS GUARANTEED FUNDAMENTAL RIGHT OF THE APPELLANT UNDER ARTICLE (29) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF

Copy in advance to the

1. HONORABLE CHIEF SECRETARY,  
Government of Khyber Pakhtunkhwa, Peshawar.

2. SECRETARY TO THE GOVERNMENT,  
Climate Change, Forestry, Environment and wildlife Department,  
Government of Khyber Pakhtunkhwa  
Peshawar.

3. CHIEF CONSERVATOR FORESTS - I,  
Central Southern Forest Region -I, Peshawar



Appellant

Muhammad Ali,

SDFO (BS-17) KP Forest School Thai Abbottabad

Cell No. 0315-319931

Dated 25.03.2024