



**DIRECTORATE GENERAL MINES AND MINERALS**  
**KHYBER PAKHTUNKHWA**  
**ATTACHED DEPARTMENTS COMPLEX, KHYBER ROAD, PESHAWAR**

No. 1487 / DGMM/Admin/2022

Dated 24 /01/2023

To

✓ Mr. Wasseem Akhtar, Registrar  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 3180

Dated 26-1-2023

Subject: **ORDER IN SERVICE APPEAL NO. 15961/2020 TITLED MUHAMMAD TAQI  
SHAH VERSUS MINE & MINERAL DEPARTMENT**

With reference to letter No.10/ST dated: 04.01.2023 on the subject noted above and  
to enclose herewith compliance report as desired, please.

**Encl: As Above.**

**Assistant Director (Admin)**  
**H/Q Office Peshawar.**



Directorate General of Mines and Minerals

KHYBER PAKHTUNKHWA

Attached Departments Complex Khyber Road Peshawar

No. 68.6/3/14/DGMM/Admin

Dated 29/01/2023

**OFFICE ORDER**

1. **WHEREAS**, Muhammad Taqi Shah, Assistant (BPS-16) Office of Assistant Director Minerals, Abbottabad, was proceeded under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 on the charges of Slackness and Non-checking the file while forwarding to concerned officer.
2. **AND WHEREAS**, charge sheet has been issued to the official concerned vide Letter No. 4923-24/DGMM/Admin/(Hazara Division) dated: 04.03.2020 with the direction to submit written statement/reply. The official was given opportunity of personal hearing.
3. **AND WHEREAS**, the Competent Authority in exercise of powers conferred under Rule 4(1)(b)(i) of Khyber Pakhtunkhwa Government Servant Efficiency & Discipline Rules-2011 imposed major penalty of "Reduction to lower post/scale upon Muhammad Taqi Shah Assistant (BPS-16) to the post of Senior Clerk (BPS-14) vide Office order Endst: No. 11753-62/DGMM/Admin/Hazara Division dated: 28.07.2020.
4. **AND WHEREAS**, the official was given an opportunity for personal hearing on 19.11.2020 however he could not have satisfied the Competent Authority and in this regard, the Departmental Appeal of official was also rejected. The official filed Service Appeal No. 15961/2020 before the Hon'ble Service Tribunal Khyber Pakhtunkhwa, Peshawar and after hearing the instant case, the Service Tribunal issued Judgement dated: 14.09.2022 with the direction to place the appellants on the post of Assistant (BPS-16) from the date he was reverted to lower scale with all back and consequential benefits.
5. **AND WHEREAS**, this Directorate approached Law Department through Administrative Department for legal advice/opinion against the judgement of Service Tribunal Khyber Pakhtunkhwa, Peshawar in the instant case regarding filing/ CPLA in the Hon'ble Supreme Court of Pakistan. The Scrutiny Committee of Law Department decided with consensus on 30.11.2022 that filing of CPLA would not be advisable against the impugned judgement of Khyber Pakhtunkhwa Service Tribunal, therefore, the subject case may be returned to the Administrative Department.
6. **NOW THEREFORE**, in light of Service Tribunal Khyber Pakhtunkhwa Peshawar judgement dated: 14.09.2022 and Scrutiny Committee of Law Department decision dated: 30.11.2022, the Competent Authority/ Director General Mines & Minerals Khyber Pakhtunkhwa, exercising his powers under Rule 4(2)(c)(i) of the Appointment Promotion & Transfer Rules 1989 is pleased to reinstate Muhammad Taqi Shah on the post of Assistant (BPS-16) from the date of his reversion to lower scale. The official is hereby posted in the office of Assistant Director Minerals, Dir (Upper) on temporary basis with immediate effect in the best public interest till further orders.

Sd-

Director General Mines & Mineral  
Khyber Pakhtunkhwa Peshawar

Dated \_\_\_\_/01/2023

Endst: No. \_\_\_\_/3/14/DGMM/Admin

**Copy is forwarded to:**

1. PA to Director General Mines and Minerals Khyber Pakhtunkhwa.
2. The Deputy Director Litigation, H/Q Office Peshawar.
3. The Section Officer Litigation Minerals Development Department, Peshawar.
4. The District Account Officer Abbottabad.
5. The Assistant Director Minerals, Abbottabad with the advice to tackle the case with District Account Officer Abbottabad for further course of action, please.
6. The Assistant Director Minerals Dir (Upper).
7. The Assistant Director (Accounts) H/Q Office, Peshawar.
8. The Official concerned for compliance.
9. Master File/DGMM/Admn/2022.

Assistant Director (Admin)  
H/Q Office, Peshawar