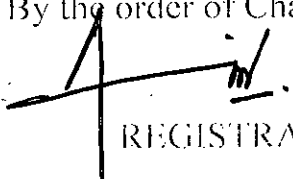


FORM OF ORDER SHEET

Court of _____

Appeal No. 112/2024

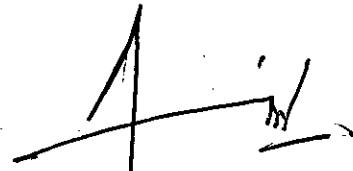
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/01/2024	<p>The appeal of Mr. Muhammad Roshan resubmitted today by Mr. Taimur Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Muhammad Roshan received today i.e. on 22.12.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Memorandum of appeal is not signed by the appellant.
- 4- Affidavit is not attested by the Oath Commissioner.
- 5- Annexures of the appeal are unattested.
- 6- Copy of impugned order/letter dated 22.06.2022 mentioned in the heading of the appeal is not attached with the appeal be placed on it.
- 7- Copy of departmental appeal is not attached with the appeal.
- 8- Page No. 7, 12, 14, 15, 16 and 17 of the appeal are illegible.
- 9- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 15 /S.T.

Dt. 2/1 /2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Taimur Ali Khan Adv.
High Court Peshawar.

Respected Sir,

1- Removed

2- Removed

3- Removed

4- Removed

5- Removed

6- copy of impugned order/letter dated 22/6/2022
is attached as annexure-K-page-31

7- copy of departmental appeal is attached as
annexure-I-page 29.

8- page no. 7, 12, 14, 15, 16 and 17 are replaced by
legible copies

9- Removed

Resubmitted after compliance



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 112 /2023/

Muhammad Roshan

V/S


M&M Department

INDEX

S.No.	Documents	Annexure	Page No.
1.	Memo of appeal	-----	01-05
2.	Affidavit	-----	06
3.	Copies of appointment order dated 14.06.2007 and charge report	A&B	07-08
4.	Copies of extension orders	C	09-17
5.	Copies of departmental permission and notification dated 20.05.2019	D&E	18-19
6.	Copies of relinquished report and charge report	F&G	20-21
7.	Copies of KP Regularization Act 2021, departmental appeal, letter dated 09.11.2021, memo/letter dated 22.06.2022, letter dated 27.07.2023 and letter dated 27.11.2023	H,I,J,K,L&M	22-33
8.	Wakalat Nama	-----	34

THROUGH:

APPELLANT


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT
03339390916

①

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

SERVICE APPEAL NO. 112/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10053

Dated 22-12-2023

Mr. Muhammad Roshan, Senior Inspector of Mines (BS-18),
Kohat Division Kohat.

(APPELLANT)

VERSUS

1. The Secretary Finance Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Secretary Mineral Development Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. The Chief Inspector of Mines, Inspectorate of Mines, Khyber Pakhtunkhwa near Judicial Complex Peshawar.

(RESPONDENTS)

AMENDED APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE MEMO/LETTER DATED 22.06.2022 COMMUNICATED TO THE APPELLANT ON 27.11.2023, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR COUNTING PREVIOUS SERVICE RENDERED BY HIM AS TRAINING OFFICER IN THE ESTABLISHMENT/OPERATION AND MAINTENANCE OF MINES RESCUE/SAFETY & LABOUR WELFARE CENTRE FATA 19.05.2019 W.E.F 14.06.2007 TILL 20.05.2019 TOWARD HIS PAY PROTECTION, PENSION, GRATUITY AND ALLOWANCES ETC HAS DENIED.

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 22.06.2022 MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY PLEASE BE DIRECTED TO COUNT PREVIOUS SERVICE

(2)

RENDERED BY THE APPELLANT AS TRAINING OFFICER IN THE ESTABLISHMENT/OPERATION AND MAINTENANCE OF MINES RESCUE/SAFETY & LABOUR WELFARE CENTRE FATA W.E.F 14.06.2007 TILL 20.05.219 TOWARD HIS PAY PROTECTION, PENSION, GRATUITY AND ALLOWANCES ETC WITH ALL BACK BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO, BE AWARDED IN FAVOUR OF THE APPELLANT.

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was initially appointed in the Government Scheme of Mineral Department FATA namely Establishment /Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Centre Starsam Orakzai Agency (FATA) as Training Officer vide order dated 14.06.2007 and in the pursuance of the order dated 14.06.2007 the appellant took charge on the said post on 14.06.2007. **(Copies of appointment order dated 14.06.2007 and charge report are attached as Annexure-A&B)**
2. That appellant was performing his duty as Training Officer with the entire satisfaction of his superiors and due to his excellent performance the contract period of the appellant was extended from time to time and there is no gap in the contract period of the appellant. **(Copies of extension orders are attached as Annexure-C)**
3. That the posts of Senior Inspector of Mines (BS-18) in the Inspectorate of Mines Khyber Pakhtunkhwa were advertised by the KP Public Service Commission and the appellant being eligible applied for the said post through proper channel with departmental permission and was appointed on the post of Senior Inspector of Mines (BS-18) vide notification dated 20.05.2019. **(Copies of departmental permission and notification dated 20.05.2019 are attached as Annexure-D&E)**
4. That the appellant relinquished the charge of the post of Training Officer from the Government Scheme Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Centre FATA on 20.05.2019 and assumed the charge of the post of Senior Inspector of Mines (BS-

18) in the Inspectorate of Mines, Khyber Pakhtunkhwa on 21.05.2019. **(Copies of relinquished report and charge report are attached as Annexure-F&G)**

5. That as Government Scheme namely Establishment/Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Centre FATA where the appellant has served for about 12 years was regularized along with other projects through Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile FATA) Act 2021 and on the regularization of the projects, the previous service rendered by their employees were counted to toward their pay protection, pension, gratuity and allowances etc and as the appellant has also served for the said project for about 12 years w.e.f 14.06.2007 till 20.05.2019 and then appointed on regular basis as Senior Inspector of Mines (BS-18) after proper departmental permission and applied through proper channel and as such the appellant is also entitle to count his previous service w.e.f 14.06.2007 till 20.05.2019 rendered in Establishment/Operation of Mines Rescue/Safety & Labour Welfare Centre FATA toward his pay protection, pension, gratuity and allowances etc, therefore, he filed departmental appeal to respondent No.3 on 01.11.2021 to count his previous service w.e.f 14.06.2007 till 20.05.2019 rendered in Establishment/Operation of Mines Rescue/Safety & Labour Welfare Centre FATA toward his pay protection, pension, gratuity and allowances etc, which was forwarded to respondent No.2 for further necessary action through letter dated 09.11.2021, which was further forwarded to respondent No.1, which was denied by respondent No.1 through memo/letter 22.06.2022 and the same was forwarded to respondent No.2 for information and record through letter dated 27.07.2022, which was then communicated to the appellant through a letter dated 27.11.2023. **(Copies of KP Regularization Act 2021, departmental appeal, letter dated 09.11.2021, memo/letter dated 22.06.2022, letter dated 27.07.2023 and letter dated 27.11.2023 are attached as Annexure-H,I,J,K,L&M)**

GROUNDS:-

A) That the rejection memo/letter dated 22.06.2022 and not counting the previous service rendered by the appellant as Training Officer in project namely Establishment/Operation of Mines Rescue/Safety & Labour Welfare Centre FATA w.e.f 14.06.2007 till 20.05.2019 toward his pay protection, pension, gratuity and allowances etc along with

(4)

back benefits are against the law, facts, norms of justice and material on record, therefore, not tenable and memo/letter dated 22.06.2022 is liable to be set aside and the appellant is entitled to pay protection, pension, gratuity and allowances etc of his previous service rendered as Training Officer in project namely Establishment/Operation of Mines Rescue/Safety & Labour Welfare Centre FATA w.e.f 14.06.2007 till 20.05.2019.

- B) That the appellant applied for the post of Senior Inspector of Mines (BS-18) through proper channel after the proper departmental permission and after appointment as Inspector of Mines (BS-18) on 20.05.2019, the appellant relinquished the charge of the post of Training Officer in Establishment/Operation of Mines Rescue/Safety & Labour Welfare Centre FATA on 20.05.2019 and assumed the charge of the post of Senior Inspector of Mines (BS-18) in the Inspectorate of Mines, Khyber Pakhtunkhwa on 21.05.2019 and there is no break in the service of the appellant and as such the appellant is entitled to count his previous service rendered as Training Officer in project namely Establishment/Operation of Mines Rescue/Safety & Labour Welfare Centre FATA w.e.f 14.06.2007 till 20.05.2019 toward pay protection, pension, gratuity and allowances etc along with back benefits.
- C) That the claim of the appellant of counting his previous service rendered as Training Officer in project namely Establishment/Operation of Mines Rescue/Safety & Labour Welfare Centre FATA w.e.f 14.06.2007 till 20.05.2019 toward pension and gratuity is also covered by the West Pakistan Pension Rules 1961 and as such the appellant is entitled to count his previous service rendered as Training Officer in project namely Establishment/Operation of Mines Rescue/Safety & Labour Welfare Centre FATA w.e.f 14.06.2007 till 20.05.2019 toward pension and gratuity.
- D) That project namely Establishment/Operation of Mines Rescue/Safety & Labour Welfare Centre FATA wherein the appellant has served for about 12 years was regularized under Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile FATA) Act 2021 and on the regularization of the projects, the previous service rendered by their employees were counted to toward their pay protection, pension, gratuity and allowances etc and as the appellant has also served for the said project for about 12 years w.e.f 14.06.2007 till 20.05.2019 and then appointed on regular basis as Senior Inspector of Mines (BS-18) after proper departmental

permission and applied through proper channel and as such the appellant is also entitle that his previous service w.e.f 14.06.2007 till 20.05.2019 to be counted toward his pay protection, pension, gratuity and allowances etc.

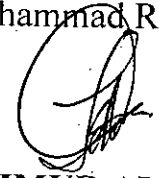
- E) That the appellant has not been treated in accordance with rules and has been deprived from his legal rights of not counting his previous service pay, pension allowance gratuity etc in the arbitrary manner by the respondents.
- F) That the appellant seeks permission of this Honorable Tribunal to advance others grounds and proofs at the time of hearing.

It is, therefore, most humbly prayed that that on acceptance of this appeal, the order dated 22.06.2022 may kindly be set aside and the respondents may please be directed to count previous service rendered by the appellant as Training Officer in the Establishment/Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Centre FATA w.e.f 14.06.2007 till 20.05.219 toward his pay protection, pension, gratuity and allowances etc with all back benefits. Any other remedy which this august tribunal deems fit and appropriate that, may also, be awarded in favour of the appellant.



APPELLANT
Muhammad Roshan

THROUGH:



(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. _____/2023

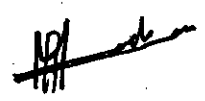
Muhammad Roshan

V/S

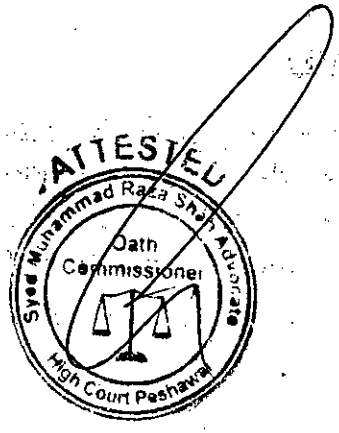
M&M Department

AFFIDAVIT

I, Muhammad Roshan, Senior Inspector of Mines (BS-18), Kohat Division Kohat, Appellant) do hereby affirm and declare that the contents of this amended service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.



DEPONENT



10 JAN 2024

A (7)

FATA DEVELOPMENT AUTHORITY
1-2/A, PARK AVENUE, UNIVERSITY TOWN,
PESHAWAR

OFFICE ORDER

On the recommendations of the Selection Committee, Mr. Muhammad Roshan son of Peshawar Khan, Village Madi Khel, Tehsil and District Bannu, is hereby appointed as Training Officer for the Scheme "Mines Rescue / Safety & Labour Welfare Centre Orakzai Agency" in Mineral Department, FATA Development Authority on fixed salary of Rs. 15,000/- (Rupees Fifteen Thousand only) per month from the date of his arrival on the Terms and Conditions as already accepted by him.

Chief Executive
FATA Development Authority

No. 2569-75 /FDA(F)/Min:Dev:/ 122mp Dated 14th June, 2007.

A copy is forwarded to the:

1. General Manager (Minerals), FDA
2. General Manager (Finance), FDA
3. Consultant FDA
4. Budget & Account Officer, Minerals Deptt: FDA
5. ✓ PS to Chief Executive, FDA
6. ✓ Official concerned
7. Office order File ✓

(Naeem Anjum)
Secretary, FDA

ATTESTED

The Secretary,
FATA Development Authority,
1-2/A Park Avenue,
University Town, Peshawar.

B 8


Subject: ARRIVAL REPORT

Sir,

Reference your letter No.2569-75/FDA(F)/Min:Dev:/122-MP dated 14/6/2007. I hereby join my duties as Training Officer for the scheme "Mines Rescue/Safety & Labour Welfare Centre Orakzai Agency" FATA Development Authority, to-day on 14/6/2007 (F.N.)

Thanks.

Yours obediently


14/06/2007

(Muhammad Roshan)


Dated 14-6-2007

En (original)

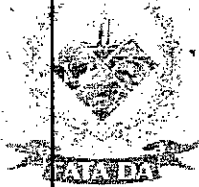
Secy FDA
14/6/07

M. advise him to immediately
report to the Resc. Supdt. at
Sharsen Orakzai Agency.

Supdt.


14/6/07

ATTESTED



FATA Development Authority

Administration Department

1-2/A, Park Avenue, University Town, Peshawar.

Phone (091) 9216160 Fax (091) 9218518

C 9

Dated: 15th March, 2008.

ORDER

No.FDA/Secy/3-38/08. In continuation of this office order No.2569-75/FDA(F)/Min: Dev: /122/M dated 14th June 2007, the contract period of appointment of Mr. Roshan Khan, Training Officer, Mines Rescue/Safety & Labor Welfare Centre, Orakzai Agency is hereby extended with effect from 1st January 2008 to 30th June 2009 at a revised salary of Rs.25,000/-PM (Fixed) inclusive of all allowances. Other terms and conditions of service shall remain the same as notified in his initial appointment order.

CHIEF EXECUTIVE
FATA DEVELOPMENT AUTHORITY

Copy forwarded to:

1. General Manager Minerals, FDA.
2. Assistant Manager (Pre-Audit), FDA.
3. P.S. to Chief Executive, FDA.
4. Mr. Roshan Khan, Training Officer, Mines Rescue / Safety & Labor Welfare Centre, Orakzai Agency.
5. Project Manager, Mines Rescue/Safety & Labor Welfare Centre, Orakzai Agency
6. Office Order File

(Naeem Anjum)
Secretary, FATA-DA
Extension No.109

PS to G.M (Minerals)

D.NO. 170

DATED 20/3/09

ATTESTED



FATA Development Authority

Administration Department

1-2/A, Park Avenue, University Town, Peshawar

Phone (091) 9216160 Fax (091) 9218518

Dated Peshawar the 3rd July, 2009.

Office order.

No. Scy/FDA/5-38/08/vol-2 In view of the good performance, the contract period of appointment of the following staff working in Mines Rescue Safety and Labor Welfare Center, Orakzai Agency at Hangu already expired on 30-06-2009, is hereby extended for further one year from 1/7/2009 to 30/6/2010 on the existing terms & conditions:-

S.No	Name	Designation
1.	Mr. Muhammad Roshan.	Training officer.
2.	Mr. Muhammad Tahir Khan.	Accountant.
3.	Mr. Bahrud Din Mian.	Rescue Instructor.
4.	Mr. Ahmed Ali Shah.	Store keeper.
5.	Mr. Muhammad Sajjad	Apparatus Technician.
6.	Mr. Farhad.	Rescue Squad.
7.	Mr. Bakht Malang.	-do-
8.	Mr. Fazal Malik.	-do-
9.	Syed Feroz Shah.	-do-

Chief Executive.
FATA-DA.

Copy forwarded to:

1. General Manager (Minerals), FATA-DA.
2. Project Manager, Mines Rescue Safety and labor welfare Center, Orakzai Agency.
3. Assistant Manager (Pre-Audit), FATA-DA.
4. P.S. to Chief Executive, FATA-DA.

Mu
03/7/09
(Akhtar Muhammad)
Assistant Manager (Admn),
FATA-DA.

de
ATTEST

DIRECTORATE OF INDUSTRIES, MINERAL & TECH: EDU:
FATA SECRETARIAT WARSAK ROAD, PESHAWAR.

OFFICE ORDER

The Competent Authority (Secretary Admn & Coord) FATA Secretariat has been pleased to accord approval with 15% increase in the salaries drawn on 30th June 2010 of the following officers/officials of the approved PC-I scheme "Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Centre ADP No.925 (2010-11) with effect from 01/7/2010 to 30/6/2011:-

Name	BPS	Designation	Salaries drawn since 2007 till 30/6/2010	15% increase allowed	Total
Mr. Fazli Rabbi	18	Project Manager	Rs.50000/-	Rs.7500/-	Rs.57500/-
Muhammad Roshan	17	Training Officer	Rs.40000/-	Rs.6000/-	Rs.46000/-
Mr. Bahruddin Mian	16	Mines/Rescue Instructor	Rs.19500/-	Rs.2925/-	Rs.22425/-
M. Tahir Khan	16	Accountant	Rs.18000/-	Rs.2700/-	Rs.20700/-
Muhammad Sajjad	16	Apparatus Tech:	Rs.18000/-	Rs.2700/-	Rs.20700/-
Mr. Bakht Malang	14	Rescue Squad	Rs.12000/-	Rs.1800/-	Rs.13800/-
Mr. Fazli Malik	14	-do-	Rs.12000/-	Rs.1800/-	Rs.13800/-
Mr. Farhad	14	-do-	Rs.12000/-	Rs.1800/-	Rs.13800/-
Syed Ieroz Shah	14	-do-	Rs.12000/-	Rs.1800/-	Rs.13800/-
Mr. Khial Gul	14	-do-	Rs.12000/-	Rs.1800/-	Rs.13800/-
Muhammad Zubair	14	-do-	Rs.12000/-	Rs.1800/-	Rs.13800/-
Mr. Ahmed Ali Shah	14	Store Keeper	Rs.11000/-	Rs.1650/-	Rs.12650/-
Muhammad Noor	11	Computer Operator	Rs.15000/-	Rs.2250/-	Rs.17250/-
Mr. Dalil Hassan	4	Driver	Rs.7000/-	Rs.1050/-	Rs.8050/-
Mr. Sajid Rehman	4	Driver	Rs.7000/-	Rs.1050/-	Rs.8050/-
Mr. Jehad Ali	4	Driver	Rs.7000/-	Rs.1050/-	Rs.8050/-
Mr. Imran Khan	1	Cook	Rs.7000/-	Rs.1050/-	Rs.8050/-
Mr. Zeshan Kumar	1	Sweeper	Rs.7000/-	Rs.1050/-	Rs.8050/-
M. Shoaib Khan	1	Chowkidar	Rs.7000/-	Rs.1050/-	Rs.8050/-
Mr. Noor Zali	1	-do-	Rs.7000/-	Rs.1050/-	Rs.8050/-
Mr. Sajid Khan	1	-do-	Rs.7000/-	Rs.1050/-	Rs.8050/-
Mr. Waheed Ullah	1	-do-	Rs.7000/-	Rs.1050/-	Rs.8050/-
Mr. Rasid Ali	1	Naib Qasid	Rs.7000/-	Rs.1050/-	Rs.8050/-
Muhammad Ilyas	1	-do-	Rs.7000/-	Rs.1050/-	Rs.8050/-

Director,
Industries, Minerals & Tech; Edu;

No 154-6/II-S/Min/114-MIP

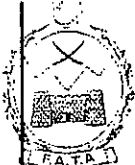
Dated 21/02/2011

CC

- The Accountant General PR Sub Office Peshawar
- The Deputy Secretary (Finance) FATA Secretariat, Peshawar
- PS to Additional Chief Secretary FATA.
- PS to Secretary (Admn & Coord) FATA Secretariat, Peshawar
- PS to Secretary Finance, FATA Secretariat, Peshawar.
- PS to Secretary P&D, FATA Secretariat, Peshawar.
- Budget & Account Officer, Directorate of Industries, Minerals & Technical Education FATA.
- All Officers/Officials concerned

Director,
Industries, Minerals & Tech; Edu;

ATTESTED



12

FORMAL ORDER OF APPOINTMENT

The Competent Authority is pleased to appoint the followings w.e.f 01/07/2011 to 30/06/2012 on the pay indicated against each in the Project "Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Centre Orakzai Agency at Hangu":-

S#	Name	BPS	Designation	Pay for the year (2011-12)
1	Mr. Fazli Rabbi	18	Project Manager	Rs.59000/-
2	Muhammad Roshan	17	Training officer	Rs.47000/-
3	Mr. Bahruddin Mian	16	Mines Rescue Instructor	Rs.25000/-
4	Mr. Tahir Khan	16	Accountant	Rs.25000/-
5	Muhammad Sajjad	16	Apparatus Tech.	Rs.25000/-
6	Mr. Bakht Malang	14	Rescue Squad	Rs.16000/-
7	Mr. Fazli Malik	14	Rescue Squad	Rs.16000/-
8	Mr. Farhad	14	Rescue Squad	Rs.16000/-
9	Syed Feroz Shah	14	Rescue Squad	Rs.16000/-
10	Muhammad Zubair	14	Rescue Squad	Rs.16000/-
11	Mr. Ahmad Ali Shah	14	Store keeper	Rs.16000/-
12	Mr. Dalil Hassan	4	Driver	Rs.8500/-
13	Mr. Sajid Rehman	4	Driver	Rs.8500/-
14	Mr. Jehad Ali	4	Driver	Rs.8500/-
15	Mr. Imran Khan	1	Cook	Rs.8500/-
16	Mr. Zeshan Kumar	1	Sweeper	Rs.8500/-
17	Muhammad Shoaib	1	Chowkidar	Rs.8500/-
18	Mr. Noor Zali	1	do	Rs.8500/-
19	Mr. Sajid Khan	1	do	Rs.8500/-
20	Mr. Waheed Ullah	1	do	Rs.8500/-
21	Mr. Rasid Ali	1	Naib Qasid	Rs.8500/-
22	Muhammad Ilyas	1	do	Rs.8500/-

Terms & Condition:-

1. The appointment shall be purely on contract basis and shall be liable to termination at any time subject to one month notice or one month pay in lieu thereof.
2. They shall have no right to claim the regular appointment.
3. In case they wish to resign from the job, they would have to give at least one month notice failing which one month pay shall be forfeited.
4. In case they accept the above Terms & Conditions, they should report within Ten (10) days.

Director,
Industries, Minerals & Tech: Edu:

No. 922-79/FS/Min/117-MP

Dated 26/08/2011

CC

1. The Accountant General Sub Office Peshawar.
2. The Deputy Secretary (Finance) FATA Secretariat, Peshawar.
3. PS to Additional Chief Secretary FATA.
4. PS to Secretary (Admin & Coord) FATA Secretariat, Peshawar.
5. PS to Secretary Finance, FATA Secretariat, Peshawar.
6. PS to Secretary P&D, FATA Secretariat, Peshawar.
7. Budget & Account Officer, Directorate of Industries, Minerals & Technical Education FATA.
8. All Officers/Officials concerned.

Director,
Industries, Minerals & Tech: Edu:

ATTESTED



13

FATA SECRETARIAT
(PRODUCTION & LIVELIHOOD DEVELOPMENT DEPARTMENT)
WARSAK ROAD, PESHAWAR

Dated Peshawar the 23rd December, 2013

Notification

No. SO-I(A & E)P&LDD/FS/IMTE/3-53/12/231-43. It has been ordered that the following officers/officials of the Directorate of Industries, Minerals and Technical Education FATA will look after the works of the posts of the Scheme "Establishment of Inspectorate of Mines FATA" ADP No 1104 (2012-13) as mentioned against each in addition to their own duties with immediate effect, in the interest of public service and till further orders:-

S #	Name of officers/officials and Designation.	Look after Duties & Functions
1	Mr. Sahaddat-ur-Rehman, Director Minerals, Industries and Technical Education FATA.	Chief Inspector of Mines.
2	Mr. Nasrullah Wazir, Deputy Director Minerals	Inspector of Mines (Headquarter)
3	Mr. Fazli Rabbi, Mines Rescue Superintendent	Inspector of Mines for Mohmand and Bajaur Agencies.
4	Mr. Roshan Khan, Training Officer, Mines Rescue Centre.	Inspector of Mines for North & South Waziristan Agencies, FRDI Khan, FR Tank and FR Bannu.
5	Mr. Zarwali Shah, Mines Surveyor	Inspector of Mines for Khyber Agency, FR Peshawar and FR Kohat.
6	Mr. Bahruddin, Mine Rescue Supervisor of Mines Rescue Centre	Inspector of Mines for Orakzai and Kurram Agencies.
7	Mr. Rehmat Ullah, Superintendent	Accountant.
8	Mr. Ikhtiar Khan, Guard for Royalty/Computer Operator/Steno-typist	Computer Operator.
9	Mr. Daulat Khan, Driver	Driver

Secretary
Production & Livelihood Dev; Deptt:

Endst: No. _____ / SO-I(A & E)P&LDD/FS/IMTE
Dated _____/12/2013.

CC

1. PS to Additional Chief Secretary FATA.
2. AGPR Sub Office, Peshawar.
3. Director Industries, Minerals & Tech; Education, FATA Secretariat, Peshawar.
4. PS to Secretary P&LDD, FATA Secretariat, Peshawar.
5. Officers/officials concerned.

(Dr. Abdul Manan)
Section Officer-II(Admn & Estab)

ATTESTED



19

FATA SECRETARIAT
(PRODUCTION & LIVELIHOOD DEVELOPMENT DEPARTMENT)
WARSAK ROAD PESHAWAR

Dated: July 27, 2012

OFFICE ORDER

No.SO-1 (A&E)P&LDD/FS/L&DD/IMTE/3-28/2012/382-408: The Contract Extension for one year is hereby approved of the following staff of the Scheme " Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Center FATA" w.e.f. 01/07/2012 up to 30/06/2013 subject to approval of PC-1.

S #	Name	Designation	Pay per month (2011-12)	Pay per month (2012-13) with 5% annual increase
1	Engr. Fazli Rabbi	Project Manager (BS-18)	Rs. 59000	Rs. 61950
2	Muhammad Roshan	Training Officer (BS-17)	Rs.47000	Rs.49350
3	Bahrudin Mian	Rescue Instructor (BS-16)	Rs.30000	Rs.31500
4	Muhammad Tahir	Accountant (BS-16)	Rs.30000	Rs.31500
5	Muhammad Sajjad	Apparatus Technician (BS-16)	Rs.30000	Rs.31500
6	Bakht Malang	Rescue Squad (BS-14)	Rs.16000	Rs.16800
7	Fali Malik	-do-	Rs.16000	Rs.16800
8	Farhad	-do-	Rs.16000	Rs.16800
9	Muhammad Zubair	-do-	Rs.16000	Rs.16800
10	Ahmad Ali Shah	Store Keeper (BS-14)	Rs.16000	Rs.16000
11	Dalil Hassan	Driver (BS-4)	Rs.8500	Rs.8925
12	Sajid Rehman	-do-	Rs.8500	Rs.8925
13	Jehad Ali	-do-	Rs.8500	Rs.8925
14	Imran Khan	Cook (BS-1)	Rs.8500	Rs.8925
15	Zeeshan Kumar	Sweeper (BS-1)	Rs.8500	Rs.8925
16	Muhammad Shoaib	Chowkidar (BS-1)	Rs.8500	Rs.8925
17	Noor Zali	-do-	Rs.8500	Rs.8925
18	Sajid Khan	-do-	Rs.8500	Rs.8925
19	Rasid Ali	Naib Qasid (BS-1)	Rs.8500	Rs.8925
20	Muhammad Ilyas	-do-	Rs.8500	Rs.8925

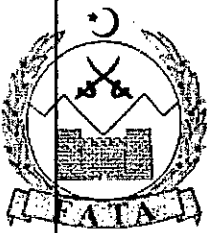
Secretary
Production & Livelihood
Development Department

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1. The Accountant General Sub Office Peshawar
2. The Secretary Finance FATA Secretariat
3. The PS to ACS FATA
4. The PS to Secretary (P&LD) FATA Secretariat
5. The PA to Secretary (P&D) FATA Secretariat
6. The All Officers/Official Concerned

(Baseer Ali Rehman Khan)
Section Officer-1 Admin & Estab)

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15

FATA SECRETARIAT
(PRODUCTION & LIVELIHOOD DEVELOPMENT DEPARTMENT)
WARSAK ROAD PESHAWAR

Dated Peshawar the 12th of July, 2013

OFFICE ORDER

No.SO-1(A&E) P&LDD/FS/L&DD/IMTE/3-28/2012/3210-35 The contract period of the following staff of the Scheme "Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Centre" is hereby ordered to extend for a further period of one year 2013-14 with effect from 01/07/2013 to 30/06/2014 subject to approval of PC-1.

S. N o.	Name	BPS	Designation	Pay per month (2012-13)	Pay per month with 5% annual Increment (2013-14)	Pay per month With 15% increase by Presidential order	Extension period
1	Mr. Fazli Rabbi	18	Project Manager	Rs.61950/	Rs 65048/	Rs 74805/	01.07.2013 to 30.06.2014
2	Muhammad Roshan	17	Training officer	Rs.49350	50000/	57500/	01.07.2013 to 30.06.2014
3	Mr. Bahruddin Mian	16	Mines Rescue Instructor	Rs.31500/	33075/	38036/	01.07.2013 to 30.06.2014
4	Mr. Tahir Khan	16	Accountant	Rs.31500/	33075/	38036/	01.07.2013 to 30.06.2014
5	Muhammad Sajjad	16	Apparatus Tech.	Rs.31500/	33075/	38036/	01.07.2013 to 30.06.2014
6	Mr. Bakht Malang	14	Rescue Squad	Rs.16800/	17640/	20286/	01.07.2013 to 30.06.2014
7	Mr. Fazli Malik	14	Rescue Squad	Rs.16800	17640/	20286/	01.07.2013 to 30.06.2014
8	Mr. Farhad	14	Rescue Squad	Rs.16800/	17640/	20286/	01.07.2013 to 30.06.2014
9	Muhammad Zubair	14	Rescue Squad	Rs.16800/	17640/	20286/	01.07.2013 to 30.06.2014
10	Mr. Ahmad Ali Shah	14	Store keeper	Rs.16800/	17640/	20286/	01.07.2013 to 30.06.2014
11	Mr. Dalil Hassan	4	Driver	Rs.8925/	9371/	10777/	01.07.2013 to 30.06.2014
12	Mr. Sajed Rehman	4	Driver	Rs.8925/	9371/	10777/	01.07.2013 to 30.06.2014
13	Mr. Jehad Ali	4	Driver	Rs.8925/	9371/	10777/	01.07.2013 to 30.06.2014
14	Mr. Imran Khan	1	Cook	Rs.8925/	9371/	10777/	01.07.2013 to 30.06.2014
15	Mr. Zeshan Kumar	1	Sweeper	Rs.8925/	9371/	10777/	01.07.2013 to 30.06.2014
16	Mr. Shoaib Khan	1	Chowkidar	Rs.8925	9371/	10777/	01.07.2013 to 30.06.2014
17	Mr. Noor Zali	1	do	Rs.8925	9371/	10777/	01.07.2013 to 30.06.2014
18	Mr. Sajid Khan	1	do	Rs.8925/	9371/	10777/	01.07.2013 to 30.06.2014
19	Mr. Waheed Ullah	1	do	Rs.8925/	9371/	10777/	01.07.2013 to 30.06.2014
20	Mr. Fsid Ali	1	Naib Qasid	Rs.8925/	9371/	10777/	01.07.2013 to 30.06.2014
21	Muhammad Ilyas	1	do	Rs.8925/	9371/	10777/	01.07.2013 to 30.06.2014

Secretary (P&LDD) FATA

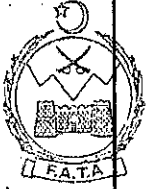
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1. The Accountant General Sub Office Peshawar.
2. The Deputy Secretary (Finance) FATA Secretariat, Peshawar.
3. PS to Additional Chief Secretary FATA.
4. PS to Secretary Finance, FATA Secretariat, Peshawar.
5. PS to Secretary P&D, FATA Secretariat, Peshawar.
6. All Officers/Officials concerned.

ATTE

Section Officer -1 (Admn.&Etab:)

16



Mineral Directorate

**DIRECTORATE OF INDUST: MINERAL & TECH: EDUCATION
FATA SECRETARIAT WARSAK ROAD PESHAWAR.**

Dated Peshawar the 15th of October, 2014

OFFICE ORDER

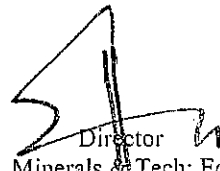
No. FS/Min:/114 MP/1300-05, The Competent Authority Secretary (A I& C) FATA Secretariat has been pleased to accord approval of the contract extension of the following staff of the Scheme" Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Centre" with effect from 01/07/2014 to 30/6/2016.

S.No.	Name	BPS	Designation
1	Mr. Fazli Rabbi	18	Project Manager
2	Muhammad Roshan	17	Training officer
3	Mr. Bahruddin Mian	16	Mines Rescue Instructor
4	Mr. Tahir Khan	16	Accountant
5	Muhammad Sajjad	16	Apparatus Tech:
6	Mr. Bakht Malang	14	Rescue Squad
7	Mr. Fazli Malik	14	Rescue Squad
8	Mr. Farhad	14	Rescue Squad
9	Muhammad Zubair	14	Rescue Squad
10	Mr. Ahmad Ali Shah	14	Store keeper
11	Mr. Dalil Hassan	4	Driver
12	Mr. Sajed Rehaman	4	Driver
13	Mr. Jehad Ali	4	Driver
14	Mr. Imran Khan	1	Cook
15	Mr. Zeshan Kumar	1	Sweeper
16	Mr. Shoaib Khan	1	Chowkidar
17	Mr. Noor Zali	1	do
18	Mr. Sajid Khan	1	do
19	Mr. Waheed Ullah	1	do
20	Mr. Rsid Ali	1	Naib Qasid
21	Muhammad Ilyas	1	do

Director
Industries, Minerals & Tech: Edu: FATA

CC

1. The Accountant General Sub Office Peshawar.
2. The Deputy Secretary (Finance) FATA Secretariat, Peshawar.
3. PS to Additional Chief Secretary FATA.
4. PS to Secretary Finance, FATA Secretariat, Peshawar.
5. PS to Secretary P&D, FATA Secretariat, Peshawar.
6. All Officers/Officials concerned.


Director
Industries, Minerals & Tech: Edu: FATA

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(17)

FATA DEVELOPMENT AUTHORITY
DIRECTORATE OF MINERALS
46, Sector B-2 Phase-v, Hayat Abad Peshawar

Dated: 01/06/2017

OFFICE ORDER

No. 1369-76-FDA/Min: Dev/114MP, The Competent Authority Chief Executive FATA-DA has been pleased to accord approval of the Contract Extension of the following staff of the Scheme "Establishment/ Operation and Maintenance of Mines Rescue/Safety & Labour Welfare Center in FATA" w.e.f. 01/07/2017 to 30/06/2019.

S.#	Name	BPS	Designation
1.	Muhammad Roshan	17	Training Officer
2.	Muhammad Tahir Khan	16	Accountant
3.	Muhammad Sajjad	16	Apparatus Tech:
4.	Bakht Malang	14	Rescue Squad
5.	Fazal Malik	14	Rescue Squad
6.	Farhad	14	Rescue Squad
7.	Muhammad Zubair	14	Rescue Squad
8.	Ahmad Ali Shah	14	Rescue Squad
9.	Jehad Ali	14	Store Keeper
10.	Imran Khan	04	Driver
11.	Noor Zali	01	Cook
12.	Sajid Khan	01	Chowkidar
13.	Waheedullah	01	Chowkidar
14.	Rasid Ali	01	Nalb Qasid

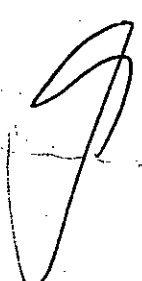
Chief Executive FATA- FDA

CC.

1. The Secretary FATA-DA
2. The Assistant Manager Admin FATA-DA
3. The Manager (B&A) FATA-DA
4. The Assistant Manager (pre audit work) FDA
5. The PS to Chief Executive FATA-DA
6. The PS to General Manager Finance FATA-DA
7. The PS to General Manager (P&D) FATA-DA
8. The Officers/Officials concerned

O/C


Deputy Director



D18

CERTIFICATE OF DEPARTMENTAL PERMISSION
(TO BE COMPLETED BY THE CANDIDATE)

1 Name Muhammad Roshan
 2 Father's Name Peshawar Khan
 3 Post held Training officer
 4 Office / Department Inspectorate of Misses/Directorate of M
 5 Post applied for Senior Inspector of Misses (APS-18)
 6 Commission's advertisement No. 05/2018

[Signature]
Signature of the Candidate

Place Peshawar
Date 15-03-2019

TO BE COMPLETED BY DEPARTMENT/ OFFICE

The candidate is permitted to apply for the said post.

- (a) He/She is employed in this Department/Office as Training officer
Since 14/06/2007
- (b) He/She holds this post in permanent/temporary/adhoc capacity
- (c) His / her accepted domicile as per official record is F.R Bannu

[Signature]
Signature
[Signature]
Name and Designation of the Officer

Place Peshawar
Date 15-03-2019

The Secretary,
Khyber Pakhtunkhwa Public Service Commission,
Peshawar

[Signature]
ATTESTED



Government of
Khyber Pakhtunkhwa
Minerals Development Department

D E
(19)

Dated Peshawar, May 20, 2019

4061-71

NOTIFICATION

No. SO (E)/MDD/2-8/2019: On the recommendation of Khyber Pakhtunkhwa Public Service Commission, the Competent Authority is pleased to appoint the following candidates as Senior Inspector of Mines (BS-18) in the Inspectorate of Mines, Khyber Pakhtunkhwa, Peshawar on regular basis with immediate effect subject to terms and conditions hereunder:

S.No	Candidate
1	Mr. IhsanUllah S/O Abdul Majeed
2	Mr. FalakZaman S/O Haji Zaman Khan
3	Mr. Muhammad Roshan S/O Peshawar Khan

TERMS AND CONDITIONS

- The officers shall be governed by the Khyber Pakhtunkhwa Civil Servants Act 1973 and rules made there-under.
- They shall be on probation for a period of one year, in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, extendable for another year with the specific orders of appointing authority within two months of the expiry of first year of probation periods as specified in Rule-15(2) of rules ibid.
- If the performance of any of the officers during the period of probation/extended period of probation, is not found satisfactory, his services will be liable to termination at any time without assigning any reasons before the expiry of the said period. In such an event, he will be given one month prior notice of termination from service or one month pay in lieu thereof. In case he wishes to resign at any time, one month prior notice shall be necessary or one month pay shall be forfeited in lieu thereof.
- The officers will not be entitled to any TA/DA on their appointment as Senior Inspector of Mines (BS-18).

2. If the above terms and conditions of appointment are acceptable to you, you should report to the Inspectorate of Mines, Khyber Pakhtunkhwa for duty within 30 days of the receipt of this Notification failing which the Notification of appointment shall be deemed to have been cancelled.

--sd--

Secretary Mineral Dev.Department
Khyber Pakhtunkhwa

Endst: No. SO (E)/MDD/2-8/2019: Dated Peshawar, the May 20, 2019

Copy forwarded to:

- The Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- The Accountant General, Khyber Pakhtunkhwa, Peshawar
- The Chief Inspector of Mines, Inspectorate of Mines, Khyber Pakhtunkhwa.
- The Director Recruitment, Khyber Pakhtunkhwa Public Service Commission, 2-Fort Road, Peshawar Cantt.
- P.S to Chief Secretary, Khyber Pakhtunkhwa.
- P.S to Secretary Minerals Development Department.
- Officers Concerned.
- Personal File*

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Sandhu

Section Officer (Estt.)

CHARGE RELINQUISH REPORT.

20

In pursuance of Government of Khyber Pakhtunkhwa, Minerals Development Department Notification No. SO (E)/MDD/2-8/2019/4061-71 dated 20.05.2019, I, Muhammad Roshan, hereby relinquish the charge of the post of Training Officer (BPS-17) in Establishment/Operations of Mines Rescue/Safety & Labour Welfare Centre FATA, today on 20.05.2019 (A.N).

Engr. Muhammad Roshan
Training Officer (BPS-17)
Establishment/Operations of Mines
Rescue/Safety & Labour Welfare
Centre, FATA.

Date 21/05/2019

Copy to:

1. The Director Minerals, Mineral Directorate Erstwhile FATA.
2. The Chief Inspector of Mines, Khyber Pakhtunkhwa, Peshawar.
3. The Project Director (PMU) Minerals Department FATA Development Authority, Hayatabad, Peshawar.
4. Officer Concerned.
5. Accountant Mines Rescue Center.

~~Engr. Muhammad Roshan~~
Engr. Muhammad Roshan
Training Officer (BPS-17)
Establishment/Operations of Mines
Rescue/Safety & Labour Welfare
Centre, FATA.

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CHARGE ASSUMPTION REPORT.

In pursuance of Government of Khyber Pakhtunkhwa, Minerals Development Department Notification No. SO (E)/MDD/2-8/2019/4061-71 dated 20.05.2019, I, Muhammad Roshan, hereby assumed the charge of the post of Senior Inspector of Mines (BPS-18), in Inspectorate of Mines, Khyber Pakhtunkhwa today on 21.05.2019 (F.N).

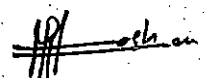
Engr. Muhammad Roshan
Senior Inspector of Mines (BPS-18)
Inspectorate of Mines, KPK

Copy forwarded to:

1911-17

Date 21/05/019

1. The Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Chief Inspector of Mines, Khyber Pakhtunkhwa, Peshawar.
4. The Director Recruitment, Khyber Pakhtunkhwa, Public Service Commission, 2-Fort Road, Peshawar, Cantt.
5. P.S to Chief Secretary, Government of Khyber Pakhtunkhwa.
6. P.S to Secretary Minerals Development Department.
7. Officer Concerned.


Engr. Muhammad Roshan
Senior Inspector of Mines (BPS-18)
Inspectorate of Mines, KPK

ATTESTED

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII
GAZETTE

22

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 13th JANUARY, 2022.

PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 13th January, 2022.

No. PA/Khyber Pakhtunkhwa/Bills-182/2022/745.— The Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Bill, 2021 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 31st December, 2021 and assented to by the Governor of the Khyber Pakhtunkhwa on 07th January, 2022 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**THE KHYBER PAKHTUNKHWA (REGULARIZATION OF SERVICES OF EMPLOYEES OF ERSTWHILE FEDERALLY ADMINISTERED TRIBAL AREAS) ACT, 2021.
(KHYBER PAKHTUNKHWA ACT NO. I OF 2022)**

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 13th January, 2022).

AN
ACT

to provide for the appointment and regularization of services of certain employees appointed on contract basis against project posts in the erstwhile Federally Administered Tribal Areas.

WHEREAS it is expedient to provide for the appointment and regularization of services of certain employees appointed on contract basis against project posts in the erstwhile Federally Administered Tribal Areas:

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

1. **Short title, application and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Act, 2021.

(2) It shall apply to all the employees as defined in clause (d) of sub-section (1) of section 2 of this Act.

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(3) It shall come into force at once.

2. **Definitions.**--- (1) In this Act, unless the context otherwise requires,--

- (a) **"Commission"** means the Khyber Pakhtunkhwa Public Service Commission;
- (b) **"Departmental Selection Committee"** means a Departmental Selection Committee, constituted for the purpose of making selection for appointment to project post under a Department or office in the erstwhile Federally Administered Tribal Areas;
- (c) **"Government"** means the Government of Khyber Pakhtunkhwa;
- (d) **"employees"** means a person, who was appointed on contract basis, as per project policy, to a project post, in the erstwhile Federally Administered Tribal Areas, and such post was duly reflected in PC-I of that project, and who possess the prescribed qualification, training and experience for the said post at the time of such appointment;
- (e) **"Department"** means a Government Department, as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985;
- (f) **"law or rules"** means the law or rules, for the time being in force, governing the selection and appointment of civil servants;
- (g) **"project"** means a perpetual nature project in the erstwhile Federally Administered Tribal Areas, the continuation of which and conversion to regular budget is essential for service delivery, duly identified by the Departments and reflected in the Schedule;
- (h) **"project post"** means a post in the project; and
- (i) **"Schedule"** means a Schedule appended to this Act.

(2) The expression "contract appointment" shall have the same meaning as respectively assigned to them in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. **Appointment and regularization of services of employees.**--- (1) Notwithstanding anything contained in any law or rules, the employees, appointed on contract basis, against project posts, in the erstwhile Federally Administered Tribal Areas, and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed, on regular basis, from the commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Department.

(2) All such employees, after the commencement of this Act, shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by them towards the Contributory Provident Fund, along with the contributions made by Government to their account in the said Fund, in the prescribed manner.

(3) A Committee, headed by the Secretary of the Department concerned, with the following membership, shall scrutinize all the credentials of the employees, before issuance of the regularization orders:

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- (a) head of the Attached Department concerned;
- (b) representative of the Establishment and Administration Department of Government;
- (c) representative of the Finance Department of Government;
- (d) representative of the Planning and Development Department of Government; and
- (e) Deputy Secretary of the Department concerned.

4. **General conditions for regularization.**--- For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

- (a) the service promotion quota of all service cadres shall not be affected;
- (b) the employees shall possess the same qualification and experience as required for a regular post;
- (c) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (d) the services of such employees shall be deemed to have been regularized only on the publication of their names in the official Gazette.

5. **Determination of seniority.**---(1) All employees, whose services are regularized under this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined as per provisions of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) and rules made thereunder.

6. **Removal of difficulties.**---If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister of Khyber Pakhtunkhwa may make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary for the purpose of removing such difficulty.

7. **Overriding effect.**---Notwithstanding anything to the contrary contained in any other law or rules, the provisions of this Act shall have an overriding effect and the provisions of any such law or rules to the extent of inconsistency to this Act shall cease to have effect.

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Schedule
[see section 2 (1) (h) (i)]

1.	Strengthening and Capacity Building of AGRI Extension in FATA.
2.	Promotion of Olive Cultivation / Grafting for Oil Production in Bajaur Agency.
3.	Establishment of Semen Production Unit at Jamrud and Breed/ Veterinary Service Improvement Program.
4.	Capacity Building Directorate of Livestock FATA.
5.	Mobile Veterinary Clinic in FATA (MVC).
6.	Establishment of Model Dairy Farm in FATA.
7.	Strengthening of Artificial Insemination/Veterinary Aid Services and Disease Reporting System I&DD in FATA.
8.	Creation of Disease Free Zone Through Mass Vaccination and Treatment and Feasible Districts on Pilot Basis.
9.	Opening of 5 CVDS 5 CVCS 6 AICS and Up-gradation of 2 CVDS to the level of CVHS Status in Bajaur Agency.
10.	Provision of Medicine and A.I Services in Existing Vet. Institution in Bajaur Agency.
11.	Establishment Vety Diagnostic Lab in CVII Khar and Construction of Garage For 2 Vehicle in A.I.O Office Bajaur Agency.
12.	Provision of A.I. Facilitates/Medicine in Existing Veterinary Institution Construction of Building of Functional Veterinary Centers (In Rented Building). Special Campaign for The Control of Ecto and Endo Parasite in Mohmand Agency.
13.	Opening of 3 CVDS. 23 VCS. 16 AICs and Up-gradation of CVD Lakaro to CVII Status Mohmand Agency.
14.	Provision of Mobile Vety Clinic in Mohmand Agency.
15.	Opening/Establishment of 2 CVDs in Rented Building Ambar Area and Provision of A.I. Services in Existing Institutes of Mohmand Agency.
16.	Opening of 18 Vety Centers and 26 AICS in Khyber Agency.
17.	Opening of 3 CVDs in Rented Building. Bara Khyber Agency.
18.	Establishment of 02 Veterinary Diagnostic Lab in Civil Veterinary Hospitals in Jamrud and Landikotal.
19.	Opening of 3 CVCs. 11 CVDs and 9 AICs and Up-gradation of 3 CVDs to CVII Status in Orakzai Agency.
20.	Small Ruminants (Sheep and Goat) Development Program in Tribal Districts
21.	Provision of Artificial Insemination Services in Existing Veterinary Institution in Orakzai Agency.
22.	Construction of Building for Existing Vety Institution and Provision of Artificial Insemination in Existing Veterinary Facilitation in District Orakzai.
23.	Construction of Building for 3 Rented Veterinary Institutions and Opening of One CVD in Mamozai Area. Orakzai Agency.

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24.	Opening of 5 CVCs. 8 CVDs. 22 AICs and Diagnostic Laboratory in Kurram Agency.
25.	Provision of AI Facilities in Existing 11 Veterinary Institutions in NWA.
26.	Provision of Veterinary Health Facilities in District North Waziristan.
27.	Opening of 41 Veterinary Centres, 22 AICs and Up-gradation of one CVD to CVII Status In SWA.
28.	Opening of 07-Veterinary Dispensaries and 10-A.I. Centers in FR Peshawar.
29.	Provision of Mobile Veterinary Clinic in Sub Division Peshawar.
30.	Opening of 02- CVDs and 04-AICs in FR Kohat.
31.	Establishment of Mobile Veterinary Clinic in Sub Division Kohat.
32.	Opening of 2 CVDS. 2 CVCS. 6 AICS and Up-gradation of 1 CVD to CVH Status in FR DI KHAN.
33.	Provision of Mobile Veterinary Clinic in Sub Division D.I. Khan.
34.	Opening of 1 CVII. 02 CVDS. 04 CVCS and 11 AICS in FR Tank.
35.	Up-gradation of CVC to the Level of CVD, and 2 No. of CVD to the Level of CVII in Sub Division Tank.
36.	Opening of 5 Vety: Dispensaries. 05 Civil Vety: Centers, 10-AICs and Up-gradation of 01 CVC to CVD in FR Bannu.
37.	Opening of 08 Veterinary Centres and 08 AICS in FR LAKKI.
38.	Provision of Mobile Veterinary Clinic in Sub Division Lakki.
39.	Uplifting the Socio-Economic Condition and Gender Mainstreaming of Livestock Farmers Through PPP in FATA.
40.	Strengthening of Fisheries Department in FATA
41.	Control of Zoonotic / Contagious Disease Through Existing Vety Health Facilities and Establishment of Two Mobile Testing Labs on Pilots Basis in Tribal Districts.
42.	Provision of Mobile Vety: Clinic in Bajaur Agency.
43.	Provision of Artificial Insemination Services in Existing Function Vety: Institutes and Solarization of Major Vaccine Bank in AD Office in FR D.I. Khan.
44.	Program Management Unit for Roads and Infrastructure.
45.	Strengthening of Finance Department Civil Secretariat FATA.
46.	Aids Control Program in FATA.
47.	Health Sector Reforms Unit FATA.
48.	District Health Information System.
49.	Physical Rehabilitation Centres in FATA.
50.	Hepatitis Control Program in FATA (Phase-III).
51.	Integrated Vector Management Program in FATA.
52.	Eye Care Program in FATA (Phase-III).
53.	Thalassemia Control Program in FATA.
54.	Mobile Hospital Program in FATA (Phase-III).
55.	Establishment of Mental Health Clinics in AHQ Hospitals in FATA.
56.	Health Nutrition Program in FATA.

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57.	TB Control Program in FATA.
58.	Maternal, Newborn, Child Health (MNCH) Program Merged District.
59.	Expanded Programme on Immunization (EPI) in FATA.
60.	Strengthening of EPI Program in FATA.
61.	Facilitation of FR Setup Health Sector in FRs (Tank Jandola).
62.	Facilitation of FR Health Setup in FRs (DI Khan Darazinda).
63.	Facilitation of Health Setup in FRs (Bannu Wazir).
64.	Facilitation of Health Setup in FRs (Lakki Bittani).
65.	Facilitation of Health Setup in FRs (Kohat Dara Adam Khel).
66.	Facilitation of Health Setup in FRs (Peshawar Hassan Khel).
67.	Opening of 07 CDs in FR Tank.
68.	Opening of 08 CHCs / CDs in FR DI Khan District.
69.	Opening of 06 CHCs/CDs in FR Bannu District.
70.	Opening of 08 CHCs / CDs in FR Lakki.
71.	Opening of 02 CDs in FR Kohat District.
72.	Opening of 11 CHCs / CDs in FR Peshawar.
73.	Opening of 41 CHCs / CDs in Mohmand District.
74.	Opening of 22 CHCs / CDs Khyber District.
75.	Opening of 07 CHCs / CDs in Kurram District.
76.	Opening of 15 CHCs/ CDs in Orakzai District.
77.	Opening of 24 CHCs/CDs in North Waziristan District.
78.	Opening of 18 CHCs / CDs in South Waziristan District.
79.	Removal of Staff Deficiencies in Newly opened Areas in Health Facilities FATA.
80.	Establishment of Government College of Management Sciences, SWA.
81.	Strengthening of Crises Management Cell Through FATA Analysis and Strategy Team.
82.	Establishment of Levy Training Center at Shahkass, Jamrud, Khyber Agency.
83.	Establishment of Center of Excellence/Govt. College of Technology, Khar, Bajaur Agency.
84.	Establishment of Vocational Training Centres / Institutes in Bajaur Agency and FR Kohat.
85.	Opening Govt. Polytechnic Institute Parachinar Kurram Agency in rented building.
86.	Establishment of Govt. Technical Institute Wana SWA.
87.	Establishment of Govt. Technical Institute SWA at Chaghmalai.
88.	Introduction of Additional Technologies in Polytechnic Institutes of FATA.
89.	Overcoming of Staff/Equipment Deficiencies in Technical Institutes in FATA.
90.	Operationalization and Provision of Equipment/Machinery to Labs of Existing Technical Institutes in Mohmand Agency GTI Mohmand Agency.
91.	Reformation of Technical Education in all Institutes in FATA.
92.	Introduction of 02 Technologies (Civil & Electrical) at Govt. Tech: Institute Sadda kurram Agency.

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93.	Introduction of New Technologies in Existing Technical Institutes of Tribal Districts.
94.	FATA Investment Facilitation Agency (FIFA).
95.	Small and Medium Enterprises Facilitation Unit.
96.	Establishment of PMU for Operationalization of Five FM Radio Stations in Merged Areas.
97.	Creation of Project Support Unit For Pre Construction and Implementation of Small Dams/Power Section.
98.	Strengthening of Local Govt. Directorate FATA.
99.	Directorate of Projects FATA Secretariat.
100.	Directorate of Monitoring and Evaluation in FATA Secretariat.
101.	Establishment of Field Formation for the Directorate of Monitoring and Evaluation in FATA Secretariat.
102.	Satellite Monitoring of Development Schemes in FATA.
103.	Project Management Unit, Fata Infrastructure Programme.
104.	Khyber Area Development Project.
105.	Mohmand Area Development Project.
106.	Bajaur Area Development Project.
107.	Fata Water Resources Development Project.
108.	Survey Feasibilities Under Various Sector Phase-II.
109.	Urban Policy and Planning Unit FATA.
110.	Project Management Unit for World Food Programme in FATA.
111.	Strengthening of P&D Department.
112.	Establishment of HR/Archival Library in P&DD.
113.	Strengthening of AI&C Department, FATA Secretariat.
114.	Instructional and Physical Training Programme in FATA.
115.	Institutionalization of Boy Scouts Activities in Tribal Districts in FATA.
116.	Strengthening of FATA Olympics Association.
117.	Strengthening of Zakat and Ushr Department, FATA Secretariat.
118.	Strengthening of Minerals Department. PMU for Mineral Sector Projects.
119.	Exploration and Evaluation of Dimension and Decorative Stones in FATA.
120.	Exploration and Evaluation of Occurrences in FATA.
121.	Establishment / Operation of Mines Rescue, Safety and Labour Welfare Centre in FATA.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(KIFAYAT ULLAH KHAN AFRIDI)

Secretary

Provincial Assembly of Khyber Pakhtunkhwa

Printed and published by the Manager,
Staty. & Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar

ATTESTED

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INSPECTORATE OF MINES KHYBER PAKHTUNKHWA

ATTACHED DEPARTMENT, JUDICIAL COMPLEX, KHYBER ROAD, PESHAWAR
Phone: 091-9211404 Fax: 091-9211745

No. SIM/KT/General/ 3216

Dated: 01.11.2021

To: The Chief Inspector of Mines
Inspectorate of Mines, Khyber Pakhtunkhwa.

Subject: PAY PROTECTION/BACK BENEFITS.

Dear Sir,

Reference to the subject noted above, it is stated that the undersigned was appointed as Training Officer (BPS-17) in the scheme "Establishment/operation of Mines Rescue/Safety & Labour Welfare Centre Orakzai Agency (Merged Districts) on 14.07.2007 in Mineral Directorate FATA (Annex-I).

Keeping in view the excellent performance, the services of the undersigned were continued/extended on yearly basis without any break upto 20.05.2019 (Annex-II), as the functions of the Scheme were statutory under the Mines Act, 1923 (Now it is called " The Khyber Pakhtunkhwa Mines Safety and Regulation Act,2019"). Later on, through proper channel apply and on recommendation of the Public Service Commission Khyber Pakhtunkhwa the undersigned was selected as Senior Inspector of Mines (BPS-18) in the Inspectorate of Mines, Khyber Pakhtunkhwa (Annex-III). In pursuance of offer letter the undersigned relinquished the charge of Training Officer (BPS-17) on 20.05.2019, and assumed the Charge of Senior Inspector of Mines (BPS-18) on 21.05.2019 (Annex-IV).

It is also pertinent to mention here that my immediate boss named Mian Farooq Iqbal, an employee of University of Engineering & Technology KPK as lecturer BPS-17 also applied for the post of Inspector of Mines BPS-17 through Public Service Commission and joined Inspectorate of Mines, Khyber Pakhtunkhwa on 10.07.1989. The officer lodged his case in Service Tribunal for pay protection. The case was decided in favor of the above named officer in Service Tribunal alongwith Supreme Court of Pakistan, safeguarding his pay (Annex-V).

As per true spirit of the Judgment of both Supreme Court of Pakistan and Service Tribunal, the Finance Department Khyber Pakhtunkhwa after full filling all formalities principally notified/sanction the continuation of service and protection of Basic Pay of the afore named officer vide Notification No. FD (SOSR-I)/124/2020 dated 15.06.2020 (Annex-VI).

On the analogy of afore mentioned officer, I also have the right for pay protection. The last pay I was drawing against the post of Training Officer was Rs. 94500/PM (Annex-VII).

It is therefore, humbly requested that my appeal may favorably be considered, and approach Finance Department for approval and to issue necessary notification for my pay protection please.

Handwritten notes:
2/11/2021
A.D./A.S.
put up under file's
Diary No 5398
02/11/21... we
Inspectorate of Mines
Khyber Pakhtunkhwa
Date: 2/11/21

Signature
Senior Inspector of Mines
Kohat Division

ATTESTED *Signature*



**INSPECTORATE OF MINES
KHYBER PAKHTUNKHWA, PESHAWAR
ATTACHED DEPARTMENT, NEAR JUDICIAL COMPLEX
KHYBER ROAD PESHAWAR
Ph: 091-9211404-9210815- Fax No. 091-9210236**

JC30

No. CIM/Admn/Misc/Vol-V/2021/5544

Dated: 09/11/2021

To

The Section Officer (General),
Minerals Development Department,
Government of Khyber Pakhtunkhwa.

Subject: PAY PROTECTION/BACK BENEFITS.

I am directed to refer to the subject noted above and to enclose herewith a self-explanatory application in respect of Muhammad Roshan, Senior Inspector of Mines (BPS-18), alongwith its enclosures on the subject matter for further necessary action and onward submission to Khyber Pakhtunkhwa Finance Department, please.

Encl: As above

Assistant Director (Administration)
Inspectorate of Mines
Khyber Pakhtunkhwa
9/11/2021

e/c

ATTES

CS CamScanner



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

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Finance Department Civil Secretariat Peshawar | <http://www.govpk.gov.pk> | Facebook: govpk/finance | Twitter: govpk/finance

NO. FD(SOSR-1)12-4/2021/81, Peshawar
Dated Peshawar the: 22-06-2022

To

Mineral Dev Dept (PPK)
Copy No. 4/10.
Date: 22-06-22

✓ The Section Officer (Dist),
Minerals Development Department,
Peshawar.

Subject: - PAY PROTECTION/BACK BENEFITS

I am directed to refer to your letter No. SO.E/MID/D/1-87/2019/1538-40 dated 14.06.2022 on the subject noted above and to state that the instant case may be examined in light of the minutes of the meeting held on 21.01.2020 under the Chairmanship of Additional Secretary (Regulation) Finance Department (copy enclosed) which are crystal clear upon the subject issue, please.

Enclosed: (As above)

[Signature]
SECTION OFFICER (SR-1)

~~SO (BAA)~~
~~29/6/22~~

[Signature]
30/06/2022

Diary S.O (E)

No: 302

Date: 30/6/22

ES CONTROLLED
F.No. 292
Date 29.06.2022

Diary No. 1482
Date 28.06.22

[Handwritten signature]

Pl
Asst
[Handwritten signature]

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30/6

✓ ATTEST



GOVERNMENT OF KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

32


No. SO (E)/MDD/1-87/2019/4699-4700
Dated Peshawar, July 27, 2022

To

The Chief Inspector of Mines,
Inspectorate of Mines,
Khyber Pakhtunkhwa.

Subject: PAY PROTECTION/ BACK BENEFITS.

I am directed to refer to your letter No. CIM/Admin/PP/01/7/2019/1967 dated 12.05.2022 on the subject noted above and to enclose herewith a copy of Finance Department letter No. FD(SOSR-1)12-4/2021/ dated 22.06.2022 along with minutes of the meeting dated 21.01.2020 which is quite clear in the subject matter, for information and record. please.

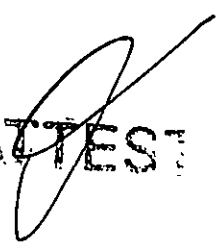

(i) (a) Abdul Jaiil
SECTION OFFICER (ESTT)

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

Copy for information is forwarded P.S to Secretary to Govt. of Khyber Pakhtunkhwa, Minerals Development Department.


SECTION OFFICER (ESTT).

M. F

✓

ALTEST



INSPECTORATE OF MINES
KHYBER PAKHTUNKHWA, PESHAWAR
ATTACHED DEPARTMENT, NEAR JUDICIAL COMPLEX
KHYBER ROAD PESHAWAR

Ph: 091-9211746- Fax No. 091-9210236 Email: [iomadm@gmail.com](mailto:iomadmn@gmail.com)

M
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No. CIM/Admn/PF/01/7/Roshan/2019/ 5724

Dated: 27/11/2023

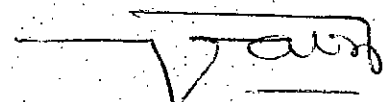
To

Engr. Mohammad Roshan,
Senior Inspector of Mines,
Kohat.

Subject: PAY PROTECTION/BACK BENEFITS.

I am directed to enclose herewith a self-explanatory letter received from Section Officer (Establishment) Minerals Development Department vide letter No. SOE/MDD/1-87/2019/4699-4700, dated 27.07.2023 which is quite clear in the subject matter for your information and record, please.

Encl: As Above.


Assistant Director
(Administration)
Inspectorate of Mines
Khyber Pakhtunkhwa

ATTESTED

VAKALAT NAMA

NO. _____/2023

IN THE COURT OF KP Service Tribunal, Peshawar

Muhammael Roshan

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Munis & Municipals Department

(Respondent)
(Defendant)

I/We, Muhammad Roshan

Do hereby appoint and constitute **TAIMUR ALI KHAN, ADVOCATE HIGH COURT**, 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 costs.

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. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/2023



(CLIENT)

ACCEPTED


TAIMUR ALI KHAN
Advocate High Court

BC-10-4240
CNIC: 17101-7395544-5
Cell No. 03339390916