



06th Dec, 2022

Mr. Muhammad Ayub Khan, Advocate for the appellant present.

Mr. Muhammad Jan, District Attorney alongwith Mr. Said Muhammad,
Superintendent for the respondents present.

Learned counsel for the appellant is again not present today. It was directed on the previous date that in case of failure of the appellant to argue this appeal it will be decided on the basis of available record. Let in the interest of justice another opportunity be granted but this time we will fix the case for order, learned counsel may argue the case at any time before the announcement. To come up for order on 08.02.2023 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

SCANNED
KPST
Peshawar

20th Oct, 2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. Last chance is given to argue the case failing which the case will be decided on the available record without arguments. To come up for arguments on 31.10.2022 before D.B.



(Fareeha Paul)
Member(Executive)



(Kalim Arshad Khan)
Chairman

31st Oct., 2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. Advocate General for respondents present.

Learned counsel for the appellant as well as learned AAG seek adjournment in order to further prepare the brief. Another opportunity is given to argue the case, failing which the case will be decided on the basis of available record without the arguments. To come up for arguments on 06.12.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman

19th April, 2022

Check for presence of the appellant present. Neither written reply
Counsel for the appellant present. Additional Advocate General for respondents
received nor any responsible person is in attendance. Learned
Law Officer is also absent.

In accordance with the provisions of the Constitution of
File to come up alongwith connected Service Appeal
bearing No. 16227/020 titled Eng: Arshad Ali Vs Government of
Khyber Pakhtunkhwa, before the D.B on 30.06.2022.



(Kalim Arshad Khan)
Chairman

30.06.2022

Junior of learned counsel for the appellant present. Mr. Riaz
Khan Paindakheil, Assistant Advocate General for the respondents
present.

File to come up alongwith connected Service Appeal bearing
No.16227/2020 titled "Eng: Arshid Ali Vs. Government of Khyber
Pakhtunkhwa" on 06.10.2022 before the D.B.



(Rozina Rehman)
Member (J)

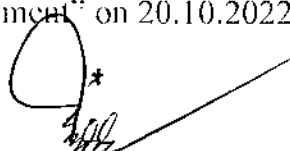


(Salah Ud Din)
Member (J)

06.10.2022

Counsel for the appellant present. Mr. Muhammad
Adeel Butt, Additional Advocate General for respondents
present.

File to come up alongwith connected Service Appeal
No. 16227/2020 titled "Arshad Ali Vs. Mines and Mineral
Department" on 20.10.2022 before D.B.



(Mian Muhammad)
Member (I)



(Kalim Arshad Khan)
Chairman

04.10.2021

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief. Granted. To come up for arguments on 05.01.2022 before the D.B.

R



(Mian Muhammad)
Member(E)

Chairman

05.01.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

File to come up alongwith connected appeal bearing No. 16227/2020 titled Arshad Ali Vs Government of Khyber Pakhtunkhwa, before the D.B on 19.04.2022.



(Atiq-Ur-Rehman Wazir)
Member (E)

30.03.2021

Appellant present through counsel. Preliminary arguments heard. Record perused.

Points raised need consideration. Appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to the respondents. To come up for written reply/comments on 17.06.2021 before S.B.

Appellant Deposited
Security & Process Fee

(Rozina Rehman)
Member(J)

17.06.2021

Junior to counsel for the appellant and Mr. Sajid Superintendent for respondent No. 3 alongwith Mr. Kabirullah Khattak, Addl. AG for respondents present.

Learned AAG seeks time to submit reply/comments. He is required to contact the respondents for submission of written reply/comments in office within 10 days, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 04.10.2021 before the D.B.

Chairman

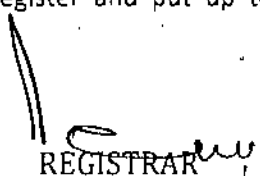

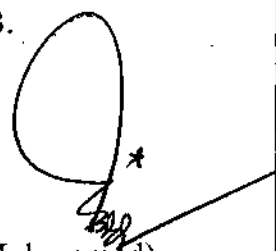
Form- A

FORM OF ORDER SHEET

Court of _____

Case No.-

16246 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/12/2020	<p>The appeal presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>19-3-21</u></p> <p> CHAIRMAN</p>
	19.03.2021	<p>Junior to counsel for the appellant present.</p> <p>Former requests for adjournment as learned senior counsel is indisposed of today.</p> <p>Adjourned to 30.03.2021 before S.B.</p> <p> (Mian Muhammad) Member (E)</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

APPEAL NO. 16246/2020

MUHAMMAD TAHIR VS GOVT: OF KP & OTHERS

INDEX

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APPELLANT

THROUGH:

NOOR MOHAMMAD KHATAK
ADVOCATE

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR**

APPEAL NO. _____/2020

Eng: Muhammad Tahir, Assistant Director (Technical) (BPS-17),
At Model Coal Mine, District Nowshera.

..... **APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Secretary Minerals Development Department, Khyber Pakhtunkhwa, Peshawar.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED INACTION OF THE RESPONDENTS BY NOT ALLOWING THE TECHNICAL ALLOWANCE @ 1.5 OF INITIAL BASIC PAY TO THE APPELLANT W-E-F 1ST NOVEMBER, 2018 VIDE ORDER DATED 19-10-2018 AND ORDER DATED 19-12-2018 AND AGAINST THE APPELLATE ORDER DATED 29-07-2020 COMMUNICATED TO THE APPELLANT ON 19-11-2020 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAD BEEN REJECTED WITH COLORFUL JUSTIFICATIONS

PRAYER:

That on acceptance of this appeal the impugned order dated 19-10-2018 may kindly be modified to the extent that the technical allowance @ 1.5 of initial basic pay may be allowed to the appellant w-e-f 01-11-2018 with all back benefits, the impugned letter dated 19-12-2018 and appellate order dated 29-07-2020 may kindly be set aside. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

- 1- That Minerals Development Department is the Administrative Department consisting of three attached departments (i) Inspectorate of Mines, (ii) Directorate General Mines & Minerals and (iii) Commissionarate of Mines Labour Welfare. That

appellant is serving as Engineer in the Attached department and possessing Engineering Qualification from the accredited Engineering University duly recognized by the HEC and the appellant is registered with Pakistan Engineering Council.

- 2- That it is pertinent to mention here that the post on which the appellant is performing duties is a sanctioned post and is purely technical with the Mining Engineering Degree as the basic requirement. Copy of the Service Rules of the post is attached as annexure**A.**
- 3- That during the budget session of 2016-17 the then Chief Minister announced to give some relief package to the civil servants working in BPS-17 and above, in response to the mentioned announcement the PCS officers association took up the matter with the Chief Minister and resultantly the process of granting the Executive Allowance/ Schedule Post Allowance was initiated and finally the same was granted/allowed to the PCS, PMS and PAS officers after thorough deliberation and meetings of the Establishment department with Chief Minister vide Notification dated 02-02-2018. That the appellant's cadre and other BPS-17 and above were deprived from the mentioned allowance in a discriminated manner. Copy of the application and the notification dated 02-02-2018 are attached as annexure**B & C.**
- 4- That appellant beside having registration with the PEC is also a member of the K.P Association of Government Engineer (KPAGE) and the KPAGE took up the matter of technical allowance along with other demands on the analogy of the Executive/ schedule post allowance and finally a summary was moved by the Secretary Irrigation jointly supported by the Secretary Communication & Works, Public Health Engineering Department and Local Government Departments. Copy of the summary is attached as annexure**D.**
- 5- That the Provincial Cabinet in its meeting dated 24-05-2018 approved Technical Allowance at the rate of 1.5 times of the initial basic pay to all Engineers working in Provincial Government Departments w.e.f 1st July, 2018. Copy of the minutes of the cabinet committee are attached as**E.**
- 6- That finally the Finance Department issued sanction of Technical Allowance to the Engineers serving only in the Four Government departments i.e. C&W, Irrigation, Public Health Engineering and Local Government vide impugned notification dated 19-10-2018 w-e-f 01-11-2018. Copy of the impugned notification dated 19-10-2018 is attached as annexure**F.**

- 7- That feeling aggrieved from the notification dated 19-10-2018; the Engineers of three attached departments of Mineral Development Department through their Administrative Secretary moved a summary for the Technical allowance through proper channel. Copy of the summary is attached as annexureG.
- 8- That the respondent No. 3 without any cogent reasons regretted the grant of technical allowance to the Engineers of the Minerals Development Department and the same has been communicated vide impugned letter dated 19-12-2018. Copy of the impugned letter dated 19-12-2018 is attached as annexureH.
- 9- That appellant feeling aggrieved from the impugned order dated 19-10-2018 and impugned letter dated 19-12-2018 preferred departmental appeal/ representation before the respondents but no response has been given by the respondents till the expiry of statutory period. Copy of the departmental appeal is attached as annexureI.
- 10- That by not deciding the departmental appeal/ representation the appellant along with other colleagues preferred writ petition No. 606-P/2019 and the same was decided/ disposed of vide judgment dated 10-03-2020, whereby the respondents were directed that **"we without going in to the merits of the case, are of the view that let the matter be referred to the Chief Secretary, Government of Khyber Pakhtunkhwa on the analogy of other writ petitions referred to by this court with the direction to look in to the matter and either pay the said allowance to all the eligible employees or none. The matter be decided within a period of three months, positively"**. Copy of the judgment dated 10-03-2020 is attached as annexureJ.
- 11- That by not deciding the matter of pay and allowance of the appellant within a period of three months according to the judgment mentioned above the appellant preferred COC petition wherein certain direction was made by the august Peshawar High Court Peshawar, and the respondents assailed the judgments passed in the writ petition mentioned above before the Apex Court of Pakistan in C.P No 210-P/2020 and during the arguments the respondents produced the appellate order dated 29-07-2020, whereby the departmental appeal/ representation was rejected with very colorful justifications and the mentioned Civil Petition pending before the apex court was also decided vide judgment dated 19-11-2020 with the direction to the appellant that if they feeling aggrieved from the appellate order they can approach the proper forum. Copies of the judgment

dated 19-11-2020 and appellate order dated 29-07-2020 are attached as annexure**K & L.**

- 12- That appellant feeling aggrieved and having no other remedy filed the instant service appeal on the following grounds amongst the others.

GROUND:

- A- That the action and inaction of the respondents by rejecting the departmental appeal and not granting/ allowing the Technical allowance on the analogy of the PMS, PCS and PAS officers and other Engineers of the Four Departments is illegal, against the law, facts, norms of natural justice.
- B- That the appellant have not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C- That the action of the respondents is without any legal authority, discriminatory and in clear violation of fundamental rights duly conferred by the Constitution and is liable to be declared as null and void.
- D- That as the act of the respondents is illegal, unconstitutional, without any legal authority and not only discriminatory but is also the result of malafide on the part of respondents.
- E- That it is important to mention here that the technical allowance at the rate of 1.5 times of initial basic pay has already been granted to all the engineers working in the Mine and Minerals Department of the Punjab, GB and AJK. Copy of the notification are attached as annexure**M.**
- F- That appellant has the vested right of equal treatment before law and the act of the respondents to deprive the appellant from the technical allowance is unconstitutional and clear violation of fundamental rights.
- G- That the justifications and reason given in the appellate order dated 29-07-2020 are baseless, malafide and against the factual position because all the engineers of the Minerals Development Department are performing the same nature duties which the engineers of the other four mention departments perform.
- H- That the Minerals development department is a major revenue generating department of the government- therefore they are entitled for the mentioned allowance.

- I- That the timing of the engineers working in the Minerals department is not fixed and they performed a hard work as mentioned in the following ground i.e. J.
- J- That all the engineers of Minerals development department are purely technical and are involved in various engineering works which include but are not limited to the following:
- a) Inspection of underground and surface mines in the field to check the prospecting and exploitation work done by the mineral title holders as well as to ensure compliance of all safety Laws by the mine workers.
 - b) Design and development of mines
 - c) Planning of prospecting and development schemes
 - d) Technical assessment of the illegally excavated minerals
 - e) Demarcation of granted sketches on ground
 - f) Imparting onsite training to the mine workers and practical demonstration regarding modern mining techniques
 - g) Conducting rescue operations during mines accidents.
- These functions are performed in the mines mainly located in very far flung areas of the province.
- K- That according to Article 38 (e) of the Constitution of Islamic Republic of Pakistan, 1973 the state is bound to reduce disparity in the income and earning of individuals including persons in the services of the federation, therefore in light of the said Article the appellant fully entitle for the grant of Executive Allowance/ Scheduled Post Allowance.
- L- That the appellant seeks permission of this Honorable Court to raise any other grounds available at the time of arguments.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

APPELLANT


MUHAMMAD TAHIR

THROUGH:


NOOR MUHAMMAD KHATTAK

&


KAMRAN KHAN
ADVOCATES

(7)

2.	Deputy Chief Inspector of Mines (BPS-19)			<p>Cell with at least twelve (12) years service as such in BPS-18 and above or seventeen (17) years service as such in BPS-17 and above with successful completion of Senior Management Course (SMC):</p> <p>Provided that if no suitable person is available for promotion then by transfer.</p> <p>Note: A joint seniority list of Deputy Chief Inspectors of Mines, Directors Training and Directors Planning and Mine Development Cell shall be maintained for the purpose of promotion.</p> <p>By promotion on the basis of seniority-cum-fitness from amongst the Senior Inspectors of Mines and Rescue Superintendents with at least seven (07) years service as such in BPS-18 or twelve (12) years service as such in BPS-17 and above:</p> <p>Provided that if no suitable person is available for promotion then by transfer.</p> <p>Note: A joint seniority list of Senior Inspectors of Mines and Rescue Superintendents shall be maintained for the purpose of promotion.</p>
3.	Director Training (BPS-19)			<p>By promotion on the basis of seniority-cum-fitness from amongst the Senior Inspectors of Mines and Rescue Superintendents with at least seven (07) years service as such in BPS-18 or twelve (12) years service in BPS-17 and above:</p>

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20.	Stenographer (BPS-14)	(i) At least Second Class Intermediate or equivalent qualification from a recognized Board; (ii) a speed of fifty (50) words per minute in shorthand in English and thirty five (35) words per minute in typing; and (iii) knowledge of computer in using MS Word, MS Excel.	18 to 32 years.	By initial recruitment.
21.	Senior Clerk (BPS-14)	-----	-----	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks with at least two years service as such.
22.	Medical Technician (BPS-12)	(i) At least Second Class Secondary School Certificate with Science from a recognized Board; (ii) Certificate of Medical Technician from a recognized medical faculty; and (iii) Two years experience in the relevant field.	21 to 32 years.	By initial recruitment.
23.	Surveyor (BPS-12)	At least Second Class Diploma of Associate Engineering in Civil Technology from a recognized Board of Technical Education.	18 to 30 years.	By initial recruitment.
24.	Junior Clerk (BPS-11)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) A speed of thirty (30) words per minute in typing.	18 to 32 years.	(a) Thirty three percent by promotion, on the basis of seniority-cum-fitness, from amongst the Daftaris, Qasids, Naib Qasids and holders of other equivalent posts with two years service as such and who have Second Class Secondary School Certificate from a recognized Board; and

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		Provided that preference shall be given to the candidate, having experience in rescue and recovery as rescue apprentice at any recognized Mines Rescue and Safety Station.		
27.	Tube-Well Operator (BPS-6)	At least Second Class Secondary School Certificate from a recognized Board. Note: Preference shall be given to the candidate, having some experience in Tube-well operations.	18 to 40 years.	By initial recruitment.
28.	Driver (BPS-06)	(i) Literate; and (ii) having a valid HTV/LTV Driving License issued by competent authority; provided that preference will be given to those who have sufficient experience in driving repairing and maintenance of vehicle.	18 to 40 years.	By initial recruitment.
29.	Daffri (BPS-04)	-----	-----	By promotion, on the basis of seniority-cum-fitness, from amongst the Matriculate Qasids and Naib Qasids with at least three years' service.
30.	Qasid (BPS-04)	-----	-----	By promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids. Note: A Joint seniority list of Naib Qasids of all the regional offices shall be maintained by the Inspectorate of Mines (Admin Section) Headquarters' Office Peshawar.
31.	Naib Qasid (BPS-03)	Literate.	18 to 40 years.	By initial recruitment

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				qualification shall be promoted in preference to the senior official or officials.
14.	Cess Sub-Inspector (BPS-09)	At least Second Class Intermediate Certificate or equivalent qualification from a recognized Board.	18-32 Years.	By initial recruitment.
15.	Driver (BPS-06)	Literate; and possessing a valid HTV or LTV driving license issued by a competent authority. Preference will be given to those who have sufficient experience in driving, repairing and maintenance of vehicle.	18-32 Years.	By initial recruitment.
16.	Naib Qasid (BPS-03)	Preferably Literate.	18-40 Years.	By initial recruitment.
17.	Sweeper (BPS-03)	Preferably Literate.	18-40 Years.	By initial recruitment.

Note: The phrase "by transfer" appearing in these service rules shall mean transfer for the posting purpose in pursuance of section 10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Act No. XVIII of 1973) and shall not vest a right of appointment or absorption or promotion against the post on regular basis.

SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT.

Ali-PCU
20/11/20

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KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

Dated Peshawar the 17th September, 2010

NOTIFICATION

J-Admn(MD)1-6/88 Vol-V.- In pursuance of the provisions contained in sub-rule (2) of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1939, and in supersession of all Notifications issued in this behalf, the Minerals Development Department, in consultation with the Establishment Department and the Department, hereby lay down the method of recruitment, qualifications and other conditions specified in column No.3 to 5 of the Appendix to this Notification which shall be applicable to the posts borne in the Directorate General, Mines & Minerals, Khyber Pakhtunkhwa, specified in column No.2 of the said Appendix.

Secretary to Govt. of Khyber Pakhtunkhwa,
Minerals Development Department

Indst.No.SO-Admn(MD)1-6/88 Vol-V.

Dated Peshawar the 17th September, 2010

Copy is forwarded to:-

- All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- The Secretary to Governor, Khyber Pakhtunkhwa.
- The Principal Staff Officer to Chief Minister, Khyber Pakhtunkhwa.
- The Director General, Mines & Minerals Khyber Pakhtunkhwa.
- All Heads of Attached Department.
- All DCO's/PA's in Khyber Pakhtunkhwa.
- All District & Sessions Judges, Khyber Pakhtunkhwa.
- The Registrar, Peshawar High Court, Peshawar.
- The Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
- The Registrar, Khyber Pakhtunkhwa Services Tribunal, Peshawar.
- PS to Minister for Minerals, Development, Khyber Pakhtunkhwa, Peshawar.
- The Section Officer (O&M), Government of Khyber Pakhtunkhwa, Establishment Department.
- The Manager, Printing Press, Peshawar with the request to furnish fifty printed copies of the Gazette notification to this Department.

(SYED WALIKHANI)
Section Officer (Admn)

40-0
25/2/10

APPENDIX
DIRECTORATE GENERAL MINES AND MINERALS

1. Nomenclature of the post.	2. Minimum qualification for appointment by initial recruitment.	3. Age limit.	4. Method of recruitment.
EXPLORATION PROMOTION DIVISION			
1. Director General Mines and Minerals (BPS-20)		4.	5. (a) By promotion, on the basis of selection on merit, from amongst the Director Exploration (Minerals), Director Licensing, Chief Inspector of Mines and Commissioner Mines Labour Welfare having at least seventeen years service in BPS-17 and above, and in case of persons initially appointed in BS-18 the length of service for promotion to the post shall be twelve years in BPS-18 and above; or (b) by transfer from the provincial Government Department.
2. Director Exploration (Minerals) (BPS-19)			By promotion, on the basis of seniority-cum-fitness, from amongst the Deputy Directors (Exploration) with at least twelve years service in BPS-17 and above.
3. Deputy Director (Exploration) (BPS-18)			By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Directors (Geologists) and Assistant Directors (Mining Engineer) with at least five years service as such. By initial recruitment.
4. Manager Geographical Information System (GIS) (BPS-18)	(a) Master's Degree in Geographical Information System (GIS) or Computer Science or equivalent qualification from recognized University; and (b) minimum of five years Geographical Information System related experience from a reputed Organization.	25 to 45 years.	
5. Assistant Director (Geologist) (BPS-17)	Master's Degree in Geology from a recognized University x	21 to 30 years.	(a) By initial recruitment; or (b) If no suitable candidate is available for initial recruitment, then by transfer from amongst the Assistant Directors (Geologists).

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7	Geographical Information System (GIS) Development Officer (BPS-17).	<p>(a) Bachelor's Degree in Mining Engineering from a recognized University.</p> <p>(b) Bachelor's Degree in Mining Engineering from a recognized University.</p>	21 to 30 years.	<p>(a) By initial recruitment; or</p> <p>(b) If no suitable candidate is available by initial recruitment then by transfer from amongst the Assistant Directors (Mining Engineers).</p>
8	Database Administrator (BPS-17).	Master's Degree in Computer Science or equivalent qualification, from a recognized University, with one-year Diploma in Geographical Information System from a recognized Institute/University.	21 to 32 years.	By initial recruitment.
9	Manager Information (BPS-17).	Master's Degree in Computer Science or Business Administration or Geology or equivalent qualification from a recognized University with one year Diploma in Geographical Information System from a recognized Institute/University.	21 to 32 years.	By initial recruitment.
10	Librarian (BPS-16).	Master's Degree in Library Science from a recognized University.	21 to 32 years.	By initial recruitment.
11	Computer Technician (BPS-16).	Bachelor's Degree with Computer Science from a recognized University.	21 to 32 years.	By initial recruitment.
12	Data Entry Operator (BPS-12).	Bachelor's Degree with Computer Science from a recognized University with 5,000 key depressions per hours for processing/data entry information.	21 to 32 years.	By initial recruitment.

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Principal Research Officer (BPS-19)

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44.	Senior Chemist (BPS-18).	<p>(a) Bachelor's Degree in Metallurgical or Mining Engineering from a recognized University; and</p> <p>(b) at least twelve years' experience of Research Development work for Mineral Processing, Up-gradation, Concentration or Extraction conducted in any reputable Research and Development Organization or Mineral Processing Laboratory or Mineral Based Industry.</p>	30 to 45 years.	<p>(a) By promotion on the basis of seniority-cum-fitness from amongst the Senior Mineral Processing Engineers with at least twelve years' service in BPS-17 and above; or</p> <p>(b) if no suitable officer is available for promotion then by initial recruitment.</p>
45.	Senior Mineral Processing Engineer (BPS-18)	<p>(a) Bachelor's Degree in Metallurgical or Mining Engineering from a recognized University; and</p> <p>(b) at least seven years experience of Research and Development work for Mineral Processing, Up-gradation, Concentration or Extraction, conducted in any reputable Research and Development Organization or Mineral Processing Laboratory or Mineral Based Industry.</p>	28 to 40 years.	By initial recruitment.
46.	Senior Mineralogist (BPS-18).			By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Mineralogists and Assistant Gemologists with at least five years service in BPS-17 as such.
47.	Assistant Gemologist (BPS-17).	Master's Degree in Geology with Specialization in Mineralogy / Petrology from a recognized University.	25 to 35 years.	By initial recruitment.
48.	Assistant Mineralogist (BPS-17).	Master's Degree in Geology with specialization in Mineralogy/Petrology from a recognized University.	21 to 32 years.	By initial recruitment.
49.	Assistant Chemist (BPS-17).	Master's Degree in Chemistry with specialization in Inorganic/Analytical, or Applied Chemistry from a recognized University.	21 to 32 years.	By initial recruitment.

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50 Laboratory Technician (BPS-14)	Intermediate from a recognized Board with Diploma in Mechanical, Chemical or Electrical from a recognized Technical Board with seven years experience in the relevant field.	21 to 32 years.	(a) By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Laboratory Technician with at least five years service in BPS-11 and above. (b) If no suitable person is available for promotion then by initial recruitment.
51 Junior Laboratory Technician (BPS-11)	Secondary School Certificate from a recognized Board with Diploma in Chemical / Mechanical or Electrical Technology from a recognized Technical Board with at least five years experience in the relevant field.	21 to 32 years.	By initial recruitment.
52 Electrical Supervisor (BPS-10)	Secondary School Certificate with Diploma in Electrical Technology from a recognized Technical Board with at least five years experience of work as Electrician in any reputable Organization.	18 to 32 years.	By initial recruitment.
53 Laboratory Attendant (BPS-1)	Literate.	18 to 32 years.	By initial recruitment.
COMMON POSTS			
54 Assistant Director (Administration) (BPS-17)			By promotion, on the basis of seniority-cum-fitness, from amongst the Administrative Officers having three years experience as Administrative Officer.
55 Assistant Director (Accounts) (BPS-17)			By promotion, on the basis of seniority-cum-fitness, from amongst the Budget and Accounts Officers having three years experience as Budget and Accounts Officer.
56 Assistant Director (Planning and Development) (BPS-17)	(a) Bachelor's Degree in Mining Engineering, from a recognized University; or (b) Master in Business Administration, Commerce, Geology and Economic from a recognized University.	21 to 32 years.	By initial recruitment.

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ATTESTED

64 Senior Clerk (BPS-09)

65 Junior Clerk (BPS-07)

30

	<p>(i) Secondary School Certificate or equivalent qualification from a recognized Board; and</p> <p>(ii) a speed of 30 words per minute in typing.</p>	18 to 32 years.	<p>By promotion, on the basis of seniority, suitability, fitness, from amongst the Junior Clerks with at least five years service as such.</p> <p>(a) Thirty-three per cent by promotion, from amongst BPS-01 and BPS-02, who have passed Secondary School Certificate from recognized Board and have at least two years service as such; and</p> <p>(b) sixty seven per cent by initial recruitment.</p> <p>Note: A candidate passing the examination earlier shall rank senior to candidates passing the examination later, provided that if two or more candidates have passed the said examination in the same session, the candidate, older in age shall rank senior to the younger candidate.</p>
66. Crue-man (BPS-05).	<p>(i) Secondary School Certificate with science, from a recognized Board; and</p> <p>(ii) Mine Sarda Certificate granted under the Coal Mines Regulation, 1926.</p> <p>Note: Preference shall be given to the candidate, having experience in rescue and recovery, as rescue apprentice, at any recognized Mines Rescue and Safety Station.</p>	18 to 30 years.	By initial recruitment.
67. Tubewell Operator (BPS-05).	<p>Secondary School Certificate from a recognized Board.</p> <p>Note: Preference shall be given to the candidate, having some experience, in Tube-well Operations.</p>	18 to 30 years.	By initial recruitment.
68. Driver (BPS-04).	<p>(i) Literate; and</p> <p>(ii) in possession of a valid HTV/LTV Driving License with five-years practical experience.</p>	18 to 32 years.	By initial recruitment.

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ATTESTED



70.	Daffari (BPS-02) Naib Qasid (BPS-01)	Middle passed.	(18 to 28) years, 18-32	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids; and (b) fifty per cent by initial recruitment
71.	Chowkidar (BPS-01)		(18 to 28) years, 18-32	By initial recruitment
72.	Mali (BPS-01)	Gardening experience.	(18 to 30) years, 18-32	By initial recruitment
73.	Sweeper (BPS-01)		(18 to 28) years, 18-32	By initial recruitment

SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

[Signature]
Secretary
Government of N.W.F.P.
Mineral Development Department,
Peshawar.

[Signature]
22/5

ATTESTED

(3) against serial No. 59, in columns No. 2, 3 and 4, for the existing entries, the following ones, respectively, be substituted, namely:

*Laboratory Attendant (BPS-3)	At least Superior Class Secondary School Certificate or equivalent examination from a recognized Board.	13 to 40
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(4) against serial No. 63, in columns No. 2, 3 and 4, for the existing entries, the following ones, respectively, be substituted, namely:

*Def. an. (BPS-3)	By promotion, on the basis of merit, from the list of candidates having Superior Class Secondary Certificate from a recognized Board.	
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(5) against serial No. 70, in columns No. 2, 3 and 4, for the existing entries, the following ones, respectively, be substituted, namely:

*Nail Quid (BPS-3)	At least Superior Class Secondary Certificate from a recognized Board.	13 to 40
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(6) against serial No. 71, in columns No. 2, 3 and 4, for the existing entries, the following ones, respectively, be substituted, namely:

*Nail Quid (BPS-3)	At least Superior Class Secondary Certificate from a recognized Board.	13 to 40
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(7) against serial No. 72, in columns No. 2, 3 and 4, for the existing entries, the following ones, respectively, be substituted, namely:

*Nail Quid (BPS-3)	At least Superior Class Secondary Certificate from a recognized Board.	13 to 40
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(8) against serial No. 73, in columns No. 2, 3 and 4, for the existing entries, the following ones, respectively, be substituted, namely:

*Nail Quid (BPS-3)	At least Superior Class Secondary Certificate from a recognized Board.	13 to 40
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SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA,
MINERALS DEV. DEPARTMENT

Professionals should be notified
Serial No. 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

ADDED

26(d)	Electrician (BPS-06)	At least Class Secondary	At least Secondary School	18 to 32 Years	By initial recruitment
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KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 4th JANUARY, 2018, 879





Annul. ~~CCB~~ 39

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

NOTIFICATION

Dated Peshawar the 02 August, 2018

No.FD(SOSR-II)8-7/2018-19: The Government of Khyber Pakhtunkhwa has been pleased to sanction Scheduled Post Allowance as per the following rates to the Police Officers serving against the scheduled posts in the Provincial Government of Khyber Pakhtunkhwa with effect from 1st November, 2018 :-

S:#	Pay Scales	Initial Basic Pay of Pay Scales 2017	Rate of Scheduled Post Allowance Per Month (@ 1.5 initial Basic Pays as per Pay Scales 2017)
i.	Additional IGs in BS-21	Rs 76,720/-	Rs.1,15,080/-
ii.	DIGs in BS-20	Rs.69,090/-	Rs.1,03,635/-
iii.	SSPs in BS-19	Rs.59,210/-	Rs.88,815/-
iv.	SPs in BS-18	Rs.38,350/-	Rs.57,525/-
v.	ASPs/DSPs in BS-17	Rs.30,370/-	Rs.45,550/-

2. The above allowance will be admissible subject to the following conditions:-
- It will not be counted towards pension or gratuity.
 - It will not be admissible in any kind of leave as well as during training, posting against OSD and leave reserve posts.
 - Risk Allowance and Fixed Daily Allowance will not be admissible to those Police Officers in BS-17 to BS 21 who will draw the Scheduled Post Allowance.
 - It will not be admissible to deputationists.
 - Officers of other cadres working against the scheduled posts are not entitled to the above allowance.

SECRETARY TO GOVERNMENT
OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Endst: No & Date Even

- The Accountant General, Khyber Pakhtunkhwa, Peshawar
- The Inspector General of Police, Khyber Pakhtunkhwa.
- The Additional Chief Secretary P&D Department.
- The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- The Secretary to Govt of Khyber Pakhtunkhwa, Home & TA Department.
- All Regional Police Officers in Khyber Pakhtunkhwa.
- All District Police Officers in Khyber Pakhtunkhwa.
- All the District Accounts Officers in Khyber Pakhtunkhwa.
- Director, FMIU, Finance Department.
- PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar
- Budget Officer-III, Finance Department.
- PS to Secretary Finance Department, Khyber Pakhtunkhwa.
- PS to Special Secretary Finance Department, Khyber Pakhtunkhwa.
- Assistant Director (HR Data Base), Finance Department.
- PA to Additional Secretary (Regulation), Finance Department.
- PA to Deputy Secretary (Regulation-II), Finance Department.

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Annul
(NAEEM TABASSUM)
SECTION OFFICER (SR-II)

22/08/18

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7. Minerals Development Department Khyber Pakhtunkhwa is one of the main revenue generation Department of the Provincial Government. Total strength of serving engineers in such Department is less than forty. Extension of Technical Allowance to such Engineers will encourage them to serve more enthusiastically and will hold in boosting up Government revenue.
8. All Engineers of Minerals Development Department perform Technical duties including:
- i. Far flung/hilly areas where no access exist.
 - ii. Inspections regarding safety, implementation of laws, mining operation, mine design and construction including prospecting, exploration, development and exploitation.
 - iii. Conduct assessment of mines for Royalty, excise duty, Pit mouth value, Fine etc. and Survey/demarcation.
 - iv. Prepare technical reports, PC-I etc.
 - v. Prepare and sign mine working plans, development & exploitation schemes.
 - vi. Imparting training to mine workers on modern mining techniques, mine rescue and safety.
 - vii. Conduct rescue operations in underground mines, mine ventilation survey, detection of mine gases and reopening of underground mines abandoned due to noxious gases and fires.
9. Mining/Mineral is the base of all industries.
10. Presently Mineral/Mining is the only industry of Pakistan where huge potential of foreign/local investment exist with creation of thousands of jobs and value to National/Provincial exchequer.

In view of the above facts, it is requested your kind honour that the Engineers of Minerals Development Department may also be allowed Technical Allowance with effect from 19th November 2018 to dispense with the justice and remove the discrimination amongst the Engineers.

We hope that our appeal will be considered sympathetically and we will be given our due right having equal right working under one roof.

ATTESTED

APPELLANT
Nathanneed Talwar

working in different government departments vide notification dated 19.10.2018 may kindly be extended to the petitioner as well.

3. Petitioners of the instant writ petition are Engineers, serving in the attached departments of Minerals Development Department, seeking grant of Technical Allowance on the analogy of notification No. FD (SO SR-II) 8-7/2018-19 dated Peshawar the 19th October, 2018 whereby the competent authority has granted Technical Allowance, to the Engineers holding Engineering qualification recognized by the Higher Education Commission, and serving against the sanctioned posts in the C&W, Irrigation, Public Health Engineering & Local Government Departments of Khyber Pakhtunkhwa; whereas petitioners of the connected writ petition quoted above, are Private Secretaries, performing their duties in the Civil Secretariat, have sought the grant of Executive Allowance rather Scheduled Post Allowance, on the analogy Notification No. FD (SOSR-II)8-7/2016-17 dated Peshawar the 02/02/2018, whereby the Competent Authority has granted Executive Allowance

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EXAMINER
Peshawar High Cou.



to the PAS / PCS & PMS Officers, working against the scheduled posts of Establishment & Administration Department. Learned Addl. AG at the very outset, objected to the maintainability of the writ petition in view of the judgment reported as 2018 PLC (CS) Note-40 and unreported judgment of this Court rendered in writ petition bearing No. 1226-A/2018 dated 30.05.2019, and states that allowances in question are part and parcel of the pay falling in terms and conditions of service, for which the Service Tribunal has the jurisdiction in view of Article-212 of the Constitution.

4. Although, learned counsel representing petitioners in rebuttal of the maintainability has also placed reliance on some reported judgments, however, we without going to the merits of the case, are of the view that let the matter be referred to the Chief Secretary, Govt. of Khyber Pakhtunkhwa, on the analogy of other writ petitions, referred to by this Court, with the direction to look into the matter and

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EXAMINER
Peshawar High Court

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either pay the said allowance to all the eligible employees or none. The matter be decided within a period of three months, positively.

Chief Justice

Judge

CLASSIFIED TO BE TRUE COPY

Registrar
Peshawar High Court, Peshawar
Punjab and Order Article 87 of
The Constitution of Pakistan Order 1985

23 JUN 2020

No. 39544
 Date of Presentation of Application 23/6/2020
 No of Pages 27
 Copying fee 280/-
 Total 280/-
 Date of Preparation of Copy 23/6/2020
 Date of Delivery of copy 23/6/2020
 Received By [Signature]

[Signature]

ATTACHED

K- (55)

17076
13016

SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

Mr. Justice Gulzar Ahmed, CJ
Mr. Justice Munib Akhtar
Mr. Justice Yahya Afridi

CIVIL PETITIONS NO.210-P AND 211-P OF 2020

(Against the order dated- 10.03.2020, passed by the Peshawar High Court, Peshawar, in W.Ps. No.606-P of 2019 and 3698-P of 2018, respectively)

Government of KPK through Chief Secretary, ...Petitioner(s)
Civil Secretariat, Peshawar and others (in both cases)

Versus

Engineer Ziarat Khan and others
(in CP.210-P of 2020)

Muhammad Nawaz Khan and others ...Respondent(s)
(in CP.211-P of 2020)

For the Petitioner(s) : Barrister Qasim Wadood,
(in both cases) Additional Advocate General,
Khyber Pakhtunkhwa
Amanat Ullah Qureshi,
Deputy Secretary Finance, KP
Muhammad Anwar Khan,
S.O. Litigation-1,
Establishment Division, KP

For the Respondent(s) : Mr. Naveed Akhtar, ASC
(in both cases)

Date of Hearing : 19.11.2020

ORDER

GULZAR AHMED, CJ. We have heard the learned Additional Advocate General, Khyber Pakhtunkhwa and dictated in Court the following order: -

"The learned Additional Advocate General, Khyber Pakhtunkhwa, contends that pursuant to the impugned order dated 10.03.2020, the Chief Secretary, Government of Khyber Pakhtunkhwa has dealt with the matter as directed by the Peshawar High Court, Peshawar and passed order, stating that the respondents are not entitled

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Sen.
Senior Court Associate
Supreme Court of Pakistan
Islamabad

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to grant of the allowance. He contends that against such order of the Chief Secretary, the respondents have filed COC No.389-P of 2020, in which the learned Division Bench of the High Court has passed the following order dated 01.09.2020:-

"Although, the compliance report has been placed on record, wherein the relief prayed by the petitioner is regretted, but the judgment of this Court, prima facie has not been complied with in its letter and spirit. Therefore, notice to the respondents to appear in person for framing of charge. Adjourned to a date in office."

He further contends that in the first place, the High Court has no jurisdiction in the matter in passing of the impugned order for the reason that the respondents are Civil Servants and the matter was with regard to their terms and conditions of service, and the High Court despite noting this objection and without entering upon the merits of the case has given direction to the Chief Secretary, which is not sustainable in law. He next contends that the very impugned order is not sustainable in law and even otherwise, such order has been complied with by the Chief Secretary, thus, no COC could have been filed and if at all, the respondents were aggrieved by the order of the Chief Secretary, they could have taken up the matter afresh before the appropriate forum.

2. The submissions made by the learned Additional Advocate General, Khyber Pakhtunkhwa, require consideration. Leave to appeal is granted to consider, *inter alia*, the same. The appeal stage paper-books be prepared from the available record with liberty to the parties to file additional documents, if any, within a period of one month. As the matter relates to service, the Office is directed to fix the appeal expeditiously, preferably after three months.

CMA's No.398-P and 399-P of 2020:

3. In the meantime, the operation of the impugned order dated 10.03.2020 so also the order dated

ATTES
[Signature]

ATTESTED

[Signature]
Senior Court Associate
Supreme Court of Pakistan
Islamabad

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01.09.2020, passed in COC No.389-P of 2018, shall remain suspended."

2. Before the above order could be signed by the Bench, the learned counsel for the respondents has appeared and states that the respondents have no objection if the impugned order dated 10.03.2020 is set aside and the respondents are allowed to avail remedy before the appropriate forum.

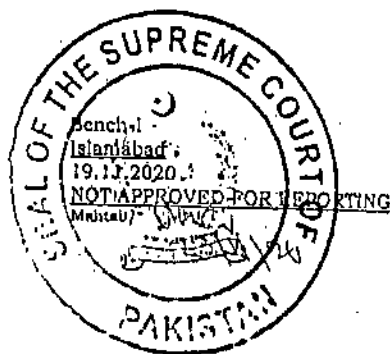
3. The learned Additional Advocate General has no objection to the submission of the learned counsel for the respondents that of setting aside the impugned order and converting these petitions into appeals and allowing the same.

4. Thus, by consent, the civil petitions are converted into appeals and allowed. Consequently, the impugned order dated 10.03.2020 is set aside. The respondents may avail remedy that may be permissible to them in accordance with law.

Sd/HCI

Sd/J

Sd/J



Certified to be True Copy

Senior Court Associate
Supreme Court of Pakistan
Islamabad

GR No: 17814/20
Date of Presentation: 19-11-20
No of Words: 90
No of Folios: 9
Requisition Fee Rs: 500
Copy Fee In: 500
Court Fee Stamps: 1000
Date of Completion of Copy: 24-11-20
Date of Delivery of Copy: 24-11-20
Compared by/Prepared by: [Signature]
Received by: [Signature]

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GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Peshawar, Dated the 29th July, 2020

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OFFICE ORDER:

No.FD/SOSR-II/8-7/2020 Whereas, the Provincial Government of Khyber Pakhtunkhwa sanctioned Technical Allowance to the tune of 1.5 Initial Basic Pay per month as per Pay Scale of 2017 to the only Four Works Department i.e. C&W, Irrigation, Public Health Engineering & Local Govt Departments Engineers from BS-17 to BS-20 as per rates mentioned therein vide Finance Department Notification No.FD(SOSR-II)8-7/2018-19 Dated 19-10-2018 in pursuance of the approval of the Provincial Cabinet.

And whereas, the Engineers cadre of certain departments requested through proper representation for grant of the above allowance on the analogy of the Engineers of the Four Works Departments which was examined but not entertained, being not based on merit, in light of the approved cabinet decision and policy accordingly.

And whereas, following non-maintainability of their request by the Provincial Government the engineers of the Mines and Mineral Development Department filed a Writ Petition No. 606-P/2019 titled "Engr. Ziarat Khan & Others VS Chief Secretary Khyber Pakhtunkhwa & Others" in the Peshawar High Court, Peshawar in which they prayed for grant of the said allowance to their cadre on the analogy of the Engineers of Four Works Department.

And whereas, the Honourable Peshawar High Court, Peshawar in its judgment Dated: 10-03-2020 and referred the case to Chief Secretary, Khyber Pakhtunkhwa to look into the matter and make decision within three months, positively.

And whereas, accordingly the Committee constituted by the Provincial Government under the Chairmanship of Minister Finance, examined the Court directions in the above Writ Petition in light of decision of the Provincial Cabinet on the subject and regretted the aforementioned allowance on the following grounds:

- I. That the Engineers working in 04 Departments i.e. C&W, Irrigation, PHE and LG&RD Department, to whom Technical Allowance has been allowed by the Provincial Government vide Notification No. FD(SOSR-II)8-7/2018-19 dated 19th October, 2018 are dealing totally with the infrastructure of the Province Provincial Government. They are practically involved in Engineering Works like construction of Roads, Buildings, Canals, Drains and other construction/engineering works etc, throughout their duty hours and perform duties at field outside their offices. On many occasions they work overtime. While the Petitioners are not performing duties cited hereinbefore.
- II. That the office timings for field formation are not fixed rather depends upon the quantum of work & number of sites which they visit/inspect. These inspections/visits include far flung areas in same Districts, consumes time, energy and resources and application of technical/engineering skills. In case of defect/deficiency or any mis-

ATTESTED

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application of technical/engineering skills. In case of defect/deficiency or any mis-happening observed therein, the concerned engineer is held responsible for the loss consequences. It is worth to mention that the Petitioners do not undertake these duties as well.

- III That apart from field work these engineers also manage the office work before start of project like preparation of Project Estimates and Contract/ Agreements etc. all these documents are technically checked by the engineers. Besides, field Engineers are fully committed with Engineering and Field/Office work and no relaxation for availing even Gazetted holidays, whereas engineers of the other than 04 Departments are not engaged with field work, only performing official assignment of duties and fully relax to avail all holidays whereas the Petitioners are performing normal duties in agriculture department.
- IV That similarly, the job/duty of Engineers working in Agriculture Department is just desk type, having no application of Engineering skill and do not involve practically in any type of construction work like constructions/maintenance of buildings, Road, Residential & Non Residential Accommodations, Maintenance & Repair of Roads, Bridges, Ferries, Tunnels, Rope-ways, cause ways etc.

And whereas, the matter was thereafter considered threadbare by Chief Secretary who also concurs with aforesaid observation, and now, in light of the above intelligible differentia exist amongst the engineers who are granted "Technical Allowance" and the Petitioners, therefore, the Petitioners being not entitled as per facts, Cabinet Decision, Policy and recommendations of the Committee on the subject, the prayer of the Engineers/Cadre of the concerned department made in the above mentioned Writ Petition filed in the Peshawar High Court, Peshawar is regretted, being not worthy of consideration and against the spirit of the Cabinet Decision of the Provincial Government of Khyber Pakhtunkhwa on the subject.

CHIEF SECRETARY,
KHYBER PAKHTUNKHWA

Encls: of Even No. & date:

1. The Registrar, Peshawar High Court, Peshawar with reference to the above mentioned Writ Petition.
2. The Advocate General, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law, Human Rights & Parliamentary Affairs Department.
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
5. The Special Secretary-I, Finance Department.
6. The PSO to Chief Secretary, Khyber Pakhtunkhwa.
7. Master File

ATTESTED

SECTION OFFICER (SR-II)

BETTER COPY OF ANNEXURE-M

GOVERNMENT OF THE PUNJAB
FINANCE DEPARTMENT

Dated Lahore the 30th May, 2019

From:

Mr. Abdullah Khan
Finance Secretary

To:

1. All Administrative Secretaries to Government of Punjab.
2. The Secretary to Governor, Punjab Lahore.
3. The Secretary to Chief Minister Punjab, Lahore.
4. The Military Secretary to Governor Punjab, Lahore.
5. The Secretary Punjab, Provincial Assembly, Lahore.
6. The Secretary Punjab Public Service Commission, Lahore.
7. All Heads of Attached Departments in the Punjab.
8. All Commissioners in the Punjab.
9. All Deputy Commissioners in the Punjab.
10. All District & Sessions Judges in the Punjab.
11. The Chief Pilot VIP Flight Lahore.
12. The Registrar Lahore High Court, Lahore.
13. The Provincial Director Local Fund Audit Punjab, Lahore.
14. The Chief Inspector of Treasuries & Accounts Punjab, Lahore.

Subject:

PAY PACKAGES OF ENGINEERS WORKING IN VARIOUS DEPARTMENTS OF THE GOVERNMENT OF PUNJAB

I am directed to refer to the subject cited above and to state that the Governor of the Punjab has been pleased to allow Technical Allowance @ 1.5 times of the initial of Basic Pay Scales, 2017 w.e.f 01.07.2019 to Engineers, registered with Pakistan Engineering Council (PEC) and holding Engineering Degree from the accredited engineering programmes of Higher Education Institutions/Universities duly recognized by Higher Education Commission, working against the sanctioned posts in Agriculture, Communication & Works, Housing, Urban Development & Public Health Engineering, Irrigation, Local Government & Community Development, Mines & Minerals and Planning & Development Departments at the following rates.

BPS	Amount of Technical Allowance
20	Rs. 103,635/- p.m
19	Rs. 88,815/- p.m
18	Rs. 57,525/- p.m
17	Rs. 45,555/- p.m

2. The above allowances is subject to the following conditions:-
 - i) It will not be counted towards pension.
 - ii) It will not be admissible in any kind of leave of 120 days and above as well as posting against OSD and leave reserve posts.
 - iii) The Engineers in receipt of such allowances other than regular allowances, shall be entitled to one of the allowances, whichever is more beneficial.
 - iv) It will not be admissible to the deputationists on their posting out of above said departments and who are posted on deputation in the above said departments.
3. All the Departments/Attached Departments are requested to take further necessary action to implement the above policy.

(AMAN ULLAH)
DEPUTY SECRETARY (PC)



NOTED FOR GOVERNOR
GOVERNMENT OF THE PUNJAB
FINANCE DEPARTMENT

Dated Lahore on 30th May 2019

M-60

From

Mr. Abdullah Khan Shabbal
Finance Secretary

To

1. All Administrative Secretaries to Government of the Punjab
2. The Secretary to Governor Punjab Lahore
3. The Secretary to Chief Minister Punjab Lahore
4. The Military Secretary to Governor Punjab Lahore
5. The Secretary Punjab Provincial Assembly Lahore
6. The Secretary Punjab Public Service Commission Lahore
7. All Heads of Attached Departments in the Punjab
8. All Commissioners in the Punjab
9. All Deputy Commissioners in the Punjab
10. All District & Sessions Judges in the Punjab
11. The Chief Pilot, VIP Flight, Lahore
12. The Registrar, Lahore High Court, Lahore
13. The Provincial Director, Local Fund Audit, Punjab, Lahore
14. The Chief Inspector of Treasuries & Accounts, Punjab, Lahore

Subject

PAY PACKAGES OF ENGINEERS WORKING IN VARIOUS DEPARTMENTS OF THE GOVERNMENT OF PUNJAB

I am directed to refer to the subject cited above and to state that the Governor of the Punjab has been pleased to allow Technical Allowance @ 15 times of the initial of Basic Pay Scales, 2017 w.e.f. 01.07.2019 to Engineers, registered with Pakistan Engineering Council (PEC) and holding Engineering Degree from the accredited engineering programmes of Higher Education Institutions/ Universities duly recognized by Higher Education Commission, working against the sanctioned posts in Agriculture, Communication & Works, Housing, Urban Development & Public Health Engineering, Irrigation, Local Government & Community Development, Mines & Minerals and Planning & Development Departments at the following rates:

BPS	Amount of Technical Allowance
20	Rs 103,635/- p.m.
19	Rs 88,815/- p.m.
18	Rs 57,525/- p.m.
17	Rs 45,555/- p.m.

ATTESTED

2.3
The above allowance is subject to the following conditions

- (61)
- i) It will not be counted towards pension
 - ii) It will not be admissible in any kind of leave of 120 days and above as well as posting against OSD and leave reserve posts
 - iii) The Engineers, in receipt of such allowances other than regular allowances, shall be entitled to one of the allowances, whichever is more beneficial
 - iv) It will not be admissible to the deputationists on their posting out of above said departments and who are posted on deputation in the above said departments

3. All the Departments/ Attached Departments are requested to take further necessary action to implement the above policy.

Amman Ullah

(AMAN ULLAH)
DEPUTY SECRETARY (PC)

NO. & DATE EVEN:

- A copy is forwarded for information and necessary action to:
1. The Accountant General Punjab, Lahore.
 2. All the District Accounts Officers in the Punjab.
 3. The Treasury Officer, Lahore.
 4. The Director General Audit, Lahore.
 5. The Director General Works (Accounts), Lahore.
 6. The Director General Works (Audit), Lahore.
 7. The Director General Audit (District Governments), Punjab, Lahore.

Zafar Ahmad

(ZAFAR AHMAD)
SECTION OFFICER (PR)

NO. & DATE EVEN:

- A copy is forwarded for information and necessary action to:
1. The Finance Secretary, Government of Pakistan, Islamabad.
 2. The Finance Secretary, Government of Sindh, Karachi.
 3. The Finance Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
 4. The Finance Secretary, Government of Balochistan, Quetta.
 5. The Finance Secretary, Azad State of Jammu & Kashmir, Muzaffarabad.
 6. The Finance Secretary, Government of Gilgil Baltistan, Gilgil.
 7. All Officers of the Finance Department, Government of the Punjab.

ATTACHED

Amman Ullah

(AMAN ULLAH)
DEPUTY SECRETARY (PC)



FINANCE DEPARTMENT
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
MUZAFFARABAD

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"Muzaffarabad"
Dated 25.11.2020

NOTIFICATION

No: FD/R/17607-17676/2020. The President Azad Jammu & Kashmir has been pleased to accord the approval for grant of the Technical Allowance @ 1.5 of Initial Basic Pay per month relevant Basic Pay Scales-2017 to the Engineers, w.e.f 01.12.2020 to the engineer registered with Pakistan Engineering Council and holding Engineering Degree from the accredited engineer programs of Higher Education Institutions / Universities duly recognized by Higher Education Commission, working against the sectioned posts of the Physical Planning & Housing, / Commutation & Work / Central Design Office / Electricity / Local Government & Rural Development / Planning & Development Departments:-

Sr.#	Basic Pay Scale	Initial Basic Pay of Basic Pay Scales- 2017	Technical Allowance @1.5 times of Initial Basic Pay of Basic Pay Scales- 2017 per month.
i.	Engineers in BS-20	Rs. 69,090/-	Rs. 1,03,635/-
ii.	Engineers in BS-19	Rs. 59,210/-	Rs. 88,815/-
iii.	Engineers in BS-18	Rs. 38,350/-	Rs. 57,525/-
iv.	Engineers in BS-17	Rs. 30,370/-	Rs. 45,550/-

2. The above allowance shall be admissible subject to the following conditions:-
- It will not be counted towards Pension / Commutation or Gratuity.
 - It will not be admissible against OSD and leave reserve posts.
 - It will not be admissible during extra ordinary leave, study leave, long leave for more than 120 days, training abroad or suspension.
 - The engineers, in receipt of such allowances other than regular allowances, shall be entitled to one of the allowances, whichever is more beneficial.
 - It will not be admissible to the deputationists on their posting out of their departments and who are posted on deputation in the Government Departments.

(Mehrban Hussain Ch.)
Additional Secretary (Rgs.)

ATTACHED

(cont. page 2)

GOVERNMENT OF GILGIT BALTESTAN
GILGIT BALTESTAN SECRETARIAT
FINANCE DEPARTMENT

Gilgit dated the 3rd July, 2020

NOTIFICATION

No.Fin-Reg-2(33)/2020: Consequent upon the recommendations of the Gilgit Baltistan Cabinet and subsequent approval of the Finance Bill 2020-2021 by the Gilgit Baltistan Assembly, the Governor Gilgit Baltistan has been pleased to sanction Technical Allowance @ 1.5 times of initial Basic Pay Scales, 2017 with effect from 4th July, 2020 in favor of the Professional Engineers holding engineering qualification from the accredited engineering programs of Higher Education Institutions (HEI) Universities duly recognized by Higher Education Commission (HEC) and registered with Pakistan Engineering Council (PEC) serving against the sanctioned posts in BS-17 & above in engineering related Departments under Government of Gilgit Baltistan as per rules mentioned below against each:-

S#	Pay Scales	Initial Basic Pay	Rate Per Month
1	BS-20	Rs. 69,090/-	Rs.103,635/-
2	BS-19	Rs. 59,210/-	Rs.88,815/-
3	BS-18	Rs.38,350/-	Rs.57,525/-
4	BS-17	Rs. 30,370/-	Rs.45,550/-

The above allowances will be admissible subject to the following conditions.

- i) It will not be counted towards pension or gratuity.
 - ii) It will not be admissible in any kind of leave as well as posting against OSD and leave reserve posts.
 - iii) The Engineers in receipt of such allowances other than regular allowances as classified under major object A012-2 shall require to opt one of the allowances whichever is more beneficial.
3. The above Technical Allowances shall be accommodated from within the budgetary allocation for the year 2020-2021 by the respective departments.

MUHAMMAD SALEEM RAJPUT (PAS)
SECRETARY TO GOVERNMENT
OF GILGIT BALTESTAN



Gilgit dated the 27 July 2020

NOTIFICATION

No. in-Reg-2(33)/2020: Consequent upon recommendations of the Gilgit-Baltistan Cabinet and subsequent approval of the Finance Bill 2020-2021 by the Gilgit-Baltistan Assembly, the Government of Gilgit-Baltistan has been pleased to sanction Technical Allowance @ 1.5 times of initial Basic Pay Scales 2017 with effect from 1st July, 2020 in favour of the professional Engineers holding engineering qualification from the accredited engineering programmes of a higher Education Institution (HEI)/Universities duly recognized by Higher Education Commission (HEC) and registered with Pakistan Engineering Council (PEC) serving against the sanctioned posts in BS-17 & above in engineering related Departments under Government of Gilgit-Baltistan as per rates mentioned below against each

S.No	Pay Scales	Initial Basic Pay	Rate Per Month
1	BS-20	Rs. 69,020/-	Rs. 103,635/-
2	BS-19	Rs. 59,210/-	Rs. 88,815/-
3	BS-18	Rs. 38,350/-	Rs. 57,525/-
4	BS-17	Rs. 30,370/-	Rs. 45,555/-

- The above allowance will be admissible subject to the following conditions:
- It shall not be counted toward pension or gratuity.
 - It shall not be admissible in any kind of leave as well as posting against OSD and leave reserve posts.
 - The Engineers in receipt of such allowances other than regular allowance as classified under major object A0121-A0122 shall be free to opt one of the allowances which is more beneficial.

The above Technical Allowance shall be accommodated from within the budgetary allocation for the year 2020-2021 by the respective departments.

MUHAMMAD SALEEM RAJPUT (PAS)
SECRETARY TO GOVERNMENT
OF GILGIT-BALTISTAN

No. & Date Recd. /

Copy forwarded for information and further necessary action:

- The Accountant General, Gilgit-Baltistan, Gilgit
- The Secretary Works, Gilgit-Baltistan, Gilgit
- The Secretary Water & Power, Gilgit-Baltistan, Gilgit
- The Secretary Education, Gilgit-Baltistan, Gilgit
- The Secretary Local Government & Rural Development, Gilgit-Baltistan, Gilgit
- The Secretary Agriculture, Livestock & Fisheries Department, Gilgit-Baltistan, Gilgit
- The Additional Secretary (Staff) to Chief Secretary, Gilgit-Baltistan.

Shrolog

Hussain Ali
(HUSSAIN ALI)
DEPUTY SECRETARY (FINANCE)
P.O. GILGIT (220503)

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

_____ OF 2020

Mubanoor Tabir (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Cert of WP & Order (RESPONDENT)
(DEFENDANT)

I/We Mubanoor Tabir
Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2020

Tabir
CLIENT

AK
ACCEPTED
NOOR MOHAMMAD KHATTAK

AK
KAMRAN KHAN

MUHAMMAD MAAZ MADNI

&

AK
AFRASIAB KHAN WAZIR
ADVOCATES

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