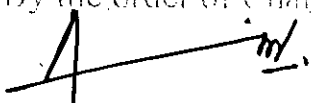


FORM OF ORDER SHEET

Court of

Appeal No. 1537/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/07/2023	The appeal of Mr. Muhammad Ayub resubmitted today by Mr. Nasser uddin Shah Advocate, it is fixed for preliminary hearing before Single Bench at Peshawar on <u>27-07-2023</u> .
		By the order of Chairman  REGISTRAR

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

Appeal No 1537 of 2023

Muhammad Ayub

..... Appellant

VERSUS

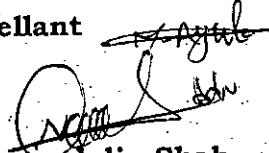
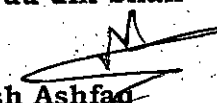
Government of Khyber Pakhtunkhwa through Chief Secretary.

..... Respondents

Index

S.No.	Description of documents	Annexure	Pages
1.	Memo of appeal with Affidavit		1-8
2.	Copy of CNIC	"A"	9-10
3.	Copy of Advertisement	"B"	11-13
4.	Copy of Old rules notified on 22/11/2017	"C"	14-20
5.	Copy of New rules notified 5/5/2023	"D"	21-22
6.	Copy of Departmental appeal	"E"	23
7.	Copy of letter	"F"	24-25
8.	Copy of letters / <i>Impugned orders</i>	"G" & "H"	26-29
9.	Wakalat Nama	Original	30

Appellant
Through


Naseer ud din Shah
ASC
&

Mehwish Ashfaq
Advocate, High Court,
Peshawar.

Naseer ud din shah Advocates High Court Peshawar .Off: C -3 Rehman Plaza Khyber Bazaar Peshawar.
Cell 0339552292

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

Appeal No. 1537 of 2023

Muhammad Ayub s/o Amin Jan r/o House No. 673 Mohallah Moti
Namak Mandi, Peshawar, superintendent commissionerate Mines
Labour Welfare, Peshawar.

..... Appellant

VERSUS

- 1) Government of Khyber Pakhtunkhwa through Chief Secretary.
- 2) The secretary Minerals Development Department Govt of KPK,
Peshawar.
- 3) The Chief Commissioner Mines Labour Welfare Khyber
Pakhtunkhwa.
- 4) The Secretary Establishment Department Govt of KPK, Peshawar
Secretariat.
- 5) The Chairman Khyber Pakhtunkhwa Public Service commission.
- 6) The Director Recruitment Khyber Pakhtunkhwa Public Service
commission.

..... Respondents

**APPEAL UNDER SECTION 4, OF THE SERVICE
TRINUNAL ACT 1974 AGAINST THE IMPUGNED
APPELLATE ORDER DATED 6/07/2023 WHERE BY
THE DEPARTMENTAL APPEAL OF APPELLANT
AGAINST THE IMPUGNED ADVERTISEMENT NO.
03/2021 DATED 24/03/2021 OF KPPSC AND
AGAINST THE INACTION OF THE RESPONDENTS BY
NOT CONSIDERING THE APPELLANTS FOR
PROMOTION TO THE POST OF ASSISTANT
DIRECTOR ADMIN (BPS-17) COMMISSIONERATE OF
MINES LABOUR WELFARE KP, UNDER THE NEW
RULES HAS BEEN REGRETTEED ON NO GOOD
GROUNDS.**

PRAYER

**On the acceptance of instant service appeal the impugned
appellate order 06/07/2023 and impugned advertisement
No. 03/2021 dated 24/03/2021 issued by KPPSC may
kindly be set aside to the extent of serial No. 77. The
respondents may further please be directed to consider
the appellant for promotion to the post of Assistant
Director Administration (BPS-17) Commissionerate of
Mines Labour Welfare KP, under the new rules with all
back benefits with any other remedy which this**

Honorable Tribunal deems appropriate may also be granted in favour of the appellant.

Respectfully Sheweth:

- 1) That appellant is the permanent residents of Khyber pakhtunkhwa and is an employee/civil servant of Respondents Department. (Copy of CNIC is attached as Annexure "A").
- 2) That the appellant was promoted to the post of superintendent in the year 2018.
- 3) That in 2021 the Respondent No. 2 to 4 made requisition to the Respondent No.5 to 7 for recruitment on the post of Assistant Director (Admin) BPS-17 Commissionerate of Mines, Labour Welfare, KP which was accordingly advertised through KPPSC as per rules of 2017. (Copy of Advertisement is attached as annexure "B")
- 4) That it is pertinent to mention here that there is only a single post of Assistant Director (Admin) Commissionerate of Mines, Labour Welfare, KP and as per old rules notified on 22/11/2017 the post was to be filled "**Initial Recruitment**". (copy of old rules notified on 22/11/2017 is attached as annexure "C")
- 5) That the competent Authority i.e Standing Service Rules Committee (SSRC) amended the rules and notified the same on 05/05/2023 according to which the recruitment process was amended from "**by initial recruitment**" to "**by promotion on the basis of seniority-cum-fitness, from amongst the holders of the posts of superintendents(BPS17), having two years' service as such**", (Copy of New Rules notified on 05/05/2023 is attached as annexure "D").
- 6) That in the light of the amended rules the appellant being competent, eligible, fit and having the right to be promoted to the said post made his departmental representation to competent authority. (Copy of departmental Representation is attached as annexure "E")
- 7) That the respondent No.3 forwarded the departmental representation of the appellant to respondent No.2(Copy of letter is attached as annexure "F")

- 8) That respondent No:2 wrote letter to the establishment department vide letter No. SO(E)/MDD/2-8/2023/Vol-IV/7702-04 dated 25/05/2023 in response to which Establishment departed responded and vide letter No. Kc. SO(O & M) E & AD/10-1/2023 dated 26/06/2023 refused to withdraw the said post from KPPSC.(Copy of letters attached as Annexure "G" and "H").
- 9) That appellant is constrained to approach to the Hon'ble Tribunal for redressal of his grievances inter alia on the following grounds:

Grounds:

- A. That the act and omission of the respondents/department is illegal, unconstitutional, without jurisdiction, without lawful authority against facts and materials on the record therefore, needs the interference of this Hon'ble Tribunal.
- B. That the act and omission of the department is not only factually incorrect and legally untenable but also is against the principles of natural justice.
- C. That sending requisition for recruitment of the post by the department to the KPPSC and its advertisement of the same does not create any right in favour of the persons applied rather the competent authority has always the discretion to increase or decrease the number of posts and to withdraw the same hence the authority malafidely omitted to exercise its authority by denying to the appellant the right of the appellant due to which the appellant will suffer a lot.
- D. That the appellant has performed duties efficiently, honestly and without giving any chance of complaint to his superior which fact also goes in his favor and there is no law which permits the respondents to continue with the process of recruitment under old rules after the amendment in the rules.
- E. That the appellant is civil servant and legal and constitutional guarantee is available to him to be dealt

with in accordance with law he however, has not been treated as such.

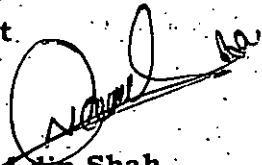
- F. That the act and omission of the department and respondents is in clear violation/disregard of the fundamental rights of the appellant, Therefore, the said act and omission of the department is not effective on the right of the appellant and the same has caused gross miscarriage of justice to the appellant.
- G. That the department is legally/constitutionally bound to follow the directions of law, rules and justice.
- H. That the respondents have failed to apply their independent/administrative mind to the matter and therefore have reached to an erroneous conclusion which is not sustainable in the eye of law.
- I. That after amendment in the rules filling of the post of Assistant director admin on initial recruitment is without any justification is the clear violation of law and rules which is not the mandate of law and as per superior courts judgments it has strictly been prohibited.
- J. That when the appellant is otherwise fit and competent they cannot be bypassed in such a manner and in this regard record needs to be examine in order to bring truth to surface.
- K. That it is the constitutionally guaranteed right of appellant to be treated with equality but here the appellants are being discriminated and was neglected without applying the proper procedure.
- L. That appellant seek permission of this Honorable Tribunal to raise other grounds at the time of hearing of the instant appeal.

It is, therefore, humbly prayed that on the acceptance of instant service appeal the impugned appellate order 06/07/2023 and impugned advertisement No. 03/2021 dated 24/03/2021 issued by KPPSC may kindly be set aside to the extent of serial No.77. The respondents may further please be directed to consider the appellant for promotion to the post of Assistant Director Administration (BPS-17) Commissionerate

of Mines Labour Welfare KP, under the new rules with all back benefits with any other remedy which this Honorable Tribunal deems appropriate may also be granted in favour of the appellant.

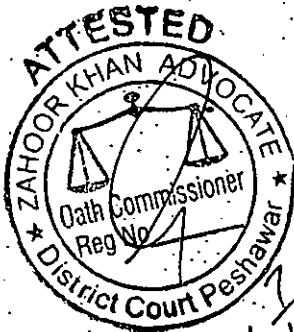
Dated 17/07/2023

~~Ayub~~
Appellant
Through


Naseer ud din Shah
ASC
&
Mehwish Ashfaq
Advocate, High Court,
Peshawar.

Affidavit

I, Muhammad Ayub s/o Amin Jan r/o House No. 673 Mohallah Moti Namak Mandi, Peshawar, superintendent commissionerate Mines Labour Welfare, Peshawar, do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.



DEPONENT

~~Ayub~~

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

Appeal No _____ of 2023

Muhammad Ayub

..... Appellant

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary.

..... Respondents

ADDRESSES OF THE PARTIES

Appellant

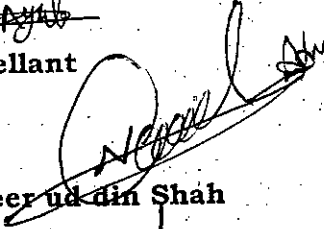

Muhammad Ayub s/o Amin Jan r/o House No. 673 Mohallah Moti
Namak Mandi, Peshawar, superintendent commissionerate Mines
Labour Welfare, Peshawar.

Respondents

- 1) Government of Khyber Pakhtunkhwa through Chief Secretary.
- 2) The secretary Minerals Development Department Govt of KPK,
Peshawar.
- 3) The Chief Commissioner Mines Labour Welfare Khyber
Pakhtunkhwa.
- 4) The Secretary Establishment Department Govt of KPK, Peshawar
Secretariat.
- 5) The Chairman Khyber Pakhtunkhwa Public Service commission.
- 6) The Director Recruitment Khyber Pakhtunkhwa Public Service
commission.

Dated 17/07/2023


Appellant
Through


Naseer ud-din Shah
ASC
&

Mehwish Ashfaq
Advocate, High Court,
Peshawar.

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

Appeal No _____ of 2023

Muhammad Ayub

..... Appellant

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary.

..... Respondents

**APPLICATION FOR THE SUSPENSION OF
IMPUGNED ADVERTISEMENT NO. 03/2021
DATED 24/03/2021 TO THE EXTENT OF SERIAL
NO.77 TILL THE FINAL DISPOSAL OF THE
INSTANT APPEAL.**

Respectfully Sheweth:

- 1) That the captioned Service appeal is being filed before this honorable Tribunal.
- 2) That as the prima facie case leans in favour of the Applicant/Appellant, there is strong likelihood of its success in favour of him.
- 3) That as the respondents are going to conduct test/interview on the impugned post and thus are required to be stopped forthwith as the applicant/Appellant would suffer irreparable loss.
- 4) That balance of convenience lies in favour of applicant / Appellant.

It is, therefore, respectfully prayed that on acceptance of this application the impugned advertisement No. 03/2021 dated 24/03/2021 may kindly be suspended to the extent of serial No.77 of the impugned advertisement till final disposal of the main appeal or the respondent may kindly be directed not to fill the post of Assistant Director Administration (BPS-17) through initial recruitment under old rules till final decision of main appeal.

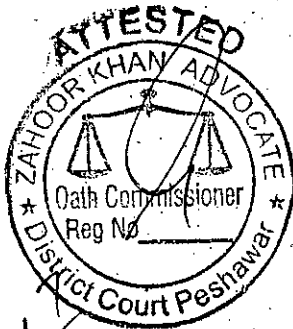
Dated 17/07/2023.

~~Appellant~~
Appellant
Through

~~Naseer ud din Shah~~
Naseer ud din Shah
ASC
&
Mehwish Ashfaq
Advocate, High Court,
Peshawar.

Affidavit

I, **Muhammad Ayub s/o Amin Jan r/o House No. 673 Mohallah Moti Namak Mandi, Peshawar, superintendent commissionerate Mines Labour Welfare, Peshawar**, do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.



DEPONENT

~~Ayub~~
Ayub

PAKISTAN National Identity Card

Name: Zaman Shah

Family Name: Muhammad Khan

Gender: M Country of Stay: Pakistan

Identity Number: 17J01-0747247-5 Date of Birth: 03.04.1967

Date of Issue: 11.03.2018 Date of Expiry: 12.03.2028

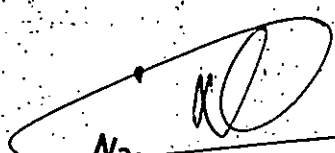
Holder's Signature

17J01-0747247-5

QR Code

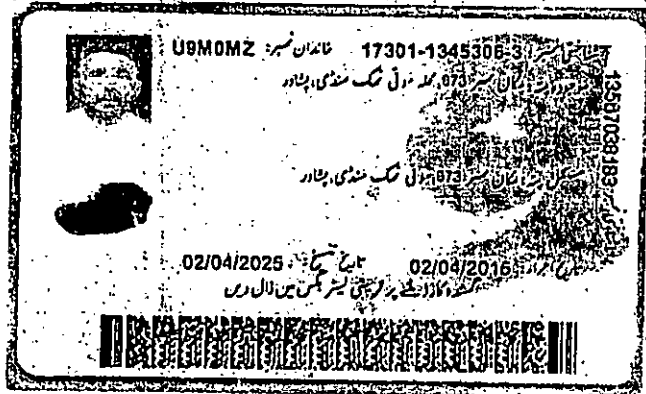
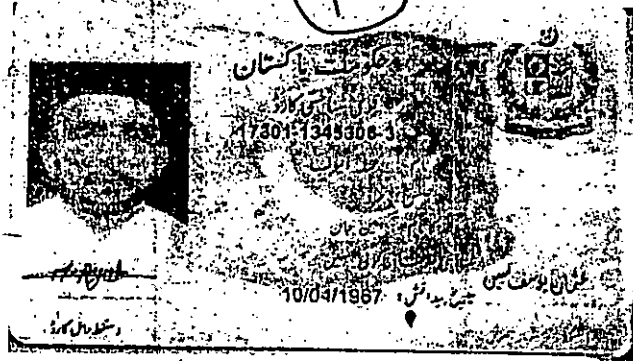
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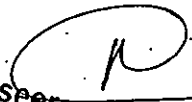
گمشدہ کارڈ کے برقریبی لیاؤ لیکن میں ڈال دیں



Naseer-ud-din Shah
Advocate
High Court Peshawar

10




 Naseer-ud-din Shah
 Advocate
 High Court Peshawar

KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.kppsc.gov.pk

Tele: Nos. 091-9214131, 9213563, 9213750, 9212897

Dated: 24.03.2021

ADVERTISEMENT No. 03/2021

Online applications are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa by **12.04.2021**

آن لائن درخواستیں: آخری تاریخ کے شام 5 بجے (دفتری اوقات کار) تک وصول کی جائے گی۔
شام 5 بجے کے بعد کوئی درخواست قابل قبول نہیں ہوگی۔ لہذا آخری تاریخ کا انتظار نہ کریں۔


Applications other than online will not be accepted. To apply, visit any Jazz Cash & Easy Paise Agent, deposit application fee of RS.500/- excluding service charges up to official timing of the closing date (05:00 PM) and get transaction I.D through SMS. Visit PSC website www.kppsc.gov.pk and apply online.

ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

1.	<p>TWO (02) LEFTOVER POSTS OF MALE SUBJECT SPECIALIST ENGLISH (BPS-17) (MINORITY QUOTA) IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.</p> <p>QUALIFICATION: At least 2nd Class Master's Degree or Four Years BS Degree in the relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University.</p> <p>AGE LIMIT: 23 to 35 years PAY SCALE: BPS-17 ELIGIBILITY: Male</p> <p>ALLOCATION: Merit (Amongst Minority Candidates)</p>
2.	<p>ONE (01) LEFTOVER POST OF MALE SUBJECT SPECIALIST STATISTICS (BPS-17) (MINORITY QUOTA) IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.</p> <p>QUALIFICATION: At least 2nd Class Master's Degree OR Four Years BS Degree in relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University.</p> <p>AGE LIMIT: 23 to 35 years PAY SCALE: BPS-17 ELIGIBILITY: Male</p> <p>ALLOCATION: Merit (Amongst Minority Candidates)</p>
3.	<p>ONE (01) LEFTOVER POST OF MALE SUBJECT SPECIALIST BIOLOGY (BPS-17) (MINORITY QUOTA) IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.</p> <p>QUALIFICATION: At least 2nd Class Master's Degree OR Four Years BS Degree in relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University.</p> <p>AGE LIMIT: 23 to 35 years PAY SCALE: BPS-17 ELIGIBILITY: Male</p> <p>ALLOCATION: Merit (Amongst Minority Candidates)</p>
4.	<p>TWO (02) LEFTOVER POSTS OF MALE SUBJECT SPECIALIST HISTORY CUM CIVICS (BPS-17) (MINORITY QUOTA) ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.</p> <p>QUALIFICATION: At least 2nd Class Master's Degree OR Four Years BS Degree in relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University.</p> <p>AGE LIMIT: 23 to 35 years PAY SCALE: BPS-17 ELIGIBILITY: Male</p> <p>ALLOCATION: Merit (Amongst Minority Candidates)</p>
5.	<p>TWO (02) LEFTOVER POSTS OF MALE DIRECTOR PHYSICAL EDUCATION (BPS-17) (MINORITY QUOTA) IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.</p> <p>QUALIFICATION: At least 2nd Class Master's Degree in Physical Education from recognized University.</p> <p>AGE LIMIT: 22 to 35 years PAY SCALE: BPS-17 ELIGIBILITY: Male</p> <p>ALLOCATION: Merit (Amongst Minority Candidates)</p>
HEALTH DEPARTMENT	
6.	<p>THIRTY FIVE (35) POSTS OF DENTAL SURGEON (TWENTY EIGHT (28) TO GENERAL QUOTA, FOUR (04) TO FEMALE QUOTA, TWO (02) TO MINORITY QUOTA & ONE (01) TO DISABLE QUOTA) IN HEALTH DEPARTMENT.</p> <p>QUALIFICATION: (a) BDS or equivalent qualification from a recognized University. (b) Completion of House Job Training.</p>

Naseer-ud-din Shah
Advocate
High Court Peshawar


	in Geology (four years) or having equivalent qualification from a recognized University.			12
	AGE LIMIT: 21 to 32 years	PAY SCALE: BPS-17	ELIGIBILITY: Both Sexes	
	ALLOCATION: Merit			
74.	TWO (02) LEFTOVER POSTS OF SENIOR INSPECTORS OF MINES IN INSPECTORATE OF MINES AND MINERALS. QUALIFICATION: (a) Second Class Bachelor's Degree in Mining Engineering from a recognized University. (b) First class mine manager certificate of Competency granted under the Provision of Mines Act, 1923; and (c) At least seven years experience in mining.			
	AGE LIMIT: 28 to 40 years	PAY SCALE: BPS-18	ELIGIBILITY: Both Sexes	
	ALLOCATION: Merit			
75.	ONE (01) LEFTOVER POST OF INSPECTOR OF MINES (FEMALE QUOTA) (BPS-17) IN INSPECTORATE OF MINES. QUALIFICATION: (a) At least Second Class Bachelor's Degree in Mining Engineering from a recognized University.			
	AGE LIMIT: 21 to 35 years	PAY SCALE: BPS-17	ELIGIBILITY: Female	
	ALLOCATION: Merit			
76.	ONE (01) LEFTOVER POST OF SENIOR SCALE STENOGRAPHER IN INSPECTORATE OF MINES. QUALIFICATION: (a) At least Second Class Bachelor's Degree or equivalent qualification from a recognized University. (ii) A speed of 70 words per minute in Shorthand in English and 45 words per minute in English Typing; and (iii) Knowledge of computer in using MS-word, MS-Excel.			
	AGE LIMIT: 21 to 32 years	PAY SCALE: BPS-16	ELIGIBILITY: Both Sexes	
	ALLOCATION: Zone-3			
77.	ONE (01) ASSISTANT DIRECTOR (ADMINISTRATION) IN COMMISSIONERATE OF MINES LABOUR WELFARE, KHYBER PAKHTUNKHWA. QUALIFICATION: At least Second Class Master's Degree of Business Administration, Master Degree of Public Administration, Master Degree of Commerce, Bachelor of studies (BS) 04 years, Bachelor of Business Administration (Honors four years) or equivalent qualification from a recognized University.			
	AGE LIMIT: 21 to 35 years	PAY SCALE: BPS-17	ELIGIBILITY: Both Sexes	
	ALLOCATION: Zone-1			
POPULATION WELFARE DEPARTMENT				
78.	ONE (01) LEFTOVER POST OF ASSISTANT SISTER TUTOR. (BPS-15) QUALIFICATION: A Grade Nurse.			
	AGE LIMIT: 18 to 30 years	PAY SCALE: BPS-15	ELIGIBILITY: Female	
	ALLOCATION: Zone-1			
PROVINCIAL INSPECTION TEAM				
79.	ONE (01) LEFTOVER POST OF SENIOR SCALE STENOGRAPHER (BPS-16) QUALIFICATION: Degree from a recognized University and a speed of 100 words per minute in shorthand in English and 40 words per minute in typing and capable to work on computer in MS Office including Urdu Program.			
	AGE LIMIT: 18 to 32 years	PAY SCALE: BPS-16	ELIGIBILITY: Both Sexes	
	ALLOCATION: Zone-1			
SPORTS, TOURISM, ARCHEOLOGY, MUSEUMS & YOUTH AFFAIRS DEPARTMENT				
80.	ONE (01) LEFTOVER POST OF HOCKEY COACH (BPS-18) IN SPORTS DEPARTMENT. QUALIFICATION: Bachelor's Degree from a recognized University. (ii) Five years experience as a coach in the relevant sports/ Games before or after graduation. (iii) First or second position in the relevant individual sports event as a player at the National level organized by Pakistan Olympic Association/ Pakistan Sports Federation concerned/ Pakistan Sports Board. OR (iv) Participant as a player in the relevant National level sports competition organized by Pakistan Olympic Association/ Pakistan Sports Federation concerned/ Pakistan Sports Board and secured at least second position. Note: Provided that preference will be given to International Sportsman in the relevant field.			
	AGE LIMIT: 21 to 35 years	PAY SCALE: BPS-16	ELIGIBILITY: Both Sexes	
	ALLOCATION: Zone-1			


Naseer-ud-din Shah
 Advocate
 High Court Peshawar

IMPORTANT INSTRUCTIONS

13

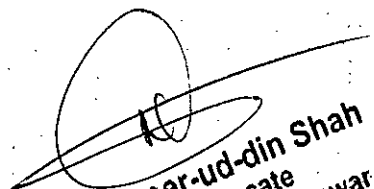
- (i) Candidates are advised to fill in all the columns carefully as change(s) will not be allowed after submission.
- (ii) Only one application is required for one serial, however the candidates applying for various quotas should mention serial number of (1)a, (1)b or (1)c in the application form specifically.
- (iii) Incomplete applications or unclaimed qualification, experience etc will be summarily rejected.
- (iv) Documents are not required at the time of submission of application; candidates who qualify the test will have to submit their documents within one week time after announcement of the result.
- (v) Candidates are required to make correct entries in the online application which can be documentarily proved as on the basis of their claim / entries they will be called for screening / ability test. Documents for unclaimed entries will not be entertained later on.
- (vi) Overage candidates after apply must obtain age relaxation orders from the respective Departments to avoid any difficulty.
- (vii) Candidates applying against disable quota will be required to submit disability certificates issued by the Provincial Council for Rehabilitation of Disabled Persons as well as from the respective Medical Superintendent / Medical Board showing therein the specific disability on or before the date of interview.
- (viii) Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates will be required before interview.
- (ix) Call letters for test will be placed on PSC website. Candidates must keep visiting the PSC website from time to time.
- (x) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates / DMCs are accepted.
- (xi) Domicile, qualification and its registration with Medical/ Engineering or other related institutions, possessed on the closing date of the advertisement shall be taken into consideration.
- (xii) Candidates possessing dual domicile on our closing date will be rejected.
- (xiii) Candidates who have not the prescribed qualification but equivalent qualification, they are required to be in possession of equivalency/ relevancy certificate from Higher Education Commission (HEC) while applying.
- (xiv) Candidates who possess qualification equivalent/higher than the prescribed qualification in the relevant field of studies will be considered eligible.
- (xv) Age shall be reckoned on closing date of the advertisement. Maximum age limit as prescribed in the recruitment rules shall be relaxable up-to 10 years for Disabled persons / Divorce women / Widow / Govt: Servants who have completed Two (2) years continuous service and up-to Three (3) years for candidates belonging to backward areas specified in the appendix attached to the Khyber Pakhtunkhwa Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 2008. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt: Servants, general or disabled candidates, whichever is relevant and applicable to them. Employees or ex-employees of development projects of the Government of Khyber Pakhtunkhwa and employees or ex-employees of development projects of the Federal Government


Naseer-Ud-din Shah
Advocate
High Court Peshawar

under the administrative control of the Government of Khyber Pakhtunkhwa shall also be entitled to age relation equal to the period served in the projects, subject to a maximum limit of ten years provided that this age relaxation shall not be available in conjunction with any other provisions of the age relaxation rules. (14)

- (xvi) Applicants married to Foreigners are considered only on production of the Govt: Relaxation Orders.
- (xvii) A female candidate if married before entry into government service shall acquire the domicile of her husband. If otherwise she will possess her own domicile. However, married female candidates are allowed to opt one of the domicile of her choice. Option once exercised shall be final and changes therein shall not be allowed.
- (xviii) Experience wherever prescribed shall be counted after the prescribed qualifications for the post(s) if not otherwise specified in the service rules. The experience certificates should be on prescribed forms available on PSC website.
- (xix) Government reserves the right not to fill any or fill less than the advertised post(s).
- (xx) In case the number of applications of candidates is disproportionately higher than the number of posts, short listing will be made in anyone of the following manner: -
- Written Test in the Subject.
 - General Knowledge or Psychological General Ability Test.
 - Academic and / or Professional record as the Commission may decide.

Note: Candidate who apply for the post(s) are advised to make sure that they are eligible for the post in all respects because eligibility of the candidate will be determined strictly according to the rules after conduct of all tests.


Iqbal-e-Azeer-ud-din Shah
Advocate
High Court Peshawar

(ILYAS SHAH)
DIRECTOR RECRUITMENT
KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

14

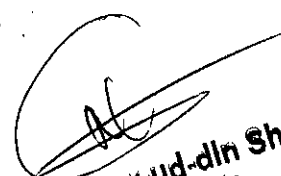
NOTIFICATION

Peshawar dated the November 22, 2017

No. SOE/MDD/2-1/Vol-II/2017.- In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous Notifications issued in this behalf, to the extent of posts borne in the Commissionerate of Mines Labour Welfare Khyber Pakhtunkhwa, the Minerals Development Department in consultation with the Establishment Department and the Finance Departments, hereby lays 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 Commissionerate of Mines Labour Welfare Khyber Pakhtunkhwa specified in column No. 2 of the said Appendix.

APPENDIX

S.No	Nomenclature of Posts	Minimum Qualification for Appointment by Initial Recruitment	Age Limit	Method of Recruitment
1	2	3	4	5
1.	Chief Commissioner Mines Labour Welfare (BPS-20)	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst the Commissioner Mines Labour Welfare having 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).
2.	Commissioner Mines Labour Welfare (BPS-19)	---	---	By promotion, on the basis of seniority-cum-fitness, from amongst the Deputy Commissioner Mines Labour Welfare with at least seven (07) years service as such in case of initial appointment in BPS-18 or twelve (12) years service as such in BPS-17 and above: Provided that if no suitable person is available for promotion then by transfer from amongst the officers of the Provincial Government.


Naseer-ud-din Shah
Advocate
High Court Peshawar

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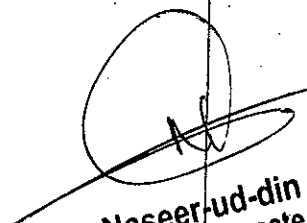
3.	Deputy Commissioner Mines Labour Welfare (BPS-18)	At least Second Class Bachelor's Degree in Mining Engineering or equivalent qualification from a recognized University with five years experience in the relevant field.	28-45 Years.	By promotion, on the basis of seniority cum fitness, from amongst the Assistant Commissioners Mines Labour Welfare with at least five years service as such: Provided that if no suitable person is available for promotion then by transfer or initial recruitment.
4.	Assistant Commissioner Mines Labour Welfare (BPS-17)	At least Second Class Bachelor's Degree in Mining Engineering or equivalent qualification from a recognized University.	21-35 Years.	By initial recruitment.
5.	Assistant Engineer Civil (BPS-17)	At least Second Class Bachelor's Degree in Civil Engineering or equivalent qualification from a recognized University.	21-35 Years.	(a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Engineers with at least five year service as such; and (b) fifty percent (50%) by initial recruitment.
6.	Accounts Officer (BPS-17)	At least Second Class Master's Degree of Business Administration (Finance), Master's Degree in Commerce or equivalent qualification from a recognized University.	21-35 Years.	By transfer from amongst the officers of the Accountant General Office or Treasury Office Peshawar: Provided that if no suitable person is available by transfer, then by initial recruitment.
7.	Assistant Director Administration (BPS-17)	At least Second Class Master's Degree of Business Administration, Master's Degree of Public Administration, Master's Degree of Commerce, Bachelor of Studies (BS) 4 years, , Bachelor of Business Administration (Honors four years.) or equivalent qualification from a recognized University.	21-35 Years.	By initial recruitment.
8.	Superintendent (BPS-17)	-----	-----	By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants with at least five years service as such.
9.	Assistant (BPS-16)	At least Second Class Bachelor's Degree from a recognized University.	21-32 Years.	(a) Seventy five percent (75%) by promotion, on the seniority-cum-fitness basis, from amongst the Senior Clerks with at least five years service as Junior Clerk and Senior Clerk; and

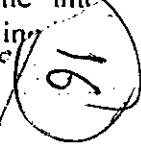
Naseer-ud-din Shah
Advocate
High Court Peshawar

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				(b) twenty five percent (25%) by initial recruitment.
10.	Computer Operator (BPS-16)	(i) At least Second Class Bachelor's Degree in Computer Sciences (BCS) (four years) Information Technology, (BIT) (four years) or equivalent qualification from a recognized University; or (ii) at least Second Class Bachelor's Degree from a recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education.	21-32 Years.	By initial recruitment.
11.	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.
12.	Sub-Engineer (BPS-12)	At least Second Class three years Diploma in Civil Engineering (DAE Civil) from a recognized Board of Technical Education.	21-32 Years.	By initial recruitment.
13.	Junior Clerk (BPS-11)	(i) At least Second Class Secondary School Certificate or equivalent qualification from recognized Board; and (ii) a speed of thirty (30) words per minute in typing.	18-32 Years.	(a) Thirty three percent (33%) by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids with at least two years service as such who have passed Secondary School Certificate Examination from a recognized Board; and (b) Sixty seven percent (67%) by initial recruitment: Provided that,- (i) if two or more officials have acquired the Secondary School Certificate in the same session, the inter seniority in the lower post shall be maintained for the purpose of determining seniority in the post; and (ii) where a senior official does not possess the requisite qualification at the time of recruitment, the official next junior to him shall be eligible for promotion.



Naseer-ud-din Shah
 Advocate
 High Court Peshawar


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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.


Naseer-ud-din Shah
Advocate
High Court Peshawar

SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT.

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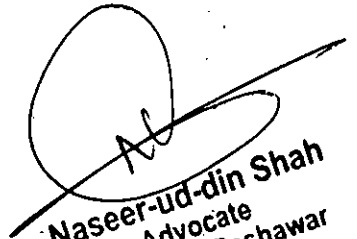
No. 50 (E/MDD/2-1/Vol-III/2017) / 6271-6360


18

Dated Peshawar, November 22, 2017

Copy is forwarded for information to:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
2. Accountant General, Khyber Pakhtunkhwa.
3. The Director General, Mines & Minerals Khyber Pakhtunkhwa
4. The Chief Commissioner, Mines & Labour Welfare Khyber Pakhtunkhwa
5. The Chief Inspector of Mines Khyber Pakhtunkhwa
6. All Heads of Attached Departments in Khyber Pakhtunkhwa.
7. All Divisional Commissioners of Khyber Pakhtunkhwa
8. All Deputy Commissioners in Khyber Pakhtunkhwa.
9. The Registrar, Peshawar High Court, Peshawar.
10. Secretary Public Service Commission Khyber Pakhtunkhwa.
11. All Executive District Officers Finance Government of Khyber Pakhtunkhwa
12. All District Account Officers Government of Khyber Pakhtunkhwa
13. Librarian Establishment Department Government of Khyber Pakhtunkhwa
14. Manager, Government Printing Press, Khyber Pakhtunkhwa for publication in the official Gazette with the request that twenty printed copies of the notification, when published may be furnished to this department.
15. PS to Secretary Minerals Development Department Government of Khyber Pakhtunkhwa.
16. PA to Additional Secretary Minerals Development Department Government of Khyber Pakhtunkhwa.
17. PA to Deputy Secretary (Admin) Minerals Development Department Government of Khyber Pakhtunkhwa
18. Master file.
19. Concerned file.


Naseer-ud-din Shah
Advocate
High Court Peshawar


(Muhammad Javed) 22/11/2017
Section Officer (Fst :)

18



Government of
Khyber Pakhtunkhwa
Minerals Development Department

19

Peshawar dated the 18th December, 2020

15845-53

NOTIFICATION

No.SOE/MDD/2-1/COM/2020.

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Minerals Development Department in consultation with the Establishment and the Finance Departments, Khyber Pakhtunkhwa, hereby directs that in this Department's Notification No.SOE/MDD/2-1/Vol-II/2017, dated 22.11.2017, the following further amendments shall be made, namely:

AMENDMENTS

In the APPENDIX, for Serial No.13, the following shall be substituted, namely:

Sl#	Nomenclature of post	Minimum qualification prescribed for the appointment by initial recruitment	Age Limit	Method of Recruitment
	2	3	4	5
13	Junior Clerk (BS-11)	(i) At least Second Class Intermediate Certificate or equivalent qualification from a recognized Board; and (ii) a speed of thirty (30) words per minute in typing.	18 to 30 years	(a) Forty percent (40%) by Promotion, on the basis of seniority-cum- fitness, from amongst Naib Qasids, and Sweepers, with two years' service as such and having qualification prescribed for initial recruitment; and (b) Sixty percent (60%) by initial recruitment. <u>Note:</u> For the purpose of promotion, there shall be maintained a common seniority list Naib Qasids and Sweepers, with reference to the dates of their acquiring the Intermediate Certificate. <u>Provided that: -</u> (i) if two or more officials have acquired the Intermediate Certificate in the same session, the inter-se-seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post; and (ii) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials. <u>Provided further that the condition of Intermediate Certificate</u>

Naseer-ud-din Shah
Advocate
High Court Peshawar

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or its equivalent qualification from a recognized Board, as laid down at clause (a) shall not apply till the expiration period as specified in Column No. 5 against Serial No. 4 of the Establishment Department amendment Notification No. SOE.IV(E&AD)1-35/2014, dated 18-07-2019, to the existing matriculates incumbents of the posts Naib Qasids, and Sweepers for promotion to the post of Junior Clerk (BPS-11)."

-Sd-
Secretary to Govt. of Khyber Pakhtunkhwa,
Minerals Dev: Department

Dated Peshawar the 18th December, 2020

No. SOE/MDD/2-1/COM./2020

Copy is forwarded for information to:-

1. The Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
4. All Divisional Commissioners of Khyber Pakhtunkhwa.
5. Chief Commissioner, RTI, Khyber Pakhtunkhwa.
6. Accountant General, Khyber Pakhtunkhwa.
7. The Director General, Mines & Minerals, Khyber Pakhtunkhwa
8. The Chief Commissioner, Mines & Labour Welfare Khyber Pakhtunkhwa
9. The Chief Inspector of Mines, Khyber Pakhtunkhwa
10. All Deputy Commissioners in Khyber Pakhtunkhwa.
11. The Registrar, Peshawar High Court, Peshawar.
12. The Secretary Public Service Commission, Khyber Pakhtunkhwa.
13. The Registrar, Khyber Pakhtunkhwa, Services Tribunal, Peshawar.
14. The Director Information Department, Khyber Pakhtunkhwa.
15. The Private Secretary to Chief Secretary Khyber Pakhtunkhwa.
16. The Deputy Director (IT), Administration Department.
17. The Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar
18. Manager, Government Printing Press, Khyber Pakhtunkhwa for publication in the Extra Ordinary issue of Government Gazette of today's date.

AC
Naseer-ud-din Shah
Advocate
High Court Peshawar

[Signature]
(Hafiz Abdul Jaleel)
SECTION OFFICER (EST.) 18/12/20

D. J. Khan
[Signature]
21/12/2020

COMMISSIONER
of Mines Labour Welfare
Khyber Pakhtunkhwa
10546
21-12-2020
* PESHAWAR

[Signature]
21/12/2020
Please file

ACM
[Signature]
Section Rule File

21



Government of Khyber Pakhtunkhwa Minerals Development Department

Peshawar Dated the, 05/05/2023

NOTIFICATION

No. SOE/MDD/2-1/COM/2021; 182460-77 In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Minerals Development Department, in consultation with the Establishment and the Finance Department, hereby directs that in this Department's Notification No. SOE/MDD/2-1/Vol-II/2017, dated 22.11.2017, the following further amendments shall be made, namely:

AMENDMENTS

In the APPENDIX,-

(a) Against at Serial No.7,-

- (i) in Column Nos. 3 and 4, the existing entries shall be deleted; and
- (ii) in Column No. 5, for the existing entry, the following shall be substituted, namely:

"By promotion on the basis of seniority-cum-fitness, from amongst the holders of the posts of Superintendents (BS-17) having two years service as such";

(b) after Serial No.7, as so amended, the following new entries shall be inserted, in the respective. Columns, namely:

1	2	3	4	5
"7(A)	Assistant Director IT (BPS-17)	At least Second-Class Master's Degree in Computer Science or BS (four years) in Computer Science, Information Technology, or equivalent qualification from a recognized University.	23-35 Years	(a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Computer Operators having the qualification prescribed for initial recruitment with at least five years service as such; and (b) fifty percent (50%) by initial recruitment."; and

Naseer-ud-din Shah
Advocate
High Court Peshawar

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(c) after Serial No.17, the following new entries shall be added, in the respective Columns, namely:

1	2	3	4	5
18.	Cess Guard (BPS-03)	At least Second-Class Secondary School Certificate from a recognized Board.	18-40 Years	By initial recruitment
19.	Chowkidar (BPS-03)	Preferably Literate	18-40 Years	By initial recruitment."

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA,
MINERALS DEVELOPMENT DEPARTMENT

No.SOE/MDD/2-1/COM/2021 / bubs-77 Dated Peshawar the 05th May, 2023

Copy is forwarded for information to:-

1. The Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to the Government of Khyber Pakhtunkhwa.
4. Chief Commissioner, RTI, Khyber Pakhtunkhwa.
5. Accountant General, Khyber Pakhtunkhwa.
6. The Director General, Mines & Minerals, Khyber Pakhtunkhwa
7. The Chief Commissioner, Mines & Labour Welfare Khyber Pakhtunkhwa.
8. The Chief Inspector of Mines, Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. Secretary Public Service Commission, Khyber Pakhtunkhwa.
12. The Registrar, Khyber Pakhtunkhwa, Services Tribunal, Peshawar.
13. Director Information Department, Khyber Pakhtunkhwa.
14. The Deputy Legislation Officer-II (Legislation Wing) w.r.t his letter No. Reg: 1(2)2010/Vol-III dated 06.12.2022
15. Private Secretary to Chief Secretary Khyber Pakhtunkhwa.
16. Deputy Director (IT), Administration Department.
17. The Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar
18. Manager, Government Printing Press, Khyber Pakhtunkhwa for publication in the Extra Ordinary issue of Government Gazette with the request that twenty printed copies of the notification, when published may be furnished to this department.

Naseer-ud-din Shah
Advocate
High Court Peshawar

Section Officer (Estt.)

23

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The Chief Commissioner Mines,
Labour Welfare Khyber Pakhtunkhwa.

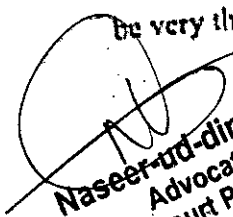
Subject: PROMOTION FROM SUPERINTENDENT (BPS-17) TO THE POST OF ASSISTANT DIRECTOR ADMINISTRATION (BPS-17).

I am directed to refer to the subject noted above and to say that I am Serving as Superintendent (BPS-17) in the Commissionerate of Mines Labour Welfare Khyber Pakhtunkhwa since 12-12-2018. As per amended notification No.SOE/MDD/2-FCOM/2021/6-160-77 dated 05-05-2023 of Minerals Development Department the following amendment has been made in the service rules of Assistant Director (Admin):

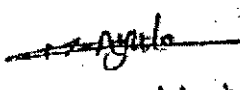
"By promotion on the basis of seniority-cum-fitness, from amongst the holders of the posts of Superintendents (BS-17) having two years' service as such" (copy of service rules are enclosed).

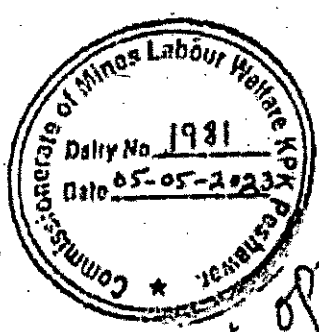
It is pertinent to mention here that requisition for recruitment of the said post has been sent to the Khyber Pakhtunkhwa Public Service Commission and has been advertised by the Khyber Pakhtunkhwa Public Service Commission vide Advertisement No 03/2021 at serial No 77 (copy of advertisement is enclosed), However test and interview has not been scheduled for the said post yet.

In view of the above it is therefore requested that being the senior most superintendent and otherwise eligible for the said post the same may kindly be withdrawn from Khyber Pakhtunkhwa Public Service Commission and I may be promoted to the said post. I shall be very thankful to you.

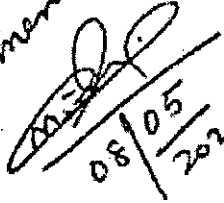

Naseer-ud-din Shah
Advocate
High Court Peshawar

Yours Sincerely,


Muhammad Ayub
Superintendent (BPS-17)
Commissionerate of Mines
Labour Welfare
H/Q Office Peshawar



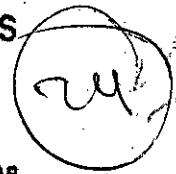
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6/5

Please get opinion from
Establishment deptt.

08/05/2023

DCM



COMMISSIONERATE OF MINES
LABOUR WELFARE
KHYBER PAKHTUNKHWA



ATTACHED DEPARTMENT COMPLEX, KHYBER ROAD, PESHAWAR

Phone: 091-9211723

No. CMLW/APT/Vol-III/2172

Dated 19/05/2023

To

The Secretary,
Minerals Development Department,
Khyber Pakhtunkhwa, Peshawar.

Subject:

**WITHDRAWAL OF REQUISITION FOR THE POST OF ASSISTANT DIRECTOR
ADMINISTRATION FROM KHYBER PAKHTUNKHWA PUBLIC SERVICE
COMMISSION**

I am directed to refer to the above noted subject and to state that the requisition for recruitment against the said vacant post has already been sent to the Khyber Pakhtunkhwa Public Service Commission vide letter No.SO(E)/MDD/2-8/2021/Vol-VII/1907-09 dated 16-02-2021 (Copy of the letter is Annexed-A). The Khyber Pakhtunkhwa Public Service Commission has advertised the post in daily newspapers vide Advertisement No 03/2021 at serial No 77 (Copy of advertisement is Annexed-B). However, test and interview for the said post has not yet been scheduled by the Commission.

It is pertinent to mention here that the Minerals Development Department Government of Khyber Pakhtunkhwa Notification No.SOE/MDD/2-1/COM/2021/6460-77 dated 05-05-2023 (Copy of Notification is Annexed-C) some amendments have been made in the existing Service Rules of the Commissionerate of Mines Labour Welfare Khyber Pakhtunkhwa. The following amendments have been made in respect of the post of Assistant Director (Administration).

Existing Rules	Amended rules
At least 2 nd Class Master's Degree of Business Administration, Master's Degree of Public Administration, Master's Degree of Commerce, Bachelor of Studies (BS) 4 years, Bachelor of Business Administration (Honors four years), or equivalent qualification from a recognized University. (Copy of Service Rules Annexed-D)	(a) Against at Serial No. 7,- (i) in Column Nos. 3 and 4, the existing entries shall be deleted; and (ii) in Column No. 5, for the existing entry, the following shall be substituted, namely: "By promotion on the basis of seniority-cum-fitness, from amongst the holders of the posts of Superintendents (BS-17) having two years service as such"; (Copy attached as Annexed-C)

In view of the above, Mr. Muhammad Ayub, Senior most Superintendent (BPS-17) has submitted an application (Copy of Application Annexed-E), wherein he stated that since the service rules for the post of Assistant Director Administration (BPS-17) has been amended and the requisition against the said post may be withdrawn from KPPSC and being senior most superintendent he may be promoted against the post of Assistant Director Administration (BPS-17). Therefore, it is requested that the KPPSC may be approached for withdrawal of the said requisition please.

File:
Admin Vol - VII

Naseer-ud-din Shah
Advocate
High Court Peshawar

Commissioner Mines
Labour Welfare
Khyber Pakhtunkhwa



Government of
Khyber Pakhtunkhwa
Minerals Development Department

25

No. SO (E)/MDD/2-8/2023/Vol-IV
Dated Peshawar, 25th May, 2023

To

The Secretary to Govt. of Khyber Pakhtunkhwa
Establishment Department.

Subject: WITHDRAWAL OF REQUISITION FOR THE POST OF ASSISTANT
DIRECTOR ADMINISTRATION FROM KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION

Dear Sir,

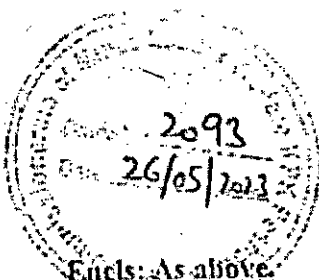
1. I am directed to state that requisition for filling up of the post of Assistant Director (Admin) BPS-17, Commissionerate of Mines, Labour Welfare, Khyber Pakhtunkhwa, was sent to the Khyber Pakhtunkhwa Public Service Commission (KPPSC), through letter dated 16.02.2021, as recruitment against the said post, under the Rules notified on 22.11.2017, was "By Initial Recruitment". Accordingly, the KPPSC advertised the post through Adv No 03/21 S.No 77. However, test/ interviews for the said post have not yet been scheduled by the KPPSC. Copies of above quoted references are enclosed as Annex-I, II & III, respectively.

2. It is necessary to add here that the previous Service Rules, reflected at Annex-II, has been amended and method of recruitment for the said post has been substituted i.e. "By promotion on the basis of seniority-cum-fitness, from amongst the holders of the posts of Superintendents (BS-17) having two years service as such" instead of Initial Recruitment. Copy of amended Rules notified on 05.05.2023 is available at Annex-IV.

3. Now in light of new amended Service Rules, the Commissionerate of Mines, Labour Welfare, Khyber Pakhtunkhwa has forwarded an application of Muhammad Ayub (Senior most superintendent BS-17), which is self-explanatory and placed at Annex-V; with the recommendation that the case may be processed further for withdrawal of requisition from KPPSC.

4. In view of the new amended Service Rules, it is, therefore, requested that the KPPSC may be approached for withdrawal of requisition of the post of Assistant Director Admin BS-17, Commissionerate of Mines, Labour Welfare, (Adv No. 03/21 S.No 77) so that the recruitment against the said post could be made according to the Existing Service Rules, please.

Naseer-ud-din Shah
Advocate
High Court Peshawar



Encls: As above.
Enclst: No & Date even:

Yours faithfully,

Section Officer (Estt.)

Copy is forwarded for information to:-

1. The Commissioner of Mines w.r.t his letter No. CMLW/APT/Vol-III/2172 dated 19.05.2023.
2. PS to Secretary, Minerals Development Department.

Handwritten signatures and dates: 26/05/2023, DA (Admin)

Section Officer (Estt.)

File: APT/Vol-III
26/05/2023



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

26

No. Kc. SO(O&M)E&AD/10-1/2023
Dated Peshawar, the 26th June, 2023

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Minerals Development Department.

1137

97-6-2-83

Subject:

WITHDRAWAL OF REQUISITION FOR THE POST OF ASSISTANT
DIRECTOR ADMINISTRATION FROM KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION.

Dear Sir,

I am directed to refer to your letter No.SO(E)/MDD/2-8/2023/Vol-IV/7702-04 dated 25.05.2023 on the subject noted above and to state that the subject post has already been advertised by the Khyber Pakhtunkhwa Public Service Commission on 24-03-2021 vide Advertisement No. 3/21 S.No.77 in accordance with Service Rules in vogue. Needless to mention that any law, rules/regulations become effective with immediate effect or from the date of its notification and cannot be applicable with retrospective effect.

2. Since the amended Service Rules notified on 05-05-2023 cannot be given effect retrospectively, therefore, request of the Administrative Department regarding withdrawal of requisition for the subject post from the Khyber Pakhtunkhwa Public Service Commission is not tenable at this belated stage.

Yours faithfully,

(Badri Zaman)
SECTION OFFICER (O&M)

Naseer-ud-din Shah
Advocate
High Court Peshawar

Endst: No. & date even.

Copy to the: -

1. PS to Secretary, Establishment Department.
2. PS to Special Secretary (Regulation), Establishment Department.
3. PA to Additional Secretary (Reg-II), Establishment Department.
4. PA to Deputy Secretary (Policy), Establishment Department.
5. Master File.

A 8/07/23

D.S. (B.H.)
27/6/23

27/06/2023

Addl. Sec (Admn) D. No. 78

Date: 27/06/2023

Minerals Dev. Department (KP)

SECTION OFFICER (O&M)

SO(E)

03.07.2023

27

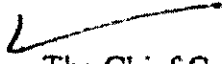


Government of
Khyber Pakhtunkhwa
Minerals Development Department

No. SO(E)/MDD/2-8/2023/Vol-V/
Dated Peshawar, 06th July, 2023

9375

To



The Chief Commissioner of Mines,
Commissionerate of Mines, Labour Welfare,
Khyber Pakhtunkhwa, Peshawar.

Subject:

WITHDRAWAL OF REQUISITION FOR THE POST OF ASSISTANT
DIRECTOR ADMINISTRATION FROM KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION.

I am directed to refer to your letter No. SMLW/APT/Vol-III/2172 dated 19.05.2023 on the subject noted above and to enclose herewith a copy of Establishment Department letter No. SO(O&M)E&AD/10-1/2023 dated 26.06.2023 wherein it is stated that the withdrawal of requisition for the subject post from KPPSC is not tenable at this belated stage.



Geus arthe
Section Officer (Estt.)

AC
Naseer-ud-din Shah
Advocate
High Court Peshawar



Government of
Khyber Pakhtunkhwa
Minerals Development Department

Dated Peshawar, December 12, 2018

NOTIFICATION

No.SO(E)/MDD/2-4/2018: On the recommendation of the Departmental Promotion Committee, the Competent Authority is pleased to promote the following Officers/Officials in the attached departments of Minerals Development Department, on regular/acting charge basis with immediate effect.

S.No.	Name of Officer/Official with Designation	Promoted to the post of
1	Engr. Falak Zaman, Mineral Development Officer, (Technical), BS-16.	Assistant Director (Technical), BS-17, in the Directorate General Mines & Minerals Khyber Pakhtunkhwa, on regular basis.
2	Engr. Majid Ali Khan, Mineral Development Officer (Technical), BS-16	-do-
3	Engr. Zulfiqar Ahmad, Mineral Development Officer (Technical), BS-16	-do-
4	Engr. Naveed Iqbal, Mineral Development Officer (Technical), BS-16	-do-
5	Engr. Rehman ud Din, Mineral Development Officer (Technical), BS-16	Assistant Director (Technical), BS-17, in the Directorate General Mines & Minerals, Khyber Pakhtunkhwa, on acting charge basis
6	Mr. Dost Muhammad, Mineral Development Officer (Non-Technical), BS-16.	Assistant Director (Technical), BS-17, in the Directorate General Mines & Minerals, Khyber Pakhtunkhwa, on regular basis
7	Mr. Abdul Rasheed, Assistant (BS-16)	Superintendent (BS-17) in the Directorate General Mines & Minerals, Khyber Pakhtunkhwa, on regular basis
8	Mr. Jehanzeb Assistant (BS-16)	Superintendent (BS-17) in the Directorate General Mines & Minerals, Khyber Pakhtunkhwa, on regular basis.
9	Mr. Maaz Ullah Assistant (BS-16)	Superintendent (BS-17) in the Directorate General Mines & Minerals, Khyber Pakhtunkhwa on regular basis.
10	Mr. Muhammad Riaz, Assistant (BS-16).	Superintendent (BS-17) in the Inspectorate of Mines, Khyber Pakhtunkhwa, on regular basis
11	Mr. Muhammad Ayub, Assistant (BS-16).	Superintendent (BS-17) in the Commissionerate of Mines Labour Welfare, Khyber Pakhtunkhwa on regular basis.

Naseer-ud-din Shah
Advocate
High Court Peshawar

The officers, promoted on regular basis, will remain on probation for a period of one year in terms of Section 5 (2) of Khyber Pakhtunkhwa, Civil Servants, Act, 1973 read with Rule-15 (1) of Khyber Pakhtunkhwa Civil servant (Appointment, Promotion and Transfer) Rules 1988.

Secretary to Govt of Khyber Pakhtunkhwa
Minerals Dev. Department

NOTIFICATION

No.SO(E)/MDD/2-4/DPC/COM/2022: The Competent Authority on the recommendations of the Departmental Promotion Committee is pleased to promote Mr. Zaman Shah, Superintendent (BS-17) (Aob) to the post of Superintendent (BS-17) in the Commissionerate of Mines, Labour Welfare, Khyber Pakhtunkhwa, on regular basis, with immediate effect.

2. Consequent upon his promotion, the above named officer shall remain on probation for a period of one year extendable for another one year in terms of Section 6 (2) of Khyber Pakhtunkhwa, Civil Servants, Act, 1973 read with Rule-15 (1) of Khyber Pakhtunkhwa Civil servant (Appointment, Promotion and Transfer) Rules, 1989

-Sd-
Secretary to Govt: of Khyber Pakhtunkhwa,
Minerals Dev: Department

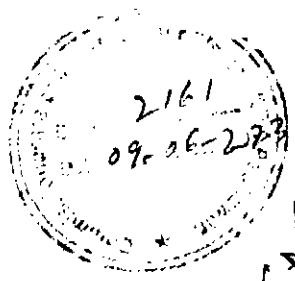
No.SO(E)/MDD/2-4/DPC/COM/2022: *100-3* Dated Peshawar the, 8th June, 2023

Copy forwarded to the:-

- 1 Accountant General, Khyber Pakhtunkhwa Peshawar.
- 2 Chief Commissioner Mines Labour Welfare, Khyber Pakhtunkhwa, Peshawar.
- 3. PS to Secretary Minerals Dev: Department Khyber Pakhtunkhwa, Peshawar
- 4. Officer Concerned.
- 5. Master File

[Signature]
Section Officer (Estt:)

[Signature]
Abdur-din Shah
Advocate
Peshawar



[Handwritten signatures and initials]
12/06/23

AD (Admin)
[Signature]

DGM
DAC (Admin)

Files
Personal file of officers.

DAC (Admin)

Personal file
[Signature]