

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Service Appeal No. **1872/2022**

Mr. Mian Farooq Iqbal Ex-Chief Inspector of MinesAppellant

Versus

Secretary to Government of Khyber Pakhtunkhwa, Minerals Development Department &
Others.....Respondents

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DEPONENTS



BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1872/2022

Mian Farooq Iqbal Appellant

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 15316

Dated 30.08.24

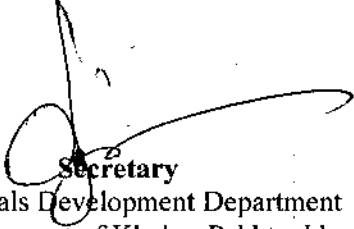
VERSUS

The Secretary Mineral Development Department, Peshawar & Others Respondents

Subject: **APPLICATION FOR SUBMISSION ON FILE ADDITIONAL DOCUMENTS AS
PER ORDER SHEET DATED: 02.05.2024**

Respectfully Submitted,

1. That the above-titled Service Appeal is pending adjudication before this honourable Tribunal and is fixed for **03.09.2024**.
2. That in compliance of Order Sheet dated 02.05.2024 the following record is submitted:-
 - i. Working Papers for promotion to the post of Director General of Mines & Minerals (25.11.2013)
 - ii. Observations raised by the Establishment Department.
 - iii. Agenda of PSB Meeting held on 27.12.2013
 - iv. Working papers of Mr. Fazal Hussain
 - v. Seniority list on basis of which Mr. Fazal Hussain was considered for promotion.
 - vi. Minutes of PSB Meeting held on 19.04.2019
 - vii. Notification of promotion of Mr. Fazal Hussain

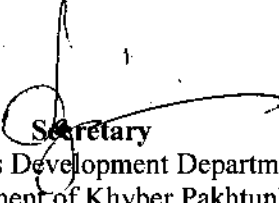

Secretary
Minerals Development Department
Government of Khyber Pakhtunkhwa
(Respondent No.1)



**Government of
Khyber Pakhtunkhwa
Minerals Development Department**

AUTHORITY LETTER

Mr. Mujahid Ali Shah, Director Training (BS-19) of Inspectorate of Mines, Khyber Pakhtunkhwa is hereby authorized to submit affidavit and to attend the Honorable Service Tribunal, Peshawar in the case titled Service Appeal No.1872/2022 Mian Farooq Iqbal versus The Secretary Mineral Development Department, Peshawar & Others.


Secretary
Minerals Development Department
Government of Khyber Pakhtunkhwa
(Respondent No.1)

BEFORE THE KHYBER PAKHTUKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1872/2022

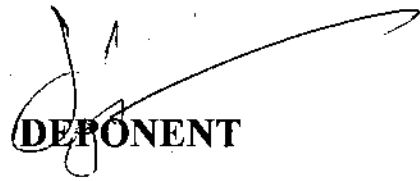
Mr. Mian Farooq Iqbal, Ex-Chief Inspector of Mines (BPS-18)Appellant.

Versus

Secretary to Government of Khyber Pakhtunkhwa, Minerals Development Department & Others
.....Respondents.

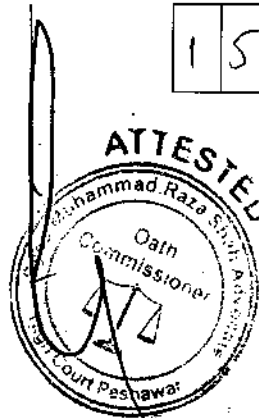
AFFIDAVIT

I Mutaher Zeb Secretary of Minerals Development Department do hereby solemnly affirm and declare that the contents of the record as per order sheet dated 02.05.2024 of the promotion working paper are true and correct to the best of my knowledge and belief and that nothing has been concealed from Honorable Tribunal. It is further stated on oath that the answering respondent have neither been placed ex-part nor their defence have been struck off.


DEPONENT

Identified by

1 5 4 0 2 - 1 4 3 6 5 6 2 - 1



29 AUG 2024

Mian Farooq Iqbal vs Govt
A. No. 1872/2022

Jan. 2024

1. Junior to counsel for the appellant and Mr. Habib Anwar, Additional Advocate General alongwith Mr. Sajid Anwar, Assistant for the respondents present.

2. Former made a request for adjournment as senior counsel for the appellant was not available today. Adjourned by way of last chance. To come up for arguments on 02.05.2024 before D.B. P.P given to the parties.

(Fareeha Paul)
Member (E)

(Kalim Arshad Khan)
Chairman

Muozem Shah

~~02.05.2024~~
Ali Shah, Deputy District Attorney alongwith Mr. Rizwan, Assistant Director for the respondents present.

2. Representative of respondents is directed to apprise the Tribunal regarding the latest position of working paper sent to the Establishment Department on 25.11.2013, whether it was placed before the PSB or otherwise. If the same was placed before the PSB then produce minutes of the meeting. Respondents are further directed to produce entire record of promotion of Mr. Fazal Hussain alongwith its seniority list on the basis of which he was considered for promotion. Adjourned. To come up for record and arguments on 29.05.2024 before D.B. P.P given to parties.

(Fareeha Paul)
Member (E)

(Rashida Bano)
Member (J)

ATTESTED
EXAMINED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Section Officer (Establishment),
Minerals Development Department
Govt. of Khyber Pakhtunkhwa,
Peshawar

Date of Presentation of Application 02-5-24

Number of Words 1-P

Copy 5/

Urgent 5/

Total 5/

Name of Stalynof

Date of Completion of Copy 17-5-24

Date of Delivery of Copy 04-6-24



GOVERNMENT OF
KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

No SO-Admn(MD)1-6/9/Vol-XV
Dated Peshawar, the 25th November, 2013.

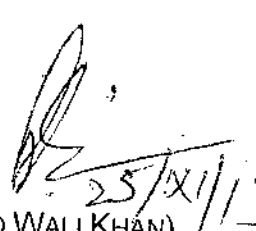
To

The Section Officer (PSB)
Govt. of Khyber Pakhtunkhwa,
Establishment & Administration Department.

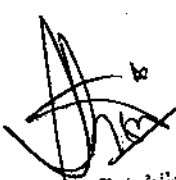
Subject:- WORKING PAPER FOR PROMOTION TO THE POST OF DIRECTOR
GENERAL, MINES & MINERALS (BPS-20), KHYBER PAKHTUNKHWA

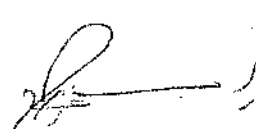
I am directed to refer to the subject noted above and to enclose herewith seven sets of Working Papers alongwith relevant documents for promotion to the post of Director General, Mines & Minerals (BPS-20), Khyber Pakhtunkhwa, Peshawar for further necessary action.

Encl: As above


25/XI/13
(SYED WALI KHAN)
Section Officer (Establishment)

Reply by this page of 19/11/13


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Received on 26/11/13


WORKING PAPER FOR PROVINCIAL SELECTION BOARD

Department: DIRECTORATE GENERAL, MINES & MINERALS, KHYBER PAKHTUNKHWA (GOVERNMENT OF KHYBER PAKHTUNKHWA, MINERALS DEVELOPMENT DEPARTMENT)

1.	Nomenclature of the post/Basic Scale	Director General, Mines & Minerals (BPS-20)		
2.	Service/Group/Cadre	Mines & Minerals		
3.	Sanction strength of the cadre	01 post		
4.		Direct	Promotion	Transfer
	i. Percentage of Share	--	100%	--
	ii. No. of posts allocated to each category	--	01	--
	iii. Present occupancy position	---	---	---
	iv. No. of vacancies in each category	--	01	---
	v. How did the vacancy (ies) under promotion quota accrue and since when?	Due to retirement of the incumbent of the post, the post has become vacant w.e.f. 07.05.2012 (A.N) (Annex-I)		
	vi. Recruitment Rules	(a) By promotion, on the basis of selection on merit, from amongst the Director Exploration (Minerals), Director Licensing, Chief Inspector of Mines and Commissioner Mines Labour Welfare having at least seventeen years service in BPS-17 and above and in case of persons initially appointed in BS-18 the length of service for promotion to the post shall be twelve years in BPS-18 and above; or (b) By transfer from the Provincial Government Department (Annex-II).		
	vii. Required length of service	17 Years services in BPS-17 and above and in case of persons initially appointed in BS-18 the length of service for promotion to the post shall be twelve years in BPS-18 and above.		
	viii. Whether to be promoted on regular basis or appointed on acting charge basis?	Regular basis		
	ix. Mandatory training, if any.	Not applicable.		
	x. Minimum required score on EI	70		

[Signature]
**Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar**

Signature: *[Signature]*

Designation: Secretary to Govt. of Khyber Pakhtunkhwa, Minerals Development Department

Dated Peshawar the 12/11/2013

PANEL OF OFFICERS FOR CONSIDERATION

S.No.	Name of officer (s)	Remarks
1.	Mian Farooq Iqbal, Chief Inspector of Mines	Quantified score of PER: 54.13 Mian Farooq Iqbal, Chief Inspector of Mines (presently posted as OSD) made a civil appeal No.1280 of 2013 out of civil petition No.1246 of 2013 regarding his posting/transfer as OSD as well as regular promotion to the post of Director General, Mines & Minerals (BPS-20) and the Supreme Court of Pakistan expected that the applicant's grievance be redressed and such be done preferable within a period of one month (Annex-III).
2.	Mr. Obaidullah, Director Licensing	Quantified score of PER: 53.10
3.	Mr. Shakirullah, Director Exploration	Quantified score of PER: 52.94


CERTIFICATE

- 1) Certified that the officers are eligible in all respect and possess the requisite length of service required for promotion.
- 2) Also certified that no disciplinary action/proceedings or criminal charges in any court of law are pending against the officers except the officer at S.No.1 of the panel.

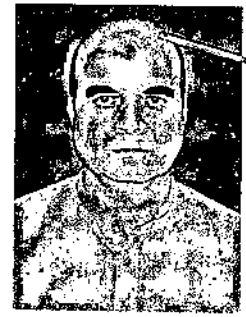
Signature: _____

Designation: Secretary to Govt. of Khyber
Pakhtunkhwa, Minerals Development
Department

Dated Peshawar the 22/11/2013


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

**PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD**



PSB-III

In respect of Mian Farooq IqbalPersonnel No. 00040748

Domicile: <u>Buner</u>	Service/Group: <u>Provincial/Technical</u>	Sen. No. <u>1</u>
Educational Qualification: <u>M.Sc Mining Engineering/LLB</u>	Date of Birth: <u>20/01/1963</u>	Date of Superannuation: <u>19/01/2023 (AN)</u>

SERVICE PARTICULARS

Date of joining/ Service	Date of promotion in		Length of Service			Eligibility for consideration
	Present Scale	Lower Rank	Total	In Present Scale		
<u>10/1/1989</u>	<u>08/11/2004</u>	<u>12/11/1997</u>	Y M D <u>24 9 21</u>	Y M D <u>8 11 23</u>		<u>1</u>

Important Appointments held in the present Rank/Post:

	(i) Being incharge of the DGMM Head, several appointments with Foreign Delegation as well as local investors for attracting foreign investment in the mineral sector of the province.
	(ii) Represented province in PDAC 2012 (Toronto Canada) which is the world largest mining convention and held series of meetings with mineral investors of the world and appraised them with the mineral resources investment opportunities.
	(iii) Held meeting with the British and Canadian investors in their consulates and discussed about the prospects of setting-up of metallic mineral based industries, favourable results of it will be seen soon.
	(iv) Held meeting with World Bank personnel in Islamabad and exchange views and contributed in future vision for the role of mineral sector in the countries GDP

Penalties (if any): Nil**Training Courses (other than mandatory Training)**

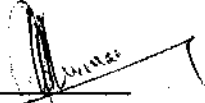
- Group Training course coal Mine Safety JICA-Japan w.e.f. 03.09.1996 to 06.12.1996
- Working on Mining Techniques China w.e.f. 10.10.2001 to 22.10.2001
- Attended Kashgar International Trade Fair China as a member of joint delegation of Khyber Pakhtunkhwa Government high officials and entrepreneur business from private sectors from 27.06.2007 to 04.07.2007
- International Convention, Trade Show & Investors Exchange Mining Investment Show, Toronto Canada w.e.f. 03.03.2013 to 06.03.2013

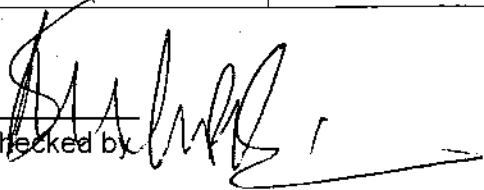
Number of PERs

	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/ Remarks in
2011 (31.03.2011 to 15.08.2011)	01	08	14	2005 (01.01.05 to 20.04.05) 2006 (01.01.06 to 14.07.06) 2010 (01.03.10 to 08.11.10)	---	Not to be treated as adverse remarks but all his efforts concentrated on his posting as Director General, Mines & Minerals at any cost e.g. under mining integrity and position of his superiors. (Adverse remarks recorded in his ACRs has been expunged by the Competent Authority.
Awaited Reports (PERs)	---					Additional Information (if any)

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

EFFICIENCY INDEX			
Required Threshold	Score of PERs + Training Reports	Marks awarded by PSB	Total
70	54.13		
RECOMMENDATION OF PSB			
Promoted	Deferred	Superseded	


Prepared by


Checked by


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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**PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD**

Picture

In respect of **Obaidullah**Personnel No. **00016173**

Domicile: Malakand	Service/Group: Provincial/Technical	Sen. No. 2
Educational Qualification: B.Sc Academic, BA English & Mining Engineering	Date of Birth 16/10/1955	Date of Superannuation 15/10/2015 (AN)

SERVICE PARTICULARS

Date of joining/ Service	Date of promotion in		Length of Service			Eligibility for consideration
	Present Scale	Lower Rank	Total	In Present Scale		
08/08/1983	12/06/2007	07/07/2002	Y M D 30 2 23	Y M D 6 4 19		1

Important Appointments held in the present Rank/Post:

	The officer concerned is incharge of Licensing Division and have several appointments with different life of walk for making investment in the mineral sector.

Penalties (if any): **Nil**

Training Courses (other than mandatory Training)

Number of PERs

Basic Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/ Remarks in
19	---	9 years and 8 months	14 years 9 months	1 year 5 months	---	---

Awaited Reports (PERs)

Additional Information (if any)

EFFICIENCY INDEX

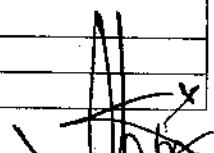
Required Threshold	Score of PERs + Training Reports	Marks awarded by PSB	Total
70	53.10	---	

RECOMMENDATION OF PSB

Promoted	Deferred	Superseded

Prepared by

Checked by


 Section Officer (Establishment)
 Development Dept
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

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PSB-III

**PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD**

In respect of **Shakerullah**

Personnel No. **00454764**

Domicile: Mardan	Service/Group: Provincial/Technical	Sen. No. 3
Educational Qualification:	Date of Birth	Date of Superannuation
M.Sc (Geology)	28/04/1955	27/04/2015 (AN)

SERVICE PARTICULARS

Date of joining/ Service	Date of promotion in		Length of Service			Eligibility for consideration
	Present Scale	Lower Rank*	Total	In Present Scale		
28/04/1981	20/07/2009	05/05/1987	Y M D 32 6 3	Y M D 4 3 21	1	

Important Appointments held in the present Rank/Post:

1	Additional charge of the post of Director General Mines & Minerals w.e.f. 08.10.2009 to 08.11.2010
2	Focal person for preparation of draft Khyber Pakhtunkhwa Mineral Policy (completed) in collaboration with USAID project
3	Competent interface with foreign and local investors through demonstration of presentation of mineral resources of Khyber Pakhtunkhwa

Penalties (if any): **Nil**

Training Courses (other than mandatory Training)

- Completed in-service training of mineral exploration under Australian technical assistance programme spread over a 4 years period (1992-95) and covered the techniques of exploration programme design and implementation through to prospect discovery and evaluation. Training included workshop courses at Australian Mineral Foundation Inc (AMF), Adelaide, South Australia and on-the-job training in northern Pakistan and gold fields of Western Australia and Queensland, Australia. Apart from field work training also attended the following specialize courses under the same training:
 - Short Term Specialized Training Programme "Exploration and Evaluation of Gold Deposits", August 17, 1992 to November 13, 1992 by Australian Mineral Foundation Inc.
 - Geological Environments of Ore Deposits, February 1992, by Australian Mineral Foundation Inc.
 - Ore Reserve Calculation, February 17 to 28, 1993, by Australian Mineral Foundation Inc.
 - Short Term Specialized Training Programme "Exploration Geochemistry and Sampling", June 7-16, 1994 by Australian Mineral Foundation Inc.
- Industrial Environmental Management November 9-16, 2000 by IUCN-SPCS Peshawar
- Ethics at Work, January 6-7, 2004, by PARD Peshawar
- GIS & Remote Sensing as Decision Support Tools" May 16-20, 2005 by PARD Peshawar
- Research Papers/Reports
 - Shakerullah and M. Ihsan Afridi (2004) – Mineral Development Profile of North-West Frontier Province and role of Directorate General, Mines & Minerals in the mineral resource development. Geological Bulletin, University of Peshawar v. 37, 2004 ISSN 0367-4045.
 - Hildebrand, P. R., Noble, S.R., Searle, M.P., Parrish, R.R., and Shakerullah (1998) - The tectonic significance of 24 Ma crustal melting in the eastern Hindu Kush, Pakistan Geology, Geological Society (London) Journal v.26, no.10, p.871-874.


(Signature)
 Section Officer (Establishment)
 Minerals Development Department
 Govt. of Khyber Pakhtunkhwa
 Peshawar

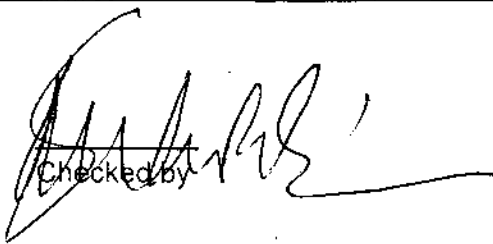
(Signature)


- iii. Leake R.C., Fletcher, C.J.N., Haslam, H.W., Khan, B., & **Shakirullah** (1989) - Origin and tectonic setting of strata bound tungsten mineralization within the Hindu Kush of Pakistan: Geological Society (London) Journal, v.146, p.1003-1016.
- iv. Beside the above, numerous un-published research work include reports on:
 - a. **Shakirullah**. (1995) - Geology of Antimony ore occurrences in Chitral and evaluation of Kamal Gol Antimony Prospect, Hindu Kush range: Sarhad Development Authority, Peshawar, NWFP, Pakistan.
 - b. **Shakirullah**. (1995)- Boulangerite/Gold-Silver Exploration in District Chitral: a brief report on exploration profile of Chitral region: Sarhad Development Authority, Peshawar, NWFP, Pakistan.
 - c. **Shakirullah**. (1998)- Follow up exploration targets in Chitral region, eastern Hindu Kush northern Pakistan: Sarhad Development Authority, Peshawar, NWFP, Pakistan.
 - d. **Shakirullah**. (2000) - Geological evaluation of Dommel Nissar iron ore occurrences, Chitral, Hindu Kush, Northern, Pakistan: Sarhad Development Authority, Peshawar, NWFP, Pakistan.

Number of PERs

Basic Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks in	
19	---	15	15 years 8 months	---	---	---	
Awaited Reports (PERs)			Additional Information (if any)				
2009 (20.07.09 to 31.12.09) pending with RO.							
EFFICIENCY INDEX							
Required Threshold		Score of PERs + Training Reports			Marks awarded by PSB		Total
70		52.94					
RECOMMENDATION OF PSB							
Promoted		Deferred			Superseded		


Prepared by


Checked by


**Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar**

PER GRADING AND QUALIFICATION IN RESPECT OF MIAN FAROOQ IQBAL, CHIEF INSPECTOR OF MINES (BPS-19) FOR REGULAR PROMOTION TO THE POST OF DIRECTOR GENERAL, MINES & MINERALS (BPS-20)

SENIORITY NO.1

Year	Period of PER		Pen Picture		PERs assessment	Fitness of promotion	Score
	From	To	Reporting Officer	Countersigning Officer			

Previous Scale (BPS-17)

1989	10.07.89	31.12.89	A good officer. New appointee yet learning but capable. Though new appointee he is picking up the work fastly.	Nothing added by C.O.	Good	Yes	3.50
1990	01.01.90	31.12.90	Young and smart man. Capable and trustworthy.	---	Very good	Yes	10
1991	01.01.91	31.12.91	Is hardworking and has a lot of drive. Knows his work well and can pull on nicely with the people. A good and obedient young man officer and taking interest in the office work.	I agree with the R.O.	Good	Yes	7
1992	01.01.92	31.12.92	A young and obedient officer. Taking interest in his field work. Is hardworking and has a lot of drive. Knows his work well and can pull nicely with the people.	I agree with R.O.	Good	Yes	7
1993	01.01.93	31.12.93	Is hardworking and has a lot of drive. Knows his work well and can pull on nicely with the people. A capable and competent officer with great initiative and drive.	I agree with the reporting officer.	Good	Yes	7
1994	01.01.94	31.12.94	Is hardworking and has a lot of drive. Knows his work well and can pull on nicely with the people. Has an impressive personality and is cooperative with his superior.	I agree with the reporting officer.	Good	Yes	7
1995	01.01.95	31.12.95	Efficient officer and taking interest in his job, his services are still required at H.Q. A very well behave, sensible and intelligent officer tactful and influential.	A sharp officer. Who has recently approved for promotion and separate post crated by virtue of his work.	Very good	Yes	10
1996	01.01.96	31.12.96	A good officer, taking interest in office routine work. Is hard working and has a lot of drive. Knows his work well and can pull on nicely with the people.	An outstanding officer who is professionally sound and takes immense interest in his work.	Very good	Yes	10

Resourceful and for over prepared to undertake responsibilities. Sharp and quick witted. Fit for higher appointment.

Basic Scale (BPS-18)


1997	01.01.97	31.12.97	A young energetic officer. Taking interest in his job. A cooperative officer. Dispose of office routine work quickly.	Nothing is added by C.O.	Good	Yes	7
1998	01.01.98	31.12.98	An average officer. Perform regular inspection.	I do not agree with the assessment of R.O. I found the officer absolutely upto marks. I would certainly accept him a higher grade.	Good	Yes	7
1999	01.01.99	31.12.99	A good officer. Regular inspections have been carried out by the officer during the previous year. Took frequent visit with filed in the last year i.e 1999 in the public interest.	I agree with the reporting officer.	Good	Yes	7
2000	01.01.2000	31.12.2000	The officer has performed his duties to the best of his abilities in the govt./public interest during the period under report. Satisfied with the assessment in part II. The officer is honest and gentleman. The officer has the decision power technically sound. Takes keen interest in his duties. The officer always disposed off his official work well in time. He is helpful in the official confidential matters. Recommended for international training in the field of mining to further improve his technical knowledge.	I agree with the assessment of the reporting officer.	Very good	Yes	10
2001	01.01.01	31.12.01	Has performed the duties in the best of his abilities during the year 2001. As regard with information given in part II. An honest officer. A well educated and technically sound officer. Takes keen interest in his job. Always disposed off his work well in time. Recommended for training in the mining technology.	I agree.	Very good	Yes	10
2002	01.01.02	31.12.02	His performance was very well during the period under report. I agree with his statement at II (2). An honest officer.	Mr. Farooq is good officer, who has been able to do well during the	Good	Yes	7

Section Chief (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

			Technically sound take interest in his work. He always dispose off his office work well in time. Recommended for training in mining field.	period under report. The report is generally on plus side.			
2003	01.01.03	31.07.03	Satisfy with the assessment in part II. The officer has ability to perform his duties well in time in the public interest. A honest officer. He has come with good result in the official matters. The officer has ability to take initiative in cases for solution. He has already availed. Further recommended in the field of mining.	Nothing added by C.O.	Good	Yes	4.8
	01.08.03	31.12.03	On long leave.				
2004	01.01.04	31.12.04	The officer remained outstanding during the period under report. His performance remains satisfactory. Satisfied with the assessment in part II. An honest officer. The officer has the potential to work hard. The officer has good administration. Recommended for training.	He may be a good officer but does not contain the essential qualities of tactfulness and creating conducive working relationship.	Good	Yes	7

Basic Scale (BPS-19)

2005	01.01.05	20.04.05	Agreed. A good officer. The performance of the officer was satisfactory during the tenure of the reporting officer. He has already availed training abroad. He is not recommended. Chance will be given to other technical officers.	The reporting officer has recorded very little to contradict. Even he has left item 4 & 7 blank. However, I know the officer will and I have seen his work. He is an average officer. Not yet. On his tum, he should be given assignment equal to his grade.	Average	Yes	1.66
	01.04.05	27.09.05	The officer worked well. His on the job performance and general output of work was good. On the whole, he contributed a lot towards the organization and I agree with what he stated in part II (2). Sound. Knows his job. Well conversant with the relevant rules hardworking and professionally sound who can communicate well and can work under pressure. Professional he is a mining engineer who has gathered sufficient experience in the filed of mining engineering. He should continue with the present assignment.	I agree with RO.	Good	Yes	2.91


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

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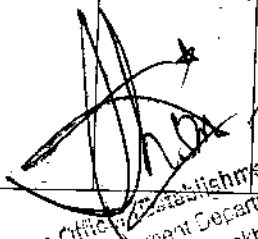
			Any training relevant to his job both in country and abroad. On his turn. He is capable and currently holding higher position as additional responsibilities.				
	28.09.05	31.12.05	The officer is good at his work. He has skills and can take good decision at the right time. Good. He does well in routine and complicated cases. Professionally sound officer and can handle the organization independently. Appropriate training can approve his professional skill.	I agree with RO.	Good	Yes	1.75 = 6.32
2006	01.01.06	14.07.06	His achievements in some cases cited above are commendable yet the officer needs to improve upon his overall administration of the Department. No comments. The officer needs to improve his emotional stability and communication skills. No comments. Only on his turn.	His overall performance needs improvement.	Average	No	2.50
	15.07.06	31.12.06	I agree with the position given in part II (2). His performance remained par excellence. Due to his personal efforts revenue of the department grew manifold. An upright, clean and honest officer. He is emotionally stable, competent and skilled in his job and applies his abilities for the optimal outcome in the public interest. He is equally fit for any administrative, managerial and technical assignment. Training in project management will further enhance his capacity to serve public interest. He has been working as Director General for the last two years and proved his competence in the higher scale.	His overall performance met minimum standards.	Good	Yes	3.50 = 6
2007	16.08.07	16.08.07	His achievements mentioned at para II (2) are quite correct brought a lot of revenue to the public exchequer and set a growth process for the future. I found him upright and concerned to the public interest. He is professionally sound: Keenly devoted to his duties. As DGMM his performance remained excellent and most productive. His administrative skills were equally superb. His continuation as DGMM will be in public interest. His expertise deserves his posting as DGMM or Secretary Mineral resources. He is professionally and administratively capable for such	I have not had the occasion of either seeing his work or interacting with him. On the basis of 7 months of observations I do not know how the reporting officer gave him an outstanding grading.	Very good	Yes	6.66

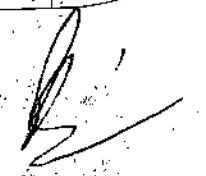
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

			assignment. Higher management. He is capable for any senior level assignment.				
	17.08.07	31.12.07	Performed well as Director General, Mines & Minerals (Additional charge) assignment given in part II (2) accomplished will with expectation of the government. Honest. Hardworking, efficient and capable officer. Mines and minerals development. Minerals Department/Secretariat. Recommended for foreign/local training in the area of mines/minerals development.	RO's assessment is endorsed.	Very good	Yes	3.33 = 10
2008	01.01.08	22.04.08	Agreed with part II. An honest officer. He is an experienced one officer. Recommended for foreign as well as within the country. Administrative training and development in foreign as well as in the country would augment capability.	Hardworking and efficient officer.	Very good	Yes	3.33
	23.04.08	31.12.08	On long leave.	---	---	---	---
2009	01.01.09	31.12.09	On long leave.	---	---	---	---
2010	01.01.10	03.02.10	On long leave.	---	---	---	---
	01.03.10	08.11.10	His contribution is a meager side as he remained focused on litigation with the Department for the post of Director General, Mines & Minerals. He has also challenged the service rules of the same post and the case is still subjudice in Service Tribunal of Khyber Pakhtunkhwa. Honest. Not to be treated as adverse remarks but all his efforts concentrated on his posting as Director General, Mines & Minerals at any cost e.g. undermining the integrity and position of his superiors. Has knowledge of laws and rules of mines labour of Khyber Pakhtunkhwa. Suitable as Chief Inspector of Mines Labour. Essentially needs awareness and training to understand tribute of minerals and its development prior to undertake assignment relating to department and regulation of minerals. Reportedly, the officer has also availed citizenship of Canada. The legal status of the same may be confirmed. If admissible, he may be promoted on completion of his aforementioned training and capacity	Rarely saw his work.	Average (Adverse remarks recorded in his ACRs has been expunged by the Competent Authority vide this department letter No.SO-Admn(MD) 1-12/2009/2278 dated 18.06.2013.	Yes	3.33

Section Officer (Establishment),
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Govt. of Khyber Pakhtunkhwa,
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			but on merit basis.				
	09.11.10	31.12.10	Less than three months.				
2011	01.01.11	30.03.11	Less than three months.				
	31.03.11	15.08.11	Agreed with the statement at part II. An honest officer. A good mining engineer. He knows about his job very well. Recommended for local and abroad training.	I agree with the reporting officer. The officer is hardworking, honest and capable person who has the gust to perform any duty assigned to him. Fit for promotion. He may be promoted to higher grade being a competent and experienced hand officer.	Outstanding	Yes	3.33
	16.08.11	31.12.11	Very competent, hard working and intelligent officer. He has the gust to deal with any matter assigned to him. Fit for promotion to higher grade. Honest and upright officer. His performance during the period under report remained excellent. Being an experienced hand officer, it will be in the benefit of govt. to retain him on the post of Director General. Normal training for updating his knowledge.	Nothing added by C.O.	Very good	Yes	3.33 = 6.66
2012	01.01.12	31.12.12	Very competent, hard working and intelligent officer. He achieved all the targets assigned to him. Fit for promotion to the post of Director General, Mines & Minerals. Honest and upright officer. Performance during the period under report was excellent. Professionally sound and he is working against the post of Director General effectively. Recommended for foreign training. Fit for promotion. He is capable to perform the higher responsibilities.	I know the officer well.	Very good	Yes	8


 Section Officer (Establishment),
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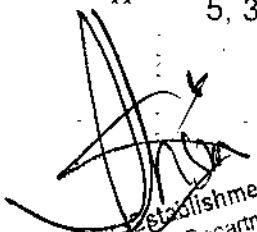
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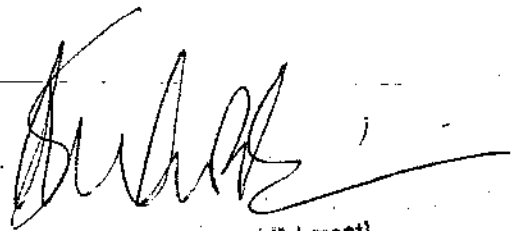
COMPREHENSIVE EFFICIENCY INDEX

PERs quantified score 60.40 @ 100%	Basic scale	Aggregate score	Weighting factor	Points obtained
	Present scale	7.58	37.94X42/50	31.86
	Previous scale BPS-17 BPS-18	8.20 7.79	8.20X2=16.40 7.79X3=23.38 39.78X28/50	22-27
	I) Addition* II) Deletion**	--- ---	--- ---	---
	Total (A):			54.13
Evaluation of PSB out of 30 marks				

Required threshold on CEI for promotion to BPS-20 is 70

- * 2 marks shall be added for serving in a Govt. Training institution including those meant for specialized training in any particular cadre for a period of 2 years or more.
- ** 5, 3, & 1 shall be deducted for each major, minor penalty and adverse remarks respectively.


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

PER GRADING AND QUALIFICATION IN RESPECT OF MR. OBaidULLAH, DIRECTOR LICENSING (BPS-19) FOR REGULAR PROMOTION TO THE POST OF DIRECTOR GENERAL, MINES & MINERALS (BPS-20)

SENIORITY-NO.2

Year	Period of PER		Pen Picture		PERs assessment	Fitness of promotion	Score
	From	To	Reporting Officer	Countersigning Officer			

Previous Scale (BPS-17)

1983	08.08.83	31.12.83	A newly appointed you officer with progressive mind. The overall performance is satisfactory.	I agree with the R.O	Good	Yes	2.91
1984	01.01.84	31.12.84	He takes interest in his work, for field oriented duties the office may be considered for posting at any regional office. His performance in disposal of routine cases is satisfactory.	I have seen the work of the officer under report and have found it of high quality. The report/the entries in part II, III & IV are inconsistent with overall performance depicted by the Reporting Officer. The officer deserves to be rated A in part II, III, & IV and the entries recorded by the reporting Officer therein are upgraded to "A".	Good	Yes	7
1985	01.01.85	11.08.85	A hard working officer yet to gain further experience. Performance in disposal of routine cases is satisfactory.	The assessment of the Reporting Officer is incorrect. Obaidullah is a young honest intelligent and hardworking officer. I would rate him a good officer and accordingly the average entries remarked in part I & II are upgraded to "A".	Good	Yes	4.09
	12.08.85	31.12.85	A hard working young officer. Disposal in routine work is satisfactory.	The assessment of the Reporting Officer is not only inconsistent but inaccurate as well. Obaidullah is a good officer, intelligent honest and	Good	Yes	2.91 = 7

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

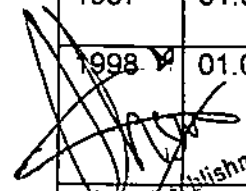
				hardworking. He has always done his best to do the job assigned to him. As I rate him a good officer the average entries recorded in his ACR are upgraded to Good (A).			
1986	01.01.86	31.12.86	A hard working officer. His overall performance in disposal of routine work was satisfactory. He should continue to work hard and learn his profession.	Intelligent, honest and hard working.	Good	Yes	7
1987	01.01.87	31.12.87	He takes interest in his work. His performance is satisfactory.	He is intelligent, honest and hard working.	Good	Yes	7
1988	01.01.88	30.06.88	An obedient officer. He takes interest in his work. His overall performance was satisfactory.	An intelligent officer with initiative and drive.	Good	Yes	3.5
	01.07.88	31.12.88	A hard working officer. The overall performance in disposal work was satisfactory.	I tend not to agree with the general assessment of the R.O. Obaidullah is an impressive young man with a lot of drive and initiative, with a good clear reputation. All along he has maintained a good working relationship with the general public especially mine owners of Malakand Division through his pleasing manners and helpful attitude and by his promptness and quick disposal. Surely this young man has a bright future in this or any other department and will assuredly be an asset in any higher capacity.	Very good	Yes	5
1989	01.01.89	07/1989	A well behaved officer. The overall performance was satisfactory.	A very competent young man well qualified for a field job.	Good	Yes	4.08
	08/89	12/89	He takes interest in his job. A willing officer. The overall performance was satisfactory.	Obaid is an honest and hard working officer. His performance for this period was very good.	Very good	Yes	4.16
1990	01.01.90	21.08.90	A well behaved and hard working officer. Overall performance was satisfactory.	A very fine officer.	Good	Yes	4.66
	22.08.90	31.12.90	A well behaved and hard working officer. Overall performance was satisfactory.	A good, honest hard working and efficient officer.	Good	Yes	2.33
1991	01.01.91	09.02.91	Less than three months.				= 7
	10.02.91	31.12.91	He is a new entrant to this profession. He is likely to further improve	As above.	Average	Yes	4.58

Section Officer (Establishment)
 Minerals Development Department
 G.O. of Khyber Pakhtunkhwa
 Peshawar

= 8.5

= 8.24

			with experience.				
1992	01.01.92 18.03.92	17.03.92 31.12.92	Less than three months. The officer was entrusted the duties of Deputy Director Minerals Development for two months. He performed excellently. Mr. Obaidullah is a honest, hardworking and dedicated officer. He is an asset to the Directorate.	I fully endorse the Reporting Officer's remarks. Obaid is one of the finest young officer in the Department. He is clean, honest, competent. His integrity is exemplary, an asset to the Department and fit for any field or office job.	Very good	Yes	7.50
1993	01.01.93	31.12.93	Mr. Obaidullah beside his technical knowledge has shown tremendous performance in policy making and planning matters. A very good officer. Mr. Obaidullah is a hard working. Honest and dedicated officer. He is an asset for this office.	I agree with the assessment of the Reporting Officer.	Very good	Yes	10
1994	01.01.94	31.12.94	Mr. Obaidullah has been occasionally assigned Mobile field duties which he performed excellently and resultantly it affected substantial increase in government Revenues.	Mr. Obaidullah is a honest, hardworking and dedicated officer. He always discharged his duties to the entire satisfaction of his superiors.	Good	Yes	7
1995	01.01.95	31.12.95	The officer has proved very effective in the field. He has contributed a lot in increase of mineral receipts. Mr. Obaidullah believes in work without motives. He is a dedicated and honest officer.	Noting added by C.O.	Good	Yes	7
1996	01.01.96	31.12.96	An effective officer. Capable for resolving mining disputes. Should continue hard work to achieve the desired targets. The overall performance remained satisfactory.	Resolutely honest and hard working.	Good	Yes	7
1997	01.01.97	31.12.97	An experienced tech officer. The overall performance remained satisfactory.	An honest, hard working and intelligent officer.	Good	Yes	7
1998	01.01.98	31.12.98	He is an experienced hard working technical officer. The overall performance remained satisfactory.	A hard working, dependable and honest officer, having a sound knowledge of mining field. He is an asset to the organization.	Very good	Yes	10
1999	01.01.99	31.12.99	A straight forward rigid officer having technical experience who also takes interest in assigned duties.	A well behaved officer with discipliner attitude towards his duties. He enjoys excellent moral character. He is loyal to his seniors and dependable.	Very good	Yes	10
2000	01.01.2000	31.12.2000	The overall performance remained satisfactory. Appears to be honest and reportedly straight forward in routine life matters. A religious minded experienced officer.	Mr. Obaidullah is a honest and upright officer who enjoy sound reputation with balance thinking and excellent in his work. He is	Very good	Yes	10


 Director, Office of Establishment,
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar



2001	01.01.01	31.12.01	The officer is an intelligent officer who knows rules and regulation of his field very well and quality and quantity of out put is very well. The officer achieved the targets successfully. Yes I agreed with the statement in part II(2). He is an honest officer. He is a hard worker and bold officer. A religious man of good moral character.	trustworthy and efficient in day to day work. I agree with Reporting Officer.	Very good	Yes	10
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Basic Pay Scale 18

2002	01.01.02	31.12.02	Generally the officer has been able to achieve the goals set during the period. An honest and upright officer. Mr. Obaid is overall a good officer, who is professionally sound and is well conversant with the mining laws.	I know the officer as he has been appearing before me in the appeals against the Department. I agree with the Reporting Officer.	Good	Yes	7
2003	01.01.03	05.09.03	Remained involved in dealing with the mineral concession cases of Hazara and Mardan/Peshawar Divisions. Also was responsible for recovery of royalty, which targets were achieved in excess. Experienced enough to handle the job of the concession branches independently. I agree with the remarks on part II(2). Being an unique quality he is a dead honest officer in the directorate. He is a straight forward officer who knows his job well but needs a bit flexibility in dealing with public. General attitude was OK. A religious minded officer. Needs extension training in his field specially the foreign training to improve his skills and knowledge.	He is a honest and competent officer.	Good	Yes	4.66
	06.09.03	31.12.03	The officer remained involved in the processing of concession cases, recovery of royalty and their related issues. His general performance in respect of Part II(2) remained satisfactory. An honest officer. Too much careful in dealing with financial matters. He is God fearing and a dead honest and upright officer. Needs a bit flexibility in dealing with the cases concerning public affairs. Overall a knowledgeable person. Prefers to deal with the cases in routine. Needs foreign training in the relevance field of mining regulation.	Comments of RO are endorsed.	Good	Yes	2.33 = 7
2004	01.01.04	31.12.04	Performance of the officer remained satisfactory.	Nothing added by RO	Good	Yes	7

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

			A thoroughly religious and honest officer. A times shows rigidity but otherwise a good officer. Recommended for training in his field.				
	28.05.04	30.07.04	Less than three months.	---	---	---	---
	31.07.04	31.12.04	The officer remained outstanding during the period under report. He has performed the office duties to the best satisfaction and in the interest of the Department/ govt. Satisfied with the assessment of part II. A very honest officer in this department till this date. The officer has the potential work hard and come with good result in case of official matters. The officer has good administration with well working relation. The officer recommended for international training in the field of mining technology.	No doubt he is a good officer, however the RO has gone a bit too far in admiring the officer.	Good	Yes	2.91 = 5.82
2005	01.01.05	20.04.05	Yes I agree with what has been stated in part II (2). The performance of the officer on the job found excellent. He is an honest officer. No weakness has been found. He is the only officer who have most command on is job. Recommended for accelerated training for future.	I agree with the reporting officer and to add that I know Mr. Obaidullah Dy. Director (Tech) personally who enjoys very good reputation due to his devotedness hard working honest officer and has proved himself as and assed for the DGM/govt.	Very good	Yes	3.33
	31.04.05	31.12.05	Remained OSD.	---	---	---	---
2006	01.01.06	17.09.06	Remained OSD.	---	---	---	---
	18.09.06	31.12.06	Despite having no relevant experience, he tried his best and performed well in fields mentioned in part II (2). Above board. Although officers academic back ground of experience was not commensurate with the posting but he made extra efforts to over come deficiency. His services could have been better utilized in his parent department. His guidance to lower staff and infusing in them the sprit of duty and discipline was commendable. Present himself a role model of punctuality. A religious minded person. Observer of laws and regulations strictly.	I agree with R.O.	Good	Yes	1.75
	Section Officer (Establishment), Minerals Development Department, Govt of Khyber Pakhtunkhwa, Peshawar						
2007	01.01.07	12.06.07	Officer contributed to his best in performing job mentioned in part II above and out put remained satisfactory. No complaint. An upright and straightforward officer having ability to take on any	I agree with R.O.	Good	Yes	2.91

			A religious minded officer. Higher training in his own profession.				
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Basic Pay Scale 19

<p>Section Officer (Establishment), Minerals Development Department, Govt. of Khyber Pakhtunkhwa, Peshawar</p>	13.06.07	31.12.07	<p>I agree with the performance of the office as stated in part II (2). The officer is an honest and upright person having good moral character. The officer is down to call, capable and forward person. He knows his job well and is always helpful in sharing to the responsibility. He has the ability to work under pressure. He has always worked in the interest of the Department. He has command on Mining Concession Rules and is professionally sound. He can be entrusted any administrative responsibilities and can run the post independently. The officer is recommended for both in land and abroad training in the field of Management and mining discipline. He is capable of holding post of higher position and additional responsibilities.</p>	Hard working officer.	Very good	Yes	5.83
	2008	01.01.08	27.07.08	<p>I agree with the remarks given in part II. The officer is competent and always carried out the tasks assigned to him successfully and efficiently. An honest and religious minded sound officer. Dispose off his official work well in time. The officer has command on his profession/job.</p>	I agree with R.O.	Good	Yes
	28.07.08	31.12.08	<p>I agree with the remarks given in part II. The officer is competent and always carried out the tasks assigned to him successfully and efficiently. Honest and hard working officer. Professionally wise a sound officer. Knows his job very well.</p>	I agree with the RO.	Good	Yes	2.91 = 7
2009	01.01.09	31.12.09	<p>Agreed with part II. An honest one officer with religious mind. An experienced officer. Recommended for training in the country as well as in foreign country.</p>	Nothing added by C.O.	Very good	Yes	8
2010	01.01.10	27.04.10	On long leave.	---	---	---	---
	28.04.10	08.11.10	<p>Average level. An honest officer. Not to be treated as adverse remarks but he is emotionally unstable inspite of the fact that he has the skills of communication during his long leave. He has control over the emotions effecting his</p>	I know the officer through his work.	Average	Yes	2.50

			interpersonal communication. Suitable as Director Licensing for minor minerals. Needs training in assessment of mineral positional in applied for and/or granted areas of mining concessions. On merit basis only and on completion of the above training and capacity.				
	09.11.10	31.12.10	Less than three months.	---	---	---	---
2011	01.01.11	29.03.11	Less than three months.	---	---	---	---
	30.03.11	15.08.11	I the reporting officer agree with part II. Mr. Obaidullah director Licensing is very competent and honest one officer in the Directorate of mines. His performance during the period remained excellent and exemplary one. An honest officer. He is very competent and sound professionally. He is the asset for the department. He is fit for accelerated promotion. Recommended for training within the country as well as foreign.	I agree with the remarks of reporting officer. He is capable to be promoted on his turn.	Very good	Yes	3.33
	16.08.11	31.12.11	I agree with the statement of the officer in part II(2). An honest and morally sound officer. He is a straightforward and thorough gentleman. And can work in team with dedication. He is a hard worker and can work under pressure. The officer is recommended for professional training inland and aboard to polish his skills. The officer is professionally sound and can run his present seat satisfactorily. The officer is recommended for management as well as administration training both in land and aboard.	I agree with reporting officer.	Good	Yes	2.33 = 5.66
2012	01.01.12	20.02.12	Less than three months.	---	---	---	---
	21.02.12	21.06.12	On long leave.	---	---	---	---
	29.06.12	31.12.12	I agree with the performance of the officer as stated in part II(2). Honest morally and upright officer. He is emotional sound and can work under pressure. He can be entrusted with any post of his professional as well as Administrative nature, he being well experience officer. Recommended for foreign as well as inland training comes to further polish his skill. He has the capacity of holding the higher post.	I agree with reporting officer.	Very good	Yes	4

Section Officer (Establishment),
Mineral Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

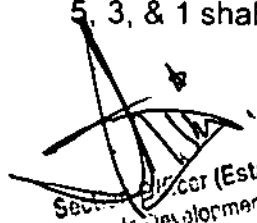
COMPREHENSIVE EFFICIENCY INDEX


PERs quantified score 60.40 @ 100%	Basic scale	Aggregate score	Weighting factor	Points obtained
	Present scale	7.61	38.09X42/50	31.99
	Previous scale BPS-17 BPS-18	7.96 7.26	7.96X2=15.93 7.26X3=21.78 37.71X28/50	21.11
	I) Addition* II) Deletion**	--- ---	--- ---	--- ---
	Total (A):			53.10
Evaluation of PSB out of 30 marks				

Required threshold on CEI for promotion to BPS-20 is

2 marks shall be added for serving in a Govt. Training institution including those meant for specialized training in any particular cadre for a period of 2 years or more.

5, 3, & 1 shall be deducted for each major, minor penalty and adverse remarks respectively.


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

PSB-IV

PER GRADING AND QUALIFICATION IN RESPECT OF MR. SHAKIRULLAH, DIRECTOR EXPLORATION (BPS-19) FOR REGULAR PROMOTION TO THE POST OF DIRECTOR GENERAL, MINES & MINERALS (BPS-20)

SENIORITY NO.3

Year	Period of PER		Reporting Officer	Pen Picture	Countersigning Officer	PERs assessment	Fitness of promotion	Score
	From	To						

Previous Scale (BPS-17)

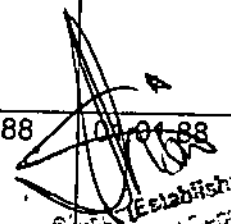
1981	01.01.81	31.12.81	He is geologist by profession and take interest in the field work. He is good in mapping and geological survey. He tries his best. With more experience he would be a good geologist.	Nothing added C.O.	Good	Yes	7
1982	01.01.82	31.12.82	He is good in geological mapping and survey. He takes interest in field work with more experience he would turn up a good professional geologist. He tries his best.	Nothing added C.O.	Good	Yes	7
1983	01.01.83	31.12.83	He is doing hard to become a professional geologist in the year to come. With more experience he may turn up a good professional in the field work. He may continue at his present assignment of Scheelite and copper exploration in Chitral. He has already been selected for training in Canada a principal candidate. The officer is responsible for the exploration Scheelite in Minki Gol at an altitude of more than 3000 meter above sea level. He was working in the rugged topography under sever climatic condition inspite of which he had been found dedicated worker. He is rough to like in the field where some of his colleagues had been reluctant to adopt the condition (climatic and social).	He is becoming expert in tungsten type of work. He would prove an asset to SDA.	Good	Yes	7
1984	01.01.84	31.12.84	He shall continue to work in the mineral exploration project of MDW. He has successfully worked in the Scheelite exploration and Kaldam Gol Copper exploration.	A good hard working geologist.	Good	Yes	7
1985	01.01.85	31.12.85	He has been working as Project Incharge satisfactorily. He may continue to work at Malakand Chromite project. Requires training in the exploration techniques to become an excellent field geologist.	Nothing added by C.O.	Very good	Yes	10
1986	01.01.86	31.12.86	While working as project incharge he had been exceptionally good to tackle the local administrative problem in Malakand Chromite. His physical achievements in the geological exploration is valued	He is a dedicated worker. Has a right approach towards his	Good	Yes	7

Secretary (Establishment)
Minerals Department
Govt of Khyber Pakhtunkhwa,
Peshawar

		<p>exceptionally good, especially at Heroshah and Landi road to prove the under ground chromite lenses. He may be either be promoted against a vacancy in Nepheline Syenite Project or against the vacancy of Grade -18 in the scheme of Gadoon Amazai exploration project. Soon after the change in his duties at Malakand the locals in the tribal area started hindrance in our exploratory works. He had been very effective to curb such like unwanted interference. This was due to his effective control at the project. Similarly this officer had been found very effective at the lead-zinc project and later at the Chitral. His contribution in the discovery of Scheelite in Minki Gol is ever been praised by international geologists. If trained he shall be one of the best field geologist.</p>	<p>mineral deposit. Quite suitable and dependable officer for field duties. Needs experience to further improve.</p>			
--	--	---	--	--	--	--

Basic Pay Scale (BPS-18)

1987	01.01.87	31.12.87	<p>He is an excellent field geologist. He has recently been promoted. He has been performing his duties in most difficult area and difficult working condition. He may continue to work at Malakand Chromite Project. The officer has worked at Besham, Chitral and now working at Malakand Chromite deposits to the satisfaction to the superiors. In the course of his service has gained enough experience and collect exceptional good geological data but has been facing difficulties in his interpretation. Training in the relevant field of Geology in any advance country shall enable him gain and confidence in his knowledge and routine duties a well defined object of exploration, development, mining and processing.</p>	<p>He is a reliable and hardworking officer, has good experience to hold the mineral exploration job, independently. I rate him good.</p>	Good	Yes	7
1988	01.01.88	31.12.88	<p>Mr. Shakirullah is a very good officer. He is a competent Field Geologist who can handle nicely the administrative, technical and financial responsibilities in the field. He is an asset of Sarhad Development Authority. He has got good habits and qualities of an officer. His posting as project manager Malakand Chromite is very appropriate and can be assigned any post of Project Manager of Geological project. He has excellently carried out the job assigned to him as Project INcharge Malakand Chromite Project. Because of his keen interest and devotion the Malakand Chromite Project has come up as a clear positive and positive footing project for future planning among the exploration the exploration project of SDA.</p>	<p>The officer is quite good in arranging in dealing with the field operation. He is a competent geologist. I rate him good.</p>	Good	Yes	7


 Section Officer (Establishment),
 Sarhad Development Department,
 Dept. of Khyber Pakhtunkhwa,
 Peshawar

			reserves estimation Malakand Chromite deposits. Further advance training in mining/exploration techniques is required which will further polish and clear up his performance in the mineral exploration/mining field and bring upto the prevailing international level.				
1989	01.01.89	31.12.89	He is quite efficient in reliable manger/officer. Can handle the assigned job effectively. He achieved the Chromite production project over 100 tons per day by making his personal efforts and supervision. He also managed the compromise with the locals for restoration of Heroshah Chromite operation.	A good worker.	Good	Yes	7
1990	01.01.90	19.08.90	He was quite confident in handling the project affairs, despite resistance from the locals of Heroshah Malakand Agency, Expected to be posted as Project Manager Boulangerite Exploration Project Chitral. Did a good job achieving the exploration targets and the production of Chormite from Heroshah Mines. Resolved the local problems with effectively.	I agree	Good	Yes	4.66
		20.08.90	31.12.90	He has developed expertise in field geological operation. Posted a Project Manger Malakand Chromite Exploration Project did a good job in achieving exploration targets of the scheme and the production of Chromite from Heroshah Mines.	A good officer.	Good	Yes
1991	01.01.91	31.12.91	He is one of the good and dependable senior geologist/project manager of SDA. Did quite an affective job in arranging the open Quarrying of Chromite in Heroshah area. Transferred to Chitral as Project Manager, gold and silver exploration project. Future foreign training in Australia may boost his knowledge. Remained associated in the mining of Chormite in Heroshah and the Malakand Chromite in the adjoining areas. Also doing quite a nice job in exploration of gold-silver in Chitral. Would assist Australian on the job as Project Manager.	I agree with the reporting officer.	Good	Yes	7
1992	01.01.92	31.12.92	He has developed into one of the experienced and dependable geologist in the latest mineral exploration techniques, internationally applied. Remained associated in the regional exploration and geo chemical survey of gold and base metals in Chitral under the AIDAB assisted program. His performance was highly satisfactory.	The experts from Australia under AIDAB said that, compared to with GSP and PMDC, the officer of SDA, including Mr. Shakirullah were comparatively better according to their assessment should do well.	Good	Yes	7
1993	01.01.93	12.08.93	Good hardworking chap. His performance is quite satisfactory. Very useful at HO./ the duties assigned to him like geochemical field work interpretation on maps and technical reports are his bobbies. He is capable of dealing with Australian experts. I recommend him without favor of advance training abroad in geo technology.	Mr. Shakirullah has developed expertise in geochemical surveys and exploration of gold and base metals. On getting training from Australia experts.	Very good	Yes	5.83

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar


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	13.08.93	31.12.93	Good hard working chap. His performance is quite satisfactory. Very useful at Head Office. The duties assigned to him like geochemical field work interpretation on maps and technical reports are his hobbies. He is capable fro dealing with Australian experts. I recommend him without favour for advance training abroad in geotechnolgy.	Pakistan. I rate him very good.	Very good	Yes	4.17 =10
1994	01.01.94	30.04.94	He has attained the expertise in the regional exploration and geochemical surveys techniques being applied at international level for mineral exploration. Remained associated and was personally responsible for carry out the geochemical surveys in regional exploration of gold and base metals in Chitral under the AIDAB programme.	One of the finest officer on the mineral side.	Very good	Yes	4.16
	01.05.94	03.09.94	He has attained the expertise in the regional exploration and geochemical surveys techniques being applied at international level for mineral exploration. Remained associated and was personally responsible for carry out the geochemical surveys in regional exploration of gold and base metals in Chitral under the AIDAB programme.	One of the finest officer on the mineral side.	Very good	Yes	2.49
	04.09.94	31.12.94	He has attained the expertise in the regional exploration and geochemical surveys techniques being applied at international level for mineral exploration. Remained associated and was personally responsible for carry out the geochemical surveys in regional exploration of gold and base metals in Chitral under the AIDAB programme.	One of the finest officer on the mineral side.	Good	Yes	2.66 = 9.32
1995	01.01.95	26.03.95	Less than three months.	---	---	---	---
	27.03.95	31.12.95	An efficient and hard working officer. He is well conversant with his job. During the period under report, Mr. Shakirullah was supervising the "Boulengarite/Gold Silver exploration Project at Chitral. The project was established with the Technical Assistance of Australian government. Although a map indicating the expected gold rich area was published but the sources or gold deposits have not been identified/located. The officer is utilizing his skill and experience to achieve his goal. He attended various meetings with the Australian Counterpart to make the project successful in the national interest.	I general agree with the R.O.	Good	Yes	5.25
1996	01.01.96	02.03.96	Less than three months	---	---	---	---
	03.03.96	01.12.96	No comments. Did his job well during the period under report.	Nothing added by C.O.	Good	Yes	5.25
	02.12.96	31.12.96	Less than three months	---	---	---	---
1997	01.01.97	29.04.97	An experienced geologist. His performance during the period under report, remained	Was put up today for counter signature as per order of	Good	Yes	2.33

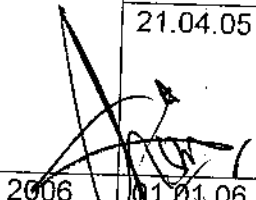
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

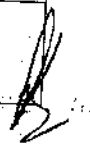
			satisfactory.	SDA/Government. I agree with the report.			
	30.04.97	10.06.97	Less than three months.	---	---	---	---
	11.06.97	31.12.97	He is fit for field posting. Satisfactory.	Was put up today for counter signature as per order of SDA/Government. I agree with the report.	Good	Yes	4.08 = 6.41
1998	01.01.98	31.12.98	One of the experienced geologist in SDA, a knowledgeable officer and dealing with regional exploration activities. Remained associated in regional geochemical surveys and exploration of Gold and base metal in Chitral.	I agree with the reporting officer.	Very good	Yes	10
1999	01.01.99	31.12.99	An experienced geologist, got experience and exploration of Gold and base metals. Remained involved in the exploration of gold and base metals in Chitral.	I agree with the reporting officer.	Very good	Yes	10
2000	01.01.2000	31.12.2000	Being incharge of Regional Exploration Project for Gold and base metals he did a satisfied job in identifying (14) target areas for gold and base metals, declared promising for foreign investment. As M.M at H.Q, SDA he associated the Director (Minerals) in dealing with the policy and with the policy and planning matters of mineral sector in NWFP. An honest and trustworthy officer. Attained a command as an expert in mineral exploratory operations, got recognition at International level. A real researcher. Training in creation of Geo data systems have further improve his knowledge in mineral field.	The assessment of the R.O is endorsed.	Very good	Yes	10
2001	01.01.01	31.12.01	Remained associated with Director Minerals, SDA is dealing with maters concerning planning, preparation of schemes and its reviews. I agree with the remarks at Para-II (2). An honest officer. He has developed experience and expertise in the mineral exploration field for exploration of gold and base metals. Also doing well in related office work. A researcher in the mineral field. Needs training in Admn Matters.	The C.O is under suspension with NAB.	Very good	Yes	10
2002	01.01.02	31.12.02	He is very sound professional in his field of geology. Attained the knowledge to contribute significantly in the mineral sector. Quality of output was as per with assignment. Honest and up right in dealing. He has developed expertise in exploratory work and contributed in the discovery of metallic mineral resources of NWFP. Good in office as well in field work. Needs	I agree with I.O.	Very good	Yes	10


 Section Officer, Establishment,
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar



2003	01.01.03	31.12.03	<p>training of international level in mineral field.</p> <p>He is one of the very reliable and competent officer, excellent both in the office and field work, relating to his profession can handle the duties and responsibilities of EPD. Independently. I agree with his statement in part II(2).</p> <p>An honest officer. he has attained experience/expertise in mineral exploration. Interpretation of geology in field, as well as its projection in the shape of reports. As asset for EPD of DGMM. Excellent in his professional and official duties of technical nature,. Future training in GIS will further improve his knowledge for its practical applications.</p>	Mr. Shakirullah is a fine officer. He is well versed in his job.	Very good	Yes	10
2004	01.01.04	30.07.04	<p>He has been handling the work of responsibilities of Exploration Division of DGMM commendable and independently. He is an asset for the Department and has command in his profession and the job. Serve to hold the job of Exploration Division as Incharge. He has also been providing advise and physical visits to Mining Leased areas to resolve dispute, effectively concerning Licensing Division. An honest and upright officer. He has vast knowledge in field Exploratory work as well as the office work. An internationally recognized personality. An all rounder. Training in GIs can further improve his skills.</p>	Shakirullah is a very hard working and efficient officer.	Very good	Yes	10
	31.07.04	31.12.04	<p>A hard working officer. Dispose off his office work well in time. Satisfied with the assessment in part II. A honest officer. He has always given performance for the timely disposal of office work. The officer knows his job. Recommended for training.</p>	Shakirullah is a very hard working and efficient officer.	Very good	Yes	
2005	01.01.05	20.04.05	<p>A good officer. Dispose off his work in time. He knows about his job.</p>	I know the officer personally. He is very efficient and well conversant with his job/field.	Good	Yes	2.91
	21.04.05	31.12.05	<p>I agree with the statement of officer. He has the ability to offer quality out put. He is honest officer. He has inborn quality of taking effective initiatives.</p>	I know the officer very well. He has thorough knowledge of his work. I agree with the assessment of the Reporting Officer.	Very good	Yes	5.83 =8.74
2006	01.01.06	31.12.06	<p>The performance on the job as given in part-II of officer for the period under reference remains satisfactory. The officer is morally sound and honest. Technically sound officer. Recommended for foreign as well as inland training in his respective field.</p>	I know the officer personally. He is outstanding at his work. I would grade him very good.	Very good	Yes	10
2007	01.01.07	31.12.07	<p>A honest officer. He knows his job well. Hard worker and willing to contribute his inputs in disposal of official work whenever asked. He is recommended for foreign training in his own field to polish his</p>	Agreed with the assessment of the Reporting Officer.	Good	Yes	7


 Reporting Officer (Establishment)
 Mining & Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar



2008	01.01.08	31.12.08	skill. An honest officer. He knows his job very well. Having good attitude with the officers and staff. Recommended for future training.	Well known, competent officer and very good.	Good	Yes	7
2009	01.01.09	19.07.09	Agreed as mentioned by the officer in part II. Honest. Recommended for training in the country as well as abroad in his relevant field.	I know him well. He is hard worker and experienced officer.	Very good	Yes	4.66

Basic Pay Scale 19

2009	20.07.09	31.12.09	Pending with R.O.				
2010	01.01.10	31.12.10	I agree what is stated in part II(2). Mr. Shakirullah is an experienced officer who worked hard to bring reform in the Minerals Development Department particularly in the area of mining concessions. He also took concrete steps for revenue generation and revenue collection was much more than the fixed target. A specimen of an outstanding officer. An honest and upright officer. Emotionally very mature and balanced officer. Always preferred to work in a team. He encouraged his junior officers. Professionally very sound officer. He may be posted as Head of the Organization.	Nothing added by C.O.	Very good	Yes	8
2011	01.01.11	14.08.11	Agreed with the statement of part II (2). A honest officer. A good geologist. He knows his job very well. Recommended for local and abroad training.	A very competent and reliable officer. He has the guts to perform duty assigned to him. He has a vast experience in exploration and Administrative work. The officer is fit for promotion to higher graded and will prove an asset for the department.	Very good	Yes	4.66
	15.08.11	31.12.11	Agree with part II (10) to the extent of 10(1) & partly with 10(2). The officer need to improve upon his overall administration of his wing. No comments. He is emotionally unstable officer and is not a good subordinate. He is self centered officer. No comments. He is an average officer. No need as the officer is going to retire in near future.	Mr. Shakirullah is very competent, hardworking and reliable officer. He has a vast experience in exploration and is one of the best geologist in the province. He can prefer any task assigned to him.	Very good	Yes	3.33 = 8

Minerals Development Establishment,
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

			He should be given assignment equal to his grade.	He has administrative qualities and is fit for promotion to higher grade.			
2012	01.01.12	31.12.12	He is an average officer. He is a average officer. He needs administrative training to improve his skills at present. He is well placed in his present posting.	Mr. Shakirullah is very honest, competent and reliable officer. He is one of the best geologist in the province. He has the quality to deal with any task assigned to him. He is a civilized officer and have vast experience. He is fit for promotion to higher grade.	Very good	Yes	8

COMPREHENSIVE EFFICIENCY INDEX

PERs quantified score 60.40 @ 100%	Basic scale	Aggregate score	Weighting factor	Points obtained
	Present scale	8	40X42/50	33.60
	Previous scale			
	BPS-17	7.50	7.5X2=15	22.34
	BPS-18	8.30	8.30X3=24.90	
			39.90X28/50	
	I) Addition*	---	---	---
	II) Deletion**	---	---	3
	Total (A):			52.94
Evaluation of PSB out of 30 marks				

(Signature)
 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

Required threshold on CEI for promotion to BPS-20 is

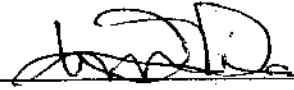
- * 2 marks shall be added for serving in a Govt. Training institution including those meant for specialized training in any particular cadre for a period of 2 years or more.
- ** 5, 3, & 1 shall be deducted for each major, minor penalty and adverse remarks respectively.

(Signature)
 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa

SENIORITY LIST

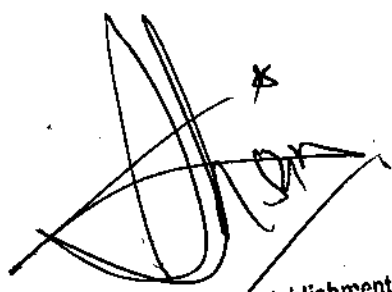
S#	Name of officer with academic qualification	Date of birth and domicile	Date of 1 st entry into Govt. service	Regular appointment/promotion to the present posts			Present appointment	Remarks
				Date	BPS	Method of recruitment		
1.	Mian Farooq Iqbal, M.Sc Mining Engineering, L.L.B	20.01.1963 Buner	10.07.1989	08.11.2004	19	By promotion	OSD in Establishment Department.	---
2.	Mr. Obaidullah, B.Sc (Mining Engineering), B.Sc(Academic) B.A (English Addl.)	16.10.1955 Malakand	08.08.1983	12.06.2007	19	By promotion	Director Licensing	On long leave i.e. 100 days w.e.f 30.10.2011
3.	Mr. Shakirullah, M.Sc (Geology)	28.04.1955 Mardan	25.04.1981	20.07.2009	19	By promotion	Director Exploration	---

Certificate: Certified that the seniority list is final, notified, undisputed and attested. (Annex-IV).

Signature: 

Designation: Secretary to Govt. of Khyber Pakhtunkhwa, Minerals Development Department

Dated Peshawar the 22/11/2013


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar



GOVERNMENT OF
KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

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Dated Peshawar the, 28th September, 2011.

NOTIFICATION

No.SO-Admn(MD)1-6/94.- Mr. Mumtaz Khan Khalil, the then Director General (BPS-20), Directorate General Mines & Minerals, Khyber Pakhtunkhwa, Peshawar (presently posted as Special Secretary to Govt. of Khyber Pakhtunkhwa, Industries Department) shall stand retired from service on 07.05.2012 (Afternoon) on attaining the age of superannuation.

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

Ends:No.SO-Admn(MD)1-6/94 ²⁹⁸⁰⁻⁸⁶ Dated Peshawar, the 28th September, 2011

Copy is forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
3. Secretary to Govt. of Khyber Pakhtunkhwa, Industries Department.
4. The PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
5. The Section Officer (Estt.-I), Govt. of Khyber Pakhtunkhwa, Establishment & Administration Department with reference to his letter No.SO(E-I)E&AD/9-365/2011 dated 23.09.2011.
6. The Director General, Mines & Minerals, Khyber Pakhtunkhwa, Peshawar w.r.t his letter No.Com/GM/PF/1/17/10894 dated 06.09.2011.
7. Officer concerned.

A. P. K. up
28/9

A.O (Admn)

(SYED WALI KHAN)
Section Officer (Establishment)

(Signature)
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

2774
28/9/11

(Signature)
(ADMINISTRATIVE OFFICER)
Directorate General Mines & Minerals
Khyber Pakhtunkhwa Peshawar.

Directorate General Mines & Minerals
Khyber Pakhtunkhwa Peshawar

33 Invt II

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GOVERNMENT OF
KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

Dated Peshawar, the 17th ~~September~~ ^{October} 2018

NOTIFICATION

No.SO-Admn(MD)1-6/88 Vol-V.- In pursuance of the provisions contained in sub-rule rule-3 of the North West Frontier Province Civil Servants (Appointment, Promotion Transfer) Rules, 1989, and in supersession of all Notifications issued in this behalf by the Minerals Development Department, in consultation with the Establishment Department and the Finance Department, hereby lay down the method of recruitment, qualifications and conditions specified in column No.3 to 5 of the Appendix to this Notification which shall be applicable to the posts borne in the Directorate General, Mines & Minerals, Khyber Pakhtunkhwa, specified in column No.2 of the said Appendix.

Secretary to Govt. of Khyber Pakhtunkhwa
Minerals Development Department

Endst.No.SO-Admn(MD)1-6/88 Vol-V. 33-29-41 Dated Peshawar, the 17th ~~September~~ ^{October} 2018

Copy is forwarded to:-

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

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

(ADMINISTRATIVE OFFICER)
Directorate General, Mines & Minerals
Khyber Pakhtunkhwa Peshawar

(SYED WAQAR KHAN)
Section Officer (Admin)

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APPENDIX
DIRECTORATE GENERAL MINES AND MINERALS

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

Section Chief (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

A. J. Khan

(ADMINISTRATIVE OFFICER)
Directorate General Mines & Minerals
Khyber Pakhtunkhwa Peshawar.

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REGISTERED

No. C.A. 1280/2013-SCJ,
Supreme Court of Pakistan.

Islamabad, 28/11 2013.

Ph. 920581,
214461.

Handwritten notes:
25/10/13
11/11/13

From:

The Registrar,
Supreme Court of Pakistan,
Islamabad.

To:

The Registrar,
Peshawar High Court,
Peshawar.

Subject:-

Civil Appeal No. 1280 of 2013.
Out of
Civil Petition No. 1246 of 2013.
M/s New Empires Minerals
VERSUS
Rukhsana Javed & others

On appeal from the Judgment and Order of the
Peshawar High Court, Peshawar dated 02.05.2013 in
Review Petition No. 33-P/2013 in W.P. No. 1040/2010-
P/2012.

Dear Sir,

I am directed to forward herewith a certified copy of the Order of this
Court dated 25.10.2013, converting into appeal the above cited civil petition and allowing
the same in the terms stated therein for information and further necessary action.

The operative part of the Order is reproduced hereunder:-

"...As the matter appears to be having a long chequered history, it is
expected that the learned Peshawar High Court will decide both these
matters expeditiously preferably within a period of one month.
Consequently, the impugned order dated 02.05.2013 is set aside; the
petition is converted into an appeal and is allowed in the above terms.
It is, however, observed that Departmental Authority shall make all
efforts to decide fate of the matter expeditiously without waiting for
decision of the learned High Court to enable the latter to have benefit
of its findings....

...therefore, the Government of KPK should deal with the applicant
strictly in accordance with law more particularly in the light of the
judgment of this Court noted above. The learned Additional Advocate
General made a categorical statement that the case of regular
promotion to the post of Director General (Mines & Minerals) BS-20
is being undertaken by the Government of KPK and the applicant's
grievance in this respect will be redressed as soon as possible. We,
however, expect that the applicant's grievance be redressed and such
be done preferably within a period of one month. With this
observation CMA is disposed of."

Contd: P/2

Handwritten signature:
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Stamp:
MINERAL DEVELOPMENT DEPARTMENT
2546
4/11/13

80E

Stamp:
MINERAL DEV. DEPARTMENT
Daily No:
1521
Date:
25/11/13

Please acknowledge receipt of this letter along with its enclosure immediately.


Copy Order:

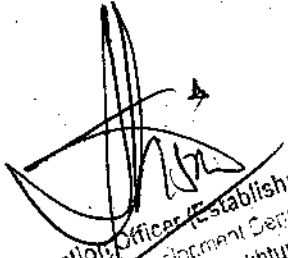
Yours Faithfully

(NAZAR ABBAS)
ASSISTANT REGISTRAR (IMP)
FOR REGISTRAR

✓ Copy with a certified copy of the Order of this Court dated 25.10.2013 is forwarded to the Secretary Industries, Mines & Minerals, Khyber Pakhtunkhwa Peshawar, for immediate compliance.

Copy Order:


ASSISTANT REGISTRAR (IMP)
FOR REGISTRAR


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

Present:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ

Mr. Justice Jawwad S. Khawaja

Mr. Justice Gulzar Ahmed

Civil Petition No.1246 of 2013

[On appeal from the order dated 02.05.2013, passed by the Peshawar High Court, Peshawar in Review Petition No.33-P/13 in W.P.No.1040-P/2011]

M/s New Empires Minerals, through Aamar Jahan Khan **Petitioner(s)**
its Managing Director Nazaarabad House, Khanpur Road,
Pind Munim, P.O. Bandi Midnim, Tehsil and District
Haripur, Hazara

VERSUS

Rukhsana Javed W/o Javed Iqbal, resident of House **Respondent(s)**
No.1, St.No.6, Sir Syed Colony, Abbottabad through her
attorney Syed Saleem Shah son of Makhan Shah,
resident of Garlanian, Tehsil and District Abbottabad and
others.

For the Petitioner(s) : Barrister Masood Kausar, Sr. ASC.

For the Applicant (s) : Mr. Taufique Asif, ASC.
(in CMA No.6377/13)

For Respondent No.1 : Mr. Abdul Hafeez Pirzada, Sr. ASC
Miangu Hassan Aurangzeb, ASC
Mr. Mehmood A. Sheikh, AOR

For Respondents No.2-6 : Mr. Naveed Akhtar, Addl.A.G. KPK


For Respondent No.7 : Raja M. Ibrahim Satti, Sr. ASC
Mr. M.S. Khattak, AOR.

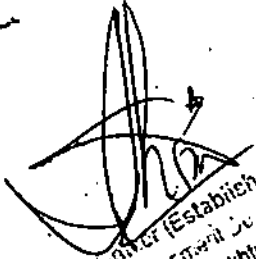
On Court's Notice : Mian Farooq Iqbal, Ex-DG, Mines & Minerals
Mr. Shakirullah, Director Exploration
Mr. Mustafa Kamal Shah, DG, Mines & Miner

For M/o Defence : Mr. Muzaffar Saleem, Deputy Secretary.

Date of Hearing : 24.10.2013

ATTESTED


Superintendent
Supreme Court of Pakistan
Islamabad


Aamar Jahan Khan (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

ORDER

GULZAR AHMED, J.— By this petition, the petitioner has challenged the order dated 02.05.2013 passed by the learned Division Bench of the Peshawar High Court, Peshawar, by which the Review Petition No.33-P/2013 for review of judgment date 12.07.2012 passed in Writ Petition No.487 of 2011 was dismissed. The order being a short one is reproduced hereinbelow:-

"Seeks review of the order dated 12.07.2012 given in W.P.No.487/2011, however, after going through the entire judgment we see no reason much less plausible to bring this case within the scope of review, a limited one, however, our remarks given in para 10 of the judgment under review, provide sufficient safeguard to the petitioner, the rival claimant, to plead his case before the competent authority according to the observations made by this Court. Petition dismissed."

2. The factual background of the case as it appears from the record is that Sarhad Development Authority (SDA) had obtained a lease for mining of Phosphate in village Tarnawal Tehsil and District Abbottabad. The SDA through an advertisement dated 17.09.2006 sought bids for the mining of Phosphate. In response to the said advertisement, the petitioner submitted its bid, which ultimately was accepted and an agreement dated 09.12.2006 was made between the petitioner and SDA for extraction of mining of Phosphate from the leased area. The agreement was for a term of three years and extendable with mutual consent of both the parties. The


ATTESTED

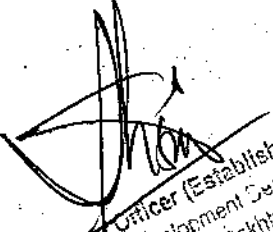
Superintendent
Supreme Court of Pakistan
(Abbottabad)

Director (Establishment),
Sarhad Development Authority,
Govt of Khyber Pakhtunkhwa,
Peshawar

petitioner claims that it has started preliminary works and in doing so made huge investments for extraction and mining purpose including the payment of dues to SDA. However, Mst Rukhsana Javed, respondent No.1, being wife of Ex-Director General, SDA herself applied for granting prospecting license for mining of phosphate to the licensing authority and such request of her was rejected on the ground that the area has already been granted to the SDA, she filed an appeal before the Secretary Industries which was dismissed. Against which 6 Writ Petitions were filed by her in the Peshawar High Court Bench at Abbottabad. The learned counsel for the petitioner has stated that in Writ Petition No.63 of 2007 the Court has passed an interim stay order pursuant to which the work of the petitioner at the mining site was stopped and the petitioner was unable to make further deposits with the SDA, resulting in cancelling the agreement with the petitioner by the SDA through its letter dated 04.05.2007. It further appears from the record that the learned High Court through order dated 11.10.2007 has disposed of the 6 Writ Petitions of respondent No.1 and remanded the matter to the Appellate Authority for deciding the appeals of respondent No.1 with detailed reasons with further direction that in the meanwhile the area in dispute may neither be re-allotted to anyone else nor it should be auctioned till disposal of the appeal. Pursuant to this order of the learned High Court, the Appellate

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Superintendent
Supreme Court of Pakistan
Islamabad


Section Officer (Establishment),
Minerals Development Department,
Govt of Khyber Pakhtunkhwa,
Peshawar

Authority decided the appeal vide order dated 15.01.2008 by which appeal of respondent No.1 was dismissed with observation that the area already stand reserved for auction by the Mining Committee. In the meanwhile during pendency of appeal before the Appellate Authority the SDA has surrendered the lease in favour of D.G. (Mines & Minerals). The order of the Appellate Authority was challenged by respondent No.1 by filing 6 Writ Petitions in the Peshawar High Court and while such writ petitions were pending, respondent No.1 through a letter dated 30.06.2008 addressed to the D.G (Mines & Minerals) NWFP, Peshawar, asked to resolve the matter amicably. This letter of respondent No.1 was positively responded by the D.G. (Mines & Mineral) and a committee was constituted comprising of Director (Licensing/Exploration), Chief Inspector (Mining), Deputy Director (Mineral-III), Assistant Director (Litigation) and Senior Geologist (EPD) to negotiate with respondent No.1. Ultimately through letter dated 10.02.2009 the Directorate General (Mines & Minerals) agreed to grant 2 years prospecting license for phosphate mining over an area of 498.96 acres under the provision of Mining Concession Rules, 2005.

3. It is contended by Barrister Masood Kausar, learned Sr. ASC for the petitioner that there is no provision under the Mining Concession Rules for grant of prospecting license on amicable basis and such grant of prospecting license to

ATTESTED

Superintendent
Supreme Court of Pakistan
Islamabad

Section Officer (Establishment)
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar


respondent No.1 is in direct violation of NWFP (now KPK) Mining Concession Rules, 2005 as it does not envisage granting of prospecting license by the Directorate General (Mines & Mineral) through a private amicable settlement after negotiations with the applicant seeking grant of prospecting license rather it has to be auctioned through proper advertisement. He has specifically referred to Rule 185 of such Rules and contended that the area of prospecting license granted to respondent No.1, as per the government own record, has proven reserves of phosphate and was required to be auctioned. He further contended that respondent No.1 has been unlawfully accommodated by the Directorate General (Mines & Minerals), Peshawar, on account of connection of her husband with the said Department and that the whole exercise of granting of prospecting license to respondent No.1 is not only illegal but is based upon malafide. He also contended that the minerals resources are gift of nature to the people of the country and the public functionaries act as trustees who cannot dole out this gift on their own whims and caprice. He relied upon the case of Maulana Abdul Haque Baloch & others v. Government of Balochistan thr. Secretary Industries and Mineral Development & others (PLD 2013 SC 641) (Reko Diq case).

4. Mr. Abdul Hafeez Pirzada, learned Sr. ASC of respondent No.1 in the first place has taken objection with regard to jurisdiction and has denied that there was illegality in the

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Superintendent
Supreme Court of Pakistan
Islamabad

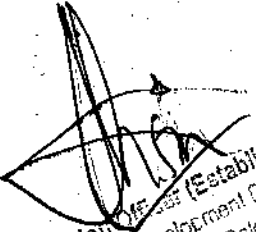

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

amicable settlement and granting of prospecting license to respondent No.1.

5. Mr. Naveed Akhtar, learned Additional Advocate General, KPK, at the very outset has contended that the Chief Minister, KPK, had taken cognizance of granting of prospecting license and on his order Provincial Inspection Team had conducted an enquiry and in the enquiry report action was recommended, inter alia, taking of disciplinary proceedings against Mr. Shakir Ullah, the then Director General (Mines & Minerals), Mr. Khan Badshah, Director (EPD) Hazara Division and Mr. Nauroz Khan, Senior Geologist (Mines & Minerals) for maneuvering the grant of prospecting license in violation of rules and recovery to the tune of Rs.500-Million be also made from the above 3 officers and rest of the members of Amicable Settlement Committee be issued warning and the prospecting license granted to respondent No.1 be cancelled and put to auction in the public interest. In the subsequent enquiry report of PIT conducted on the Chief Minister's Secretariat letter dated 07.08.2013 further illegalities in grant of prospecting license to respondent No.1 were highlighted and she was also implicated in criminal cases bearing FIR Nos.541 dated 29.05.2011 and 654 dated 13.07.2011 both registered at Police Station Mirpur District Abbottabad, for illegal mining.

ATTESTED


Superintendent
Supreme Court of Pakistan
Islamabad


Section Officer (Establishment),
Mineral Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

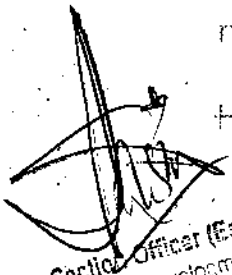
6. After having heard the learned counsel for the parties at some length, Mr. Abdul Hafeez Pirzada, learned Senior ASC for respondent No.1, on instructions from his party, made a statement that respondent No.1 will have no objection if the impugned order dated 02.05.2013 is set aside and the matter is remanded to the learned Peshawar High Court for rehearing and deciding the Review Petition of the petitioner afresh. The learned Additional Advocate General, KPK, has also filed a statement (CMA No.6554/2013) in the Court today, the contents of which run as follows:-

"The Government of Khyber Pakhtunkhwa has conducted an enquiry into the illegal grant of prospecting license of Phosphate mines and its subsequent conversion into a mining lease for a maximum period of thirty years to Mst.Rukhsana Javed (copy enclosed)."

The provincial Government intends to proceed in accordance with the rules for cancellation of the mining lease and the earlier prospecting license in terms of para-10 of the judgment dated 12.07.2012 of Hon'able Peshawar High Court delivered in W.P.No.487/2011 in the case titled M/s Rukhsana Javed Versus Government.

The area of 498.063 Acres when retrieved shall be leased out through public auction in a fair and transparent manner."

The learned Additional Advocate General, KPK, has also given his no. objection for remanding the case to the learned Peshawar High Court.



Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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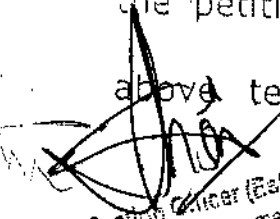


Superintendent
Supreme Court of Pakistan
Islamabad

7. The learned counsel for the petitioner also agreed to the remanding of the matter by setting aside the impugned order. He, however, requested that the petitioner's Writ Petition No.993 of 2012 which is still pending may be ordered to be clubbed along with the Review Petition and both these matters be decided together expeditiously.

8. Therefore, at the fag end of hearing where the learned counsel for the parties have agreed to have the impugned order set aside and matter remanded to the learned Peshawar High Court for deciding the Review Petition of the petitioner afresh, we abstain from recording our observation with regard to various aspects of the matter which have been highlighted before us and a gist of which has been noted above and while remanding the matter leave it to be decided by the learned Peshawar High Court, after taking into consideration all the relevant aspects of the matter and applicable law and to pass judgment with detailed reasons not only in the Review Petition but also in the Writ Petition No.993 of 2012 of the petitioner. As the matter appears to be having a long chequered history, it is expected that the learned Peshawar High Court will decide both these matters expeditiously preferably within a period of one month. Consequently, the impugned order dated 02.05.2013 is set aside; the petition is converted into an appeal and is allowed in the

above terms. It is, however, observed that Departmental


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

ATTEST


Superintendent
Supreme Court of Khyber Pakhtunkhwa
Peshawar

Authority shall make all efforts to decide fate of the matter expeditiously without waiting for decision of the learned High Court to enable the latter to have benefit of its findings.

9. Before we part with the matter, it may be noted that one Mian Farooq Iqbal, Ex-DG (Mines & Minerals) has filed CMA No.6350/2013 in which he has complained that on account of his persistence to file Petition for Leave to Appeal before this Court against the judgment dated 12.07.2012 of the learned Peshawar High Court, contrary to the Law Department considering it to be unfit case for CPLA, he has been penalized by placing his services as OSD in the Establishment Division since 01.08.2013 and has stated that in his place his junior has been posted as Director General (Mines & Minerals) and has prayed that as the post of Director General (Mines & Minerals) is required to be filled through promotion, his case for promotion to the post of Director General be considered immediately. The learned Additional Advocate General, KPK, was put on note that such treatment of the applicant apparently is violative of the decision of this Court in the case of "Anita Turab" reported as Syed Mahmood Akhtar Naqvi & others v. Federation of Pakistan & others (PLD 2013 SC 195), therefore, the Government of KPK should deal with the applicant strictly in accordance with law more particularly in the light of the judgment of this Court noted above. The learned

Additional Advocate General made a categorical statement that

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

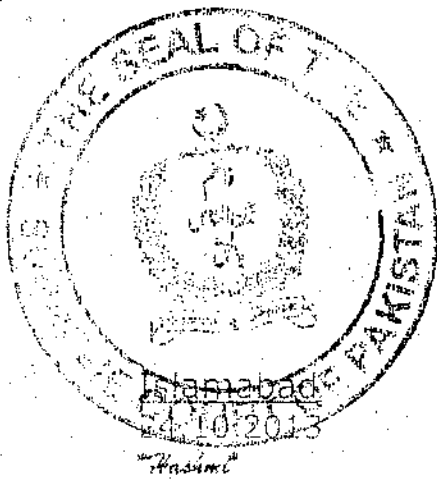


the case of regular promotion to the post of Director General (Mines & Minerals) BS-20 is being undertaken by the Government of KPK and the applicant's grievance in this respect will be redressed as soon as possible. We, however, expect that the applicant's grievance be redressed and such be done preferably within a period of one month. With this observation CMA is disposed of.

Sd/- Iftikhar Muhammad Chaudhry, CJ
Sd/- Jawwad S. Khawaja, J
Sd/- Gulzar Ahmed, J

Certified to be True Copy

Superintendent
Supreme Court of Pakistan
Islamabad



Announced in open Court on 25th October, 2013.

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

24/10/13



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49
GOVERNMENT OF
KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

Dated Peshawar, the 11th July, 2011.

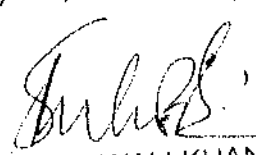
NOTIFICATION

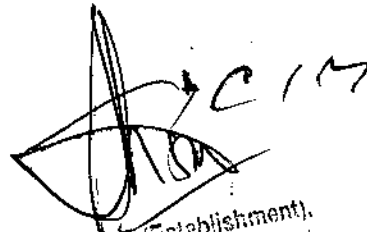
No.SO. Admn: (M.D)1-2/2009.- In exercise of the powers conferred under sub-section (1) of Section-8 of the North West Frontier Province, Civil Servants Act 1973 (NWFP Act No. XVIII of 1973), the Government of Khyber Pakhtunkhwa is pleased to notify the final seniority list (as stood on 31/12/2010) of Director Exploration (Minerals), Directors Licensing, Chief Inspector of Mines and Commissioner Mines Labour Welfare of the Directorate General, Mines & Minerals, Khyber Pakhtunkhwa, Peshawar for information to all concerned (list attached).

Secretary to Government of Khyber Pakhtunkhwa,
Minerals Development Department

Endst: No.SO. Admn: (M.D)1-2/2009 2313-15 dated: 11/07/2011.
Copy forwarded to:-

1. The Director General, Mines & Minerals, Khyber Pakhtunkhwa, Peshawar with reference to his office letter No.DGMM/1/42-Admn:/5515 dated 25.04.2011.
2. Officers concerned.
3. The Manager, Government Printing and Stationary Department Peshawar


(SYED WALI KHAN)
Section Officer (Establishment)


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

DGMM (center)
E-PA
16/7/11

48

485 (62)

FINAL SENIORITY LIST OF DIRECTOR EXPLORATION (MINERALS), DIRECTORS LICENSING, CHIEF INSPECTOR OF MINES AND COMMISSIONER MINES LABOUR WELFARE OF THE DIRECTORATE GENERAL, MINES & MINERALS, KHYBER PAKHTUNKHWA, AS STOOD ON 31.12.2010.

Total sanctioned posts: 05

Permanent: 05

BASIC PAY SCALE-19

S.No.	Name of officers with Academic Qualification	Date of Birth & Domicile	Date of 1 st entry into Govt. service	Regular appointment/promotion to the present post			Present appointment with date
				Date	BPS	Method of recruitment/ appointment	
1.	Engr. Mian Farooq Iqbal, M.Sc Mining Engineering, L.L.B.	20.01.1963 Buner	10.07.1989	08.11.2004	19	By Promotion	Chief Inspector of Mines 08.11.2004
2.	Engr. Obaidullah, B.Sc (Mining Engineering) B.Sc (Academic) B.A (English Addl.)	16.10.1955 Malakand	08.08.1983	12.06.2007	19	By Promotion	Director Licensing 12.06.2007
3.	Mr. Shakirullah M.Sc (Geology)	28.04.1955 Mardan	25.04.1981	20.07.2009	19	By Promotion	Director Exploration 20.07.2009
4.	Mr. Ziarat Khan B.Sc (Mining Engineering)	01.02.1960 Dir	18.02.1993	19.12.2009	19	By Promotion	Commissioner Mines 19.12.2009
5.	Mr. Mustafa Kamal Shah, B.Sc (Mining Engineering)	20.02.1964 S.W.Agency	18.11.1989	19.12.2009	19	By Promotion	Director Licensing 19.12.2009

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Certified that the seniority list has been circulated amongst the officers and is final/undisputed.


(SYED WALI KHAN)

Section Officer (Establishment Department)
Minerals Development Department

IMMEDIATE



49
GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

143
190

No. SO (PSB)ED/1-10/2013/P-180
Dated Peshawar, the 04-12-2013

To

The Secretary to
Government of Khyber Pakhtunkhwa,
Minerals Development Department

SUBJECT: WORKING PAPER FOR PROMOTION TO THE POST OF DIRECTOR GENERAL,
MINES & MINERALS BPS-20, KHYBER PAKHTUNKHWA

Dear Sir,

I am directed to refer to Minerals Development Department letter No SO-Admn (MD) 1-6/9/Col-XV dated 25.11.2013 on the subject and to say that the case has been examined in Regulation Wing and it is observed that:-

- i. It has been shown in the working paper that an enquiry is pending against the officer at S. No. 1 (Mr. Farooq Iqbal) of the panel but no documentary proof has been attached to the working paper for its confirmation.
- ii. The working paper may be re-examined in the light of Establishment Department notification No. SO (O&M) E&AD/10-1/2010 dated 28.11.2013.

The working paper and other documents received with the letter quoted above are returned in original for doing the needful.

Yours faithfully,

Jan Said
(JAN SAID)
SECTION OFFICER (PSB)

Endst. Even no. & date

A copy is forwarded to Section Officer (O&M), Establishment Department.

SECTION OFFICER (PSB)



SOE
[Signature]
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Reply vide Page - 192/10

SS (Admn) B.M.M
D No. 445
Date



GOVERNMENT OF
KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

No. SOE(MDD)2-4/Vol-1/5542/122
Dated Peshawar, the 1st April, 2014

To

The Section Officer (PSB)
Govt. of Khyber Pakhtunkhwa,
Establishment & Administration Department.

Subject:- WORKING PAPER FOR PROMOTION TO THE POST OF DIRECTOR GENERAL, MINES & MINERALS (BPS-20), KHYBER PAKHTUNKHWA

I am directed to refer to your letter No. SO(PSB)ED/1-10/2013/P-180 dated 04.12.2013 on the subject noted above.

Reply to the observations are as under:-

- i. Disciplinary action against the officer at S.No.1 (Mian Farooq Iqbal) is pending for the moment. A copy of the Show Cause Notice served upon the officer is enclosed. The case in the form of a summary has been submitted to the Competent Authority for order which is under consideration.
- ii. The notification No. SO(O&M)E&AD/10-1/2013 dated 28.11.2013 has been challenged in the Khyber Pakhtunkhwa Service Tribunal by Mian Farooq Iqbal (the officer at S.No.1 of the panel). The Service Tribunal issued stay order in the matter. In addition the Department submitted the working paper against the post of Director General, Mines & Minerals which is lying vacant since 07.05.2012 due to retirement of the incumbent of the post.

2. The Director General, Mines & Minerals is head of the attached department and the post possesses higher responsibilities which cannot be kept vacant for such a long period. Meanwhile, the same is being run through temporary arrangement by posting of BPS-19 officer. Effective control of the activities of the attached department cannot be expected as the officer posted against the post of Director General, Mines & Minerals is not enjoying the facility of Director General. Therefore, seven sets of working paper are returned herewith the request that the same may be placed before the PSB for consideration.

Encl: As above

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Section Officer (Establishment)

Working Paper. Page 64

At Peshawar
D. G. M. M.

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

No. SO (PSB)ED/1-10/2013/P-180
Dated Peshawar, the 18-04-2013

To

The Secretary to
Government of Khyber Pakhtunkhwa,
Minerals Development Department

SUBJECT: WORKING PAPER FOR PROMOTION TO THE POST OF DIRECTOR
GENERAL, MINES & MINERALS BPS-20, KHYBER PAKHTUNKHWA

Dear Sir,

P 1921c

I am directed to refer to Minerals Development Department letter No SOE (MDD) 2-4/Vol-I dated 01.04.2014 on the subject and to say that the case has been examined in Regulation Wing and it is observed that:-

- i. The show cause notice served upon the officer at S. No.1 (Mian Farooq Iqbal) of the panel has not been annexed to the working paper whereas in the above quoted letter it has been mentioned that the show cause notice is attached.
- ii. Moreover the notification of this department dated 28.11.2013 regarding bifurcation of Mines & Mineral department has been challenged in the Khyber Pakhtunkhwa Service Tribunal which has granted stay order in this regard but the documents relating to the court have not been annexed to the working paper.
- iii. According to clause (b) of Service Rules, the posts can also be filled by transfer from the Provincial govt department. If filling of the post is essential, this option could be availed.

22/4

The working paper and other documents received with the letter quoted above are returned in original for doing the needful.

22-04-14
P. Said

Yours faithfully,

(Signature)
(JAN SAID)

SECTION OFFICER (PSB)

Endst. Even no. & date

A copy is forwarded to Section Officer (O&M), Establishment Department.

(Signature)
Section (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

SECTION OFFICER (PSB)

Mineral Dev. Deptt.
302
21/4/14



52 196/10/10

GOVERNMENT OF
KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

No.SOE(MDD)2-4/Vol-I
Dated Peshawar, the 6th May, 2014

To

The Section Officer (PSB)
Govt. of Khyber Pakhtunkhwa,
Establishment & Administration Department.

Subject:- WORKING PAPER FOR PROMOTION TO THE POST OF DIRECTOR
GENERAL, MINES & MINERALS (BPS-20), KHYBER PAKHTUNKHWA

Page 196/C
I am directed to refer to your letter No.SO(PSB)ED/1-10/2013/P-180
dated 18.04.2014 on the subject and to convey the requisite clarification as under: -

- i. Copies of the requisite show cause notice have been placed in each set of working paper for perusal by the honourable Members of the Provincial Selection Board.
- ii. Copies of the stay order of Service Tribunal have been added with each set of working paper.
- iii. The post of Director General, Mines & Minerals is purely technical in nature. Excellent performance as per policy of the present government in the mining field requires relevant qualification and rich experience, which cannot be expected from the new comers having less experience. Therefore, the Department proposed promotion of the senior most (BPS-19) officers of the Department.

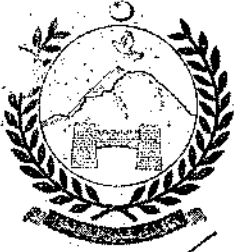
2. The working papers (seven sets) are returned herewith for placing before the Provincial Selection Board.

Encl. As above

[Signature]
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Signature]
(SAKHI UR REHMAN)
Section Officer (Estt.)

IMMEDIATE



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

53 2007

No. SO (PSB)ED/1-10/2013/P-180
Dated Peshawar, the 20-05-2014

To
The Secretary to
Government of Khyber Pakhtunkhwa,
Minerals Development Department

SUBJECT: WORKING PAPER FOR PROMOTION TO THE POST OF DIRECTOR GENERAL, MINES & MINERALS BPS-20, KHYBER PAKHTUNKHWA

Dear Sir,

I am directed to refer to Minerals Development Department letter No SOE (MDD) 2-4/Vol-I dated 06.05.2014 on the subject and to say that the case has been examined in Regulation Wing and it is observed that:-

- i. Latest position regarding stay order issued by Service Tribunal Khyber Pakhtunkhwa against the notification dated 28.11.2013 as well as disciplinary proceedings against Mian Farooq Iqbal the then Director General Mines may be intimated
- ii. According to Section - 8 (5) of Khyber Pakhtunkhwa Civil Servant Act 1973, seniority list shall be revised and notified in the official gazette atleast once in a calendar year preferably in the month of January while the seniority list annexed to the working paper is that of 2010.

4-21.05.14

SO(E)

The working paper and other documents received with the letter quoted above are returned in original for doing the needful.

Yours faithfully,

(Signature)
(JAN SAID)
SECTION OFFICER (PSB)

Encl. Even no. & date

A copy is forwarded to Section Officer (O&M), Establishment Department.



(Signature)
22/5
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

SECTION OFFICER (PSB)

Date 21-5-14

IMMEDIATE



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

No. SO(PSB)ED/ 1-1/2013/(13)
Dated Peshawar, the 18.12.2013

To

1. The Additional Chief Secretary,
Government of Khyber Pakhtunkhwa,
Planning & Development Department.
2. The Senior Member,
Board of Revenue, Khyber Pakhtunkhwa

SUBJECT: - MEETING OF THE PROVINCIAL SELECTION BOARD.

Dear Sir,

I am directed to refer to the subject and to say that a meeting of Provincial Selection Board will be held on 24.12.2013 at 1000 hours under the chairmanship of Chief Secretary, Khyber Pakhtunkhwa in the Committee Room of Planning & Development Department. Agenda of the meeting is enclosed.

2. You are requested to kindly make it convenient to attend the meeting.

Yours faithfully,

(JAN SAID)

SECTION OFFICER (PSB)

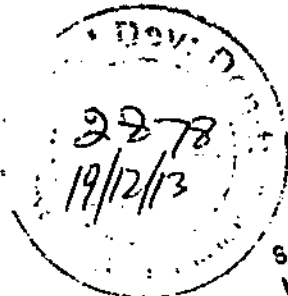
Encl. As above

Endst. of even No. & date.

A copy is forwarded to: -

1. The P.S to Chief Secretary, Khyber Pakhtunkhwa.
2. The P.S to Secretary Establishment Department.
3. The P.S to Special Secretary (R) Establishment Department.

SECTION OFFICER (PSB)



[Handwritten signature]
Section Officer (Establishment),
Minerals Development Section,
Govt. of Khyber Pakhtunkhwa,
Peshawar
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23/12/13

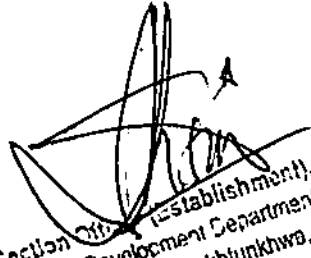
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P.No. 23/12/13

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20/12/13

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D.S.

59 (134)

85


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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EXTRACT OF ITEM NO.25 OF THE AGENDA
(MINERAL DEPARTMENT)

Item No	DESCRIPTION OF CASE
25.	Promotion of Assistant Mineralogist/Assistant Gemologist BS-17 to the post of Senior Mineralogist BS-18

Endst. of even No. & date.

56

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A copy is forwarded to: -

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Environment Department with reference to items No.5 to 7 of the agenda (Extract enclosed).
2. The Secretary to Govt. of Khyber Pakhtunkhwa, E&SE Department with reference to items No.8 to 12 of the agenda (Extract enclosed).
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department with reference to item No.13 of the agenda (Extract enclosed).
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Industries Department with reference to items No.14 to 22 of the agenda (Extract enclosed).
5. The Secretary to Govt. of Khyber Pakhtunkhwa, Higher Education Department with reference to items No.23 & 24 of the agenda (Extract enclosed).
6. The Secretary to Govt. of Khyber Pakhtunkhwa, Minerals Development Department with reference to item No.25 of the agenda (Extract enclosed).
7. The Chairman P.I.T, Khyber Pakhtunkhwa with reference to item No.26 of the agenda (Extract enclosed).
8. The Secretary to Govt. of Khyber Pakhtunkhwa, Population Welfare Department with reference to item No.27 of the agenda (Extract enclosed).

They are requested to kindly attend meeting of the PSB to be held on 24.12.2013 at 1000 hours in the Committee Room of Planning & Development Department. They are further requested to bring synopsis of PERs, original PER files and other service record of the officers concerned for perusal of the Board.


SECTION OFFICER (PSB)

Endst. of even No. & date.

A copy is forwarded to: -

1. The Section Officer (E.I) with reference to items No.1 to 4 of the agenda (Extract enclosed).
2. The Section Officer-(E-II), Establishment Department He is requested to provide six sets of working papers if any duly vetted by the Regulation Wing to this section at the earliest.
3. The Section Officer (Secret), Establishment Department with reference to item No.1 to 4 of the agenda (Extract enclosed).
4. P.A to Additional Secretary (R), Establishment Department.
5. PA to Deputy Secretary (E)/(R-I)/(R-II) Establishment Department.


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

SECTION OFFICER (PSB)

IMMEDIATE



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

57 (133)

No. SO(PSB)ED/ 1-1/2013/(13)
Dated Peshawar, the 23.12.2013

To

1. The Additional Chief Secretary,
Government of Khyber Pakhtunkhwa,
Planning & Development Department.
2. The Senior Member,
Board of Revenue, Khyber Pakhtunkhwa

SUBJECT: - MEETING OF THE PROVINCIAL SELECTION BOARD.

Dear Sir,

I am directed to refer to this department letter of even No. dated 18.12.2013 on the subject and to say that meeting of Provincial Selection Board scheduled to be held on 24.12.2013 has been postponed. The same will now be held on 27.12.2013 at 0930 hours under the chairmanship of Chief Secretary, Khyber Pakhtunkhwa in the Committee Room of Planning & Development Department.

Yours faithfully,

(JAN SAID)
SECTION OFFICER (PSB)

Endst. of even No. & date.

A copy is forwarded to: -

1. The P.S to Chief Secretary, Khyber Pakhtunkhwa.
2. The P.S to Secretary Establishment Department.
3. The P.S to Special Secretary (R) Establishment Department.

SECTION OFFICER (PSB)

Endst. of even No. & date.

A copy is forwarded to: -

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Environment Department
2. The Secretary to Govt. of Khyber Pakhtunkhwa, E&SE Department
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Industries Department
5. The Secretary to Govt. of Khyber Pakhtunkhwa, Higher Education Department
6. The Secretary to Govt. of Khyber Pakhtunkhwa, Minerals Development Department
7. The Chairman P.I.T, Khyber Pakhtunkhwa
8. The Secretary to Govt. of Khyber Pakhtunkhwa, Population Welfare Department

SECTION OFFICER (PSB)

Endst. of even No. & date.

A copy is forwarded to: -

1. The Section Officer (E-I) Establishment Department.
2. The Section Officer (E-II) Establishment Department
3. The Section Officer (Secret), Establishment Department
4. P.A to Additional Secretary (R) Establishment Department.
5. PA to Deputy Secretary (E)/(R-I)/(R-II) Establishment Department.

SECTION OFFICER (PSB)

Section Officer (E-II) Establishment Department
Minerals Development Department
Govt. of Khyber Pakhtunkhwa
Peshawar

Date: 26/12/13

11/1/13

6
2/13

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S. No	Description of Documents	PSB/Annexure
1.	Working paper	PSB-I
2.	Panel of Officer for consideration	PSB-II
3.	Panel Proforma for Provincial Selection Board	PSB-III
4.	PER Grading and Quantification	PSB-IV
5.	Comprehensive Efficiency Index	PSB-V
6.	Creation of Post	Annexure-I
7.	Recruitment & Appointment Rules	Annexure-II
8.	Final Seniority List.	Annexure-III
9.	Mandatory Training	Annexure-IV
10.	W.P No. 1001-P/2017 Mr. Amanullah VS Chairman WAPDA & others	Annexure-V
11.	2017 PLC(C.S)578 Nazeeruddin VS Government of Pakistan.	Annexure- VI
12.	2011 PLC(C.S) 534 Muhammad Hanif VS Province of Sindh and others.	Annexure-VII
13.	Maj Ziaul Hassan, Home Secretary etc VS Miss Naseem Chudry reported in 2000 SCMR,645.	Annexure-VIII
14.	W.P No. 14949/2012 Mr. Muhammad Saleem VS Government of Punjab etc.	Annexure-IX
15.	C.P No. 1246 of 2013 new empire mineral V/S Rukhsana Javid	Annexure-X
16.	Nomination of Mian Farooq Iqbal for SMC Training	Annexure-XI
17.	Termination of probation period in respect of Mr. Fazli Raziq and Mr. Fazal Hussain.	Annexure-XII

WORKING PAPER FOR PROVINCIAL SELECTION BOARD

DEPARTMENT: MINERALS DEVELOPMENT DEPARTMENT, KHYBER PAKHTUNKHWA

S.#	Nomenclature of the post / Basic Pay Scale	Chief inspector of Mines (BPS-20)		
1.	Service Group	Technical (Inspectorate of Mines KPK)		
2.	Sanctioned Strength of the cadre	01 Post		
3.		Direct	Promotion	Transfer
i.	Percentage of Share	--	100%	--
ii.	No. of posts allocated to each category	--	01	--
iii.	Present occupancy position	--	--	--
iv.	No. of vacancies in each category	--	01	--
v.	How did the vacancy (ies) under promotion quota accrue and since when?	The post has been newly created / sanctioned during the financial year 2016-17 (Annexed-I)		
vi.	Recruitment Rules	By promotion, on the basis of seniority-cum-fitness, from amongst the Deputy Chief Inspectors of Mines, Directors Training & Directors Planning and Mine Development Cell with at least twelve (12) years service as such in BPS-18 and above or Seventeen (17) years service as such in BPS-17 and above with successful completion of Senior Management Course (SMC) (Annexed-II). Provided that if no suitable person is available for promotion then by transfer. Note: A joint seniority list of the Deputy Chief Inspectors of Mines, Directors Training and Directors Planning & Mine Development Cell shall be maintained for the purpose of promotion (Annexed-III).		
vii.	Required length of service	Twelve (12) years service as such in BPS-18 and above or Seventeen (17) years service as such in BPS-17 and above.		
viii.	Whether to be promoted on regular basis or appointed on acting charge basis?	On regular basis		
ix.	Mandatory training, if any,	Not applicable. The officer has been exempted from mandatory training vide notification No. SO (Policy) E & AD/1-16/2017 dated 21.05.2018 (Annexed-IV). The Chief Inspector of Mines is a mining engineering degree holder post and is purely technical nature job. The incumbent for promotion to the post of Chief Inspector of Mines has already undergone the mandatory professional training and has qualified examination of First Class Mines Manager Competency Examination which is a pre-requisite requirement in the Service Recruitment rules for promotion in Inspectorate of Mines. (See Annex-II Serial No.5)		
x.	Minimum required score on EI	70.0 marks		

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Signature: _____

Designation: _____

Dated: 22nd March, 19 _____

SECRETARY
GOVT. OF KHYBER PAKHTUNKHWA

60.

PANEL OF OFFICERS FOR CONSIDERATION

S. No.	Name of Officer with qualification	Date of Birth	Date of 1 st entry in to Government Service	Date of Appointment/promotion to BPS-17	Date of appointment/promotion to the present scale	Whether fulfill the prescribed length of service	Qualified scores	Missing PERs (if any)	Disciplinary proceedings (if any)	Case (if any) in any court of Law including NAB/Plea bargaining with NAB	Mandatory training for promotion	Research papers	Present posting	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
01	Mian Farooq Iqbal M.Sc.(Mining Engineering) L.L.B	20.01.1963	10.07.1989	10.07.1989	08.11.2004	Yes		Nil	Nil	NAB reference subjudice in Accountability Court. However, the judgments given below are placed for consideration of the PSB in case an enquiry/disciplinary proceedings is still under process and the promotion case of the officer is considered. 1. W.P No. 1001-P/2017 Mr. Amanullah VS Chairman WAPDA & others (Annexed-V) 2. 2017 PLC(C.S)578 Nazeeruddin VS Government of Pakistan.(Annexed-VI) 3. 2011 PLC(C.S) 534 Muhammad Hanif VS Province of Sindh and others.(Annexed-VII) 4. Maj Ziaul Hassan, Home Secretary etc VS Miss Naseem Chudry reported in 2000 SCMR,645 (Annexed-VIII). 5. W.P No. 14949/2012 Mr. Muhammad Saleem VS Government of Punjab etc.(Annexed-IX)	Under training for SMC at National Institute of Management Peshawar vide Letter No. 5/46/2018-T-II/25 th SMC dated 01.02.2019 (Annexed-XI)	Nil	H/Q Office Peshawar as Deputy Chief Inspector of Mines (BPS-19)	Mian Farooq Iqbal Deputy Chief Inspector of Mines made a civil appeal No. 1280 of 2013 out of Civil petition No. 1246 of 2013 regarding his posting/transfer as OSD as well as regular promotion to the post of Directorate General, Mines & Minerals BS-20 in the Supreme Court of Pakistan expected that the applicant's grievance be redressed and such be done preferable within a period of one month. (Annexed-X)
02	Mr. Fazli Raziq B.Sc.(Mining Engineering)	10.09.1964	01.02.1995	01.02.1995	08.01.2018	Yes		Nil	Nil	Nil	Not acquired SMC	Nil	H/Q Office Peshawar as Deputy Chief Inspector of Mines (BPS-19)	Nil
03	Mr. Fazal Hussain B.Sc.(Mining Engineering)	02.03.1960	16.10.1996	16.10.1996	08.01.2018	Yes		Nil	Nil	Nil	Exempted from SMC due to more than 58 years of age. Case for termination of probation period sent to Administrative Department vide Letter No.CIM/Admn/PTO/2018/1303 dated 02.04.2019 (Annexed-XII)	Nil	H/Q office Peshawar as Director Planning & Mine Development Cell (BPS-19)	Nil

Certified that:
 1. Seniority list has been circulated among the officers tentatively.
 2. There is no seniority dispute among the officers.
 3. None of the officer has pointed out/raised any objection pertaining to seniority.

(Signature)
 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

Signature: *(Signature)*
 Designation: _____
 Dated: 23/4/19
SECRETARY
 Govt. of Khyber Pakhtunkhwa
 Dev. Deptt.

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PSB-III

PANEL PROFORMA FOR PROVINCIAL S

In respect of Mian Farooq Iqbal

00040748

Domicile: District Buner	Service/Group: Provincial/ Technical	S.No.1
Education Qualification: M.Sc. (Mining Engineering) L.L. B	Date of Birth: 20.01.1963	Date of Superannuation: 19.01.2023

SERVICE PARTICULARS

Date of Joining/Service	Date of Promotion in		Length of service		Eligibility consideration
	Present Scale	Lower Rank	Total	In present scale	
10.07.1989	08.11.2004	07.11.2004	Y M D	About 14 years	I
			29 08 21		

IMPORTANT APPOINTMENTS HELD IN THE PRESENT RANK/POST:

Posted as Deputy Chief Inspector of Mines (BPS-19)
--

Penalties (if any): Nil

Training courses (other than mandatory Training): Nil

Number of PERs

Basic Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report / Remarks in
17		3	6	-	-	-
18		3	4	-	-	-
19	02	6	4	3	-	-

Awaited Reports (PERs)

Additional Information (If any)

EFFICIENCY INDEX

Required threshold	Score of PERs + Training Reports	Marks awarded by PSB	Total
70	39.79		

RECOMMENDATION OF PSB

Recommended	Deferred	Superseded
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Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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PSB-III

PANEL PROFORMA FOR PROVINCIAL SEL

In respect of Fazli Raziq

Personal No.00000771

Domicile : BAJAUR AGENCY	Service Group : Technical (Inspectorate of Mines)	S. No.01
Educational Qualification : B.Sc Mining Engineering	Date of Birth: 10.09.1964	Date of Superannuation: 09.09.2024

SERVICE PARTICULARS

Date of Joining/Service	Date of Promotion in		Length of Service		Eligibility consideration
	Present Scale	Lower Rank	Total	In Present Scale	
01.02.1995	08.01.2018	01.02.1995	<u>Y M D</u> 24 02 00	08.01.2018	17 Years

Important Appointments held in the Present Rank/ Post:

	Posted as Chief Inspector of Mines (BPS-20) and as Director Minerals BPS-19.

Penalties (if any): Nil

Training courses (other than mandatory training): Nil

Number of PERs

Basic Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks in
17	-	04	11	-	-	-
18	-	10	02	-	-	-

EFFICIENCY INDEX

REQUIRED THRESHOLD	SCORE OF PERs + Training Reports	Marks awarded By PSB	Total
70	41.96		

RECOMMENDATION OF PSB

Promoted	Deferred	Supersede

[Signature]
 Section Officer (Establishment)
 Minerals Development Department
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

[Signature]
 Admin. Officer,
 Inspectorate of Mines
 P. D. O. Peshawar

[Signature]
 Section Officer (Establishment)
 Minerals Development Dep.
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

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PSB-III

90237717

PANEL PROFORMA FOR PROVINCIAL SELECTIC

In respect of **Fazal Hussain**

Domicile : Charsadda	Service Group : Technical (Inspectorate of Mines)	
Educational Qualification : B.Sc (Mining Engineering)	Date of Birth: 02.03.1960	Date of Superannuation: 01.03.2020

SERVICE PARTICULARS

Date of Joining/Service	Date of Promotion in		Length of Service		Eligibility consideration
	Present Scale	Lower Rank	Total	In Present Scale	
16.10.1996	08.01.2018	16.10.1996	<u>Y M D</u> 22 05 21	08.01.2018	17 Years

Important Appointments held in the Present Rank/ Post:

	Director Planning & Mine Development Cell (BPS-19) and Chief Inspector of Mines (BPS-20).

Penalties (if any): Nil

Training courses (other than mandatory training): Nil

Number of PERs

Basic Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks in
17		10				
18	01	05	05	-	-	-
19		01	02	-	-	-

EFFICIENCY INDEX

REQUIRED THRESHOLD	SCORE OF PERs +Training Reports	Marks awarded By PSB	Total
70	72.35		

RECOMMENDATION OF PSB

Promoted	Deferred	Supersede

[Signature]
Section Officer (Establishment)
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Admn: Officer
Inspectorate of Mines
K.P.K. Peshawar

[Signature]
Section Officer (Establishment)
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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**PER GRADING AND QUANTIFICATION IN RESPECT OF MIAN FAROOQ IQBAL DEPUTY CHIEF INSPECTOR OF MINES (BPS-19)
ON REGULAR BASIS TO THE POST OF CHIEF INSPECTOR OF MINES (BPS-20)**

SENIORITY NO.1

Year	Period of PER		Pen picture		PERs assessment	Fitness of Promotion	Score
	From	To	Reporting Officer	Countersigning Officer			

PREVIOUS SCALE BPS-17

1989	10.07.1989	31.12.1989	A good officer. New appointee yet learning but capable. Though any appointee he is picking up the work fastly.	Nothing add by.	Good	Yes	7
1990	01.01.1990	31.12.1990	Young and smart capable and trust worthy		Very Good	Yes	10
1991	01.01.1991	31.12.1991	Is hardworking and has a lot of drive. Knows his work well and can pull nicely with the people. A good and obedient young man officer and taking interest in the office work	I agree with the reporting officer.	Good	Yes	7
1992	01.01.1992	31.12.1992	A young and obedient officer. Taking interest in his field work. Is hard working and has a lot of drive knows his work well and can pull nicely with the people	I agree with the reporting officer.	Good	Yes	7
1993	01.01.1993	31.12.1993	As hard working and as a lot of drive. Knows his work and can pull on nicely with the people. A capable and a competent officer with great initiative and drive.	I agree with the reporting officer.	Good	Yes	
1994	01.01.1994	31.12.1994	Is hard working and has a lot of drive. Knows his work well and can pull on nicely with the people.	I agree with the reporting officer.	Good	Yes	7

[Signature]
Section Officer (Establishment),
Minerals Development Department,
Govt of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Section Officer (Establishment),
Minerals Development Department,
Govt of Khyber Pakhtunkhwa,
Peshawar

			Has an impressive personality and is co-operative with his superior.				
1995	01.01.1995	31.12.1995	Efficient officer and taking interest in his job, his services are still required at H.Q. A very well behave, sensible and intelligent officer. Tactful and influence full.	A sharp officer who has recently been approved for promotion and separate post created by virtue of his good work.	Very Good	Yes	10
1996	01.01.1996	31.12.1996	A good officer, taking interest in office routine work. Is hard working and has a lot of drive. Knows his work well and can pull on nicely with the people.	An outstanding officer who is professionally sound and takes immense interest in his work. Resourceful and forever prepared to undertake responsibilities. Sharp and quick witted. Fit for higher appointment.	Very Good	Yes	10
1997	01.01.1997	31.12.1997	A young energetic officer. Taking interest in his job.	A cooperative officer. Dispose of office routine work quickly.	Good	Yes	7

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Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Handwritten signature]
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

PRESENT POST BPS-18

SENIORITY NO.1

66

Year	Period of PER		Pen picture		PERs assessment	Fitness of Promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
1998	01.01.1998	31.12.1998	An average officer. Average. Perform regular inspection	I do not agree with the assessment of the Reporting Officer, I found the officer absolutely up to marks. I would certainly accept his in a higher grade.	Good	Yes	7
1999	01.01.1999	31.12.1999	A good officer. Regular inspection have been carried by the officer during the previous year. Took frequent visit in the field in the last year i.e 1999 in the public interest.	I agree with the Reporting Officer.	Good	Yes	7
2000	01.01.2000	31.12.2000	The officer has performed his duties to the best of his abilities in the Govt/Public interest during the period under report. Satisfied with the assessment in Part-II The officer is honest and gentlemen. The officer has the decision power. Technically sound. Takes keen interest in his duties. The officer always disposed off his official work well in time. He is helpful in the official confidential matters. Recommended for international training in the field of mining to further improve his technical knowledge.	I agree with the Reporting Officer.	Very Good	Yes	10
2001	01.01.2001	31.12.2001	Has performed his duties to the best of his abilities during the year 2001. As regard with information given in part II. An honest officer. A well-educated and technically sound	I agree.	Very Good	Yes	10

Section Officer (Establishment),
Minerals Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Section Officer
Inspectorate of Mines
K.P.K. Peshawar

Section Officer (Establishment),
Minerals Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

			<p>officer takes keen interest in his job. Always dispose off in work well in time. Recommended for training in the mining technology.</p>				
2002	01.01.2002	31.12.2002	<p>His performance was very well during the period report. I agree with his statement at II(2). An honest officer. Technically sound take interest in his work. He always dispose off his office work well in time. Recommended for training in mining field. Mr. Farooq is good officer, who has been able to do well during the period under report.</p>	The report is general on plus side.	Good	Yes	7
2003	01.01.2003	31.07.2003	<p>Satisfy with assessment in part II The officer has ability to perform his duties well in time in the public interest. An honest officer. He has come with good result in official matters. The officer has ability to take initiative in cases for solution. He has already availed. Further recommended in the field of mining.</p>	Nothing added by C.O	Good	Yes	7
2004	01.01.2004	31.12.2004	<p>The officer remained outstanding during the period under report, his performance remained satisfactory. Satisfied with the assessment in Part II. An honest officer. The officer has the potential to work hard. The officer has good administration. Recommended for training.</p>	He may be a good officer but does not contains the essential qualities of tactfulness and cooperative working relationship.	Very Good.	Yes	10

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Admiral Officer
Inspectorate of Mines
K.P.K. Peshawar

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

PRESENT POST BPS-19

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SENIORITY NO.1

Year	Period of PER		Pen picture		PERs assessment	Fitness of Promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
2005	01.01.2005	20.04.2005	<p>Agreed. A good officer. The performance of the officer was satisfactory the tenure of the reporting officer. He has already availed training abroad. He is not recommended. Chance may be given to technical officer.</p>	<p>The reporting officer has recommended very little to contradict. Even he has left item 4 & 7 blank. However, I know the officer well and I have seen his work. He is an average officer.</p>	Average	Yes	6.3
2005	21.04.2005	27.09.2005	<p>The officer worked well. His on the job performance and general output of work was good. On the whole, he contributed a lot towards the organization and I agree with what he has stated in Part II (2). Sound. Knows his job. Well conversant with the relevant rules. Hardworking and professionally sound who can communicated well and can work under pressure. Professionally he is a mining engineer who has gathered sufficient experience in the field of mining engineering. He should continue with the present assignment. Any training relevant to his job, both in country and abroad.</p>	<p>Yes, he is capable and currently holding higher position as additional responsibility. I agree with the reporting officer.</p>	Good.	Yes	

[Handwritten Signature]
 Section Officer (Establishment)
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

[Handwritten Signature]
 Admn. Officer
 of Mines

[Handwritten Signature]
 Section Officer (Establishment)
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa

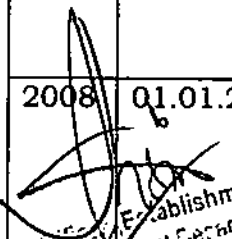
2005	28.09.2005	31.12.2005	<p>The officer is good at his work. He has skills and can take good decision at the right time. Good. He does well in routine and complicated cases. Professionally sound officer and can handle the organization independently. Appropriate training can improve his professional skills.</p>	I agree with the reporting officer.	Good	Yes	
2006	01.01.2006	14.07.2006	<p>His achievement in some cases cited above are commendable yet the officer needs to improve upon his overall administration of the department. No comments. The officer needs to improve his emotional stability and communication skill. No Comments.</p>	<p>His overall performance needs improvement. Also in column for fitness for promotion it should be "on his turn" instead of any previous remarks and declared "adverse remarks" as "advisory" as conveyed vide Government Letter No.SOI(IND)9-1/80/Vol-VII/7903 Dated 28.05.2008</p>	Average	Yes	6
2006	15.07.2006	31.12.2006	<p>I agree with the position given in Part II (2). His performance remained par excellence. Due to his personal efforts revenue of the Department grew manifold. An upright clean and honest officer. He is emotionally stable, competent and skilled in his job and applies his abilities for the optional outcome in the public interest. He is equally fit for any administrative managerial and technical assignments. Training in project management will further enhance his capacity to serve public interest.</p>	His overall performance met minimum standards.	Good	Yes	

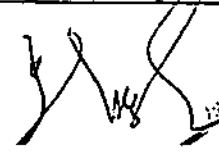
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 Sr. Officer (Establishment),
 Minerals Development Department,
 Quetta, Peshawar

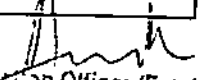
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 Sr. Officer (Establishment),
 Minerals Development Department,
 Quetta, Peshawar

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 Sr. Officer (Establishment),
 Minerals Development Department,
 Quetta, Peshawar

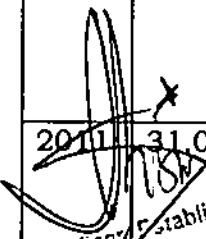
2007	01.01.2007	16.08.2007	<p>His achievements mentioned at para II are quite correct. Brought a lot of revenue to the public exchange and set a growth process for the future.</p> <p>I found him upright and concerned to the public interest.</p> <p>He is professionally very sound keenly devoted to his duties. As Director General Mines & Mineral his performance remained excellent and most production. His administrative skills were equally superb. His continuation as Director General Mines and Mineral will be in public interest.</p> <p>His expertise deserves his posting as DGMM or Secretary Mineral Resources. He is professionally and administratively capable for such assignments.</p> <p>Higher management</p>	<p>I have not had the occasion of either seeing his work or interacting with him on the basis of months of observation. I don't know how the Reporting officer gave him an outstanding grading.</p>	Very Good	Yes	10
2007	17.08.2007	31.12.2007	<p>Performed well as Director General Mines & Mineral (Addition Charge).</p> <p>Achievements given in Para II (2) were accomplished well with expectations of the Government.</p> <p>Honest.</p> <p>Hard working, efficient & capable officer. Mines & Mineral Development. Mineral Department Secretariat.</p> <p>Recommended for training local training in the area of mines/minerals developments.</p>	<p>Reporting officer assessment is endorsed.</p>	Very Good	Yes	
2008	01.01.2008	22.04.2008	<p>Agreed with Part II(2).</p> <p>An honest officer.</p> <p>He is experienced one officer.</p> <p>Recommended for foreign training as well as within country training.</p> <p>Administrative training and development in foreign as well as within the country would augment capability.</p>	<p>Hardworking and efficient officer.</p>	Very Good	Yes	10



 Section Officer (Establishment),
 Minerals Development Department,
 Govt of Khyber Pakhtunkhwa,
 Peshawar

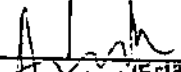

 Section Officer (Establishment),
 Minerals Development Department,
 Govt of Khyber Pakhtunkhwa,
 Peshawar


 Section Officer (Establishment),
 Minerals Development Department,
 Govt of Khyber Pakhtunkhwa,
 Peshawar

2008	23.04.2008	31.12.2008	The officer was on long leave.				
2009	01.01.2009	31.12.2009	-do-				
2010	01.03.2010	08.11.2010	<p>His contribution is on meager side as he remained focused on litigation with the Department for the post of Director General Mines & Minerals. He has also challenged the service rules of the same post and the case is still sub-judice in service tribunal of Khyber Pakhtunkhwa. Honest.</p> <p>Not to be treated as adverse remarks but all his efforts concentrated as his posting as Director General Mines & Mineral at any cost e.g undermining the integrity and position of his superior.</p> <p>Has knowledge of laws and rules of mines labors of Khyber Pakhtunkhwa. Suitable as Chief Inspector of Mines Labour.</p> <p>Essentially needs awareness and training to understand tribute of minerals and its development prior to undertake assignment relating to development and regulation of minerals. Reportedly, the officer has also availed citizenship of Canada. The legal status of the same may be confirmed. If admissible, he may be promoted on completion of his fore mentioned training and capacity but on merit basis.</p>	<p>Rarely saw his work.</p> <p>The competent authority has been expunged the adverse remarks in respect of the officer concerned in the ACR for the period 01.03.2010 to 08.11.2010 vide Government Letter No. SO Admn(MD)1-12/2009/2278 dated 18.06.2013</p>	Average	Yes	5
2011	31.03.2011	15.08.2011	<p>Agreed with statement at Part II. An honest officer. A good mining engineer. He knows about his job very well. Recommended for local and abroad training.</p>	<p>I agree with the reporting officer. The officer is hardworking, honest and capable person who has the guts to perform any duty</p>	Outstanding	Yes	9


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar


 Admn. Officer
 Directorate of Mines
 Peshawar


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,

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				assigned to him.			
2011	15.08.2011	31.12.2011	<p>Very competent, hardworking and intelligent officer. He has the guts to deal with any matter assigned to him. Fit for promotion to higher grade. Honest and upright officer. His performance during the period under report remained excellent. Being an experienced officer. It will be in the benefit of Govt: to retain him on the post of Director General. Normal training for updating is knowledge.</p>		Very Good		
2012	01.01.2012	31.12.2012	<p>Very competent, hardworking and intelligent officer. He achieved all the targets assigned to him. Fit for promotion to the post of Director General Mines & Mineral. Honest and upright officer. Performance during the period under report was excellent. Professionally sound and he is working against the post of Director General effectively. Recommended for foreign training.</p>	I know the officer well.	Very Good	Yes	8
2013	01.01.2013	09.04.2013	<p>Very hard working, competent and reliable officer. He has the guts to perform any duty assigned to him. Fit for promotion. An honest and upright officer. Performance during the period under report was excellent. He needs to be promoted to higher grade being as experienced officer. Recommended for training abroad.</p>	Satisfactory performance.	Good	Yes	7

Section Officer
Mines & Mineral Development
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Section Officer
Mines & Mineral Development
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Section Officer
Mines & Mineral Development Department
Govt. of Khyber Pakhtunkhwa,
Peshawar

2013	10.04.2013	31.07.2013	Secretaries deputed to Mineral Development Department have not completed the tenure necessary for the required period.				
2013-14	01.08.2013	19.08.2014	Remained O.S.D vide Notification No.SO(E-I)E&AD/9-365/2013 dated 30.07.2013				
2014-18	20.08.2014	31.05.2018	Removal from service vide Notification No. SO(E-I)E&AD/9-365/2013 dated 19.08.2014				
2018	30.05.2018	Till date	Reinstated vide Notification No. SO(E-I)E&AD/9-365/2018 dated 30.08.2018				
2018	01.06.2018	30.09.2018	Professionally competent and sound. He is capable of doing all kinds of work/assignments under any circumstances. He is dutiful and responsible officer.	Agree with the Reporting Officer.	Outstanding	Yes	9.1
2018	1.10.2018	31.12.2018	Professionally sound and competent. He is capable of doing all kinds of task/assignments under any circumstance. A dutiful and responsible officer.	I agree with the reporting officer.	Very Good	Yes	

[Signature]
 Section Officer (Establishment),
 Mineral Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar


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 Section Officer (Establishment),
 Mineral Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

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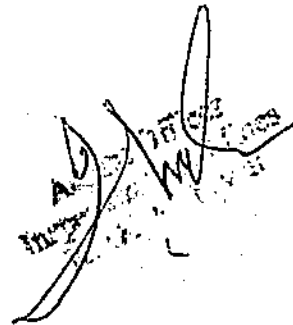
COMPREHENSIVE EFFICIENCY INDEX


	Basic Scale	Aggregate Score	Weighting factor	Points obtained
PERs qualified score <u>60.40 @ 70</u>	Present scale			
	BPS-19	$70.4/9 = 7.82$	$7.82 \times 5 = 39.1$ $39.1 \times 30/50 = 23.46$	23.46
	Previous Scale			
	BPS-18	$58/7 = 8.28$	$8.28 \times 3 = 24.84$	
	BPS-17	$72/9 = 8$	$8 \times 2 = 16$	
	(i) Additions:		$24.84 + 16 = 40.84$	16.33
	(ii) Deletions:		$40.85 \times 20/50 = 33.65$	
	Total (A)			39.79


 Secty (Establishment),
 Minerals Development Department,
 Govt of Khyber Pakhtunkhwa,
 Peshawar

Notional marks of SMC = Nil

Net Marks=39.79


 Secty (Establishment),
 Minerals Development Department,
 Govt of Khyber Pakhtunkhwa,
 Peshawar


 Secty (Establishment),
 Minerals Development Department,
 Govt of Khyber Pakhtunkhwa,
 Peshawar

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PSB-IV

PER GRADING AND QUANTIFICATION IN RESPECT OF FAZLI RAZIQ DEPUTY CHIEF INSPECTOR OF MINES (BPS-19) FOR REGULAR PROMOTION TO THE POST OF CHIEF INSPECTOR OF MINES (BPS-20)

SENIORITY NO.1

Year	Period of PER		Pen picture		PERs assessment	Fitness of Promotion	Score
	From	To	Reporting Officer	Countersigning Officer			

PREVIOUS SCALE BPS-17

1995	01.02.1995	31.12.1995	New appointee yet he is learning. The officer is currently directed to his duties and responsibilities, obedient and his good manner	Average performance As he is newly appointment	Good	Yes	7
1996	01.01.1996	31.12.1996	A young officer taking interest in his office work. A hard working officer overall performance satisfactory	Satisfactory performance	Good	Yes	7
1997	01.01.1997	31.12.1997	A hard worker officer taking interest in his duty Very much cooperative and active officer		Good	Yes	7
1998	01.01.1998	31.02.1998	A hard working officer. Take interest in his duty		Good	Yes	7
1999	01.01.1999	31.12.1999	A good officer, taking keen interest in his duties. His performance is satisfactory especially in recovery of Govt. dues. A well co-operative officer with good manner	Seen. I agree with the reporting officer.	Good	Yes	7
2000	01.01.2000	31.12.2000	An Honest officer with qualities. A young officer. He takes interest in his duties. His performance in the govt. recovery is good. A well administrative officer. He has the abilities to take initiative in cases for early solution.	I agree with the assessment of the reporting officer.	Very good	Yes	10

Section Officer (Establishment),
Minerals Development Department,
Govt of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Admin. Officer
Inspectorate of Mines
K.P.K. Peshawar

[Signature]
Section Officer (Establishment),
Minerals Development Department,
Govt of Khyber Pakhtunkhwa,
Peshawar

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2001	01.01.2001	31.12.2001	An honest officer. A young and smart officer take interest in his job. Well co-operative officer.	I agree.	Very Good	Yes	10
2002	01.01.2002	31.12.2002	Honest fellow. The officer has decision power. I am satisfied with his work. The officer has come up with good result in case of office matters	I agree with R.O	Very good	Yes	10
2003	01.01.2003	31.12.2003	An honest officer. The officer has the decision power. A co-operative officer.	He should make efforts to control accidents in mines which is quite frequent in Hazara Division.	Good	Yes	7
2004	01.01.2004	31.12.2004	An honest officer. He has come with good results in case of office matters. The officer has the ability to take initiative cases for solutions.		Good	Yes	7
2005	01.01.2005	31.12.2005	The officer is an honest person. He is morally good. No weakness on the part of the officer during the period under report observed.	I agree with the assessment of R.O	Good	Yes	7
2006	01.01.2006	31.12.2006	The officer possesses good moral character. No weakness of the officer noted during the year. He is well focused and devoted to his job. He is well behaved which reflects excellent grooming. I always found him a responsible officer. He has the ability to work under pressure. He is very effectively resolved the issue due to his well management qualities and good liaison with the public and mine owners in the area of his jurisdiction.	I agree with the assessment of R.O	Good	Yes	7

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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2007	01.01.2007	31.12.2007	<p>The officer is an upright person having good moral character.</p> <p>During the year no weakness of the officer noted. I found him well focused and devoted to his job. I also found him a responsible person. The officer has good liaison with both public and mine owners/mine workers. He has well management qualities and has resolved issue regarding safety of mines and collection of excise duty on minerals.</p>	I agree with the assessment of R.O	Very Good	Yes	10
2008	01.01.2008	31.12.2008	<p>The officer has good moral character.</p> <p>No weakness of the officer observed during the year. The officer has possessed special attitude towards problem solving. Due to his good relation with mine owners and mine workers, the officer was found most effective and resolving issues. The conflict between both parties were settled which contributed towards smooth working environment.</p> <p>The officer is devoted to his job. He is well behaved which reflects excellent grooming. He is technically sound and I found him a responsible officer</p>	I agree with R.O	Good	Yes	7
2009	01.01.2009	31.12.2009	<p>The officer is an upright person possessing good moral character.</p> <p>No weakness of the officer observed during the period under report. I found him a responsible officer and dedicated to his job. He performed additional assignment assigned to him to the best satisfaction of me.</p>	I agree with the R.O	Good	Yes	7

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Section Officer
Minerals Development Department
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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PRESENT SCALE BPS-18

2009	17.12.2009	31.12.2009	The officer is an upright person possessing good moral character. No weakness of the officer observed during the period under report. I found him a responsible officer and dedicated to his job. He performed additional assignment assigned to him to the best satisfaction of me.	I agree with the R.O	Good	Yes	-
2010	01.01.2010	31.12.2010	He is an upright, honest and morally good person. He is competent officer and knows his job well. He is always helpful in solving difficult tasks in the interest of the Department as well as public.	As per R.O	Very Good	Yes	8
2011	01.01.2011	31.12.2011	He is a morally sound, upright and honest officer. Professionally sound, dedicated and co-operative officer. He has the ability to work under pressure. Positive and result oriented officer.	As per R.O	Very good	Yes	8
2012	01.01.2012	31.12.2012	Morally sound, upright and honest officer. A competent and professionally sound officer. He can work efficiently under pressure.	I agree with the assessment of R.O	Very Good	Yes	8
2013	01.01.2013	31.12.2013	Honest and hard worker. Competent Engineer sound professional. Best aptitude.	I agree with the assessment of R.O but treat him outstanding.	Outstanding	Yes	10

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

[Signature]
Section Officer
Inspectorate of Police
P. P. K. Peshawar

[Signature]
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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2014	01.01.2014	31.12.2014	Honest and hard worker. Competent mining engineer, good administrator. Capable to deal with all kind of safety in technical matters in mining field	I know the officer well. I agree with the assessment of the R.O	Very Good	Yes	8
2015	01.01.2015	30.06.2015	He knows his job well and was a capable officer.	Don't know him.	Very Good	Yes	7.5
2015	01.07.2015	31.12.2015	Honest. Fazli Raziq has sound knowledge of his field. Quick and responding, he is capable of delivering in all sort of situation	I Don't know him.	Good	Yes	
2016	01.01.2016	15.05.2016	Fazli Raziq knows his job well. He is energetic and hardworking. He achieved the tasks assigned to him.	Don't know him.	Very Good	Yes	8
2016	16.05.2016	15.08.2016	Professionally and technically Mr. Fazli Raziq is sound. He has always shown willingness to undertake responsible assignments. He is also good in decision making.	Casually	Very Good	Yes	
2016	16.08.2016	31.12.2016	Mr. Fazli Raziq is an efficient officer. He achieved all the targets assigned to him. His performance remained up to the mark both qualitatively and quantitatively.	Don't know him.	Very Good	Yes	
2017	01.01.2017	08.10.2017	Mr. Fazli Raziq is a simple hardworking and efficient officer. He knows his job well and capable of handling complex issues confronting to mining sector.	I agree with the reporting officer.	Very Good	Yes	8

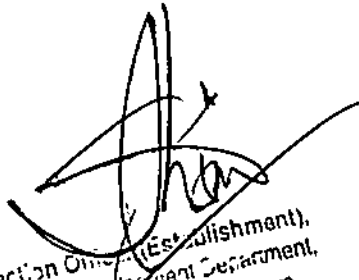
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar


Section Officer
Inspectorate of Mines
K.P.K. Peshawar

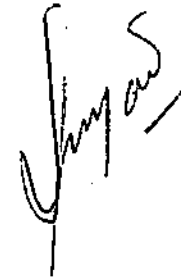
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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			achieved all the targets assigned to him. His performance remained up to the mark both qualitatively and quantitatively.				
2017	01.01.2017	03.10.2017	Mr. Fazli Raziq is a simple hardworking and efficient officer. He knows his job well and capable of handling complex issues confronting to mining sector.	I agree with the reporting officer.	Very Good	Yes	8
2018	01.01.2018	31.12.2018	The ACR in respect of Fazli Raziq have been sent to Chief Secretary for counter signing, not yet received.				


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar




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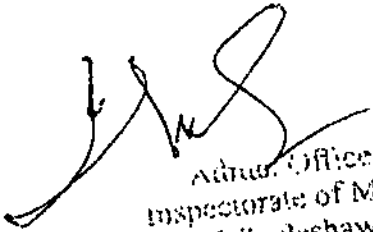
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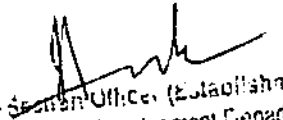
COMPREHENSIVE EFFICIENCY INDEX

	Basic scale	Aggregate score	Weighting factor	Points obtained
PERs Quantified Score 42:28 @ 70%	Present Scale			
	BPS-19 BPS-18	65.50/8=8.19	8.19X6X30/50	29.48
	Previous Scale			
	BPS-17	117/15=7.80	7.80X4X20/50	12.48
	(i) Additions: (ii) Deletions:			
	Total (A)			41.96
	Marks of SMC(B)			
Total (A+B)				
Evaluation of PSB out of 15 marks				41.96


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

Required threshold on CEI for promotion to BS-20 is 70


 Admin. Officer
 Inspectorate of Mines
 K. P. K. Peshawar


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

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PER GRADING AND QUANTIFICATION IN RESPECT OF FAZAL HUSSAIN DIRECTOR PLANNING & MINE DEVELOPMENT CELL(BPS-19) FOR REGULAR PROMOTION TO THE POST OF CHIEF INSPECTOR OF MINES (BPS-20)

PERVIOUS SCALE BPS-17

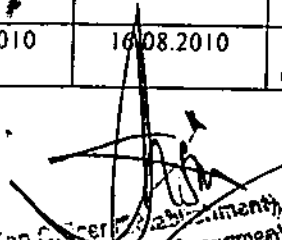
Year	Period of PER		Pen picture		PERs — assessment	Fitness of Promotion	Score	
	From	To	Reporting Officer	Countersigning Officer				
1996	02.03.1996	31.12.1996	An efficient officer. A capable and competent officer with initiative and drive		Satisfactory performance	Good	Yes	7
1997	01.01.1997	31.12.1997	A hard worker obedient and dutiful officer. Cooperative taking interest in his field work		-	Good	Yes	7
1998	01.01.1998	31.02.1998	A good religious officer. Taking interest in his routine duty		-	Good	Yes	7
1999	01.01.1999	31.12.1999	A well mature good officer. A well cooperative officer.		I agree with the reporting officer	Good	Yes	7
2000	01.01.2000	31.12.2000	A religious officer, with good character he is an honest one. The officer has the potential to work in difficult and odd atmosphere. The officer his good administrative and as well as working relation qualities		I agree with the assessment of the reporting of the officer	Very good	Yes	10
2001	01.01.2001	31.12.2001	The officer is honest and gentle man. The officer has got the decision power. Always dispose of his work well in time.		I agree	Very Good	Yes	10
2002	01.01.2002	31.12.2002	Honest officer. A young and energetic officer always come with new ideas		I agree R.O	Very good	Yes	10
2003	01.01.2003	31.12.2003	He is an honest fellow. The officer his the decision power. A cooperative officer		He is a good office	Very good		10
2004	01.01.2004	31.12.2004	A noble and honest one officer. He is always given performance for timely disposal of office work		-	Very Good	Yes	10
2005	01.01.2005	31.12.2005	The officer is a honest person and morally good. He has not been found involved in any objectionable activates. No disciplinary action has been taken against him no weakness of the officer observed during the period under report		I agree with the remarks of the R.O	Very Good	Yes	10

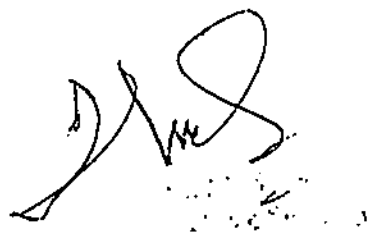
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar.


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Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,

2006	01.01.2006	31.12.2006	No weakness of the officer noted during the year. I found him very capable, devoted and well focus on his job. He liked to work as team and found him well managed. He perform very well the additional duties assigned to him	I agree with the assessment of R.O	Good	Yes	7
2007	01.01.2007	31.12.2007	No weakness of the officer noted during the period under report. His is capable, devoted and well-focused in his job. A very polite and professional sound person.	I agree with the assessment of R.O	Very Good	Yes	10
2008	01.01.2008	31.12.2008	No weakness of the officer noted during the year under report. He was found well focused and dedicated to his job. He is efficient and professionally sound	Fully agreed with R.O	Very Good	Yes	9
2009	01.01.2009	16.12.2009	He is emotionally stable, competent and skilled in his job and applied his abilities for the optimal outcome in the public interest. No weakness of the officer noted during the period under report	I know the officer since about 20 years, he is the honest one officer, well obedient and religious minded person with good moral character	Good	Yes	7.5
2009	17.12.2009	31.12.2009	He is emotionally stable, competent and skilled in his job and applied his abilities for the optimal outcome in the public interest. No weakness of the officer noted during the period under report	I know the officer since about 20 years, he is the honest one officer, well obedient and religious minded person with good moral character	Very Good	Yes	
2010	01.01.2010	16/08.2010	He is honest, upright and morally sound officer. He is competent and professionally sound officer.	As per R.O	Very Good	Yes	8


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar




 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

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PRESENT SCALE BPS-18

Year	Period of PER		Pen picture		PERs assessment	Fitness of Promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
2010	17.08.2010	31.12.2010	He is honest, upright and morally sound officer. He is competent and professionally sound officer.	As per R.O	Very good	Yes	8
2011	01.01.2011	31.12.2011	In upright officer, honest and morally sound officer. He is competent and professionally sound officer	-	Very Good	Yes	8
2012	01.01.2012	31.12.2012	Mostly sound, upright and honest officer. Professionally sound officer knows his job well	-	Very Good	Yes	8
2013	01.01.2013	31.12.2013	Honest, hard worker and can handle all problems	I agree with assessment of R.O but rate him outstanding.	Outstanding	Yes	10
2014	01.01.2014	31.12.2014	Well aware of his duties and responsibilities. Technically competent and has the ability to handle any job interested	The officer is known to me and working as Senior Inspector of Mines in the Inspectorate of Mines	Very Good	yes	8
2015	01.01.2015	31.12.2015	He has the ability to perform his duties with full responsibilities	I know the officer. I agree with the reporting officer	Good	Yes	7
2016	01.01.2016	12.05.2016	Mr.Fazal Hussain has sound knowledge of his work and duties. He is capable to perform under all sort of circumstances.	I know Fazal Hussain well. I agree with the reporting officer	Good	Yes	7
2016	13.05.2016	12.08.2016	Mr. Fazal Hussain is a well experienced officer of this inspectorate of Mines. He performs all jobs with full responsibilities.	I agree with the remarks of the reporting officer.	Good	Yes	
2016	13.08.2016	31.12.2016	Mr. Fazal Hussain has sound knowledge of his job. He can perform under all sort of circumstances.	Assessment of the reporting officer is endorsed.	Good	Yes	
2017	01.01.2017	03.10.2017	Competent and is capable of doing duty with full responsibility.	I agree with the remarks of reporting officer.	Very good	Yes	8

[Signature]
 Section Officer (Establishment),
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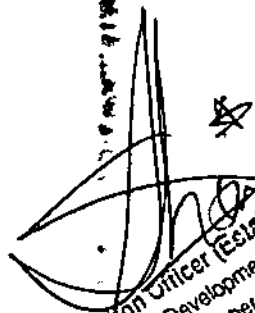
[Signature]
 Admn: Officer
 Inspectorate of Mines
 K.F.K. Peshawar


[Signature]
 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar


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PRESENT SCALE BPS-19

2018	01.01.2018	30.09.2018	The Officer is competent and professionally sound. He is capable to perform his duties in efficient manner.	I know him very well, a competent and welling officer. I fully agree with the remarks of Reporting Officer.	Very Good		8
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Section Officer (Establishment)
Minerals Development Department
Govt. of Khyber Pakhtunkhwa
Peshawar


Admin. Officer
Inspectorate of Mines
K. P. Peshawar


Section Officer (Establishment)
Minerals Development Department
Govt. of Khyber Pakhtunkhwa
Peshawar

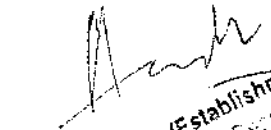
86

PRESENT SCALE BPS-19

Year	Period of PER		Pen picture		PERS assessment	Fitness of Promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
2018	01.01.2018	30.09.2018	The Officer is competent and professionally sound. He is capable to perform his duties in efficient manner.	I know him very well, a competent and willing officer. I fully agree with the remarks of Reporting Officer.	Very Good	Yes	8
2018	01.10.2018	31.12.2018	The officer is competent and professional sound. He is capable to perform his duties in efficient manner.	I agree with the remarks of reporting officer.	Very Good	Yes	


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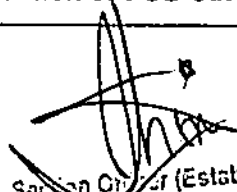
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PSB-V


COMPREHENSIVE EFFICIENCY INDEX

	Basic Scale	Aggregate Score	Weighting factor	Points obtained
PERs Quantified Score 30:20 @ 50%	Present Scale			
	BPS-18/19	72/9=8	8X6X30/50	28.8
	Previous Scale			
	BPS-17	129.5/15=8.63	8.63X4X20/50	13.76
	(i) Additions: (ii) Deletions:			
	Total (A)			42.56
	Notional Marks of SMC(B)		42.56	42.56X35/50
Total (A+B)				72.35
Evaluation of PSB out of 15 marks				

Required threshold on CEI for promotion to BS-20 is 70


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Peshawar

NC21032 (026)
MINERAL DEVELOPMENT AND INSPECTORATE OF

04109 LABOUR WELFARE MEASURES

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS	AUTHORIZED EXPENDITURE JUL-OCT 2018	RELEASED JUL-OCT 2018
	2018-2019	2018	2018
	Rs	Rs	Rs
04 ECONOMIC AFFAIRS			
041 GEN. ECONOMIC, COMMERCIAL & LABOR AFFAIRS			
0413 GENERAL LABOR AFFAIRS			
041309 LABOUR WELFARE MEASURES			
PR4365 Inspectorate of Mines Provincial (in the Directorate General Mines & Minerals			
A01 TOTAL EMPLOYEES RELATED EXPENSES.		14,227,000	10,670,250
A011 TOTAL PAY	105	9,164,000	6,873,000
A011-1 TOTAL PAY OF OFFICERS	37	5,458,000	4,093,500
A01101 Total Basic Pay Of Officer	37	5,458,000	4,093,500
C224 Chief Inspector Of Mines (BPS-20)	1	297,000	222,750
D333 Director Planning (BPS-19)	1	252,000	189,000
D455 Director Training (BPS-19)	1	252,000	189,000
D562 Deputy Chief Inspector Mines for Northern Region (BPS-19)	1	252,000	189,000
D563 Deputy Chief Inspector Mines for Southern Region (BPS-19)	1	252,000	189,000
M170 Minse Safety Engg.cum Ch.Insp. of Mines (BPS-19)	1	363,000	270,000
S258 Senior Inspector Of Mines (BPS-18)	1	133,000	100,000
A079 Assistant Director (BPS-17)	1	133,000	100,000
A509 Assistant Director Admn. (BPS-17)	1	151,000	113,000
I017 Inspector Of Mines (BPS-17)	1	133,000	100,000
S112 Statistical Officer (BPS-17)	5	757,000	562,500
S166 Superintendent (BPS-17)	8	747,000	562,500
A057 Assistant (BPS-16)	8	667,000	500,000
C082 Computer Operator (BPS-16)	1	237,000	177,500
S015 Secretary Mines Labour Welfare Organization (BPS-16)	4	493,000	369,500
S061 Senior Scale Stenographer (BPS-16)	68	3,706,000	2,800,000
A011-2 TOTAL PAY OF OTHER STAFF			

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Section Officer
Minerals Development
Department

Bud
Govt of
P.K.

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA
MINERALS DEVELOPMENT DEPARTMENT

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 Inspectorate of Mines 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 Inspectorate of Mines 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 Inspector of Mines (BPS-20)	-----	-----	By promotion on the basis of seniority-cum-fitness, from amongst the Deputy Chief Inspectors of Mines, Directors Training and Directors Planning and Mine Development Cell with at least twelve (12) years service as such in BPS-18 and above or seventeen (17) years service as such in BPS-17 and above with successful completion of Senior Management Course (SMC); Provided that if no suitable person is available for promotion then by transfer. Note: A joint seniority list of Deputy Chief Inspectors of Mines, Directors Training and Directors Planning and

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Peshawar

Admin. Officer
Inspectorate of Mines
K.P.D. Peshawar

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

[Signature]
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[Signature]
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[Signature]
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 Directorate of Mines
 Peshawar

				Note: A joint seniority list of Senior Inspectors of Mines and Rescue Superintendents shall be maintained for the purpose of promotion.
5.	Senior Inspector of Mines (BPS-18)	(i) At least Second Class Bachelor's Degree in Mining Engineering from a recognized University; (ii) First Class Mine Manager Certificate of Competency granted under the provision of Mines Act 1923; and (iii) At least seven years experience in mining.	28 to 40 years.	By promotion, on the basis of seniority-cum-fitness, from amongst the Inspectors of Mines and Instructors with at least five years services as such and having First Class Mine Manager Certificate of Competency granted under the provision of Mines Act 1923: Provided that if no suitable person is available for promotion then by transfer or initial recruitment. Note: A joint seniority list of Inspectors of Mines and Instructors shall be maintained for the purpose of promotion.
6.	Rescue Superintendent (BPS-18)	(i) At least Second Class Bachelor's Degree in Mining Engineering from a recognized University; (ii) First Class Mine Manager Certificate of Competency granted under the provision of the Mines Act 1923; and (iii) At least seven years experience in mining.	28 to 40 years.	By promotion, on the basis of seniority-cum-fitness, from amongst the Instructors and Inspectors of Mines with at least five years services as such and having First Class Mine Manager Certificate of Competency granted under the provision of the Mines Act 1923: Provided that if no suitable person is available for promotion then by transfer or initial recruitment. Note: A joint seniority list of Inspectors of Mines and Instructors shall be maintained for the purpose of promotion.
7.	Inspector of Mines (BPS-17)	At least Second Class Bachelor's Degree in Mining Engineering from a recognized University.	21 to 35 years.	By initial recruitment.
8.	Instructor (BPS-17)	At least Second Class Bachelor's Degrees in Mining Engineering from a recognized University.	21 to 35 years.	(a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Rescue Supervisors having at least three years services as such; and


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Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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35.	Dak Runner (BPS-03)	Preferably Literate.	18 to 40 Years.	By initial recruitment.
36.	Chowkidar (BPS-03)	Literate with sound physique.	18 to 40 years.	By initial recruitment.
37.	Mali (BPS-03)	Literate and two years working experience as Mali.	18 to 40 years.	By initial recruitment.
38.	Sweeper (BPS-03)	Preferably Literate.	18 to 40 years.	By initial recruitment.
39.	Cook (BPS-03)	Literate with three years practical Experience in any Hotel or Guest House as Cook.	18 to 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.


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 Inspectorate of Mines
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SECRETARY TO
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 MINERALS DEVELOPMENT DEPARTMENT.


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No. SO (E)/MDD/2-1/NO.14/2017/6261-6950

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

Secretary (Establishment),
Minerals Development Department,
Govt of Khyber Pakhtunkhwa,
Peshawar

Secretary,
Govt of Khyber Pakhtunkhwa,
Peshawar

Handwritten signature and official stamp of the Secretary, Minerals Development Department, Govt of Khyber Pakhtunkhwa, Peshawar.

(Muhammad Javed)
Section Officer (ESM)

NOTIFICATION

No. SO (E)/MDD/2-3/2018: In pursuance of Section 8(1) of the Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rules-17 Civil Servant (Appointment, Promotion and Transfer) Rules, 1989, the Competent Authority is pleased to notify/circulate final seniority list of Deputy Chief Inspector of Mines/ Director Planning & Mines Development Cell/ Director Training (BS-19), of the Inspectorate of Mines Labour Welfare, Khyber Pakhtunkhwa, (as it stood on 31-07-2018) for general information.

S.No.	Name of officer	Qualification	Date of Birth and Domicile	Date of 1 st entry into Government service	Regular appointment/ promotion to the present post			Present posting
					Date	Gr/S	Method of Recruitment	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	Mian Farooq Iqbal	M.Sc (Mining Engineering) (L.L.B)	20-01-1963 Buner	10-07-1989	08-11-2004	19	By promotion	Deputy Chief Inspector of Mines
2	Mr. Fazli Raziq	B.Sc (Mining Engineering)	10-09-1964 Bajaur Agency	01-02-1995	05-01-2018	19	-do-	Deputy Chief Inspector of Mines
3	Mr. Fazal Hussain	B.Sc (Mining Engineering)	02-03-1960 Charsadda	16-10-1996	08-01-2018	19	-do-	Director Planning & Mines Development Cell

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No. SO (E)/MDD/2-3/2018: /9125-32

Copy forwarded to:

1. Director General, Mines & Minerals, Khyber Pakhtunkhwa, Peshawar.
2. The Chief Commissioner of Mine Labour Welfare, Khyber Pakhtunkhwa, Peshawar.
3. The Chief Inspector, Inspectorate of Mines, Khyber Pakhtunkhwa, Peshawar.
4. P.S to Secretary, Minerals Development Department, Khyber Pakhtunkhwa Peshawar.
5. The Manager, Government Printing & Stationary Department, Khyber Pakhtunkhwa, Peshawar.
6. Officers Concerned

A.O. / 28/09/18
28/09/18

2238
28/09/2018

CHIEF SECRETARY
KHYBER PAKHTUNKHWA
Dated Peshawar 27-09-2018

(Muhammad Javed)
Section Officer (Estt.)

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar



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GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

Dated Peshawar, the November 14, 2018

NOTIFICATION

No.SO(Policy)E&AD/1-16/2018. – The Competent Authority is pleased to direct that in the “Khyber Pakhtunkhwa Civil Servants Promotion Policy, 2009” circulated vide this department letter No.SOE-III(E&AD)1-3/2008 dated 28.1.2009, the following further amendment shall be made, namely:-

AMENDMENT


1. For sub-para (k) of Para-III, the following shall be substituted:
“(k) The officers who attained the age of 50 years or above on the scheduled date of commencement of the training of Mid Career Management Course (MCMC) shall be exempted from the said training. Similarly, the officers who attained the age of 58 years or above on the scheduled date of commencement of the training of Senior Management Course (SMC)/National Management Course (NMC) and National Defense Course (NDC) shall be exempted from respective mandatory training. The exemption already extended to professional and technical cadres will continue as the professionals/technocrats undertake their specialized training separately.”

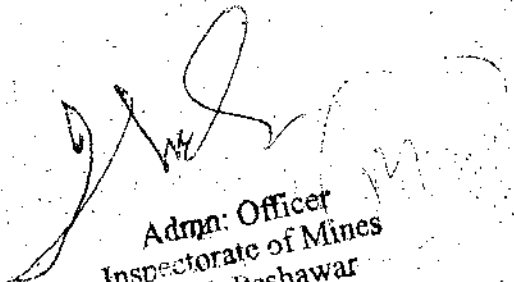
SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

ENDST: NO & EVEN DATE

Copy is forwarded to:-

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2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar Peshawar High Court, Peshawar.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. All Special Secretaries, Additional Secretaries, Deputy Secretaries and Section Officers in Establishment & Administration Department.


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Govt. of Khyber Pakhtunkhwa,
Peshawar


Admn. Officer
Inspectorate of Mines
K.F.K. Peshawar


(MD. IDTIM SHAHEEN)

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

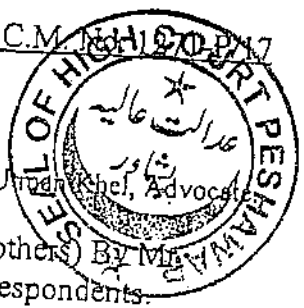
JUDGMENT

W.P.NO. 1001-P/2017 with I.R. with C.M. No. 1001-P/17

Date of hearing: 23.11.2017

Petitioner (Amanullah) By Mr. Shah Faisal Umar Khel, Advocate

Respondent (Chairman WAPDA and others) By Mr. Shakerullah Afridi, Advocate, for the respondents.



MUHAMMAD GHAZANFAR KHAN, J.- Through the

instant petition, Amanullah, petitioner herein, has made the

following prayer:-

"It is, therefore, most humbly prayed that on acceptance of the instant writ petition, acts of the respondents of non considering the petitioner for promotion by Selection may kindly be declared to be illegal, null and void in the eyes of law. And respondents may kindly be directed to consider the case of promotion of petitioner in the upcoming meeting of Promotion Selection Board for promotion and to ignore the false, malafid and baseless criminal case." (sic.)

2. Brief facts of the case are that the petitioner is WAPDA employee who on posting/transfer joined Golen Gol Hydro Power Project on 29.01.2009 and at present is serving as Additional Director (Civil) (BPS-19) in the office of GM Projects (NA) WAPDA Attock. The petitioner averred that a Project of the O/M Staff Colony Golen Gol Hydro Power Project Koghuzi, Chitral was executed by WAPDA (Water Wing) for residential and non-residential buildings etc. That FIA/ACC Peshawar started inquiry No.24/2012 on the source report of Inspector Naseer Ali FIA/ACC Peshawar alleging

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Peshawar

ATTESTED
EXAMINER
Peshawar High Court
10 DEC 2017

malpractices including use of substandard material in the construction of the aforesaid Project and on conclusion of inquiry, F.I.R. No.33/2015 dated 25.02.2015 has been registered against him and his co-accused/accomplices at Police Station FIA ACC Circle/Sub-Circle Peshawar; that the trial commenced, charge was framed to which the petitioner pleaded not guilty and claimed trial and up till now, no evidence has yet been recorded. The grievance of the petitioner is that meeting for the promotion of the Departmental Selection Board is due in March 2017, and the petitioner is very much entitled for the promotion as the petitioner would be promoted from Additional Director to Director/SE in the same scale BPS-19 and on promotion there would be no loss to exchequer, but due to the pendency of the above noted criminal case, the Departmental Selection Board is not considering the promotion case of the petitioner. Feeling aggrieved from acts of the respondents, the petitioner has invoked the constitutional jurisdiction of this Court through the present petition.

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[Signature]
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3. We have heard arguments of the learned counsel for the parties and perused the material available on the file with their able assistance.

4. Learned counsel for the petitioner while relying on the cases Maj. Ziaul Hassan, Home Secretary and others vs Mrs. Naseem Chaudhry (2000 SCMR 645), Salahuddin Mughal vs Province of Sindh through Chief Secretary/Chairman and 2

[Signature]
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 Inspectorate of Mines
 K.P.K. Peshawar

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 2017

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others (2012 PLC (C.S.) 1018), Muhammad Hanif vs Province of Sindh and others (2011 PLC (C.S.) 534), Nazeer-ud-Din vs. Government of Pakistan through Secretary, Passport and Immigration Department and others (2017 PLC (C.S.) 578), N.A. Qureshi vs Government of the Punjab and 2 others (PLD 1982 Lahore 242), argued that the only cause for non-considering the petitioner for promotion to BPS-19, is the pendency of a criminal case against him which should not be a bar in promotion of a civil servant. He solicited for acceptance of the writ petition.

5. Comments were requisitioned from the respondents. They in their comments have categorically stated that the case of promotion of the petitioner along with others will be placed before promotion board for consideration. At another point, the respondents have stated that "a criminal trial is pending wherein, challan is already been put in Court but even then case of petitioner for promotion is being processed to the upcoming Promotion Board meeting". The respondents in their comments have not denied the right of petitioner for promotion, so the apprehension of the petitioner for deferment of his name for promotion has come to an end. Even otherwise, "it is constantly held by the higher Courts that deferment and withholding of an employee's promotion on pretext of pendency of criminal case or departmental proceedings is without justification."

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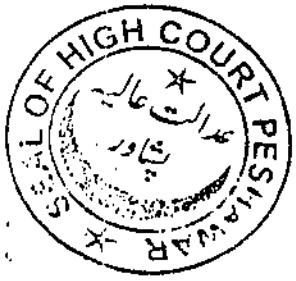
6. On the basis of what has been discussed above, we admit and dispose of this writ petition with the directions to the respondents that the case of petitioner be considered for promotion to BPS-19 and the pendency of criminal case against him should not stand as a hurdle in his way.

Handwritten signatures and notes in Urdu script.

Announced:
23-11-2017

Signature
JUDGE

(D.B.)
Honourable Mr. Justice Qasim Rashid Khan
Honourable Mr. Justice Muhammad Ghazanfar Khan



CERTIFIED TO BE TRUE COPY

Examiner,
Peshawar High Court, Peshawar
Authorized Under Article 8.7 of
The Courts (Shariat) Ordinance, 1974
16 DEC 2017

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Govt. of Khyber Pakhtunkhwa,
Peshawar

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

2017 PLC (C.S.) 578
(Islamabad High Court)
Before Miangul Hassan Aurangzeb, J
NAZEER-UD-DIN
Versus

GOVERNMENT OF PAKISTAN through Secretary, Passport and Immigration
Department and others
Writ Petition No.2876 of 2016, decided on 26th December, 2016.

Civil service---

---Promotion---Non-consideration of employee for promotion due to pendency of criminal case--
--Scope---Department did not consider the employee/petitioner for promotion due to criminal case pending against him---Validity---No one could be punished by denying promotion or considering for promotion before the charge was established against him---Mere pendency of a criminal case was no ground for denying consideration for promotion---First Information Report had been registered against the employee but it was yet to be established whether or not he was guilty of the alleged offence---Employee could not be denied consideration for promotion until the conclusion of trial against him---Promotion was not vested right but consideration for promotion in accordance with law was a vested right---Jurisdiction of Service Tribunal would not attract with regard to matter concerning with fitness of employee for promotion---Department was directed by High Court not to consider the criminal case pending against the employee as an obstacle for his consideration for promotion in accordance with applicable law if he was otherwise eligible for such consideration---Constitutional petition was allowed in circumstances.

Muhammad Ayaz Khan v. Government of Sindh 2007 PLC (C.S.) 716 ref.
Zia ul Hassan v. Nadeem Chaudhry 2000 SCMR 645 distinguished.
Mumtaz Ali Shah v. Chairman, Pakistan Telecommunication Company Ltd. PLD 2002 SC 1060; Muhammad Hanif v. Province of Sindh 2011 PLC (C.S.) 543; Salahuddin Mughal v. Province of Sindh 2012 PLC (C.S.) 1018; Secretary, Establishment Division v. Aftab Maneka 2015 SCMR 1006 and I.A. Sherwani and others v. Government of Pakistan 1991 SCMR 1041 rel.
Amjad Ali for Petitioner.
Arshad Khan Jadoon, Deputy Attorney-General for Respondents.
Date of hearing: 8th November, 2016.

JUDGMENT

MIANGUL HASSAN AURANGZEB, J.— Through the instant writ petition, the petitioner, Nazeer-ud-Din, seeks a direction to the respondents to consider him for promotion to the post of Assistant (BPS-14) with effect from the creation of a vacancy. The respondent's did not consider the petitioner for promotion due to the pendency of a criminal case against the petitioner.

2. Learned counsel for the petitioner submitted that the registration of an FIR under the provisions of the Prevention of Corruption Act, 1947, against the petitioner could not pose a valid ground for not considering him for promotion. He further submitted that every person is presumed to be innocent until proven guilty; and that the National Accountability Bureau had issued a circular to the effect that a civil servant cannot be denied promotion simply because he was under investigation. In making his submissions, the learned counsel for the petitioner placed reliance on the law laid down in the cases of Zia ul Hassan v. Nadeem Chaudhry (2000 SCMR 645) and Muhammad Ayaz Khan v. Government of Sindh (2007 PLC (C.S.) 716).

3. On the other hand, the stance taken by the respondents in their parawise reply is that the case against the petitioner was pending before the learned Trial Court; that the petitioner had obtained bail, but had not been acquitted from the charge; that the petitioner had not filed any departmental appeal; that the petitioner could invoke the jurisdiction of the Federal Service Tribunal, and that this petition was not maintainable under Article 199 of the Constitution. The learned Deputy Attorney-General submitted that since the criminal case against the petitioner had not been concluded, he could not be considered for promotion.

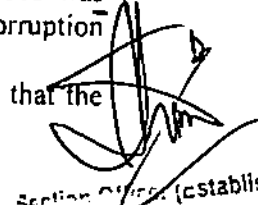
4. I have heard the contentions of the learned counsel for the parties and have perused the record with their able assistance.

5. The record shows that the petitioner was appointed on 31.07.1990 as an Upper Division Clerk in the Bureau of Emigration and Overseas Employment. The petitioner claims to be eligible for promotion to the post of Assistant (BPS-14). On 26.01.2015, FIR No.19/2015 was registered at Police Station FIA, Peshawar, under Sections 5(2) of the Prevention of Corruption Act, 1947, against the petitioner and three others.

6. The allegations against the petitioner in FIR No.19/2015, dated 26.01.2015 are that the

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petitioner along with other members of staff posted at the office of Protector of Emigrants at Malakand, were collecting bribe from the public for the Deputy Director, Protector of Emigrants, Malakand. As per the contents of the said FIR, the evidence against the petitioner included video footage of the office of Protector of Emigrants, Malakand in which officials are seen taking money from different people. This video footage was contained in three DVDs. Technical forensic report of the Deputy Director (Forensic) Cyber Crime Circle, Peshawar regarding the said DVDs had also been obtained. Reliance was also placed on reports in local newspapers regarding the grievances of the public against the staff at the office of Protector of Emigrants at Malakand. The accused nominated in the FIR denied any involvement in corruption, but could not justify as to why they were taking money directly from people, especially when their job description did not include dealing with money directly. The job description of the Protector of Emigrants is to register the emigrants proceedings abroad after depositing the requisite fee under Rules 22-A, 23 and 26 of the Emigration Rules, 1975. In view of these facts, a case under Section 5(2) of the Prevention of Corruption Act, 1947, was registered against the accused nominated in the said FIR including the petitioner.

7. The admitted position is that the petitioner has been nominated in FIR No.19/2015, dated 26.01.2015 registered at Police Station FIA, Peshawar under section 5(2) of the Prevention of Corruption Act, 1947. Although the petitioner has been granted bail, the trial against the petitioner has not been concluded.

8. The key issue involved in the present petition is that whether on account of pendency of a criminal case, the petitioner could be denied consideration for promotion. The only stand taken by the respondents is that the petitioner could be denied promotion by the respondents on account of pendency of a criminal case.

9. Now, it is well-settled that no one could be punished by denying him promotion or consideration for promotion before the charge is established against him. Mere pendency of a criminal case is no ground for denying him consideration for promotion. Although an FIR has been registered against the petitioner, it is yet to be established whether or not the petitioner is guilty of the offence that he has been accused with. Until the conclusion of the trial against the petitioner, he cannot be denied consideration for promotion. Promotion is not the petitioner's vested right, but consideration for promotion in accordance with the law, indeed is. In holding so, it gain support from the law laid down in the following cases:-

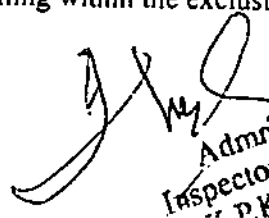
(i) In the case of Mumtaz Ali Shah v. Chairman, Pakistan Telecommunication Company Ltd. (PLD 2002 SC 1060), the appellant was not promoted due a criminal case pending against him, whereas civil servants junior to him were promoted. The appellant sought his promotion with effect from the date when his juniors were promoted. Even after the prosecution withdrew the case against the appellant, the authorities refused to promote him. The Services Tribunal upheld the decision of the authorities not to promote the appellant. The Hon'ble Supreme Court set aside the decision of the Services Tribunal, and inter alia held that the appellant had been wrongly denied promotion from the date when his juniors were promoted.

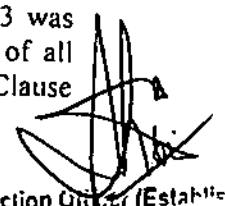
(ii) In the case of Muhammad Hanif v. Province of Sindh (2011 PLC (C.S.) 543), the Hon'ble High Court of Sindh give a direction to the respondents to consider the petitioner's case for promotion purely on merits without any regard to the pendency of any criminal or civil case against him.

(iii) In the case of Salahuddin Mughal v. Province of Sindh (2012 PLC (C.S.) 1018), the petitioner was not promoted because a number of enquiries were pending against him and a reference had also been filed against him by the National Accountability Bureau. It was held by the Hon'ble High Court of Sindh that pendency of a reference would not debar a civil servant for being considered for promotion. The Hon'ble High Court directed the department to consider case of the petitioner for promotion in accordance with law.

10. As regards the objection to the jurisdiction of this Court taken by the respondents in their written comments, I am of the view that this matter concerns the fitness of the petitioner for promotion, hence, the jurisdiction of the Service Tribunal would not be attracted in terms of the law laid down in the cases of Secretary, Establishment Division v. Aftab Maneka (2015 SCMR 1006), wherein it has been held as follows:-

"13. Article 212(1)(a) is an enabling provisions empowering the legislature to establish Tribunals exercising exclusive jurisdiction in matters relating to the terms and conditions of service of persons who are or have been in the Service of Pakistan. It is in view of this Constitutional provision that the Federal Service Tribunal Act, 1973 was enacted. Clause (2) of Article 212 of the Constitution excludes the jurisdiction of all Courts in matters falling within the exclusive jurisdiction of Tribunal set up under Clause


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(1) of Article 212 of the Constitution . Section 4 of the Federal Service Tribunal Act, 1973 provides for appeals to the Tribunal by a civil servant aggrieved of any order regarding terms and conditions of his service. Clause (b) of subsection (1) of section 4 of the Federal Service Tribunal Act expressly bars the Tribunal from entertaining appeal against the decision of a departmental Authority determining the fitness or other wise of a person to be promoted to a higher grade. The Tribunal has thus no jurisdiction to examine whether or not a civil servant is fit for promotion to a higher grade. Under Clause (2) of Article 212 of the Constitution the jurisdiction of the Court is ousted only over matters falling within the exclusive jurisdiction of the Tribunal established under Clause (1) of Article 212. As the determination of fitness of a civil servant for promotion has been excluded from jurisdiction of the Tribunal, the ouster Clause (2) of Article 212 therefore does not extend to such matters. It has been consistently held by this Court that the Constitutional Jurisdiction of the High Court is not ousted in matters pertaining to appointment of a civil servant to a particular post or to be promoted to a higher grade."

11. Additionally, in the case of I.A. Sherwani and others v. Government of Pakistan (1991 SCMR 1041), it has been held as follows:---

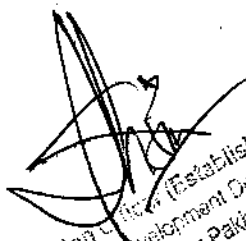
"9. From the above-quoted Article 212 of the Constitution and section 4 of the Act, it is evident that the jurisdiction of the Courts is excluded only in respect of the cases in which the Service Tribunal under subsection (1) of section 4 has the jurisdiction. It must, therefore, follow that if the Service Tribunal does not have jurisdiction to adjudicate upon a particular type of grievance, the jurisdiction of the Court remains intact."


12. As regards the case law relied upon by the learned counsel for the petitioner, in the case of Zia ul Hassan v. Nadeem Chaudhry (Supra) it was held that the mere fact that disciplinary proceedings were pending against a person was not a sufficient ground not to consider him for promotion. The proceedings against the petitioner, in the instant case, are not departmental proceedings, but criminal proceedings. Hence, the said judgment is distinguishable. In the case of Muhammad Ayaz Khan v. Government of Sindh (Supra) it was held by the Hon'ble High Court of Sindh that a civil servant, could not be denied consideration for promotion merely because an inquiry against him was pending in the National Accountability Bureau.

13. In view of the above, the objection taken by the respondents to the jurisdiction of this Court is spurned. Consequently, this petition is allowed and it is held that the pendency of the above mentioned case against the petitioner should not be considered as an obstacle to the petitioner's consideration for promotion in accordance with the applicable law, if he is otherwise eligible for such consideration. There shall be no order as to costs.

ZC/8/1sl.

Petition allowed.


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Peshawar

2011 P L C (C.S.) 54

[Sindh High Court]

Before Ahmad Ali Shaikh J

MUHAMMAD HANIF

Versus

PROVINCE OF SINDH and others

Constitutional Petition No. D-968 of 2009, decided on 9th March. 2010.

Constitution of Pakistan---

---Art. 199---Constitutional petition---Civil service---Promotion---Petitioner was deprived from being promoted merely because of pendency of an F.I.R. against him---Additional Advocate General, agreed in principle that the matter could be referred to the Departmental Promotion Committee to decide case of the petitioner on merits without any regard whatsoever to pendency of the F.I.R. against the petitioner---Matter was disposed of by directing the authorities to consider the case of the petitioner for promotion purely on merits without any regard whatsoever to pendency of any criminal or civil case against him.

Muhammad Ayaz Khan v, Government of Sindh and others 2007 PLC (C.S.) 716 ref.

Muhammad Nawaz Shaikh for Petitioner.

Adnan A. Karim, A.A.-G. for Respondent.

ORDER

AHMAD ALI SHAIKH, J.--- Learned counsel for the petitioner has submitted that mere pendency of an F.I.R., against a civil servant, cannot deprive him from being promoted. Even otherwise, in the case which is relied upon by the learned A.A.-G. being F.I.R. No.18/2003 of Police Station Anti-Corruption Establishment (ACE) Larkana, the name of the petitioner does not transpire. In such event it can hardly be presumed that there is any F.I.R. against him, for which he could be denied promotion. He has relied upon the case reported in Muhammad Ayaz Khan v. Government of Sindh and others 2007 PLC (C.S.) 716.

In reply, learned A.A.-G. has submitted that he may be given time to prepare further papers with regard to such F.I.R. However, he has agreed in principle that the matter can be referred to the Departmental Promotion Committee (D.P.C.) to decide the petitioner's case on merits without any regard whatsoever to pendency of the F.I.R.

We have heard learned counsel for the petitioner as well as learned A.A.-G. In the circumstances of the case, we would dispose of the matter by directing the respondents to consider the case of the petitioner for promotion purely on merits without any regard whatsoever to pendency of any criminal or civil case against him.

H.B.T. 25/K

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Order accordingly.

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SCMR 645

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[Supreme Court of Pakistan]

Present: *Irshad Hasan Khan, Munawar Ahmed Mina and Ch. Muhammad Arif, JJ*

Maj. ZIAUL HASSAN, HOME SECRETARY and others---Petitioners

versus

Mrs. NASEEM CHAUDHRY---Respondent

Criminal Petition No. 510-L of 1999, decided on 20th October, 1999.

(On appeal from the judgment, dated 27-9-1999 of the Lahore High Court, Lahore in Cr.Org.No.279-W of 1999).

Civil service-

---Promotion---Supreme Court had found that civil servant had not been promoted by superseding any officer senior to her; she was entitled to be promoted from the date her juniors were promoted and there was no valid reason not to consider her for the promotion---Mere fact that some disciplinary proceedings were pending against the civil servant was not a sufficient ground to disregard the order passed by the Supreme Court--Promotion of civil servant, however, would not debar the Authorities to continue with the disciplinary proceedings against the civil servant, if any, justly, fairly and in accordance with law.

Inspector-General of Police, Punjab, Lahore and others v. Mrs. Naseem Chaudhry and others C.P.L.A. No. 1617-L of 1997 ref.

Ghulam Haider Alghazali, Additional Advocate-General, Punjab and Rao Muhammad Yusuf, Advocate-on-Record for Petitioners.

Respondent in person.

Date of hearing: 20th October, 1999.

JUDGMENT

IRSHAD HASAN KHAN, J.---This petition is directed against the judgment, dated 27-9-1999 passed by the Lahore High Court in Crl. Original No.279-W of 1999

2. The dispute herein relates to the promotion of the respondent as Deputy Superintendent of Police.

3. This Court through judgment, dated 15-4-1999 passed in C.P.L.A. No. 1617-L of 1997 entitled The Inspector General of Police, Punjab, Lahore etc. v. Mrs. Naseem Chaudhry, etc., while dismissing

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[Signature]
Assistant Officer
Inspectorate of Mines
K.P.K. Peshawar

Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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Tribunal was right in holding that the respondent had not been promoted by superseding any officer senior to her. She was entitled to be promoted from the date her A juniors were promoted. There was no valid reason not to consider her case for promotion as DSP as above. The impugned order appears to be just, fair and equitable. Mr. Ghuman was unable to substantiate his plea that the impugned order suffers from any illegality. Be that as it may, no substantial question of public importance is involved to warrant interference in these proceedings."

4. The petitioner not implemented the above order passed by this Court. The respondent therefore, approached the High Court for redress of her grievance. The contempt application was also filed on 25-1-1999 wherein notice was issued to the petitioner, who took the plea that the respondent could not be promoted as some disciplinary proceedings had been initiated against her. The contention was repelled by the learned Judge in Chambers vide the impugned order, dated-27-9-1999, which is to the following effect:--

"The learned Advocate-General says that the petitioner has been suspended from service and as such the question of her promotion does not arise. The learned counsel for the petitioner has, however, placed on record, a copy of the order, passed by the Punjab Service Tribunal on 30-8-1999, whereby the order of suspension of the petitioner has been suspended. That being so, there is no hurdle left in the way the respondent for implementation of the orders passed by this Court. The needful shall now be done within one week from today failing which coercive process shall be issued against the respondents. "

5. The learned Additional Advocate-General, Punjab submitted that the High Court fell into error by not considering in true perspective that the disciplinary proceedings have been initiated against the respondent and, therefore, there was genuine hurdle in the way of petitioner to promote her in accordance with the orders passed by the Supreme Court as well as the High Court.

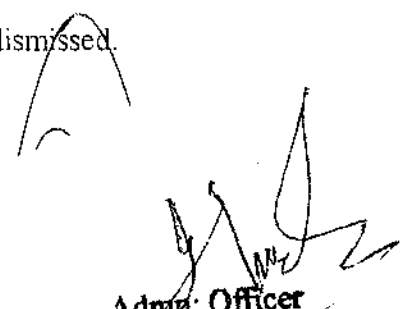
6. We are afraid that the mere fact that some disciplinary proceedings are pending against the respondent is not a sufficient ground to disregard the order passed by this Court. However, we may clarify that promotion of the 8 respondent as DSP will not debar the petitioner to continue with the disciplinary proceedings against the respondent if any, justly, fairly and in accordance with law.

7. With the above observation, the petition is dismissed and leave to appeal declined.

M.B.A./Z-33/S

Petition dismissed.


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Admn: Officer
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Peshawar

ORDER SHEET

IN THE LAHORE HIGH COURT MULTAN BENCH

MULTAN

JUDICIAL DEPARTMENT

Case No. W.P.No.14949/2012

Muhammad Saleem Versus Govt. of the Punjab etc.

S.No. of order/ proceeding	Date of Order/ proceeding	Order with signature of Judge and that of parties or counsel where necessary.
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25.06.2014

Mr. Muhammad Ali Siddiqui Advocate for petitioner Mr. M. Aurangzeb khan A.A.G alongwith Saleem Akhtar Qureshi District Officer Co-Operative Multan, respondents No.1, 2 and 3.

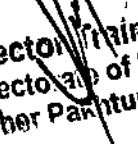
In the instant writ petition, the petitioner being a civil servant has challenged vires of Sub-Rule (iv) of the Rule-9 of the Promotion Policy 2010 and decision of the Provincial Selection Board with respect to the deferment of the petitioner for promotion as same being un-Islamic, un-constitutional, and discriminatory and against the fundamental rights of the petitioner.

2. The question of law to be determined by this court is reproduced as under:-

Whether promotion of the civil servant could be deferred which he otherwise entitled to, on a sole ground that a case or inquiry is pending against him in which he is yet to be proven guilty?

3. Brief Facts of the case are that the petitioner was appointed on 07.04.1984 as Assistant Registrar (BS-16) through Punjab Public Service Commission.

4. The Promotion of the petitioner in BS-19 has been due since 04.12.2011 on the retirement of one Fayaz ul Hassan Farooqi Senior to him. However he has not been promoted since that date.


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5. On 01.03.2012 vide notification No. SO(R)7-3/96(P-III), a final seniority list was issued by the Secretary Co-Operatives whereby the petitioner was placed at S.No.1 and respondent No.4 to 7 were placed at S.Nos. 2, 3, 4 and 5 respectively.

6. On 24.07.2012, meeting of the Provincial Selection Board was held where by respondents No. 4 to 7 were promoted to BS-19 and the promotion of the petitioner was deferred.

7. Leaned counsel for the petitioner contends that the promotion of the petitioner was deferred, which he otherwise his entitle to as per the impugned rule. Further submits that the petitioner has a spotless carrier and is at verge of his retirement till today, not an FIR as well as not a single inquiry has been registered and initiated against him, hence his deferment is raising question on his credibility and unblemished carrier that requires kind interference by this honorable court. Reliance is placed on Captain Sarfaraz Ahmad Mufti vs Govt: of the Punjab and others (1991 SCMR 1637) Major. Zia ul Hassan, Home Secretary and others vs Mrs. Naseem Choudhry (2000 SCMR 645) Sh. Muhammad Riaz Vs Govt of Punjab [(2003 PLC (CS) 14960] and Muhammad Afzal Khan Vs Govt of Punjab through Secretary to Govt: of the Punjab, C&W Department and another [(2009 PLC (CS) 40].

8. Report and parawise comments were filed by the respondents. One of the preliminary objection was that that matter relates with the terms and conditions of the promotion and the petitioner has not availed his remedy by way of filing appeal before the Punjab Service Tribunal, hence constitutional petition is not maintainable.

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9. On facts, respondent's No.1 & 3 also on controverted the prayer mad by conducting that the promotion case of the e petitioner was placed before the Punjab Selection Board, but the Board deferred the same due to the reason that an FIR No. 18/2010 Police Station , Anti-Corruption Establishment Multan is pending against the petitioner and the petition is hit by the Promotion Policy of 2010. However a post in BS-19 has been reserved for the petitioner subject to his exoneration form the above said case and will be granted promotion from the date when juniors were promoted.


10. I have given anxious consideration to the arguments advance by learned counsel for the petitioner and the learned AAG, Punjab.

11. Before arriving at a conclusion that the Policy under challenge is sustainable under the law or not, it will be proper to understand spirit of Article 8 of the Constitution of Pakistan 1973; which is re-produced herein under.

"8, Laws inconsistent with or in derogation of Fundamental Rights to be void. (1) Any law or any custom or usage having the force of law, in so far as it is inconsistent with the rights conferred by this Chapter, shall to the extent of such inconsistency be void.

(2) The state shall not make any law which take away or abridge the rights so conferred and any law made in contravention of this clause shall to the extent of such contravention be void.

12. Admittedly in the constitution; the Superior courts have been mandated to ascertain either any law is inconsistent with the rights conferred by the



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Constitution i.e Fundamental Rights. In Tariq Cotton Mills Ltd, and another Vs, Joint Registrar, Joint Stock Companies and another (1989 CLC 2013), It is held that the State is prohibited to make any law which curtails or take away any Fundamental Right and any law so made shall to the extent of inconsistency with such rights, is to be void. The same principle of law has been enunciated in Sharaf Faridi Vs The Federation of Islamic Republic of Pakistan through Prime Minister of Pakistan and another (PLD 1989 Karachi 404), It was held that limitation has been placed on the legislature not to curtail the Fundamental Rights or abridge them by any law.

13. Question of Law raised by the petitioner is answered in following terms.

- i) Any judgment passed by the Hon'able Supreme Court of Pakistan in which a question of law has been determined is binding on all the Courts subordinate to the Apex Court, as contemplated in Article 189 of Islamic Republic of Pakistan, 1973.
- ii) The petition in hand has been filed on the touch stone, of above quoted judgments of the Hon'ble Supreme Courts of Pakistan.
- iii) In the case of Maj Zai-ul-Hassan , Home Secretary Vs Mrs. Naseem Ch. (2000 SCMR 645), the Hon'ble Supreme Court has held that ,

We are afraid that the mere fact that some disciplinary proceedings are pending against the respondent is not a sufficient ground to disregard the order passed by this Court. However we may clarify that promotion as DSP will not debar the petitioner.


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Khyber Pakhtunkhwa

to continue with the disciplinary proceedings against the respondent if any, justly, fairly and in accordance with the law.


iv) In case titled as Captain Sarfaraz Ahmad Mufti Vs Government of Punjab & others (191 SCMR,1637) the Hon'ble Supreme Court upheld judgment of High Court in which the High Court had directed departmental authorities that case of civil servant be placed before Promotion Board.

The High Court had referred to certain policies letters of the Government under which respondents Civil Servant case for promotion merited consideration, but he was illegally ignored.

v) In the same manner in case of Sh. Muhammad Riaz Vs Government of Punjab through Secretary Communication and works and another [(2003 PLC (C.S), 1496)]. It was held that withholding of promotion is a penalty and therefore refuse to issue a formal notification of the promotion of the petitioner after he had been recommended by the Provincial Selection Board which was duly approved by the competent authority was illegal and arbitrary as much as that it was withheld on the ground of as anticipated departmental inquiry.

14. A principle of law has been enunciated by the Superior Courts. The nutshell of the same is that a civil servant against whom a departmental inquiry or criminal proceedings are pending is not an outcast for the purpose consideration of his case for promotion and there is no bar on his promotion.

15. The above quoted judgments, in which question of law has been settled have attend finality and force


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of law. Any policy of the Government including promotion Policy 2002 of the Government of Punjab cannot come in its way and has become redundant.

16. For what has been discussed above the instant writ petition is allowed Sub Rule (iv) of Rule 9 of the Promotion Policy 2002 of Government of Punjab is hereby declared Un-constitutional against the spirit of the article 8 of the Constitution and against the principle of law enunciated by the Hon'able Superior Courts of Pakistan.

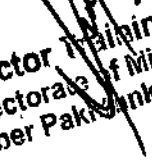
The respondent department is directed to place the case of petition to the Provincial Promotion Board and his case may be considered for promotion within a period of 30 days.

Announced

On 14.07.2014

(Shah Khawar)
Judge

APPROVED FOR REPORTING


Director Training
Inspectorate of Mines
Khyber Pakhtunkhwa

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

113

Present:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ
Mr. Justice Jawwad S. Khawaja
Mr. Justice Gulzar Ahmed

Civil Petition No. 1246 of 2013

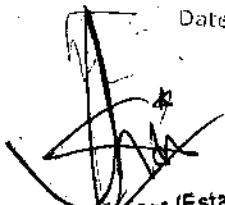
[On appeal from the order dated 02.05.2013, passed by the Peshawar High Court, Peshawar in Review Petition No. 33-P/13 in W.P.No. 1040-P/2011]

M/s New Empires Minerals, through Aamar Jahan Khan Petitioner(s)
its Managing Director Nazaarabad House, Khanpur Road,
Pind Munim, P.O. Bandi Midnim, Tehsil and District
Haripur, Hazara

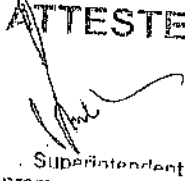
VERSUS


Rukhsana Javed W/o Javed Iqbal, resident of House Respondent(s)
No.1, St.No.6, Sir Syed Colony, Abbottabad through her
attorney Syed Saleem Shah son of Makhan Shah,
resident of Garlanian, Tehsil and District Abbottabad and
others.

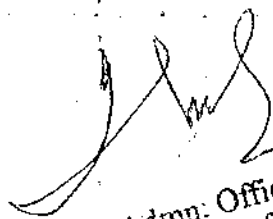
For the Petitioner(s) : Barrister Masood Kausar, Sr. ASC.
For the Applicant (s) : Mr. Taufique Asif, ASC.
(In CMA No.6377/13)
For Respondent No.1 : Mr. Abdul Hafeez Pirzada, Sr. ASC
Miangu Hassan Aurangzeb, ASC
Mr. Mehmood A. Sheikh, AOR.
For Respondents No.2-6 : Mr. Naveed Akhtar, Addl.A.G. KPK
For Respondent No.7 : Raja M. Ibrahim Satti, Sr. ASC
Mr. M.S. Khattak, AOR.
On Court's Notice : Mian Farooq Iqbal, Ex-DG, Mines & Minerals
Mr. Shakirullah, Director Exploration
Mr. Mustafa Kamal Shah, DG, Mines & Minerals.
For M/o Defence : Mr. Muzaffar Saleem, Deputy Secretary.
Date of Hearing : 24.10.2013


Section Officer (Establishment)
Minerals Development Department
Govt. of Khyber Pakhtunkhwa,
Peshawar

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Superintendent
Supreme Court
Islamabad


Section Officer (Establishment)
Minerals Development Department
Govt. of Khyber Pakhtunkhwa,
Peshawar


Admn. Officer
Inspectorate of Mines
K.P.K. Peshawar

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ORDER

GULZAR AHMED, J.— By this petition, the petitioner has challenged the order dated 02.05.2013 passed by the learned Division Bench of the Peshawar High Court, Peshawar, by which the Review Petition No.33-P/2013 for review of judgment dated 12.07.2012 passed in Writ Petition No.487 of 2011 was dismissed. The order being a short one is reproduced hereinbelow:-

"Seeks review of the order dated 12.07.2012 given in W.P.No.487/2011, however, after going through the entire judgment we see no reason much less plausible to bring this case within the scope of review, a limited one, however, our remarks given in para 10 of the judgment under review, provide sufficient safeguard to the petitioner, the rival claimant, to plead his case before the competent authority according to the observations made by this Court. Petition dismissed."

2. The factual background of the case as it appears from the record is that Sarhad Development Authority (SDA) had obtained a lease for mining of Phosphate in village Tarnawal Tehsil and District Abbottabad. The SDA through an advertisement dated 17.09.2006 sought bids for the mining of Phosphate. In response to the said advertisement, the petitioner submitted its bid, which ultimately was accepted and an agreement dated 09.12.2006 was made between the petitioner and SDA for extraction of mining of Phosphate from the leased area. The agreement was for a term of three years and extendable with mutual consent of both the parties. The

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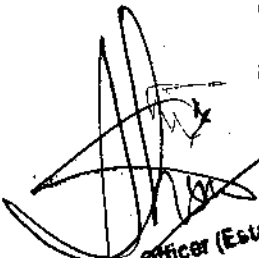
Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar

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Minerals Development Department,
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Authority decided the appeal vide order dated 15.01.2008 by which appeal of respondent No.1 was dismissed with observation that the area already stand reserved for auction by the Mining Committee. In the meanwhile during pendency of appeal before the Appellate Authority the SDA has surrendered the lease in favour of D.G. (Mines & Minerals). The order of the Appellate Authority was challenged by respondent No.1 by filing 6 Writ Petitions in the Peshawar High Court and while such writ petitions were pending, respondent No.1 through a letter dated 30.06.2008 addressed to the D.G (Mines & Minerals) NWFP, Peshawar, asked to resolve the matter amicably. This letter of respondent No.1 was positively responded by the D.G. (Mines & Mineral) and a committee was constituted comprising of Director (Licensing/Exploration), Chief Inspector (Mining), Deputy Director (Mineral-III), Assistant Director (Litigation) and Senior Geologist (EPD) to negotiate with respondent No.1. Ultimately through letter dated 10.02.2009 the Directorate General (Mines & Minerals) agreed to grant 2 years prospecting license for phosphate mining over an area of 498.96 acres under the provision of Mining Concession Rules, 2005.

3. It is contended by Barrister Masood Kausar, learned Sr. ASC for the petitioner that there is no provision under the Mining Concession Rules for grant of prospecting license on amicable basis and such grant of prospecting license to


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respondent No.1 is in direct violation of NWFP (now KPK) Mining Concession Rules, 2005 as it does not envisage granting of prospecting license by the Directorate General (Mines & Mineral) through a private amicable settlement after negotiations with the applicant seeking grant of prospecting license rather it has to be auctioned through proper advertisement. He has specifically referred to Rule 185 of such Rules and contended that the area of prospecting license granted to respondent No.1, as per the government own record, has proven reserves of phosphate and was required to be auctioned. He further contended that respondent No.1 has been unlawfully accommodated by the Directorate General (Mines & Minerals), Peshawar, on account of connection of her husband with the said Department and that the whole exercise of granting of prospecting license to respondent No.1 is not only illegal but is based upon malafide. He also contended that the minerals resources are gift of nature to the people of the country and the public functionaries act as trustees, who cannot dole out this gift on their own whims and caprice. He relied upon the case of Maulana Abdul Haque Baloch & others v. Government of Balochistan thr. Secretary Industries and Mineral Development & others (PLD 2013 SC 641) (Reko Diq case).

4. Mr. Abdul Hafeez Pirzada, learned Sr. ASC for respondent No.1 in the first place has taken objection with regard to jurisdiction and has denied that there was illegality in the

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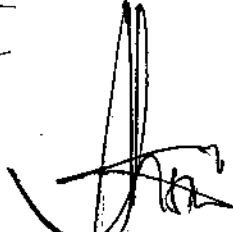
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amicable settlement and granting of prospecting license to respondent No.1.

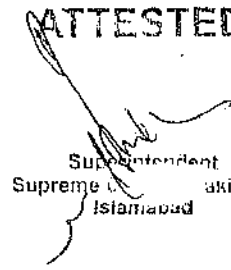
5. Mr. Naveed Akhtar, learned Additional Advocate General, KPK, at the very outset has contended that the Chief Minister, KPK, had taken cognizance of granting of prospecting license and on his order Provincial Inspection Team had conducted an enquiry and in the enquiry report action was recommended, inter alia, taking of disciplinary proceedings against Mr. Shakir Ullah, the then Director General (Mines & Minerals), Mr. Khan Badshah, Director (EPD) Hazara Division and Mr. Nauroz Khan, Senior Geologist (Mines & Minerals) for maneuvering the grant of prospecting license in violation of rules and recovery to the tune of Rs.500-Million be also made from the above 3 officers and rest of the members of Amicable Settlement Committee be issued warning and the prospecting license granted to respondent No.1 be cancelled and put to auction in the public interest. In the subsequent enquiry report of PIT conducted on the Chief Minister's Secretariat letter dated 07.08.2013 further illegalities in grant of prospecting license to respondent No.1 were highlighted and she was also implicated in criminal cases bearing FIR Nos.541 dated 29.05.2011 and 654 dated 13.07.2011 both registered at Police Station Mirpur District Abbottabad, for illegal mining.

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6. After having heard the learned counsel for the parties at some length, Mr. Abdul Hafeez Pirzada, learned Senior ASC for respondent No.1, on instructions from his party, made a statement that respondent No.1 will have no objection if the impugned order dated 02.05.2013 is set aside and the matter is remanded to the learned Peshawar High Court for rehearing and deciding the Review Petition of the petitioner afresh. The learned Additional Advocate General, KPK, has also filed a statement (CMA No.6554/2013) in the Court today; the contents of which run as follows:-

"The Government of Khyber Pakhtunkhwa has conducted an enquiry into the illegal grant of prospecting license of Phosphate mines and its subsequent conversion into a mining lease for a maximum period of thirty years to Mst.Rukhsana Javed (copy enclosed).

The provincial Government intends to proceed in accordance with the rules for cancellation of the mining lease and the earlier prospecting license in terms of para-10 of the judgment dated 12.07.2012 of Hon'able Peshawar High Court delivered in W.P.No.487/2011 in the case titled M/s Rukhsana Javed Versus Government.

The area of 498,063 Acres when retrieved shall be leased out through public auction in a fair and transparent manner. "

The learned Additional Advocate General, KPK, has also given his no objection for remanding the case to the learned Peshawar High Court.


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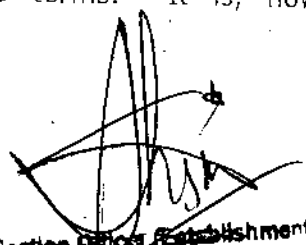
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7. The learned counsel for the petitioner also agreed to the remanding of the matter by setting aside the impugned order. He, however, requested that the petitioner's Writ Petition No.993 of 2012 which is still pending may be ordered to be clubbed along with the Review Petition and both these matters be decided together expeditiously.

8. Therefore, at the fag end of hearing where the learned counsel for the parties have agreed to have the impugned order set aside and matter remanded to the learned Peshawar High Court for deciding the Review Petition of the petitioner afresh, we abstain from recording our observation with regard to various aspects of the matter which have been highlighted before us and a gist of which has been noted above and while remanding the matter leave it to be decided by the learned Peshawar High Court, after taking into consideration all the relevant aspects of the matter and applicable law and to pass judgment with detailed reasons not only in the Review Petition but also in the Writ Petition No.993 of 2012 of the petitioner. As the matter appears to be having a long chequered history, it is expected that the learned Peshawar High Court will decide both these matters expeditiously preferably within a period of one month. Consequently, the impugned order dated 02.05.2013 is set aside; the petition is converted into an appeal and is allowed in the above terms. It is, however, observed that Departmental


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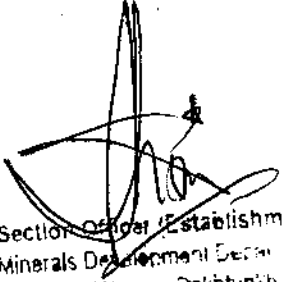
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Authority shall make all efforts to decide fate of the matter expeditiously without waiting for decision of the learned High Court to enable the latter to have benefit of its findings.

9. Before we part with the matter, it may be noted that one Mian Farooq Iqbal, Ex-DG (Mines & Minerals) has filed CMA No.6350/2013 in which he has complained that on account of his persistence to file Petition for Leave to Appeal before this Court against the judgment dated 12.07.2012 of the learned Peshawar High Court, contrary to the Law Department considering it to be unfit case for CPLA, he has been penalized by placing his services as OSD in the Establishment Division since 01.08.2013 and has stated that in his place his junior has been posted as Director General (Mines & Minerals) and has prayed that as the post of Director General (Mines & Minerals) is required to be filled through promotion, his case for promotion to the post of Director General be considered immediately. The learned Additional Advocate General, KPK, was put on note that such treatment of the applicant apparently is violative of the decision of this Court in the case of "Anita Turab" reported as Syed Mahmood Akhtar Naqvi & others v. Federation of Pakistan & others (PLD 2013 SC 195), therefore, the Government of KPK should deal with the applicant strictly in accordance with law more particularly in the light of the judgment of this Court noted above. The learned Additional Advocate General made a categorical statement that


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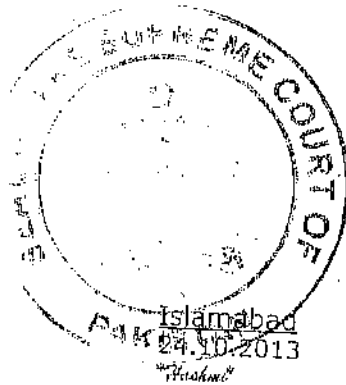
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the case of regular promotion to the post of Director General (Mines & Minerals) BS-20 is being undertaken by the Government of KPK and the applicant's grievance in this respect will be redressed as soon as possible. We, however, expect that the applicant's grievance be redressed and such be done preferably within a period of one month. With this observation CMA is disposed of.

Sd/- Iftikhar Muhammad Chaudhry, CJ
Sd/- Jawwad S. Khawaja, J
Sd/- Gulzar Ahmed, J



Certified to be True Copy

Supintendent
Supreme Court of Pakistan
Islamabad

Announced in open Court on 25th October, 2013.

GR No:	<u>7767/15</u>
Date of Presentation:	<u>13-5-15</u>
No. of Writs:	<u>3000</u>
No. of Petitions:	<u>30</u>
Required:	<u>5.00</u>
Copy:	<u>18.60</u>
Cost:	<u>23.60</u>
Date:	<u>20-05-15</u>
Contd. No.:	<u>265-15</u>
Conquered by:	<u>[Signature]</u>
Received by:	<u>[Signature]</u>

24/4/13

[Signature]
Section Officer (Establishment)
Minerals Development Deptt.
Govt. of Khyber Pakhtunkhwa
Peshawar

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**GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION,

F.No. 5/46/2018-T-II/25th SMC

Islamabad, the. 01st February, 2019

The Rector,
National School of Public Policy.

Lahore:

Subject: **NOMINATIONS OF BS-19 OR EQUIVALENT OFFICERS FOR 25TH SENIOR MANAGEMENT COURSE (SMC) AT NATIONAL MANAGEMENT COLLEGE, LAHORE / NATIONAL INSTITUTE OF MANAGEMENT ISLAMABAD, KARACHI AND PESHAWAR FROM 25-02-2019 TO 14-06-2019.**

Dear Sir,

I am directed to refer to this Division's O.M. of even number dated 28th November, 2018 on the subject noted above and to say that the competent authority has been pleased to approve nominations of various Groups / Services / Departments of BS-19 or equivalent officers for the forthcoming 25th Senior Management Course commencing from 25-02-2019 to 14-06-2019 as under:


Sr. No.	Name of Officer/Place of Posting	Name of Institute (NMC /NIM)
PAKISTAN ADMINISTRATIVE SERVICE (PAS)		
1	Capt. (Retd) Zafar Iqbal, At the disposal of Govt. of Punjab.	Lahore
2	Mr. Saieed Ramzan, Director, Federal Government Employees Housing Foundation, Islamabad.	Islamabad
3	Dr. Aneela Salman, At the disposal of Director, NSPP, Lahore.	Lahore
4	Mr. Anjad Ali Khan, At the disposal of Government of KPK.	Peshawar
5	Mr. Aijaz Ali Pathan, Additional Secretary, Education Department, Government of Sindh.	Karachi
6	Mr. Zaid Bin Maqsood, Deputy Secretary, PM Office, Islamabad.	Islamabad
7	Mr. Muhammad Yahya Akhuzada, At the disposal of Government of KPK.	Peshawar
8	Mr. Bilal Ahmed, Secretary, Finance Department, Government of the Gilgit-Baltistan.	Karachi
9	Raja Khurram Shezad Umar, At the disposal of Government of the Punjab.	Lahore
10	Mr. Sajid Zafar Dall, At the disposal of Government of the Punjab.	Lahore
11	Mr. Babar Aman Babar, At the disposal of Government of the GB.	Islamabad
12	Mr. Iqbal Hussain, At the disposal of Government of the Punjab.	Lahore

(Signature)
Section Officer (Establishment),
Minerals Development Department,
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SECRETARIAT GROUP (SG)		
13	Mr. Muhammad Saeed Ashraf Siddiqi, OSD Establishment Division.	Islamabad
14	Mr. Muhammad Mureed Rahimoon, Deputy Secretary, Climate Change Division, Islamabad.	Islamabad
15	Raja Tanveer Azmi, Deputy Secretary, Federal Education & Professional Training Division.	Islamabad
16	Mr. Aftab Muhammad Khan, Awaiting posting, Establishment Division.	Islamabad
17	Mrs. Shazia Toor, Deputy Secretary, Kashmir Council Secretariat, Islamabad.	Islamabad
18	Mr. Mohammad Tariq, Joint Secretary, PM Office, Islamabad.	Islamabad
19	Mr. Ghulam Mustafa Wahocho, Deputy Secretary, National Health Service, Research Division.	Karachi
20	Mr. Wasif Hussain, Secretary, BOT, A.P.O. Cabinet Division, Islamabad.	Peshawar
21	Mr. Habibullah, Deputy Secretary, Defence Production Division, Rawalpindi.	Peshawar
POLICE SERVICE OF PAKISTAN (PSP)		
22	Mr. Ahmed Nasir Aziz Virk, At the disposal of Federal Investigation Agency (FIA).	Lahore
23	Mr. Mohammad Hassan Raza Khan, DPO Sargodha.	Lahore
24	FIU Lt. (R) Imran Yaqub, Additional Director, FIA.	Lahore
25	Mr. Mansur ul Haq Rana, SSP (Telecom) Punjab, Lahore.	Lahore
26	Mr. Saqib Sultan Almelhood, SSP (Operations) Gujranwala.	Islamabad
27	Mr. Awais Ahmed, AIG (Operations) CPO Punjab, Lahore.	Lahore
28	Mr. Ali javed Anwar Malik, AIG (Complaints) CPO Punjab, Lahore.	Lahore
29	Mr. Zulfiqar Ali Mahar, SSP District Kambar Sindh, Karachi.	Karachi
30	Mr. Mohammad Ijaz Khan, RPO Kohat, Khyber Pakhtunkhwa.	Peshawar
31	Mr. Jahanzeb Nazir Khan, DPO Sheikhpura.	Lahore
MINISTRY OF RAILWAYS		
COMMERCIAL & TRAFFIC GROUP (C & TG)		
32	Mrs. Sayema Bashir, Dy. Chief Operating Superintendent/Coaching, Pakistan Railways, Headquarters Office, Lahore.	Lahore
CIVIL ENGINEERING DEPARTMENT		
33	Mr. Mushtaq Ahmad, Dy. Chief Engineer/North, HQ Lahore.	Karachi
MECHANICAL ENGINEERING DEPTT		
34	Mr. Aqeel Yousaf, Deputy Chief Mechanical Engineer/Locomotive Factory, Risalpur.	Karachi
ELECTRICAL ENGINEERING DEPARTMENT		
35	Mr. Kamran Memon, Joint Director/F&E, Pakistan Railways, Academy, Walton, Lahore.	Karachi
SIGNAL & TELECOMMUNICATION DEPARTMENT		
36	Mr. Ijaz Ahmed Nasim, Joint Director/S&T, Pakistan Railways, Academy, Walton, Lahore.	Karachi

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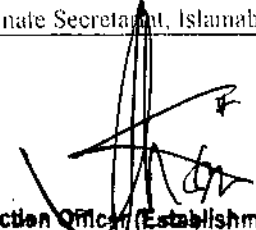
PAKSITAN CUSTOMS SERVICE (PCS)		
37	Mr. Hassan Saqib Sheikh, Customs and Trade Facilitation Secretary, Federal Board of Revenue, Islamabad.	Islamabad
38	Mr. Muhammad Saeed Watto, Additional Collector, Model Customs Collectorate of Appraisement (West), Karachi.	Karachi
39	Ms. Ayesha Niaz, Secretary, Federal Board of Revenue, Islamabad.	Islamabad
40	Mr. Junaid Almed Memon, Additional Director, Directorate of Transit Trade, Karachi.	Karachi
41	Mr. Azood-Ul-Mehdi, Additional Director, National School of Public Policy, Lahore.	Lahore
42	Mr. Karam Elahi, Secretary, Federal Board of Revenue, Islamabad.	Islamabad
43	Mr. Muhammad Arshad Khan, Additional Director, Directorate of post clearance Audit, Islamabad.	Islamabad
44	Mr. Muhammad Asif, General Manager, National Highway Authority (NHA), Islamabad.	Islamabad
45	Ms. Ayesha Bashir Wani, Additional Collector, Chief Collector Customs (North), Islamabad.	Islamabad
46	Mr. Nisar Ahmad, Additional Collector, Model Customs Collectorate, Islamabad.	Peshawar
INLAND REVENUE SERVICE (IRS)		
47	Mr. Asif Rasool, Commissioner (OPS), Regional Tax Office, Sargodha.	Lahore
48	Mr. Haroon Masood, Commissioner (OPS), (Appeals), Peshawar.	Peshawar
49	Mr. Muhammad Khalid Jamil, Chief (OPS), Federal Board of Revenue, Islamabad.	Islamabad
50	Mr. Murtaza Siddique Khan, Secretary, Federal Board of Revenue, Islamabad.	Islamabad
51	Dr. Razi-Ur-Rehman Khan, Additional Commissioner, Corporate Regional Tax Office, Lahore.	Lahore
52	Mr. Javed Iqbal Sheikh, Additional Commissioner, Regional Tax Office-II, Lahore.	Lahore
53	Mr. Syed Bahadur Ali, Additional Commissioner, Regional Tax Office, Multan.	Lahore
54	Mr. Mumtaz Ahmad, Additional Commissioner, Regional Tax Office-II, Karachi.	Karachi
55	Mr. Tariq Hussain Sheikh, Secretary, Federal Board of Revenue, Islamabad.	Karachi
56	Mr. Ghulam Sarwar Shah, Commissioner (OPS), (Appeals), Balawalpur.	Lahore
57	Mr. Abdul Jawwad, Additional Commissioner, Large Taxpayers Unit, Lahore.	Lahore
58	Mr. Amir Abbas Khan, Additional Director, Directorate of Intelligence & Investigation (IR), Lahore.	Lahore
59	Ms. Attiya Ali Khan, Additional Commissioner, Regional Tax Office-II, Lahore.	Lahore
60	Ms. Durr-E-Maknoon, Director, National Counter Terrorism Authority (Nacta), Islamabad.	Islamabad
61	Mr. Abdul Hameed Shaikh, Additional Commissioner, Large Tax Payers Unit, Karachi.	Karachi


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COMMERCE & TRADE GROUP (C&TG)		
62	Mr. Muhammad Adnan, Director, M/o Commerce.	Islamabad
63	Ms. Maria Kazi, Deputy Secretary, M/o Commerce.	Islamabad
64	Mr. Naseer Ahmad, Director, M/o Commerce.	Peshawar
65	Mr. Afif Aziz, Deputy Secretary, M/o Commerce.	Karachi
66	Mr. Qamar Zaman, Director General FDAP, Sialkot.	Islamabad
PAKISTAN AUDIT & ACCOUNTS SERVICE (PA&AS)		
67	Mr. Zulfikar Ali, Director, PAAA, Islamabad.	Islamabad
68	Mr. Irfan Bashir, Director (Audit), Federal Government, Islamabad.	Islamabad
69	Mr. Muhammad Sharif Khan, Director Audit, District Government, KP, Peshawar.	Peshawar
70	Mr. Zia-ul-Islam Khan Niazi, Director (HQ), District Government, Punjab (North), Lahore.	Lahore
71	Mr. Ghulam Sarwar, Controller Military Accounts (QC), Quetta.	Karachi
72	Mr. Lal Muhammad, Director, Commercial Audit, Wah Cantt.	Peshawar
73	Mr. Naseem Akhtar Gaad, Director, Pakistan Audit & Accounts Academy, Karachi.	Karachi
74	Mr. Kamran Ali Hashmi, Director Audit, Petroleum & National Resources, Karachi.	Karachi
75	Mr. Saqib Bashir, Director (Finance), Port Qasim Authority, Karachi.	Karachi
76	Mr. Muhammad Saeedullah Khan Niazi, Secretary (Finance), Govt. of Gilgit-Baltistan, Gilgit.	Peshawar
FOREIGN SERVICE OF PAKISTAN (FSP)		
77	Mr. Aamir Shouket, Director (SCO), M/o Foreign Affairs, Islamabad.	Islamabad
78	Mr. Suljuk Mustansar Tarar, Director (HR&HA), M/o Foreign Affairs, Islamabad.	Lahore
79	Ms. Saadia Altaf Qazi, Counsellor, Embassy of Pakistan, Pared Manila.	Lahore
80	Mr. Syed Zahid Raza, Director (Consular Affairs), M/o Foreign Affairs, Islamabad.	Islamabad
81	Mr. Tariq Karim, Counsellor, High Commission of Pakistan, New Delhi.	Peshawar
82	Mr. Khalil Ahmed Bajwa, Counsellor, Embassy of Pakistan, Ashgabat.	Lahore
83	Mr. Shahbaz Mansoor Malik, Director (Programme), Foreign Service Academy, Islamabad.	Peshawar
INFORMATION GROUP (IG)		
84	Mrs. Ambreen Gul Shahid, Deputy Chief, NTRC, M/o Communication.	Islamabad
85	Mrs. Bushra Bashir, Additional Director, CSA, Lahore.	Lahore
86	Mr. Hamid Raza Khan, Deputation to FBR.	Karachi
(ECONOMIST GROUP)		
87	Mr. Ali Ahmed, Deputy Chief, M/o Planning Development & Reform, Islamabad.	Peshawar

Section Officer (Establishment)
Minerals Development
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Peshawar

POSTAL GROUP		
88	Mr. Muhammad Shakoor, Director (IM), Dte-General, PPO, Islamabad.	Islamabad
89	Mr. Nisar Muhammad Khan, Dy. PMG, Quetta.	Karachi
(MILITARY LAND AND CANTONMENT GROUP)		
90	Mr. Asif Ameer Khan, Addl. DML&C Lahore.	Lahore
91	Mr. Muhammad Ishaque Malik, CEO Chaklala.	Peshawar
92	Mr. Omar Saeed Ch., MEO Lahore.	Lahore
MINISTRY OF DEFENCE (MES)		
93	Mr. Mumtaz Ali, E-IN-C'S BRANC, GHQ Rawalpindi.	Karachi
PRIME MINISTER'S OFFICE (BOARD OF INVESTMENT)		
94	Mr. Sajjad Hussain, Director. BOI, Islamabad.	Peshawar
INTELLIGENCE BUREAU		
(IF-CADRE)		
95	Mr. Muhammad Irfan Ahsan, Manager IT, SPHQ, IB, Karachi.	Karachi
(INTELLIGENCE CADRE)		
96	Mr. Riaz-ul-Wahab, Director, IB HQ, Islamabad.	Peshawar
97	Mr. Ghalib Ramzan, Director, NR HQ, Rawalpindi.	Peshawar
FINANCE DIVISION		
CENTRAL DIRECTORATE OF NATIONAL SAVINGS		
98	Mr. Kamran Anwar, Central Directorate of National Savings, Islamabad.	Karachi
AVIATION DIVISION		
PAKISTAN METEOROLOGICAL DEPARTMENT		
99	Mr. Syed Mushtaq Ali Shah, Director, Pakistan Meteorological Department Regional Meteorological Centre, Peshawar.	Peshawar
AIRPORT SECURITY FORCE (ASF)		
100	Mr. Sher Muhammad Khan, CSO ASF Peshawar Airport.	Peshawar
101	Mr. Liaqat Ali Khan, ASF Islamabad Airport.	Peshawar
CABINET DIVISION		
DEPARTMENT OF COMMUNICATIONS		
102	Mr. Mudassar Aftab, Deptt. of Commis Security, Cabinet Division, Islamabad.	Peshawar
SENATE SECRETARIAT		
103	Mr. Mughees Ahmad Shaikh, Deputy Secretary, Senate Secretariat, Islamabad.	Islamabad
104	Ch. Salamat Ali, Deputy Secretary, Senate Secretariat, Islamabad.	Karachi



 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

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MINISTRY OF OVERSEAS PAKISTANIS AND HUMAN RESOURCE DEVELOPMENT		
105	Mr. Tanveer Khaliq, Deputy Chief, M/o Overseas Pakistanis and Human Resource Development, Islamabad.	Karachi
DIRECTORATE OF WORKER EDUCATION		
106	Mr. Syed Noor ul Hassnain, Director, Directorate of Workers Education, Islamabad.	Islamabad
WORKERS WELFARE FUND		
107	Mr. Naeem ur Rehman, Director (Worker Welfare Fund), M/o Overseas Pakistanis and Human Resource Development, Islamabad.	Karachi
MINISTRY OF HUMAN RIGHTS		
108	Ms. Lubna Mansoor, Director, Regional Directorate of Human Rights, Lahore.	Lahore
MINISTRY OF HOUSING & WORKS		
(PAK-PWD)		
109	Mr. Nadir Qayyum, Staff Officer/SE, O/O Chief Engineer (C.Z), Pak. PWD, Lahore.	Lahore
110	Mr. Muhammad Shahzad, Ministry of Housing & Works on attachment basis.	Islamabad
111	Mr. Khalid Mehmood, Structure Section, D.G's Office, Pak. PWD, Islamabad.	Karachi
NATIONAL ACCOUNTABILITY BUREAU		
112	Mr. Ghulam Saldar Shah, Additional Director, NAB (HQ).	Islamabad
113	Mr. Nasim Ahmad Khan, Additional Director, NAB (HQ).	Peshawar
114	Mr. Muhammad Rizwan Khan, Additional Director, NAB (Rawalpindi).	Lahore
115	Mr. Shakeel Anjum Nagra, Additional Director, NAB (HQ).	Islamabad
116	Mr. Rafiullah, Additional Director, NAB (HQ).	Lahore
117	Mr. Umair Aslam Khan, Additional Director, NAB (Rawalpindi).	Karachi
MINISTRY OF INTERIOR (FEDERAL INVESTIGATION AGENCY) (FIA)		
(INVESTIGATION CADRE)		
118	Mr. Sajid Akram Ch., Additional Director, (Inv), FIA, Faisalabad.	Lahore
119	Mir Mazhar Jahbar, Additional Director FIA, I&AHS, Karachi.	Karachi
120	Mr. Abdul Hameed Bhutto, Additional Director, AHTC, Karachi.	Karachi
(LAW CADRE)		
121	Mr. Qaiser Shabbir Warrach, Additional Director, LAW FIA, Multan.	Karachi
122	Mr. Mumtaz-ul-Hassan, Additional Director, LAW FIA Z.O, Karachi.	Karachi
123	Malik Tariq Mehmood, Additional Director, LAW FIA HQ.	Islamabad

Section Officer, Establishment,
Minerals Development Department,
Govt of Khyber Pakhtunkhwa,
Peshawar

MINISTRY OF DEFENCE PRODUCTION (PAKISTAN ORDNANCE FACTORY BOARD)		
TECHNICAL CADRE		
124	Mr. Muhammad Hussain, GM-Technical, IT Department, POFB.	Peshawar
125	Mr. Muhammad Ashfaq Aslam, GM-Technical-Services, POFB.	Karachi
126	Mr. Ilyas Naveed, GM-Technical-weapons, POFB.	Karachi
127	Mr. Shafiq Ahmad, GM-Technical-POF Sanjwal.	Karachi
CHEMICAL CADRE		
128	Mr. Kaleem Ahmed, GM-Chemical Prod Coord, POFB.	Karachi
129	Mr. Shoukat Hussain, GM-Chemical-Filling.	Karachi
MINISTRY OF FEDERAL EDUCATION AND PROFESSIONAL TRAINING		
130	Mr. Miraj Gul, Directorate General of Special Education, G-8/4, Islamabad.	Peshawar
ELECTION COMMISSION OF PAKISTAN		
131	Mr. Javed Iqbal, Regional Election Commissioner, Malakand.	Peshawar
132	Mr. Sain Bakhsh, Director in the office of Provincial Election Commissioner, Sindh, Karachi.	Karachi
133	Mr. Imran Ahmed, Regional Election Commissioner, Sibi.	Karachi
134	Mr. Abdul Hafeez, Director (LGE-KP) in the Election Commissioner Secretariat, Islamabad.	Karachi
135	Mr. Syed Nadeem Haider, Regional Election Commissioner, Shaheed Benazirabad.	Karachi
NATIONAL SCHOOL OF PUBLIC POLICY (NSPP)		
136	Mr. Khawaja SaminJah, Staff Officer to Rector, NSPP, Lahore	Lahore
MINISTRY OF STATISTICS		
137	Syed Abdul Qadir Shah, Director (PE&R Cell), Pakistan Bureau of Statistics, Islamabad.	Karachi
GOVERNMENT OF PUNJAB		
PMS EX-PCS		
138	Mr. Muhammad Javaid Nasim, Director General, PHA, Sargodha.	Lahore
139	Mr. Saqib Ali Ateel, OSD, S&GAD, Government of Punjab, Lahore.	Lahore
140	Mr. Irshad Ahmad, OSD, S&GAD, Lahore.	Lahore
141	Mr. Naveed Haider Shirazi, Secretary (Revenue), BOR, Punjab, Lahore.	Lahore
142	Mrs. Nabeed Gul Baloch, Managing Director, PGSHE, Lahore.	Lahore
PMS EX-PSS		
143	Mr. Shamin Asif, Awaiting posting in S&GAD, Lahore.	Lahore
144	Mr. Muhammad Naeem Ghaus, Additional Secretary, Chief Minister's Office, Punjab, Lahore.	Lahore
145	Mirza Naseer Inayat, Secretary, PPSC, Lahore.	Lahore


 Section Officer (Establishment),
 Minerals Development Department,
 Govt. of Khyber Pakhtunkhwa,
 Peshawar

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146	Mr. Asad Naeem, Director (Admn), Punjab Overseas Pakistanis Commission.	Lahore
147	Dr. Muhammad Sohail Anwar Chaudhary, CEO, Punjab Social Protection Authority (PSPA).	Lahore
GOVERNMENT OF SINDH		
(PRISON DEPARTMENT)		
148	Mr. Muhammad Nasir Khan, Senior Superintendent of Prisons, Awaiting Posting, Govt. of Sindh, Karachi.	Karachi
GOVERNMENT OF KHYBER PAKHTUNKHWA		
(PCS EG)		
149	Mr. Dildar Muhammad, Additional Secretary, Population Welfare Deptt.	Peshawar
150	Mr. Muhammad Ali Shah, Registrar Cooperative societies, Khyber Pakhtunkhwa	Peshawar
(PCS SG)		
151	Mr. Irfanullah Khan Khalil, Additional Secretary, Industries Deptt.	Peshawar
(PMS, GROUP)		
152	Mr. Muhammad Anwar Khan, AS Industries Department, Govt. of Khyber Pakhtunkhwa, Peshawar.	Peshawar
MINERAL DEVELOPMENT DEPARTMENT		
153	Mian Farooq Iqbal, Deputy Chief Inspector of Mines.	Peshawar
DIRECTORATE GENERAL MINES & MINERAL		
154	Mr. Mustafa Kamal Shah, Director Licensing H/O Office, Peshawar.	Peshawar
INFORMATION & PUBLIC RELATIONS (PRS) DEPARTMENT		
155	Mr. Qaisar Alam, Secretary Information & Public Relation Department, Govt. of Khyber Pakhtunkhwa.	Peshawar
RESEARCH AND ANALYSIS WING, CTD, KPK		
156	Dr. Ayaz Khan, Director Research & Analysis Counter Terrorism Deptt. KPK.	Peshawar
PPS (P&D) PLANNING & DEVELOPMENT		
157	Mr. Muhammad Shafiq, Director (Monitoring and Evaluation), PERRA, Abbottabad.	Peshawar
GOVERNMENT OF BALOCHISTAN		
BCS		
158	Mr. Balach Aziz, Director General, Fisheries Department, Govt. of Balochistan, Quetta.	Karachi
159	Mr. Sohail ur Rehman, Director General, Excise & Taxation Department, Govt. of Balochistan, Quetta.	Karachi
160	Mr. Saidal Khan Luni, Commissioner, Mekran Division.	Karachi
BSS		
161	Mr. Imran Gichki, Secretary, Population Welfare Department, Govt. of Balochistan, Quetta.	Karachi
162	Mr. Abdullah Khan, Chief of Section, P&D Department, Govt. of Balochistan, Quetta.	Karachi
163	Mr. Babar Khan, OSD, S&GAD, Govt. of Balochistan, Quetta.	Karachi

Section Officer (Establishment)
Minerals Development Department
Govt. of Khyber Pakhtunkhwa,
Peshawar

HEALTH MANAGEMENT CADRE		
164	Dr. Farhat Ali, Medical Superintendent DHQ, Uthal, Lasbela.	Karachi
GOVERNMENT OF GILGIT-BALTISTAN		
DMS		
165	Mr. Zafar Waqar Taj, Secretary, Water & Power Department.	Peshawar
OMS		
166	Mr. Syed Akhtar Hussain, Secretary, Services & General Administration & Cabinet Department Gilgit-Baltistan.	Peshawar
LAS		
167	Mr. Rahim Gul, Secretary, Law & Prosecution, Gilgit-Baltistan.	Peshawar

2. The nominated officers are required to report to concerned Institute (NMC, Lahore, NIM, Islamabad, Karachi, and NIM, Peshawar) on the Friday 22nd February, 2019. The above nominations are subject to provision of latest Annual Medical Examination Report to be submitted with concerned Institute. It is pertinent to mention here that according to revised promotion policy, "if an officer is nominated for the mandatory training and he/she declines to proceed on training for two consecutive training courses, he/she would forfeit the right to consideration for promotion" as per instructions contained vide Establishment Division's O.M. No. 102/2009/CP-II (Pt-IX) dated 19-12-2011. In case of any withdrawal of nomination either by the Department or by the officer himself/herself, the officer concerned will be responsible, if it adversely affects his/her promotion prospects.

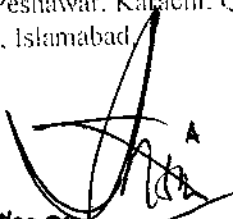
3. As per policy, course fee amounting to (Rs. 250,000/-) (Two hundred and Fifty thousand rupees only) in respect of Occupational Groups/Services would be paid by the Establishment Division whereas the course fee (Rs. 250,000/-) in respect of Ex-cadre officers of the Federal Government, officers of Provincial Governments and Autonomous bodies etc. nominated for the course shall be borne by their respective departments/governments etc. and to this effect payment shall be remitted to NMC, Lahore / NIMs Islamabad, Peshawar and Karachi through bank draft/cross cheque/pay order at the time of joining the course by the officer concerned or as early as possible.

4. As per Prime Minister's directive, issued vide this Division's DO letter No. 5/11/2000-T-II/T-I dated 10-06-2014 all Ministries/Divisions/ Departments are bound to relieve the officers on their nomination for training course without fail. The Ministries/Divisions/ Departments shall make stop-gap arrangements, as the nominated officers are not required to attend their offices while undergoing training. Non-compliance of the directions of the Prime Minister shall tantamount to disciplinary proceedings under the Government Servants (E&D) Rules, 1973.

(Naheed Akhtar/Chachar)
Section Officer (T-II)
Tele: 9103652

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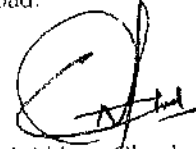
1. The Secretary, President's Secretariat (Public), Islamabad.
2. The Secretary to the Prime Minister, Prime Minister's Office, Islamabad.
3. All the concerned Federal Secretaries, Ministries/Divisions, Islamabad/Rawalpindi.
4. The Auditor General of Pakistan, Islamabad.
5. All the Chief Secretaries/IGPs/Secretaries Services of Provincial Governments/Gilgit Baltistan Governments, Lahore, Peshawar, Karachi, Quetta and Gilgit.
6. The Secretary, Senate Secretariat, Islamabad.


Section Officer (Establishment),
Minerals Development Department,
Govt of Khyber Pakhtunkhwa,
Peshawar

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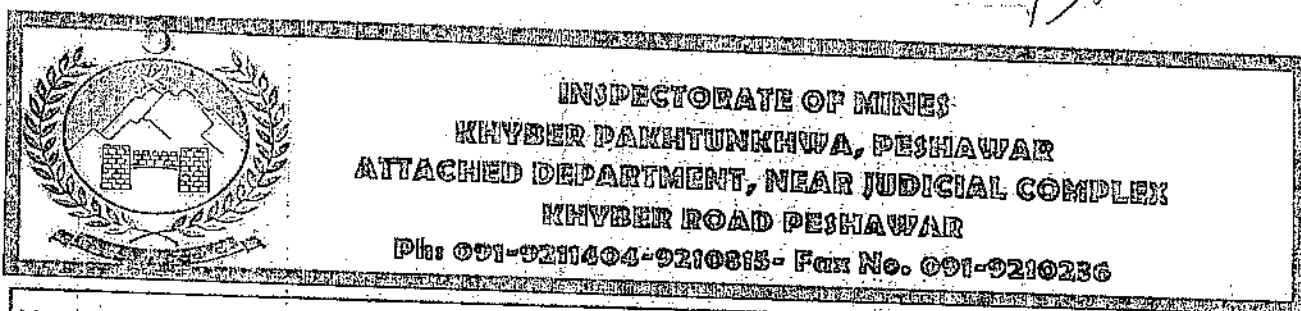
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7. The Secretary, Election Commission of Pakistan, Islamabad.
8. The Chairman, Federal Board of Revenue (FBR), Islamabad.
9. The Chairman, National Accountability of Bureau, Islamabad.
10. The Director General, Intelligence Bureau, Islamabad.
11. All concerned officers.
12. The Director General, National Management College, Lahore.
13. The Director General, National Institute of Management, Islamabad.
14. The Director General, National Institute of Management, Peshawar.
15. The Director General, National Institute of Management, Karachi.
16. All Joint Secretaries, Establishment Division, Islamabad.
17. The Director (PD), Establishment Division, Islamabad.
18. D.S (Computer), Establishment Division, Islamabad.
19. SPS to Secretary, Establishment Division, Islamabad.
20. SPSs to Additional Secretaries (I&II), Establishment Division, Islamabad.



(Naheed Akhtar Chachar)
Section Officer (T-II)

~~Section Officer (T-II) Establishment,
Minerals Department,
Govt of Punjab, Peshawar.~~



No: CIM/Admn/PTO/2018/ 1303

Dated: 02/04/2019

To

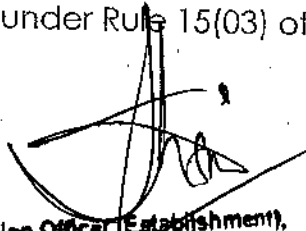
The Section Officer (Establishment),
Minerals Development Department
Khyber Pakhtunkhwa.

Subject: - **NOTIFICATION FOR TERMINATION OF PROBATION PERIOD.**

I am directed to refer to your letter No. SO (E)/MDD/2-4/2019/1984 dated 29-03-2019 and to state that Two Officers of the Inspectorate of Mines have been promoted to (BPS-19) and successfully completed the probation period of one year with the following details.

S. No.	Name of Officer with Designation	Date of Promotion	Date of Completion of Probation Period
01	Mr. Fazal Raziq Deputy Chief Inspector of Mines (BPS-19)	05-01-2018	04-01-2019
02	Mr. Fazal Hussain Director Planning and Mines Development Cell (BPS-19)	05-01-2018	04-01-2019

Therefore, it is requested to issue notification for termination of the probation period under Rule 15(03) of the revised ESTA Code 2011.


Section Officer (Establishment),
Minerals Development Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar


Administrative Officer
For Chief Inspector of Mines
Khyber Pakhtunkhwa

**IMMEDIATE
CONFIDENTIAL**



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

NO. SO(PSB)ED/1-10/2019/P-250
Dated Peshawar, the 07.05.2019

Mineral Dev: Deptt: (KPK)

Secy: Diary No. 5932

Date: 07.05.2019

To

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

**SUBJECT: - MINUTES OF THE MEETING OF PROVINCIAL SELECTION BOARD
HELD ON 19.04.2019**

**PROMOTION OF DEPUTY CHIEF INSPECTOR OF MINES BS-19 TO
THE POST OF CHIEF INSPECTOR OF MINES BS-20.**

Dear Sir,

I am directed to refer to Mineral Development Department letter No. SO(E)/MDD/2-4/2019/1753-57 dated 26.03.2019 on the subject and to forward herewith an extract of **item No. (30)** of the minutes/recommendations of the meeting of Provincial Selection Board held on **19.04.2019** as well as copy of approved summary wherein the Chief Minister being competent authority in terms of Rule 4 (1) (a) of the Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules, 1989 has approved the recommendation of the PSB for further necessary action.

Section Officer (Establishment)
Minerals Development Deptt.
Govt. of Khyber Pakhtunkhwa
Peshawar

Yours faithfully,

(Abdul Hameed)
SECTION OFFICER (PSB)

Encl: As Above

As.
Pleasant news.

07.05.19

S.S. (CB)
DS (AI)
AS
07.5

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Minerals Dev. Department
No. 211
28-5-2019
Date: 07/05/19

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64**MINERALS DEVELOPMENT DEPARTMENT**

(Meeting of PSB held on 19.04.2019)

SUBJECT:- PROMOTION OF DEPUTY CHIEF INSPECTOR OF MINES BS-19 TO THE POST OF CHIEF INSPECTOR OF MINES BS-20.

Secretary Minerals apprised the Board that due to creation, one (01) post of Chief Inspector of Mines BS-20 is lying vacant.

2. According to service rules the post is required to be filled as under:-

"By promotion, on the basis of seniority cum fitness, from amongst the Deputy Chief Inspectors of Mines, Directors Training and Directors Planning & Mines Development Cell with atleast twelve (12) years service as such in BS-18 and above or seventeen (17) years service of service as such in BS-17 and above with successful completion of Senior Management Course (SMC);

Provided that if no suitable person is available for promotion then by transfer."

3. The service record of the officers included in the panel was discussed as follows: -

S. #	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	Mian Farooq Iqbal	His date of birth is 20.01.1963. He joined government service on 10.07.1989 in BS-17. He was promoted to BS-19 on 08.11.2004. He has not undergone SMC training which is mandatory for promotion. The Board recommended to defer his promotion.
2.	Mr. Fazli Raziq	His date of birth is 10.09.1964. He joined government service on 01.02.1995 in BS-17. He was promoted to BS-19 on 08.01.2018. He has not undergone SMC training which is mandatory for promotion. The Board recommended to defer his promotion.
3.	Mr. Fazal Hussain <i>Attested</i> <i>[Signature]</i> Section Officer (PSB) Govt. of Khyber Pakhtunkhwa Establishment Department	His date of birth is 02.03.1960. He joined government service on 16.10.1996 in BS-17. He was promoted to BS-19 on 08.01.2018. He is exempted from training mandatory for promotion due to age factor. No enquiry is pending against him. His service record upto 2018 is generally good. The Board recommended the officer for promotion to the post of Chief Inspector of Mines BS-20 on regular basis. He will be on probation till retirement.

[Signature]
Section Officer (Establishment)
Minerals Development Cell
Govt. of Khyber Pakhtunkhwa,
Peshawar



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**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

DATED PESHAWAR, THE MAY 20, 2019.

NOTIFICATION

NO.SOIE-IESAD/9-365/2019. On the recommendations of the Provincial Selection Board, the competent authority is pleased to promote Mr. Fazal Hussain, Deputy Chief Inspector of Mines (BS-19) to the post of Chief Inspector of Mines (BS-20) of Minerals Development Department, on regular basis, with immediate effect.

2. The officer on promotion shall remain on probation till his retirement 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.

3. His posting/transfer orders will be issued later.

**CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

Encl. No. and date even.

Copy forwarded to the:-

1. Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Government of Khyber Pakhtunkhwa, Minerals & Development Department.
4. Accountant General, Khyber Pakhtunkhwa.
5. Section Officer (Estt), Minerals Development Department.
6. Director General, Information, Khyber Pakhtunkhwa.
7. PS to Chief Secretary, Khyber Pakhtunkhwa.
8. PS to Secretary Establishment
9. Officers concerned.
10. Manager, Govt. Printing Press Peshawar.

(ISHTIAQ AHMAD)
SECTION OFFICER (ESTT)

Section Officer (Estt)
 Minerals Development Dept.
 Govt of Khyber Pakhtunkhwa
 Peshawar

M. Muneer
 20/5
 D A
 20/5