

## بلوچستان

## صوبائی

## اسمبلی

## سیکرٹریٹ

ہر روز منگل مورخہ 07 اپریل 2026ء بوقت سہ پہر 3:00 بجے منعقد ہونے والے بلوچستان صوبائی اسمبلی کے اجلاس کی

**ترتیب کارروائی****1 تلاوت قرآن پاک و ترجمہ**

(1)

**2 وقفہ سوالات**

(2)

علیحدہ فہرست میں مندرج محکمہ پبلک ہیلتھ انجینئرنگ اور محکمہ صنعت و حرفت سے متعلق سوالات دریافت اور ان کے جوابات دینے جائیں گے۔

**3 سرکاری کارروائی برائے قانون سازی**

(3)

**1) بلوچستان ماننز اینڈ سیفٹی کا مسودہ قانون مصدرہ 2026ء (مسودہ قانون نمبر 03 مصدرہ 2026ء) کا پیش کیا جانا****کیا جانا**

(i) وزیر برائے محکمہ ماننز اینڈ منرل ڈویلپمنٹ اتھارٹی، بلوچستان ماننز اینڈ سیفٹی کا مسودہ قانون مصدرہ 2026ء (مسودہ قانون نمبر 03 مصدرہ 2026ء) پیش کریں گے۔

(ii) وزیر برائے محکمہ ماننز اینڈ منرل ڈویلپمنٹ اتھارٹی، تحریک پیش کریں گے کہ بلوچستان ماننز اینڈ سیفٹی کا مسودہ قانون مصدرہ 2026ء (مسودہ قانون نمبر 03 مصدرہ 2026ء) کو پیش کرنے کی بابت قاعدہ نمبر 84 اور 85(2) کے تقاضوں سے Exempt قرار دیا جائے۔

(iii) وزیر برائے محکمہ ماننز اینڈ منرل ڈویلپمنٹ اتھارٹی، تحریک پیش کریں گے کہ بلوچستان ماننز اینڈ سیفٹی کا مسودہ قانون مصدرہ 2026ء (مسودہ قانون نمبر 03 مصدرہ 2026ء) کو فی الفور زیر غور لایا جائے۔

(iv) وزیر برائے محکمہ ماننز اینڈ منرل ڈویلپمنٹ اتھارٹی، تحریک پیش کریں گے کہ بلوچستان ماننز اینڈ سیفٹی کا مسودہ قانون مصدرہ 2026ء (مسودہ قانون نمبر 03 مصدرہ 2026ء) کو منظور کیا جائے۔

**2) بلوچستان وٹنس پروٹیکشن کا (ترمیمی) مسودہ قانون مصدرہ 2026ء (مسودہ قانون نمبر 04 مصدرہ 2026ء) کا پیش کیا جانا۔****پیش کیا جانا۔**

وزیر برائے محکمہ داخلہ، بلوچستان وٹنس پروٹیکشن کا (ترمیمی) مسودہ قانون مصدرہ 2026ء (مسودہ قانون نمبر 04 مصدرہ 2026ء) پیش کریں گے۔

طاہر شاہ کاکڑ  
سیکرٹری

کوئٹہ  
مورخہ 02 اپریل 2026ء

# بلوچستان صوبائی اسمبلی

بروز منگل مورخہ 07 اپریل 2026ء

نشان زدہ سوالات اور انکے جوابات

(1) محکمہ پبلک ہیلتھ انجینئرنگ (2) محکمہ صنعت و حرفت

نوٹس موصول ہونے کی تاریخ 23 مئی 2025

☆ 268 میر جہانزیب مینگل رکن اسمبلی

کیا وزیر پبلک ہیلتھ انجینئرنگ ازراہ کرم مطلع فرمائیں گے کہ۔

سال 2024-2025 کے دوران صوبائی حکومت نے محکمہ پبلک ہیلتھ انجینئرنگ ضلع خضدار تحصیل وڈھ کیلئے کل کتنے اسکیمات رکھے گئے ہیں اور ایک کتنے اسکیمات ٹینڈرز ہو چکے ہیں اسکیم کا نام، پی ایس ڈی پی نمبر اور مختص شدہ رقم کی مکمل تفصیل دی جائے۔

جواب موصول ہونے کی تاریخ 19 جون 2025

وزیر پبلک ہیلتھ انجینئرنگ

سال 2024-25 کے دوران ذیل اسکیمات تحصیل وڈھ خضدار کے لئے رکھی گئی ہیں جن کے ٹینڈرز ہو چکے ہیں اور کام بھی مکمل ہوا ہے۔

نئی اسکیمات 2024-2025

سیریل نمبر	پی ایس ڈی پی نمبر	اسکیم کا نام	منظور شدہ تخمینہ	ٹینڈر کی تاریخ	کیفیت
1	5398	سولر واٹر سپلائی اسکیم کلی ملا علی محمد، کلی محمد حسن، کلی حاجی غلام قادر اور کلی عبد السلام وڈھ	30,000,000/-	17-07-2024	کام مکمل ہوا
2	5427	سولر واٹر سپلائی اسکیم کلی میر وانی، کلی نور محمد، کلی یاسر احمد، کلی حاجی خان محمد، کلی غلام قادر اور کلی قاسم	30,000,000/-	17-07-2024	کام مکمل ہوا

کام مکمل ہوا	17-07-2024	30,000,000/-	سولرواٹر سپلائی اسکیم کئی حاجی مراد محمد کئی قادر، کئی شمو، کئی بشیر احمد، کئی صالح محمد، کئی عطاء محمد اور کئی خدا بخش	5599	3
کام مکمل ہوا	17-07-2024	45,000,000/-	سولرواٹر سپلائی اسکیم، کئی عثمان آباد اولیا ء، کئی امان اللہ، کئی ممتاز احمد، کئی نور اللہ کئی عبدالکبیر اور کئی قادر بخش وڈھ	5606	4
کام مکمل ہوا	17-07-2024	30,000,000/-	سولرواٹر سپلائی اسکیم کئی میر پسند خان کئی عنایت اللہ، کئی محمد وارث، کئی افضل خان اور کئی گا ور خان وڈھ	5807	5

### پچھلے سال کی جاری اسکیمات 2024-25

کیفیت	ٹینڈر کی تاریخ	منظور شدہ تخمینہ	اسکیم کا نام	پڈانا پی ایس ڈی پی نمبر	پی ایس ڈی پی نمبر	سیریل نمبر
کام مکمل ہوا	10-06-2024	42,000,000	سولرواٹر سپلائی اسکیم، کئی محمد بخش کئی براہیم زئی، کئی مراد خان گیسو وڈھ، کئی مولوی بشیر پلیزئی کئی پٹی ماس وڈھ اور کئی نعمت اللہ گمشاد زئی	8439	4793	1
کام مکمل ہوا	10-06-2024	50,000,000	سولرواٹر سپلائی اسکیم کئی سلمان رییسائی، کئی حافظ صالح رییسائی، کئی اقبال رییسائی و غیرہ	8440	4796	2

نوٹس موصول ہونے کی تاریخ 02 اکتوبر 2025

## 327 ☆ میرزا بدلی ریکی رکن اسمبلی

کیا وزیر پبلک ہیلتھ انجینئرنگ ازرہ کرم مطلع فرمائیں گے کہ۔

سال 2025.2026 کے بجٹ میں حکومت نے ضلع واٹک میں محکمہ پبلک ہیلتھ انجینئرنگ کیلئے کل کتنے ترقیاتی اسکیمات کی منظوری دی ہے ہر اسکیم کا نام، لاگت اور پی ایس ڈی پی نمبر کی تفصیل دی جائے نیز یہ بھی بتایا جائے کہ صوبہ کے ہر ضلع کیلئے کل کتنے ترقیاتی اسکیمات کی منظوری دی گئی ہے تمام اضلاع کی ضلعوار مکمل تفصیل بھی دی جائے۔

جواب موصول ہونے کی تاریخ 29 اکتوبر 2025

## وزیر پبلک ہیلتھ انجینئرنگ

محکمہ پبلک ہیلتھ انجینئرنگ میں سال 2025.2026 کیلئے ضلع واٹک سمیت پورے صوبے کی ضلع وار منظور شدہ ترقیاتی اسکیموں کی تفصیل ضمیمہ ہے لہذا اسمبلی لاہریری میں ملاحظہ فرمائیں۔

نوٹس موصول ہونے کی تاریخ 17 اکتوبر 2025

## 365 ☆ میرزا بدلی ریکی رکن اسمبلی

کیا وزیر پبلک ہیلتھ انجینئرنگ ازرہ کرم مطلع فرمائیں گے کہ۔

سال 2024.2025 اور سال 2025.2026 کے بجٹ میں مانگی ڈیم کیلئے کل کتنی لاگت مختص کی گئی ہے مختص شدہ لاگت سے مذکورہ سالوں میں کل کتنی رقم جاری کیا گیا ہے اور ٹھیکیدار کو کل کتنی ادائیگی کی گئی ہے نیز یہ بھی بتلایا جائے کہ مانگی ڈیم کس سال میں شروع کیا گیا ہے اور یہ منصوبہ کب مکمل کیا جائے گا مانگی ڈیم کے پراجیکٹ ڈائریکٹر اور مانگی ڈیم کے ٹھیکیدار کے نام کی بھی تفصیل دی جائے۔

جواب موصول ہونے کی تاریخ 29 اکتوبر 2025

## وزیر پبلک ہیلتھ انجینئرنگ

مانگی ڈیم کے لئے سال 2024.2025 میں 781.02 ملین مختص کیا گیا تھا اور تمام ادائیگیاں ٹھیکیدار ان کو کردی گئیں سال 2025.26 میں 1000.00 ملین مختص کیا ہے جس میں سے اب تک 600.00 ملین ریلیز ہو چکا ہے اور 300 ملین کی ادائیگیاں بھی ٹھیکیدار ان کو ادا کر دی گئی ہیں پراجیکٹ کا کام مارچ 2017 میں شروع ہوا اور یہ منصوبہ جون 2026 تک مکمل ہو جائے گا مانگی ڈیم کے ذیل ٹھیکیدار ان ہیں۔

1	میسرز ظاہر خان اینڈ برادرز	زیڈ کے بی	ڈیم اور ملحقہ بلڈنگ اینڈ روڈ
2	میسرز نورالحق اینڈ برادرز	این اینڈ بی	پمپنگ مشینری
3	میسرز نیشنل لوجسٹک سیل	این ایل سی	پائپ لائن

مانگی ڈیم کے پراجیکٹ ڈائریکٹر انجینئر زک خان ترین۔

## ☆ 418 میرزا بدلی ریکی رکن اسمبلی

نوٹس موصول ہونے کی تاریخ 16 دسمبر 2025

کیا وزیر پبلک ہیلتھ انجینئرنگ ازراہ کرم مطلع فرمائیں گے کہ۔

محکمہ پبلک ہیلتھ انجینئرنگ میں گریڈ 16 اور گریڈ 17 کی کل کتنی آسامیاں خالی پڑی ہیں اگر جواب اثبات میں ہے تو گریڈ 16 اور گریڈ 17 کی کل آسامیوں کی تعداد بتائی جائے اور یہ خالی آسامیاں بلوچستان کے کن کن اضلاع میں خالی ہے۔ نیز یہ بھی بتائی جائے کہ مذکورہ خالی آسامیاں بلوچستان پبلک سروس کمیشن کو پُر کرنے کے لیے ارسال کی ہے تمام آسامیوں کی مکمل تفصیل دی جائے۔

## وزیر پبلک ہیلتھ انجینئرنگ

جواب موصول ہونے کی تاریخ 08 جنوری 2026

محکمہ پبلک ہیلتھ انجینئرنگ ڈیپارٹمنٹ میں انجینئر کیڈر (نئی بھرتی کا کوڈ) جس میں اسٹنٹ انجینئر گریڈ 17 کی 08 آسامیاں خالی ہیں تاہم اس پوسٹ کے سروس رولز سے متعلق ایک کیس سپریم کورٹ آف پاکستان میں زیر سماعت ہے اسی وجہ سے یہ محکمہ بلوچستان پبلک سروس کمیشن سے بھرتیوں کی درخواست کرنے سے قاصر ہے نان انجینئرنگ کیڈر میں آڈٹ آفیسر گریڈ 17 کی ایک پوسٹ اور اکاؤنٹس آفیسر گریڈ 17 کی ایک پوسٹ حالی ہی میں خالی ہوئی ہے جسے جلد ہی پُر کرنے کیلئے بلوچستان پبلک سروس کمیشن کو بھیجا جائے گا یہ بالا درج تمام خالی آسامیاں صوبائی سطح کی ہیں اور ان پر بھرتیاں بھی صوبائی سطح پر کی جائیں گی۔

## ☆ 368 جناب اصغر علی ترین رکن اسمبلی

نوٹس موصول ہونے کی تاریخ 30 اکتوبر 2025

کیا وزیر پبلک ہیلتھ انجینئرنگ ازراہ کرم مطلع فرمائیں گے کہ۔

حلقہ 48 PB میں کل کتنے فلٹر پلانٹس نصب ہیں اور کس کس مقام پر نصب ہیں ان پلانٹس میں کل کتنے فعال ہیں نیز مذکورہ پلانٹس پر کل کتنے ملازمین تعینات ہیں ان کے نام بمعہ ولدیت اور لوکل / ڈومیسائل کی تفصیل دی جائے۔

## وزیر پبلک ہیلتھ انجینئرنگ

جواب موصول ہونے کی تاریخ 16 دسمبر 2025

تحصیل پشین حلقہ نمبر 48-PB میں کل تعداد فلٹر پلانٹس 14 ہیں اور ان میں سے 4 فلٹر پلانٹس فعال ہیں۔

فعال فلٹر پلانٹس کی تفصیل ذیل ہیں

پشین	(شاہ محمد ولد میکٹی) پلانٹ آپریٹر	مچان ہائی اسکول پشین	1
پشین	(نصیر احمد ولد جان محمد) پلانٹ آپریٹر	کرچن کالونی پشین	2
	(نعیم اللہ ولد آمین اللہ) پلانٹ آپریٹر		

3	انجینئر آفس پشین	(نثار محمد ولد صدر الدین) پلانٹ آپریٹر (سید آئین اللہ ولد محمد نبی) پلانٹ آپریٹر	پشین
4	شاہد خان آفریدی پلانٹ پشین	(نیا محمد ولد مسام الدین) پلانٹ آپریٹر	پشین

☆ 369 جناب اصغر علی ترین رکن اسمبلی

نوش موصول ہونے کی تاریخ 30 اکتوبر 2025

کیا وزیر پبلک ہیلتھ انجینئرنگ ازراہ کرم مطلع فرمائیں گے کہ۔

ضلع پشین میں کل کتنے فلٹرز پائپس نصب ہیں ان کی تعداد اور کہاں کہاں نصب ہیں مذکورہ پائپس کیلئے حکومت کی جانب سے سالانہ بجٹ کی تفصیل دی جائے نیز مذکورہ ضلع میں آفیسران اور پائپس پر تعینات شدہ اہلکاران کے نام بہم دلا دیت اور لوکل ڈومیسٹک کی تفصیل بھی دی جائے۔

جواب موصول ہونے کی تاریخ 16 دسمبر 2025

☆ وزیر پبلک ہیلتھ انجینئرنگ

ضلع پشین میں کل فلٹرز پائپس کی تعداد 39 ہیں مزید تفصیل آخر پر منسلک ہے۔

نوش موصول ہونے کی تاریخ 09 مارچ 2026

☆ 469 مولانا ہدایت الرحمان بلوچ رکن اسمبلی

کیا وزیر پبلک ہیلتھ انجینئرنگ ازراہ کرم مطلع فرمائیں گے کہ۔

آٹکارہ ڈیم سے جیونی پائپ لائن پر گزشتہ کئی سالوں سے کام جاری ہے لیکن تاحال کام مکمل نہ ہونے کی وجوہات بتلائی جائے جس کی بنا جیونی کے عوام کو پانی کے مسئلے کا حل ہونے میں روکاوٹ ہیں اور اب تک کل کس قدر رقم جاری کی گئی ہے نیز مذکورہ منصوبہ کب شروع کیا گیا ہے اور کب تک مکمل کیا جائے گا کی بھی مکمل تفصیل دی جائے۔

جواب موصول ہونے کی تاریخ یکم اپریل 2026

☆ وزیر پبلک ہیلتھ انجینئرنگ

محکمہ پبلک ہیلتھ انجینئرنگ ڈیپارٹمنٹ گوادرا اس پر وجیکٹ کو چلا رہا ہے جس کا عنوان ہے واٹر سپلائی اسکیم اکرا ڈیم سے جیونی تا دن سب ڈویژن جیونی تک پانی کی تقسیم کے نظام کی تجدید اس منصوبے کے لیے فنڈز کی محدود دستیابی کی وجہ سے اسکیم ابھی تک مکمل نہیں ہو سکی تاحال کام جاری ہے منصوبے کی فزیکل کارکردگی مالیاتی پیش رفت سے زیادہ ہے محکمہ نے مالی مشکلات کے باوجود عوام کی سہولت کو مد نظر رکھتے ہوئے کام جاری رکھا ہوا ہے اسکیم کی تفصیلات اور موجودہ صورتحال ذیل ہیں۔

نیشنل تاریخ	کام کے آغاز کی تاریخ	کل لاگت	2025.26 مختص فنڈز	اب تک کا خرچہ
29-04-2022	26-10-2022	1230.808 ملین	168.990	624.85 ملین
فزیکل کارکردگی %	مالیاتی پیش رفت %	موجودہ صورتحال		
55 فیصد	51 فیصد	کام جاری ہے		

نوٹ: منصوبے کی تکمیل فنڈز کی دستیابی سے مشروط ہے۔

نوٹس موصول ہونے کی تاریخ 26 جون 2025

☆ 286 میر پونس عزیز زہری رکن اسمبلی

کیا وزیر صنعت و حرفت ازراہ کرم مطلع فرمائیں گے کہ۔

مورخہ 23 فروری 2026 کو موخر شدہ  
محکمہ صنعت و حرفت نے ضلع خضدار میں ماربل سٹی کیلئے کل سقندرقم مختص کی گئی ہے مختص شدہ رقم سے اب تک کل کتنی رقم خرچ کی گئی اور یہ کب تک مکمل ہو جائے گا نیز ان کی فزیکل اور فنانشل صورتحال کی بابت بھی مکمل تفصیل دی جائے۔

جواب موصول ہونے کی تاریخ 22 دسمبر 2025

وزیر صنعت و حرفت

مالی سال 2019-2020 کے دوران محکمہ صنعت و تجارت حکومت بلوچستان کی جانب سے ضلع خضدار میں مقامی ماربل صنعت کو فروغ دینے کیلئے ماربل سٹی کے قیام کا منصوبہ شروع کیا گیا ہے اس سلسلے میں ضلع خضدار میں 1200 ایکڑ اراضی مختص کی گئی ہے حکومت بلوچستان نے ضلع خضدار میں ماربل سٹی کے قیام کیلئے مالی سال 2019-2020 کو پی ایس ڈی پی میں مجموعی طور پر 100 ملین روپے مختص کیے ہیں اس فنڈ کے تحت مجوزہ مقام پر سڑکوں، پانی کی فراہمی اور حفاظتی ڈھانچے گاڑ روڑوں کی تعمیر عمل میں لائی گئی محکمہ صنعت و تجارت نے مذکورہ اسکیم کی تخمینہ لاگت پر نظر ثانی کے بعد اضافی لاگت کا تخمینہ بھی پیش کیا تاہم محکمہ منصوبہ بندی و ترقیات نے اس تجویز کو موخر کرتے ہوئے یہ سفارش کی کہ منصوبے کیلئے فزیکل اسٹڈی کراؤنی جائے اس ضمن میں محکمہ صنعت و تجارت نے فزیکل اسٹڈی کیلئے درکار فنڈز کی فراہمی کی غرض سے محکمہ منصوبہ بندی و ترقیات کو گزارشات ارسال کیں تاہم تا حال یہ تجویز پی ایس ڈی پی میں شامل نہیں کی جاسکی مزید تفصیل آخر پر منسلک ہے۔

نوٹس موصول ہونے کی تاریخ 23 دسمبر 2025

☆ 450 میر پونس عزیز زہری رکن اسمبلی

کیا وزیر صنعت و حرفت ازراہ کرم مطلع فرمائیں گے کہ۔

مورخہ 23 فروری 2026 کو موخر شدہ  
محکمہ صنعت و حرفت نے مالی سال 2025-2026 میں انٹر پرائز ڈویلپمنٹ پروگرام بلوچستان کے کن کن اضلاع میں شروع کیا گیا ہے اور اب تک کون سے اضلاع میں کتنی لاگت سے کام مکمل اور کن کن اضلاع میں کام جاری ہے ہر ضلع کی فزیکل اور فنانشل صورتحال کی بابت مکمل تفصیل دی جائے۔

جواب موصول ہونے کی تاریخ 29 جنوری 2026

وزیر صنعت و حرفت

انٹر پرائز ڈویلپمنٹ پروگرام حکومت بلوچستان کے اسٹریٹیجک پروگرامز کا حصہ ہے بنیادی طور پر یہ پروگرام جنوبی بلوچستان کے چھ اضلاع آوارن، پنجگور، کیچ، خاران، گوادر اور واشک جو اس وقت امن و امان کی مخدوش صورتحال کا سامنا کر رہے ہیں کیلئے ترتیب دیا گیا ہے اور اس تین سالہ منصوبے کی لاگت 15.27 ارب روپے ہے۔

یہ پروجیکٹ موجودہ مالی سال کی پہلی ششماہی (جولائی تا دسمبر) میں انتظامی و تکنیکی وجوہات کی بنا پر مکمل طور پر شروع نہیں ہو سکا

اس کی وجہ ضروری مراحل کی تکمیل تھی صوبائی کابینہ نے 18 ستمبر 2025 کو پی آر ایس پی (BRSP) کو بطور "نفاذی شراکت دار (Implementing Partner)" شامل کرنے کی منظوری دی انٹر پرائز ڈویلپمنٹ پروگرام کیلئے صوبائی ڈویلپمنٹ ورکنگ پارٹی (PDWP) کا اجلاس 19 ستمبر 2025 کو منعقد ہوا جس میں پروجیکٹ کی منظوری دی گئی ان منظور یوں کے بعد پروگرام باضابطہ طور پر نفاذ کے مراحل میں داخل ہو چکا ہے تاہم بینک اکاؤنٹ کی منظوری نہ ملنے کی وجہ سے ایجنٹ مالی اخراجات کی ادائیگی ممکن نہیں ہو سکی ہے۔

نوش موصول ہونے کی تاریخ 102 اکتوبر 2025

☆ 338 میرزا بدلی ریکی رکن اسمبلی

کیا وزیر صنعت و حرفت ازراہ کرم مطلع فرمائیں گے کہ۔

سال 2025-2026 کے بجٹ میں حکومت نے ضلع واشک میں محکمہ صنعت و حرفت کیلئے کل کتنے ترقیاتی اسکیمات کی منظوری دی ہے ہر اسکیم کا نام، لاگت اور پی ایس ڈی پی نمبر کی تفصیل دی جائے نیز یہ بھی بتلایا جائے کہ صوبہ کے ہر ضلع کیلئے کل کتنے ترقیاتی اسکیمات کی منظوری دی گئی ہے تمام اضلاع کی ضلعوار مکمل تفصیل بھی دی جائے۔

جواب موصول ہونے کی تاریخ 17 اکتوبر 2025

وزیر صنعت و حرفت

مالی سال 2025-26 کے PSDP میں محکمہ صنعت و تجارت کے تحت دو اسکیموں کی منظوری دی گئی ہے جس میں انٹر پرائز ڈویلپمنٹ پروگرام اور پی ایس ڈی سوشل کوپیشن پروگرام شامل ہیں ان پروگرامز میں چھ اضلاع خاران، واشک، پنجگور، گوادر، کچ اور آوران شامل ہیں مزید براں محکمہ صنعت و تجارت کے تحت مالی سال 2025-26 کے PSDP میں صوبے کے باقی اضلاع کیلئے شامل تمام اسکیمات کی تفصیل آخر پر منسلک ہے۔

طاہر شاہ کاکڑ،  
سیکرٹری

کوئٹہ،  
مورخہ 102 اپریل 2026

**BALUCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT**

**Balochistan Mines Health and Safety Bill, 2026**

(BILL NO. 2 OF 2026)

**A**

**Bill**

to provide for the health, safety and welfare of persons employed in mines and to regulate mining operations in the Province;

**Preamble:**

**AND WHEREAS** it is necessary to ensure safe working conditions, prevent accidents and occupational diseases, and establish effective mechanisms for inspection, enforcement and mine rescue;

**It is hereby enacted as follows:**

**Chapter I  
Preliminary**

**1. Short title, extent and commencement**

This Act may be called the Balochistan Mines Health and Safety Act, 2026.

**2. Commencement**

This Act shall come into force on [            -] 2026.

**3. Application**

This Act shall extend to the whole of the Balochistan.

**4. Definitions.—**

- 1) In this Act, unless there is anything repugnant in the subject or context-
  - (a) **“accident”** means an accident occurring during the course of employment and resulting in a personal injury, illness or death of an employee in or about the mine;
  - (b) **“Administrative Penalty”** means a penalty imposed under sub section 3 of section 44 of this Act;
  - (c) **“agent”** when used in relation to a mine, means any person appointed or acting as the representative of the Owner in respect of the management of the mine or of any part thereof and as such is superior to a Manager;
  - (d) **“Appellate Tribunal”** means the Balochistan Appellate Tribunal for Mines and Minerals established under section 15, of this Act;
  - (e) **“Blaster/ Shot Firer”** means a person who holds a blaster/shot firer certificate and is appointed by the Manager in writing to perform the duty of a Blaster in any mine;

- (f) **"Chief Inspector"** means the person duly notified under this Act as Chief Inspector of Mines of Balochistan, being a qualified mining engineer with First Class Mine Manager Competency Certificate;
- (g) **"child"** means a person who is below the age of eighteen years;
- (h) **"competency examination"** means an examination conducted for ascertaining the competency of individuals as required under this Act or any Rules made thereunder;
- (i) **"competent person"** "In relation to Inspectorate of Mines a person who has Mine Manager Competency Certificate as prescribed in rules and in relation to any mine, machinery or any equipment means a person who has been duly appointed or designated in writing by the Manager to perform such work for which the person is qualified by knowledge, training and experience and includes such persons as may be prescribed;
- (j) **"danger"** means anything which may cause injury or damage to a person or property;
- (k) **"day"** means a continuous period of twenty-four hours beginning at midnight;
- (l) **"Director Licensing"** means the Director Licensing appointed under the Balochistan Mines and Minerals Act, 2025, responsible for licensing and mineral title administration in the Province.
- (m) **"Department"** means the Mines and Minerals Development Department Balochistan;
- (n) **"duly qualified person"** means a person who possesses the prescribed qualification and experience;
- (o) **"emergency"** means a situation in a mine or part thereof which poses an immediate danger to the life, health or safety of the persons or property in a-mine;.
- (p) **"employee"** means a person who works in or about the mine and carries out work in any capacity for an Owner, Agent or Manager whether for wages or not;
- (q) **"employer"** means any physical or legal person who employs or engages one or more employees in a mine,; including, the principal contractor, sub-contractor or occupier of the mine;
- (r) **"First Class Mine Manager Certificate"** means the certificate prescribed;
- (s) **"government"** means the Government of Balochistan;
- (t) **"Injury"** means any injury resulting in the enforced absence from work of the person injured for a period exceeding forty-eight [48] hours;
- (u) **"Inspector"** means the Deputy Chief Inspector, Senior Inspector, Inspector and Junior Inspector of Mines appointed

under this Act, being a qualified mining engineer with Mine Manager Certificate of Competency as prescribed; the Deputy Chief Electric Inspector of Mines, Electric Inspector of Mines, appointed under this Act, being a qualified electrical engineer.

- (v) **"Inspectorate of Mines"** means Inspectorate of Mines, Balochistan established for the administration of this Act;
- (w) **"Magazine"** means a building of special design approved by the Chief Inspector of explosives and Chief Inspector of mines;
- (x) **"Manager"** in relation to a mine, means a person possessing the prescribed qualification and experience and duly appointed by the Owner or agent of a mine to be in charge of a mine under this Act;
- (y) **"medical practitioner"** means any person possessing the prescribed qualification and experience and registered with Pakistan Medical and Dental Council or any other government regulatory body responsible for the registration and licensing of medical professionals;
- (z) **"Mining Board"** means Balochistan Mining Board established under this Act;
- (aa) **"Mines Health and Safety Committee"** means Balochistan Mines Health and Safety Committee established under this Act;
- (bb) **"Mine Safety Management Plan"** means a comprehensive risk management document prepared by the Owner, agent or Manager of a mine, identifying hazards, assessing risks, and specifying control measures, emergency response arrangements, and safe systems of work, as prescribed.
- (cc) **"mining operations"** means any method of working by which the earth or any rock structure, coal seam, stone, mineral bearing substance is disturbed or dealt with for the purpose of searching or obtaining any Mineral from it for commercial purposes or for subsequent use in industry, whether it has been previously disturbed or not and includes:
  - i. reconnaissance operations, prospecting operations, exploration operations, development and construction work associated with opening or operating a mine, the removal and disposal of overburden or waste or residues by mechanical or other means;
  - ii. the operation of any support facilities on the mine site, including mining administration offices, workshop and service buildings;
  - iii. the operations in which any Mineral is recovered from the rivers or a natural water supply;
  - iv. operations of residential facilities and recreational facilities and the ground used for that purpose, where such facilities are located on a mining tenement and

are used only in connection with mining operations;  
and

- v. operations undertaken for the environmental rehabilitation of a mine site during production operations and after their completion,
- vi. operations for the care, security and maintenance of a mine and plant at a mine undertaken during any period when production or development operations are suspended;
- vii. operations undertaken to leave a mine safe to be abandoned;

(dd) "mine" means:

- i. when used as a noun-
  - a. any borehole, or excavation, in any tailings or in the earth, including any portion of the earth that is under the sea or other water or in any residue deposit, made for the purpose of searching for or winning a Mineral, whether it is being worked or not; or
  - b. any other place where a Mineral deposit is being extracted, including the mining area and all buildings, structures, machinery, residue stockpiles, mine dumps, access roads or objects situated on or in that area that are used or intended to be used in connection with searching, winning, extracting, exploiting or processing of a mineral. But, if two or more excavations, boreholes or places are being worked in conjunction with one another, they are deemed to comprise one mine, unless the Chief Inspector notifies their Owner in writing that those excavations, boreholes or places comprise two or more mines; or
- ii. when used as a verb, means the mining of any Mineral, in or under the earth, water, or any residue deposit, whether by underground or open working or otherwise and includes prospecting operations and any operation or activity incidental thereto, in, on, or under the relevant mining area; provided that it shall not include any part of such premises on which manufacturing processes are being carried out, unless such processes involve the processing and dressing of Minerals adjacent to the mining operation;

(ee) "Mineral" means any substance, excluding water, but including sand, stone, rock, gravel and clay, as well as soil, other than top soil: whether that substance is in solid, liquid or aqueous form; occurs naturally in or on the earth, in or under water or in tailings; and that has been formed by or

subjected to a geological process; but does not include mineral oil, natural gas, mineral resources or any other substance or element, necessary for the generation of nuclear energy;

- (ff) **"mine guard"** means a person appointed as mine guard under this Act to perform duties as assigned to him by the Chief Inspector or an Inspector as prescribe in rules;
- (gg) **"Mine Rescue Certificate"** means a certificate of mine rescue training issued by Inspectorate of Mines as prescribes;
- (hh) **"Mine Emergency Response Team"** means a team of trained employees employed by the Owner who hold a mine rescue certificate;
- (ii) **"Mine Rescue Team"** means the mine rescue teams of the Inspectorate of Mines;
- (jj) **"Owner"** when used in relation to a mine, means any person who is the licensee or lessee or employer of the mine or any part thereof, but does not include a person who merely receives a royalty, rent or fine from the mine or is merely the owner of the soil and not interested in the minerals of the mine;
- ii. **"plant"** means any mining machinery and includes fixture, fitting, equipment, tools, apparatus, appliances or anything which is used for any purpose in the mine;
- jj. **"prescribed"** means prescribed by the Rules;
- kk. **"Province"** means the Province of Balochistan;
- ll. **"Provincial Mine Owners Association"** means a representative body of mine owners operating within the province, which is duly registered under the relevant laws and recognized by the government for the purpose of consultation, coordination, and participation in matters related to mining operations, health and safety, and regulatory compliance under this Act;
- mm. **"Provincial Registered Trade Union"** means a trade union of mine workers that is duly registered under the relevant laws of the province and recognized by the government for representing workers in matters related to mining operations, health and safety and regulatory compliance under this Act;
- nn. **"relay"** means the set or group of employees carrying out the same kind of work during different times of the day;
- oo. **"Rescue Superintendent"** means a person appointed as Rescue Superintendent under this Act, being a qualified mining engineer with First Class Mine Manager Competency Certificate;
- pp. **"Risk Assessment"** means the systematic process of identifying hazards, evaluating the likelihood and severity of harm, and implementing appropriate measures to eliminate or minimize risks to health and safety in a mine.

- qq. **"Rules"** means the rules made under this Act,
- rr. **"Secretary"** means the Secretary Mines and Minerals Development Department Balochistan;
- ss. **"serious bodily injury"** means any injury which involves, or in all probability will involve, the permanent loss of the use of or permanent injury to any part of the body, or permanent loss of or injury to sight or hearing, or the fracture of any part of the body, or the enforced absence of the injured person from work for a period exceeding twenty days;
- tt. **"shift"** means the period each relay is worked, including a rest interval of at least one [01] hour which may be comprised of multiple breaks throughout the shift;
- uu. **"Surveyor"** means a surveyor appointed under this Act; and
- vv. **"week"** means a period of seven consecutive days.
- 2) In this Act, any reference to "this Act" shall be construed to include any Rules made there under from time to time.
- 3) In this Act, any reference to "Rs." or "روپے" denotes the official currency in the Islamic Republic of Pakistan.
- 4) The provisions of this Act shall be interpreted and implemented in a manner consistent with and harmonized with the Balochistan Mines and Minerals Act, 2025, and in the event of any inconsistency, the provisions of the said Act shall prevail to the extent of such inconsistency.

**Chapter II**  
**Administration of the Act, Mining Board, Chief Inspector and Inspectors,**  
**Appellate Tribunal, Mines Health and Safety Committee, Board of Examiners,**  
**and Mine Management**

**5. Administration of the Act; Establishment of the Department**

There shall be a Mines and Minerals Development Department of the Province established under which there shall be an Inspectorate of Mines, and the Government shall appoint a Chief Inspector (BPS-20), Deputy Chief Inspector (BPS-19), Director Planning (BPS-19), Director Training (BPS-19), Director Mines Rescue (BPS-19), Mines Rescue Superintendent (BPS-18), Senior Inspector (BPS-18), Inspector (BPS-17), Rescue Instructors, and Electric Inspectors and such number of persons to be mining engineers, Surveyors and such other officers as may be necessary for the due administration of this Act.

In the discharge of their statutory functions under this Act, the Chief Inspector and Inspectors shall act independently and shall not be subject to any direction from any authority, except as provided under this Act.

**6. Mining Boards.—**

- 1) Soon after the commencement of this Act, the government shall, by notification in the official Gazette, establish a Mining Board to be known as the Balochistan Mining Board.
- 2) The Mining Board shall consist of;

(a)	Secretary to Government, Mines and Minerals Development;	Chairperson (ex-officio)
(b)	Chief Inspector	Member (ex-officio)
(c)	Commissioner Mines Labour Welfare	Member (ex-officio)
(d)	Director Licensing	Member (ex-officio)
(e)	Mining Engineer (Experienced, Qualified, Competent from field)	Member (ex-officio)
(f & g)	Two representatives of the Provincial Mines Owner Association	Member
(h & i)	Two representatives of the Provincial registered trade union	Member
(j)	Senior Inspector of Mines	Member-cum-Secretary (ex-officio)

casting vote.

- 4) The term of appointment, qualification, resignation and removal of members at clause (f), (g), (h), and (i) of sub-section 2 of section 6 shall be regulated in the manner as may be prescribed.
- 5) The Mining Board shall conduct its business in such a manner as may be prescribed.

**9. Chief Inspector, Inspector and Surveyor**

- 1) The government may, by notification in the official Gazette, appoint a duly qualified person to be Chief Inspector for the province and such other duly qualified persons to be Inspectors who shall be subordinate to the Chief Inspector appointed by the Department, with the approval of the Government.
- 2) No person shall be appointed or continue to hold office as Chief Inspector or Inspector if they are, or become, directly or indirectly interested in any mine or mining rights in the province.
- 3) The Department, with the approval of the Government, may appoint duly qualified persons as Surveyors and mine guards to perform such duties as assigned to them by the Chief Inspector under this Act.

**10. Functions and Powers of the Chief Inspector and Inspectors.—**

- 1) The Chief Inspector shall:
  - (a) administer the Inspectorate of Mines;
  - (b) ensure that the provisions of this Act are complied with and enforced;
  - (c) advise the Mining Board on any policy, practice or procedure in respect of improving the health and safety conditions in the mines of the Balochistan and provide technical support to the Mining Board; and
  - (d) complete a report on the health and safety at mines and the activities of the Inspectorate of Mines for each year and submit the report to the Mining Board and the Secretary within three months of the end of each year.
- 2) The Chief Inspector and Inspectors authorized by the Chief Inspector may:
  - (a) with such assistance as he reasonably thinks fit, enter, inspect and examine any mine or any part thereof and make inquiries respecting the state and condition relating to the safety and health of employees at the mine;
  - (b) to ensure that the provisions of this Act, and Rules made thereunder are complied with;
  - (c) bring into use at any mine, such vehicles, equipment and material present in or about the mine to perform functions under this Act and of the Rules and of any order made thereunder;

- (d) enter any Mine and inspect any material or substance and test mine equipment and machinery present in or about the mine so as to ensure their safety and compliance with the applicable environment protection laws;
- (e) investigate and inquire into any accident that may occur in or about a mine for identification of the cause of the accident and its prevention in the future;
- (f) examine and inquire into the state and condition of any mine or any part thereof, the adequacy of ventilation of the mine, presence of toxic gases, underground lighting, underground timbering and support system and all matters and things connected with or relating to the safety and health of employees in the mine;
- (g) upon giving reasonable written notice, direct any Owner, agent or Manager or employee to appear before him at a reasonable time and place as stated in the notice in writing and investigate or inquire into such Owner, agent or Manager or employee, whether at the mine or elsewhere, and take a statement of any such person which he may consider necessary for investigating suspected contraventions of this Act;

Provided that no one shall be required under this clause to answer or give any evidence tending to incriminate himself;

- (h) require the production of any book, register or other document, the keeping of which is prescribed in the Rules, and take into his custody or make copy of or seize any book, record, register or other document or any such article or substance which may in his opinion serve as evidence at the trial of any person charged with an offence under this Act;

Provided that the party who provided such information can inspect or make copies at all reasonable times;

- (i) examine the mine officials for the purpose of producing the relevant certificate of competency required for Managers, certificate of medical fitness for employees at the mine and other certificates required for supervising staff as required under sub section 3 of section 24;
- (j) take or remove for the purpose of analysis, reasonable samples of mineral, materials and substances used or handled in the mine, in order to exercise any compliance power or investigate a suspected contravention of this Act;
- (k) if the Chief Inspector reasonably believes certain operations, acts or practices at the mine or part thereof involve serious and imminent danger to the health and safety of any employee, they may issue a notice in writing to suspend or halt those operations or performance of any act or practice and the Owner, agent or Manager shall comply with the written instructions of the Chief

Inspector or Inspector, as the case may be, for remedying the operations, acts or practices that involve a serious and imminent danger to the health and safety of employees;

- (l) make sure that all the responsibilities and duties imposed upon the Owner, agent or Manager under this Act or the Rules made thereunder or any other law for the time being in force are complied with by such Owner, agent or Manager;
- (m) order the compliance with any or all of the provisions or conditions specified in the notice and extend the period specified in an order or notice issued under this Act, if deemed reasonably necessary, by the Chief Inspector on the request of the Owner, agent or Manager in writing;
- (n) conduct training and educational programs relating to mining, occupational safety and health and mine rescue techniques and demonstrate the use of safety equipment; and
- (o) issue a certificate of proficiency to a qualified person to perform a specific job or duty for which he proves himself to be competent;

provided that where the Chief Inspector and any Inspector takes any property into custody and removes it from the mine, they will issue a written notice which provides an inventory of the items removed from the mine as well as the reasons why it was deemed necessary to remove these specific items.

- 3) The Chief Inspector may, when so requested by any person producing prima facie evidence of an offence or receive any information from any source, direct an Inspector to conduct an inquiry into an accident which has occurred at or in the mine or originated from machinery, plant, at or in the mine which has resulted or in the opinion of the Chief Inspector could have resulted in the Injury, illness or death of any person working in the mine.

- 4) Nothing in this Act requires a person to provide a document that would disclose information, or otherwise provide information, that is the subject of legal professional privilege;

Provided that this sub-section shall not apply to the cases where such documents are necessary to ensure the health and safety of employees or where required in investigations of Accidents involving death or Serious Bodily Injuries.

- 5) No action taken or order issued by the Chief Inspector or an Inspector in good faith for the purpose of preventing danger to life, health or safety shall be called in question merely on the ground of technical or procedural irregularity.

**11. Power of Chief Inspector to declare area of jurisdiction for Inspectors to exercise powers.—**

- 1) The Chief Inspector may, by order in writing, prohibit or restrict the exercise, by any Inspector or any class of Inspectors specified in the order, of any power conferred on such Inspectors by this Act, and

declare the area or areas within which, or the group or class of mines with respect to which, the Inspectors shall exercise their powers.

- 2) The Inspector shall give information to the Owner, agent or Manager situated within the local area or areas or belonging to the group or class of mines, in respect of which he exercises powers under subsection 1 section 11 as to all Rules which concern them respectively and as to the places where copies of such Rules may be obtained.

**12. Powers of special officer to enter, measure, etc.—**

- 1) Any person in the service of the Government of Balochistan duly authorised by a special order in writing by the Chief Inspector or by an Inspector in this behalf may, for the purpose of inquiry, inspection, surveying, levelling or measuring in any mine, after giving not less than three days' notice to the Owner, agent or Manager of such mine, enter the mine and may survey, level or measure the mine or any part thereof at any reasonable time by day or night, but not so as unreasonably to impede or obstruct the working of the mine:

Provided that no such notice needs to be given if, for reasons to be recorded in writing, the Chief Inspector or an Inspector is of the opinion that there is an emergency or required for a special purpose.

**13. Facilities to be afforded to the Chief Inspector, Inspectors, or Surveyor.—**

- 1) Every Owner, agent or Manager shall afford the Chief Inspector, and every Inspector, Surveyor and every person authorised under section 12 all reasonable facilities for making entry, inspection, examination, survey, measurement, inquiry or imparting training at a mining site to employees at the mine under this Act.
- 2) The Owner, agent or Manager of every mine shall furnish to the Chief Inspector or an Inspector concerned all maps, drawings and plans of the mine, together with the plans of all contemplated changes in the manner of working in the mine or any part thereof, and appliances to make a proper inspection and all other facilities required for such entry, examination and inspection.

**14. Functions of Surveyor.—**

- 1) The Surveyor may, with prior permission of the Chief Inspector or an Inspector, frequently inspect the mines to:
  - (a) examine and evaluate the mine development plan and work carried out by the Owner, agent or Manager to ascertain whether it is prepared and maintained in accordance with the provisions of this Act, and Rules or any order made thereunder;
  - (b) assist an Owner, agent, or Manager in the implementation of the present or proposed mine developmental plan on scientific lines as directed by the Chief Inspector or the Inspector concerned;
  - (c) ensure compliance with an order issued by the Chief Inspector or an Inspector in connection with the restoration of proper

underground mine ventilation and provisions for the development of clear outlets by the Owner;

- (d) survey, level, and measure any underground and surface mine, conduct underground ventilation surveys, record quality and quantity of circulating air and report to the Chief Inspector or Inspector as the case may be, any irregularity if not in conformity with the prescribed standard;
  - (e) collect and properly maintain data pertaining to all kinds of mineral titles, mines, quarries, employees, underground and surface plans;
  - (f) keep the Chief Inspector and Inspector concerned informed in writing of the activities carried out in the field and shall make recommendations in writing to the Chief Inspector or an Inspector; and
  - (g) perform any other function assigned to him by the Chief Inspector or Inspector under this Act.
- 2) The Surveyor may, after giving not less than three days' notice to the Owner, agent or Manager, enter the mine and may survey, level or measure the mine or any part thereof at any reasonable time in such a way not to impede or obstruct the workings of the mine;
- Provided that no such notice needs to be given if, for reasons to be recorded in writing, the Chief Inspector or the Inspector is of the opinion that there is an emergency.
- 3) A Surveyor appointed under this Chapter shall be distinct from a Mine Surveyor appointed under section 23 and shall act under the administrative control of the Inspectorate of Mines.

**15. Establishment of Provincial Appellate Tribunal for Mines and Minerals**

- 1) Upon commencement of this Act, the government shall, by notification in the official Gazette, establish a tribunal to be known as the Provincial Appellate Tribunal for Mines and Minerals, with its principal seat located in Quetta.

- 2) The Appellate Tribunal shall consist of the following appointments:

1	A person to be qualified Judge of the High Court	Chairman
2	one (1) representative of the Law Department and Parliamentary Affairs Department Balochistan	Legal Member
3	two Mining engineers as technical members	Technical Member

- 3) The Chairman for the Appellate Tribunal shall be appointed by the Government for a period of three [3] years, unless he resigns or is removed from office earlier in the manner as may be prescribed.

- 4) A technical member shall be a mining engineer with substantial experience in the mines health and safety sector and shall be appointed by the Department for a period of three 3 years, unless he resigns or is removed from office earlier in the manner as may be prescribed.
- 5) The qualification and terms and conditions of service of the Chairman, members and other staff of the Appellate Tribunal shall be such as may be prescribed by the government from time to time by notification in the official Gazette.
- 6) The Chairman and members shall have no direct or indirect financial interest in, or have business connection with any person, in establishment, or firm that renders mining operations in Balochistan or Pakistan.
- 7) The Department shall provide secretariat support to the Appellate Tribunal.

#### **16. Functions and Powers of Appellate Tribunal for Mines and Minerals**

- 1) If an Owner, agent or Manager is aggrieved by any decision made, direction, notice or order issued by the Chief Inspector or by a decision of the Chief Inspector under sub section 6 of section 41; he may, within thirty [30] days of the communication of the relevant decision, direction, notice, or order issued, on payment of an administrative fee as may be prescribed by the government from time to time by notification in the official Gazette, refer an appeal to the Appellate Tribunal.
- 2) The Appellate Tribunal, on the admission of appeal under sub-section 16 sub section 1, if deemed appropriate may refer the case to the Mines Health and Safety Committee for fact-finding and assessment.  
Provided that the report of the Mines Health and Safety Committee shall be advisory in nature and shall not be binding on the Appellate Tribunal while deciding the appeal.
- 3) The Appellate Tribunal, on the admission of and hearing an appeal under subsection 1 section 16 may, if it so considers necessary in the interest of justice, grant injunctions and orders providing interim relief orders;  
Provided that no such order shall be made if the health and lives of persons involved are in danger.
- 4) The Appellate Tribunal shall hear and dispose of any appeal under sub section 1 of section 16 within fifteen [15] days.
- 5) The Appellate Tribunal may, where necessary, seek independent expert opinion on technical or safety matters.

#### **17. Procedure of Appellate Tribunal for Mines and Minerals**

- 1) Subject to this Act, sittings of the Appellate Tribunal shall:
  - (a) be conducted in accordance with any practices and procedures prescribed by the government from time to time by notification in the official Gazette;

- (b) the Code of Civil Procedure 1908 applies for the procedures of tribunal;
- (c) Qanon-e-shahdat 1984 shall be applicable for the evidence recording and collection.
- 2) Each sitting of the Appellate Tribunal shall be attended by the Chairman, a legal member, and technical member.
  - 3) The Appellate Tribunal shall ensure that evidence produced before it is recorded in writing and made available to the relevant appellant upon payment of an administrative fee as may be prescribed by the government from time to time by notification in the official Gazette.
  - 4) The Appellate Tribunal shall not, merely by reason of a change in its composition between sittings, or the absence of any member from any sitting, be bound to recall or rehear any witness who has given evidence and may act on the evidence already recorded by or produced before it.
  - 5) Upon receiving the assessment by the Mines Health and Safety Committee under subsection 2 of section 16 read with sub section 6 of section 18, the Appellate Tribunal shall request comments from the Chief Inspector and Owner, agent or Manager (as applicable), and shall ensure those comments are shared with the relevant parties .
  - 6) The Appellate Tribunal may, in its absolute discretion, pass orders in conformity with the assessment under subsection 5 of section 17 unless the Chief Inspector or the Owner, agent or Manager has lodged an objection to the findings and assessments of the Mines Health and Safety Committee, in which case the Appellate Tribunal may proceed to review such findings and assessments and to pass such order and in such a manner as the Appellate Tribunal may deem appropriate.
  - 7) All the decisions of the Appellate Tribunal shall be expressed in terms of the opinion of the majority of its members.
  - 8) All decisions of the Appellate Tribunal, including the reasons for the decision given, shall be reduced to writing, and signed by the Chairman and the members. Any applicant may, upon payment of an administrative fee as may be prescribed by the government from time to time by notification in the official Gazette, obtain a copy of any such decisions.
  - 9) Any person aggrieved by the final judgement and order of the Appellate Tribunal under this Act may within thirty [30] days of the final judgement and order of the Appellate Tribunal refer an appeal to the High Court of the Balochistan;  
Provided that, no appeal shall lie against an interlocutory order of the Appellate Tribunal.
  - 10) All appeals against the final judgement filed before the High Court will be heard by a Bench of not less than two [2] judges constituted by the Chief Justice of the High Court and shall be finally disposed of within thirty [30] days of the filing of the appeal.
  - 11) All appeals against a final judgement of the High Court shall be filed

within thirty [30] days before the Supreme Court of Pakistan.

**18. Mines Health and Safety Committee.---**

- 1) Upon commencement of this Act, the Appellate Tribunal, as and when required, may constitute a Mines Health and Safety Committee for the purpose of sub-section 2 of section 18.
- 2) The Mines Health and Safety Committee shall consist of the following:

a.	A mining engineer	Chairman
b.	A person to represent the interest of Owner, agent or Manager concerned	Member
c.	A person to represent the interest of the persons employed in the mine.	Member

- 3) For the purpose of sub-section 1 section 18, the chairman and member at clause (a) and (c) of sub section 2 of section 18 respectively, shall be nominated by the Government, whereas, the member at clause (b) of sub section 2 of section 18 shall be nominated by the concerned Owner, agent or Manager.
- 4) The mining engineer at clause (a) of sub section 2 of section 18, shall be a mining engineer qualified by experience in mines health and safety other than the Chief Inspector or Inspector concerned.
- 5) Where an owner, agent or Manager fails to exercise his or her power of nomination under sub section 3 section 18, the Appellate Tribunal may direct the Mines Health and Safety Committee to proceed, notwithstanding such failure and the provision of reasonable additional notice being at least fourteen [14] days, inquire into and dispose of the matter referred to it.
- 6) The Mines Health and Safety Committee shall hear and record such information as the Chief Inspector, an Inspector concerned, Owner, agent or Manager concerned, may place before it; and intimate its findings and assessment to the Appellate Tribunal.

**19. Accident Inquiry committee.---**

- 1) When a notice of a mine accident is provided in accordance with section 28 of this Act the Secretary, if he is of opinion that a formal inquiry into the causes of, and circumstances attending, the accident reported ought to be held, may appoint an Accident Inquiry Committee to hold an inquiry, consisting of the persons prescribed possessing experience and special knowledge of the mining law and shall have at least one Inspector other than Inspector concerned.
- 2) The Inquiry Committee appointed to hold such enquiry shall have the relevant powers of a Civil Court under the Civil Procedure Code, 1908 (Act No. V of 1908) for the sole purpose of enforcing the attendance of witnesses and compelling the production of documents and material objects to and every person required by such person as aforesaid to

furnish any information shall be deemed to be legally bound to do so within the meaning of section 175 of the Pakistan Penal Code, 1860 (Act No. XL of 1860).

- 3) The Inquiry Committee holding an inquiry under sub section 1 of section 19 may exercise such of the powers of an Inspector under this Act as it may think fit or expedient to exercise for the purposes of the inquiry.
- 4) The Inquiry Committee holding an inquiry under sub section 1 section 19 shall make a report to the Secretary stating the causes of the accident and its circumstances and adding any observation which it may think fit to make. Such report is for information purposes only and cannot be solely relied upon to prosecute a person under this Act.
- 5) The findings of an Accident Inquiry Committee shall not be admissible as conclusive proof of guilt in any criminal proceedings.

**20. Publication of reports.—**

The Secretary may cause any report submitted by the Inquiry Committee constituted under section 19 to be published at such time and in such manner as he may think fit.

**21. Board of Examiners.—**

- 1) The Secretary shall, by notification, constitute a Board of Examiners consisting of Chief Inspector of Mines, who shall be the Chairman of the Board, and three members possessing relevant technical qualification and experience as prescribed who shall be appointed by the Secretary for a term of three (3) years:

Provided that on the expiry of the term for which he has been appointed, any member shall be eligible for re-appointment, for one more term.

- 2) The Board of Examiners shall conduct examinations for the grant of a certificate of competency and prescribe the course for such examination in the manner as may be prescribed.
- 3) Where it appears to the Board of Examiners that any person holding any certificate of competency has been guilty of misconduct or incompetence in the discharge of his duties or has been convicted of any offence made punishable by this Act with fine or imprisonment, the Board shall cancel or suspend the certificate granted by it to such person.
- 4) No certificate shall be suspended or cancelled without giving the holder a reasonable opportunity of being heard.

**22. Managers.—**

- 1) Every mine shall be under one or more Managers, who shall have the prescribed qualifications and experience and shall be responsible for the control, management and direction of the mine and the Owner or agent of every mine shall appoint himself or some other person, having such qualification and experience to be a Manager.

- 2) No mining operation shall be allowed to be conducted without the supervision of a Manager as required under sub section 1 of section 22.
- 3) The Manager shall post, near every mine, labour hut or at the mine office, abstracts of the Act and the Rules in English and in Urdu or the local vernacular, in the manner prescribed.
- 4) An Owner or agent commits an offence under sub section 1 of section 22 if a mine is worked without a Manager as required by sub section 1 of section 22.

**23. Mine Surveyor.---**

- 1) The Owner, agent or Manager of every underground mine shall appoint a duly qualified surveyor, who shall be responsible for the accurate underground and surface plan of the mine drawn and updated in the prescribed form and shall also be responsible for necessary measurements, calculations, assessment and shall assist the Manager, mining engineer and mine supervisors in the development of the mines.
- 2) In case of surface mining, if it appears to the Inspector that the appointment of surveyor by the owner is reasonably necessary, the Chief Inspector, on request of the Inspector may direct the Owner, agent or Manager in writing to appoint a surveyor within such time as specified in the order.
- 3) If any dispute arises between the Inspector and the mine Owner, agent or Manager on the issue of appointment of a mine surveyor, the same shall be referred to the Chief Inspector and the decision of the Chief Inspector in the matter shall be final.
- 4) For the avoidance of doubt, a surveyor appointed under this section is an employee of the Owner, agent or Manager and is not a Surveyor appointed under section 13 of this Act.
- 5) An Owner, agent or Manager commits an offence under sub section 1 or 2 of section 23 if a mine is worked without a mine surveyor as required under sub section 1 or 3 of section 23.

**24. Duties and responsibilities of Owner, Agent and Manager .---**

- 1) The Owner, agent and Manager shall be responsible to ensure:
  - (a) that all mine operations are conducted in accordance with the provisions of this Act, Rules and any order made thereunder;
  - (b) that the mine is designed, constructed and equipped:
    - i. to provide such working conditions as may be required to ensure the health and safety of employees; and
    - ii. with a communication system and with electrical, mechanical and other equipment as necessary to ensure the health and safety of employees;
  - (c) that the mine is commissioned, operated, maintained and decommissioned in such a way that employees can perform their work without endangering the health and safety of

- themselves or of any other person;
- (d) that appropriate measures are in place to support employee compliance with the provisions of this Act, and to promote, maintain, and enhance health and safety at the mine;
  - e) provide persons appointed under sub section 3 of section 24 with the means to comply with the requirements of this Act and with any instruction given by Chief Inspector or an Inspector;
  - f) that an employee's training and capabilities are considered in respect of health and safety before assigning a task to that employee;
  - g) that updated mine plans are available in the manner prescribed; and
  - h) that when there is serious and imminent danger to the safety and health of employees, operations are suspended, and steps are taken to ensure, so far as is reasonably practicable, the safety of those employees.
- 2) The Owner and any appointed agent shall provide, for use by all persons at the mine, sufficient on-site facilities and medical services of the prescribed size and standard, including:
- (a) clean drinking water, sanitary amenities, a canteen, shelters and a mine office; and
  - (b) ambulances, medical supplies, medical equipment, a first aid room and trained nursing staff.
- 3) Without prejudice to any of the provisions of this Act or any other law for the time being in force, the Owner or agent of every mine shall appoint-
- (a) one or more Managers with the qualifications as may be prescribed to be responsible for the day to day management and operation of the mine, and if more than one Manager is appointed, ensure that the Managers' functions do not overlap with each other; and supply the Managers with the means to perform their functions; and take reasonable steps to ensure that the Managers perform their functions.
  - (b) sufficient number of competent persons with the required qualifications and experience to effectively supervise all mining operations, equipment, and installations at the mine or its parts, as may be prescribed, ensuring compliance with this Act, Rules, and any orders issued thereunder; and
  - (c) an adequate number of competent persons to carry out mining operations safely and effectively, with clearly defined functions, duties, and responsibilities for each such individual.
- 4) The Owner or, agent shall, in respect of appointed persons in sub section 3 of section 24, send a letter of appointment of such employees to the Chief Inspector and Inspector in writing specifying their names, address, qualification, duties and

responsibilities for which they have been appointed.

- 5) If more than one person has a duty in relation to the same matter under this Act, each person with such duty must, so far as is reasonably practicable, consult, cooperate and coordinate activities with all other persons who have a duty in relation to the same matter.
- 6) For any contravention of the provisions of sub sections 1, 2, 3,4 or 5, of section 24 the Owner, agent, or Manager commits an offence if one or more of them failed to exercise due diligence and take all reasonable measures to ensure compliance with these provisions.
- 7) For the purposes of this Act, 'reasonably practicable' means having regard to the likelihood of the hazard, the degree of harm, what the person knows or ought reasonably to know, and the availability and suitability of ways to eliminate or minimize the risk.

**25. Employee's Duties for Health and Safety.--**

- 1) Every employee at a mine, while at that mine, shall:
  - (a) take reasonable care to protect their own health and safety; and take reasonable care to protect the health and safety of other persons who may be affected by any act or omission of that employee;
  - (b) use and take proper care of protective clothing, and other health and safety facilities and equipment provided for the protection, health or safety of that employee and other employees;
  - (c) report promptly to their immediate supervisor any situation which the employee believes presents a risk to the health or safety of that employee or any other person, and with which the employee cannot properly deal; and
  - (d) co-operate with any person to permit compliance with the duties and responsibilities placed on that person in terms of this Act, Rules, and any orders issued thereunder.
- 2) An employee commits an offence if they contravene sub section 1 of section 25.

**Chapter III**  
**Mining Operations, Working Hours, Employment, Wages and Incentives**

**26. Commencement of Mining Operation.**

- 1) The Owner, agent or Manager shall, not less than thirty [30] days before the commencement of any mining operations at a mine, give a written notice to the Chief Inspector or Inspector containing such particulars relating to the mine as may be prescribed.

Mining operations shall not commence unless the Mine Safety Management Plan submitted under this section has been reviewed and not objected to by the Chief Inspector or Inspector concerned

- 2) If the proposed operations outlined in the notice given under sub section 1 of section 26 do not commence within sixty [60] days from the date on which the notice was given, such notice shall be deemed to have expired and no mining operations authorized under this Act shall commence unless a second notice has been given in accordance with sub section 1 of section 26.

**27. Authority to Enter a Mine.**

- 1) No person except the Chief Inspector, Inspector, Rescue Superintendent, Surveyor or other officer of Inspectorate of Mines Balochistan authorized by Chief Inspector shall enter a mine, unless they have been authorized by the Manager and have provided reasonable notice of their entry.
- 2) Unless authorized by the Manager, no persons shall leave a mine except by a recognized means of entry or exit.
- 3) Any person authorized by the Manager under sub section 1 of section 27 must abide by all reasonable directions of the Manager and observe all health and safety Rules applicable to the mine

**28. Notice of Mine Accidents.---**

- 1) Whenever there occurs in or about a mine-
  - (a) an accident causing loss of life or serious bodily injury in connection with mining operations;
  - (b) an accidental explosion, accidental or uncontrolled ignition of explosives, spontaneous heating or appearance of smoke in coal mines, uncontrolled fire or eruption or inrush of water or other liquid matter in an underground excavation or tunnel;
  - (c) an influx of inflammable or noxious gases that creates a serious risk to the health and safety of an employee or any other person;
  - (d) a breakage of ropes, chains or other gear by which persons or materials are lowered or raised in a shaft or an incline; or an over winding of cages or other means of conveyance in any shaft while persons or materials are being lowered or raised;
  - (e) breakage, fracture or failure of any essential part of any machine or apparatus whereby the safety of a person may be

in danger;

- (f) an uncontrolled bursting of any equipment containing steam, compressed air or other substance at high pressure that creates a serious risk to the health and safety of an employee or any other person;
- (g) an electric shock or burn caused by contact with a conductor carrying more than 25 volts; or
- (h) subsidence or land sliding in the mining area; or premature collapse of any part of the working; or a rock-burst in working below ground; or an instantaneous failure of a pillar, part of a pillar or several pillars of coal in workings below ground,
- (i) any other accident in mine that results in an injury:

the Owner, agent or Manager shall give notice in writing within twenty four [24] hours after the occurrence in the prescribed form to the Chief Inspector or Inspector concerned.

Provided that in case of entrapped persons, the Owner or, agent or Manager shall immediately and as soon as practicable, inform the Chief Inspector or Inspector concerned.

- 2) Where a notice given under sub section 1 of section 28 relates to an accident causing loss of life, the Inspector shall make, or, where the authority receiving the notice is not the Inspector, that authority shall direct the Inspector concerned to make, an inquiry into the occurrence, within one [1] month of the receipt of such notice or information otherwise received relating to the accident.
- 3) The Chief Inspector may extend the period referred to under sub-section by a maximum period of two [2] months if in his opinion it would be unreasonable or impractical to conclude the inquiry within one [1] month and shall inform the Secretary and the concerned Owner or, agent of the extended period in writing prior to the expiry of the one [1] month period referred to under sub section 2 of section 28.
- 4) When an accident causing loss of life or serious bodily injury to any person occurs, the place of accident shall not be disturbed or altered for fifteen [15] days from the date of such accident unless the Inspector has earlier inspected it or given intimation that it is not proposed to make an inquiry;

Provided that the place of accident may be disturbed if it is necessary for securing the safety of the mine or the persons employed therein, subject to the following conditions, namely:

- (a) the decision that it is necessary to disturb the place must be taken by the Manager;
- (b) the disturbance must not prejudice to subsequent investigation;
- (c) the employees' representative (if appointed) must have had a reasonable opportunity to inspect the place of accident if he wishes;

- (d) an accurate site map of the area where the accident occurred shall be prepared, and copies thereof shall be made available to the Inspector and the employees' representative; and
  - (e) everything which is relevant to the accident must be preserved as far as possible, in the condition in which it was at the time of accident.
- 5) Wherever there occurs in or about a mine an accident specified in sub section 1 of section 28 and any other accident causing an injury to any person, the Owner or, agent or Manager, shall enter details of such occurrence in the register in the prescribed form and copies of such entries shall be sent by the Owner or agent within fifteen [15] days after the 30th day of June and the 31st day of December in each year to the Chief Inspector.
  - 6) In case of any accident resulting in loss of life or serious bodily injury, the Owner, agent or Manager shall conduct a root cause analysis in the prescribed manner and submit the report to the Chief Inspector within such time as may be prescribed.
  - 7) Failure to preserve the site of accident in violation of this section shall constitute an offence under this Act.

**29. Occupational Diseases—**

The government may, if appropriate from time to time, by notification in the official Gazette, include or exclude an occupational disease from Schedule [1], for the purpose of this Act.

**30. Notice of occupational diseases.—**

- 1) Where any person employed in a mine contracts or is believed to have contracted any disease, specified in Schedule [1], as an occupational disease peculiar to any mining operation, the Owner or agent or Manager (as applicable), shall send a notice to the Chief Inspector, and an Inspector having jurisdiction of the area, in the prescribed form within seven [7] days of the contraction of the occupational disease.
- 2) The Chief Inspector may direct an Inspector to investigate the matter within a specified time, or may request the relevant district health authorities to provide medical practitioners and laboratory or X-ray facilities on such terms and conditions as deemed appropriate, to assist the Chief Inspector or an Inspector for the purpose of this section within such time as specified in the requisition.
- 3) If the Chief Inspector, or the Inspector has a reason to believe that any employee working in or at the mine has contracted an occupational disease specified in Schedule [1] or a disease contracted as a result of working in or at the mine in risky environment, the Chief Inspector may refer that employee to any government hospital or to any other reputed medical centre or medical specialist not in the control of government, for necessary medical check-up and opinion for further investigation and treatment if deemed necessary.

**31. Report by medical practitioner.—**

- 1) If a medical practitioner attends to an employee or former employee at a mine who is, or is believed by the medical practitioner to be, suffering from a disease specified in Schedule [1], he shall, without delay, communicate to the Chief Inspector his findings at the examination in a report, and shall, if requested by the Chief Inspector, furnish such further information at his disposal in regard to the examination or the health of such person as the Chief Inspector may require stating therein:
  - (a) the name and address of the patient;
  - (b) medical checkup report duly signed and stamped by the medical practitioner who has medically examined the patient;
  - (c) the disease from which the patient is or is believed to be suffering; and
  - (d) the name and address of the mine, the name and address of the Owner in which the patient was last employed;

Provided that in the case of a medical practitioner employed at a mine, the report specified in section 31 subsection 1 shall be made directly to the Chief Inspector.

- 2) The Chief Inspector or an Inspector, if so advised by the medical practitioner, may direct the Owner, agent or Manager (as applicable) to shift, for any specified period, a person who has contracted an occupational disease to such a working place where there is less or no danger of aggravation of the disease.

### **32. Cost of medical examination and treatment.--**

- 1) Where the report submitted under section 31 is confirmed to the satisfaction of the Chief Inspector through a certificate issued by a medical practitioner that the employee is suffering from a disease specified in Schedule [1], the Chief Inspector shall forward the case with necessary recommendation to the Owner for payment of all reasonable expenses incurred by the patient suffering from the occupational disease and the cost to keep the employee under observation at an external medical facility if advised by the medical practitioner for a period of no more than ten [10] days unless recommended otherwise by the medical practitioner.
- 2) The Owner, agent or Manager shall consider the recommendation made by the Chief Inspector under sub section 1 of section 32.

### **33. Medical certificate of fitness.**

- 1) A medical practitioner, subject to the provisions of this Act and prescribed Rules, shall on application made in the prescribed manner by any employee or an Owner or Agent who intends to employ a person to perform work in a mine who, is not in possession of a valid certificate of fitness, medically examine that person in a manner as he deems fit and issue to such person a certificate of fitness in the prescribed form;

Provided that in the case of a medical practitioner employed at a mine site, the medical certificate of fitness shall be issued by him as required

under this section.

- 2) The Owner or agent shall provide all necessary facilities to carry out such medical examinations to determine the fitness of the employee on such date, time and place fixed by the Chief Inspector.
- 3) No person shall be allowed to enter into a mine for the purpose of work or employment in a mine unless he is in possession of a medical fitness certificate issued by the medical practitioner as required under sub section 1 section 33.
- 4) Every person who performs work in or about the mine whether above or below ground shall be medically examined at such intervals as may be determined by the Chief Inspector.

#### **34. Hours of Employment**

- 1) A person employed in any mine shall not be allowed to work for more than forty-eight [48] hours in any week or for more than eight [8] hours in any day, provided that where persons are employed in shifts, they may be employed in excess of forty-eight [48] hours in any week and for more than eight [8] hours in any day, if the average number of working hours does not exceed eight [8] hours per day or fifty-six [56] hours per week over a period of three [3] consecutive weeks, with at least one [1] rest day per week or at least a 24-hour rest period between shifts at the end of each seven [7] consecutive days.
- 2) Subject to the provisions of sub section 1 section 34, the Owner, Agent or Manager shall not permit the employment of a person for a shift at a:
  - (a) surface mine for a period longer than 12 hours in any 24 hours;
  - (b) underground mine for a period longer than 10 hours in any 24 hours,

Provided in case of an emergency where life or property is in danger, or where urgent work is essential to the continuation of the ordinary working of a mine, providing it is only on an infrequent basis; or where work schedules incorporate periodic shift changes within a 24-hour period; the Chief Inspector or Inspector concerned may for reasons to be recorded in writing and subject to such conditions as he may deem fit to impose, extend the hours of employment.

- 3) The Owner, Agent or Manager shall ensure that the employee shall get a minimum of eight [08] hours of rest between preceding and succeeding shift.
- 4) The Owner, agent or Manager of every mine shall post a notice at the mine office stating the shift intervals, weekly days of rest of the employees and any other information on the prescribed form and a copy of such notice shall be sent to the Chief Inspector, and the Inspector concerned.
- 5) In case any alteration is desired in the notice under sub section 4 of section 34, an amended notice in the prescribed form shall be posted at the mine office not less than seven [07] days before the change is made and a

copy of such notice shall be sent to the Chief Inspector and the Inspector concerned, not less than seven days before such change.

- 6) The Owner or agent or Manager shall not allow any employee to work in a mine otherwise in accordance with the notice required under sub section 4 of section 34.
- 7) The persons listed in Schedule [2] of this Act shall be exempted from hours of employment defined in this section.

**35. Employment of women.---**

- 1) The Owner, Agent or Manager shall not employ women in an underground mine unless;
  - (a) any Rules published by the government in the official Gazette or other orders of a mine which the Chief Inspector issued, in respect of women working below ground are complied with; and
  - (b) the deployment shall be in a group of not less than five (5) other women in a shift.

Provided that the provisions of this subsection shall not apply to women who do not perform manual work and are employed in technical or managerial positions or in health services.

- 2) No women shall be employed in a mine without their written consent; and unless adequate facilities and safeguards regarding their occupational safety, security and health are provided by the Owner, agent or Manager.
- 3) A woman shall have the right to maternity benefits provided for under any legislation or agreement with the employee and in the manner as may be prescribed.
- 4) The Chief Inspector shall have the power to direct the Owner, Agent or Manager to make payments for the purpose of this section.
- 5) Nothing in this section shall be construed to deny employment to women in mining operations where adequate safety measures are provided.

**36. Prohibition of employment of children.---**

- 1) The Owner, Agent or Manager shall not employ a child in a mine or allow a child to be present in any part of a mine.
- 2) The Owner, agent or Manager (as applicable) commits an offence if a Child is found in the premises of the mine with the consent of the Owner, agent or Manager (as applicable).

36.2 In case of doubt about the age of a person employed in a Mine, the Chief Inspector or Inspector concerned shall direct the Owner, Agent or Manager to produce an age determination certificate on a prescribed form issued by a medical practitioner referred by the Chief Inspector or Inspector concerned.

**37. Exemption from hours of employment by Manager.---**

- 1) If in the opinion of the Manager, there is an emergency in the mine or

in case of a mine accident or in case of any urgent work to be done to machinery, plant, equipment of the mine as a result of breakdown of such machinery, plant or equipment, the Manager may, subject to the provisions of section 43 and section 44, allow persons to be employed in contravention of section 34 on such work as may be necessary to protect the safety of the mine or of the persons employed therein; and shall immediately report in writing the action taken and the circumstances relating thereto to the Chief Inspector or Inspector concerned.

- 2) The persons given exemption by the Manager under sub-section 1 of section 37 shall have the right to compensatory days of rest, if any of his rest days are suffered during such exemption.

**38. Extra wages for overtime.--**

- 1) The Owner, Agent or Manager (as applicable) of any employee shall ensure that where in a mine a person's hours of employment exceeds those specified in clause a sub section 2 of section 34 that employee shall be entitled to extra wages for overtime work at the rate twice his ordinary rate of wages and period of the overtime shall be calculated on a daily basis or weekly basis, whichever is more favourable to him.
- 2) For the purpose of sub section 1 of section 38, "ordinary rate of wages" means all remuneration capable of being expressed in terms of money which would, if the terms of contract of employment, express or implied, were fulfilled, be payable to a worker in respect of his employment or of work done in such employment, but does not include:
  - (a) the value of any house-accommodation, supply of light, water, medical attendance or other amenity;
  - (b) any contribution paid by the owner to any pension fund or provident fund;
  - (c) any travelling allowance or the value of travelling concession;
  - (d) any sum paid to the person employed to defray special expenses entailed on him by the nature of his employment; or
  - (e) any gratuity, bonus, overtime, allowance or share in profits of the mine.
- 3) Where any person employed in a mine is paid on a piece-rate basis the Chief Inspector may, in consultation with the Owner or agent concerned and the representatives of the persons employed in the mine, for the purposes of this section, fix time rates as early as possible equivalent to the average rate of earnings of the persons so employed, and the rates so fixed shall be deemed to be the ordinary rates of wages of such persons.
- 4) The Chief Inspector may prescribe the registers that shall be maintained in a mine for the purpose of securing compliance with the provisions of this section.

**39. Employees Register.---**

- 1) For a mine, the Owner, agent or Manager shall keep in the prescribed form and place a register of all persons employed in the mine.
- 2) The register prescribed under sub section 1 of section 39 shall be maintained in such manner that the particulars recorded therein, including but not limited to; hours of employment, leave, and other related matters, are in conformity with the provisions of this Act, and no entry shall be made or maintained that would result in a contravention thereof.
- 3) The employees whose particulars are entered in the register under sub section 1 of section 39 shall be deemed to be registered employees; and no person shall be allowed to work in a mine unless he is a registered employee.
- 4) The register maintained under this section shall be open for inspection by an Inspector at all reasonable times.

**40. Leave with wages.**

- 1) Every person who has completed one year of continuous service in a mine shall be allowed during the subsequent period of twelve months leave with wages for a number of days calculated, at the rate of:
  - (a) one day for every seventeen [17] days of work performed below ground during the previous period of twelve months; and
  - (b) one day for every twenty [20] days of work performed above ground during the previous period of twelve months;Provided that a period of leave shall be inclusive of any holiday which may occur during such period.
- 2) If a person employed in a mine does not, in any such period of twelve [12] months, avail the leave to which he is entitled under section 40 subsection 1, either in whole or in part, such leave not taken by that person shall be added to the leave to be allowed to that person under that subsection in the succeeding period of twelve [12] months, provided that:
  - a. such person shall cease to earn leave under this section when the leave due to the person amounts to twenty [20] days; and
  - b. any leave applied for by a person but refused by the Owner, agent or Manager for any reason shall be added to the credit of such person beyond the aforesaid limit.
- 3) Where a person employed in a mine is discharged or dismissed from service or quits his employment or is superannuated or dies while in service, he or his heirs or his nominee, as the case may be, shall be entitled to all accrued but untaken leave calculated at the rate specified in sub section 1 of section 40.
  - (a) In case of underground mine, the person referred to in sub section 1 of section 40 have attended at least half of the total days from the date of employment to the date of discharge, dismissal, resignation, retirement, or death.

- (b) In case of surface mine, the person referred to in sub section 1 of section 40 have attended at least two-third of the total days from the date of employment to the date of discharge, dismissal, resignation, retirement, or death.
- 4) Any person who wants to avail leave, may apply in writing to the Manager not less than fifteen [15] days before the day on which he wishes his leave to begin, for all leave or any portion thereof allowable to him under this section;
- Provided that the number of times in which leave may be taken during any one calendar year shall not exceed three;
- Provided further that if the person availing the leave due to illness, he shall be granted such leave even if the application for leave is not made within the specified time.
- 5) An application for such leave made in accordance with sub section 4 of section 40 shall not be refused unless the authority empowered to grant a leave is of the opinion that owing to the exigencies of the situation the leave may be refused.
- 6) For the purpose of sub section 1 section 40, a person shall be deemed to have completed a period of continuous service in a mine notwithstanding any interruption in service during that period due to:
- (a) any holiday;
  - (b) any leave with wages;
  - (c) any leave, with or without wages, due to sickness or accident;
  - (d) any maternity leave not exceeding twelve weeks;
  - (e) any period of lay-off arising due to a force majeure event or circumstances at the mine outside the person's control; or
  - (f) a legal strike or illegal lockout.
- 7) Every person employed in a mine shall be allowed, with wages, such festival holidays as declared by the government to be public holidays.
- 8) Every person employed in a mine shall be entitled in a year to twenty five [25] days casual leave on full wages and sixteen days [16] sick leave on half average wages;
- Provided that casual leave or sick leave admissible under this section shall not be accumulated and carried forward to the succeeding year.
- 9) For the leave or holidays allowed to a person under the provisions of this section, they shall be paid:
- (a) in case of leave with full wages, at the rate equal to the daily average of their wages for the days on which they actually worked during the preceding three [3] months;
  - (b) in case of leave with half average wages, at the rate equal to half daily average of their wages as aforesaid;

Provided that if no such average earnings are available, the average shall be calculated on the basis of the daily average of the total full-time earnings of all persons similarly employed for the same month.

- 10) Any person who has been allowed leave for not less than four days under sub section 1 of section 14 shall, before his leave begins, be paid the wages due for the period of the leave allowed.
- 11) Any Inspector may institute proceedings on behalf of any person who has been or is employed in a mine to recover any sum required to be, but not paid by an Owner or agent in accordance with this section.

**Chapter IV**  
**Inspections, Enforcement, Offences and Penalties**

- 41. Powers of Chief Inspector and Inspector to deal with dangerous conditions.**
- 1) If the Chief Inspector or Inspector reasonably believes that any activity, practice or condition at a mine endangers or may endanger the health or safety of any person at the mine:
    - (a) they may give notice in writing to the Owner, agent or Manager of the mine;
    - (b) that notice may give the Owner, or Manager or agent any instruction needed to protect the health or safety of persons at the mine;
    - (c) the notice shall specify the time within which the instruction must be complied with, taking into account the urgency of the situation and the need to protect health and safety; and
    - (d) the Chief Inspector may, by written notice to the Owner, agent or Manager, extend the compliance period for a notice issued under sub section 1 of section 41.
  - 2) Where the Owner, agent or Manager fails to comply with the notice given under sub section 1 of section 41 within the period specified therein, the Chief Inspector or the Inspector may, by order in writing, prohibit the employment or mining operation in or about the mine or any part thereof of any person whose employment is not in his opinion reasonably necessary for securing compliance with the terms of the notice, till the removal of danger.
  - 3) Without prejudice to the generality of the provisions contained in sub section 1 of section 41, the Chief Inspector or the Inspector may, order in writing addressed to the Owner, agent or Manager to prohibit the extraction or reduction of pillars in any part of the mine if, in his opinion, such operation is likely to cause the crushing of pillars or the premature collapse of any part of the workings or otherwise endanger the mine or the life, health or safety of persons employed therein, or if, in his opinion, adequate provision against the outbreak of fire or flooding has not been made by providing for the sealing off and isolation of the part of the mine in which such operation is contemplated and for restricting the area that might be affected by a fire or flooding.
  - 4) If the Chief Inspector, or the Inspector authorised on his behalf by a general or special order in writing by the Chief Inspector, is of the reasonable opinion that there is an urgent and imminent danger to the life, health or safety of any person employed in any mine or part thereof, he may, by an order in writing containing a detailed statement of the grounds of his opinion, prohibit, until he is satisfied that the danger has been removed, the employment in or about the mine or

part thereof of any person whose employment is not in his opinion reasonably necessary for the purpose of removing the danger.

- 5) The period specified in the notice issued under sub-section 1 of section 41, and order issued under subsection 2, 3, or 4 of section 41, as the case may be, required for removal of danger and restoration of safety to the satisfaction and disposal of threat may, on the application of the Owner, agent or Manager be extended by the Chief Inspector but the total period extended on the application shall not exceed ninety [90] days.
- 6) Where notice has been given under sub section 1 of section 41 or an order has been made under subsection 2, 3, or 4 of section 41 by the Inspector, the Owner, agent or Manager may, within thirty [30] days after the receipt of the notice or order, as the case may be, appeal against the same to the Chief Inspector who may confirm, modify or cancel the notice or order.
- 7) If an Owner, agent or Manager is aggrieved with the decision of Chief Inspector under sub section 6 of section 41; or with the notice or order issued by Chief Inspector under sub section 1, 2, 3 and 4 of section 41, he may within thirty [30] days of the decision or order, as the case may be, lodge an appeal to the Appellate Tribunal. The Appellate Tribunal shall make a final judgement in the matter.
- 8) On receipt of any instruction, notice or order under sub section 1, 2, 3 and 4 of section 41, the Owner, agent or Manager shall-
  - (a) immediately comply with the instructions, or the order within specified period;
  - (b) prepare and submit a detail action plan to Chief Inspector referring to the various instructions, notice or order and to designate specific persons to perform the necessary functions;
  - (c) make sure that the action plan is executed under the direct supervision of the Manager or by a competent person appointed by the Manager for the purpose. If any difficulties arise out of implementation of the plan, it must be and without delay brought in writing along with practicable proposals in the notice of the Chief Inspector, for further necessary action and implementation.
- 9) Nothing in this section shall affect the powers of a Magistrate under section 144 of the Code of Criminal Procedure, 1898 (Act V of 1898).
- 10) Any instruction, notice or order issued under this section shall be proportionate to the nature and degree of risk involved.

#### **42. Powers of Chief Inspector to order closure of a mine or its part.**

- 1) The Chief Inspector, or an Inspector, authorized on his behalf by a general or special order in writing by the Chief Inspector may issue an order of closure of a mine or part thereof if he has a reasonable belief that:
  - (a) An Owner, agent or Manager has failed to comply with an order issued under section 41;

Provided that the closure order under clause (a) will be temporary and remain in place until the order issued under section 41 has been remedied.

(b) The mine or part of a mine, whether above or below ground, has reached residential or commercial area, general public facilities, public road, water tank, perennial springs, well, water or gas pipeline, public park, graveyard, if it is posing a serious and immediate threat to public lives and health;

(c) An underground mine or part thereof or any underground incline, shaft, level, or any other underground opening developed for exploration of mineral or mining operations has been developed; without leaving natural pillars of adequate size;

Provided that, if Chief Inspector or Inspector is of the opinion that leaving of the pillars are not necessary and the size of pillar will not affect safety of the mine, the Chief Inspector or Inspector may allow mining operations on such terms and conditions as he may deem fit for safety of the mine and the employees employed therein.

(d) The mine or part thereof has been developed without any scientific design and in a reckless manner, and poses an urgent and imminent danger to the lives, health and safety of mine employees;

(e) Any underground mine or part thereof where mining operations have caused active and destructive land subsidence, or the surface of the land above the mine has shown clear fractures and fissures, resulted from extraction of Mineral on large scale; and where in the opinion of the Chief Inspector or Inspector, further mining may result in catastrophe;

(f) A mine where extraction of Minerals has been or is being carried out through a single entry (adit, incline or shaft) having no second outlet;

Provided that this provision shall not apply to exploratory adit where all precautionary measures for safety of mine and employees have been adopted.

(g) the surface mine or part thereof where mining operations have been or is being resulted in severe public complaints against fly rocks, shock waves and ground vibrations resulted from unplanned, uncontrolled blasting and causing or have caused injuries, damages to human, animals or property or developed objectionable cracks in residential or commercial buildings or tend to threaten the nearby surrounding;

(h) any mine where mining operations have resulted in dispute between the Owners or between Owner and Employees or any

other circumstances which may cause danger to the lives or interest of Owners or Employees or both;

Provided that closure under this clause will be temporary and shall cease to apply while the dispute has been resolved; and

- (i) any mine, or part thereof, that fails to comply with the health, safety, and environmental standards established under this Act, its rules, or any orders issued thereunder, and where such failure poses a clear and imminent danger to the safety, lives, and health of employees.
- 2) If an Owner, agent or Manager is aggrieved by any order issued by an Inspector under sub section 1 of section 42, he may, within thirty [30] days after the communication of the Impugned order, lodge an appeal against such order to the Chief Inspector, and the Chief Inspector shall, after he has considered the ground of the appeal and the Inspector's reasons for the issuance of the order, confirm, set aside, or modify the decision.
- 3) If an Owner, agent or Manager is aggrieved with the decision of Chief Inspector under sub section 2 of section 42 or with the order issued by Chief Inspector under sub section 1 of section 42, he may within thirty [30] days of the decision or order, as the case may be, lodge an appeal to the Appellate Tribunal. The Appellate Tribunal shall make a final judgment in the matter.

## **Offences and Penalties**

### **43. Offences**

#### **1) Obstruction**

- (a) Any person who obstructs, hinder, opposes or unduly influences the Chief Inspector, an Inspector or any person authorized under this Act, in the discharge of his duties, or refuses or willfully neglects to afford reasonable facility to such persons for making entry, inspection, safety and health examination, measuring, surveying, taking sample, checking instruments, and safety appliances, commits an offence.
- (b) Any person who refuses to produce, on the demand -by the persons mentioned under clause a of this section, any registers, underground or surface mine plans or other documents kept in pursuance of this Act, or prevents or attempts to prevent or does anything which he has reason to believe to be likely to prevent, any person from appearing before or being examined by an inspecting officer acting in pursuance of his duties under this Act, commits an offence.

#### **2) Falsifying documents**

Any person who counterfeits, falsifies, or knowingly makes or uses; - any false certificate, declaration, statement, plan, register, record, or evidence required under this Act, or knowingly submits inaccurate details in any plan, return, notice, or report, or engages in any act of

misrepresentation to obtain, renew, or use a certificate of secure employment in a mine, commits an offence.

**3) Failure to furnish plans**

If an Owner, agent or Manager, or any person authorised by the Owner, agent or Manager in writing fails to furnish in the prescribed form or manner or at or within the prescribed time any underground or surface plan, section, return, notice, register, record, registration of mines or report required under this Act to be made or furnished, commits an offence.

**4) Contravention regarding employment of persons**

Whoever, save as permitted under section 34, contravenes any provision of this Act or of any rule or of any order made thereunder prohibiting, restricting or regulating the employment or presence of persons in or about a mine, commits an offence.

**5) Employment of children**

Any Owner, agent or Manager who employs a child in contravention of section 36 commits an offence.

**6) Failure to appoint Manager and competent persons**

Any Owner or agent who fails to comply with the provision of section 22 or fails to appoint competent persons as required under this Act and Rules made thereunder, commits an offence.

**7) Failure to provide First Aid**

Any Owner, agent or Manager who fails to provide first aid facilities at mine site as required under sub section 2 of section 24, commits an offence.

**8) Failure to register mines**

Any Owner, agent or Manager who fails to register a mine in contravention of section 63, commits an offence.

**9) Failure to give notice of accident**

Whoever in contravention of sub section 1 of section 28 fails to give notice of mine accident or fails to make entry in the prescribed register in contravention of sub section 5 of section 28, commits an offence.

**10) Failure to give notice of occupational diseases**

Whoever in contravention of section 30 fails to give notice of any occupational disease, commits an offence.

- 11) **Failure to post extracts of law**  
Whoever fails to post up a copy of the prescribed abstracts of the Act, Rules made thereunder or a copy of the prescribed notice in contravention of sub section 3 of section 22, commits an offence.
- 12) **Failure to provide emergency rescue plan and arrangements**  
Whoever in contravention of section 52 fails to provide emergency rescue plan and other arrangements necessary for use during mine emergency, commits an offence.
- 13) **Failure to provide Personal Protective Equipment**  
Any Owner, agent or Manager-who fails to provide personal protective equipment as required under this Act and Rules made thereunder, commits an offence.
- 14) **Failure to train persons**  
Any Owner, agent or Manager-who fails to train his employees in mandatory training as provided in section 55, commits an offence.
- 15) **Failure to comply with Sub-Section 7 of section 58**  
A Manager who fails to comply with the provision of section 58 as laid down in sub section 6 of section 58, commits an offence.
- 16) **Contravention regarding employment of women**  
Any Owner, agent or Manager or any woman employee who contravenes the provisions of section 35, commits an offence.
- 17) **Contravention by an employee**  
Any employee who fails to comply with the provisions of section 25, commits an offence.
- 18) **Disobedience of orders**  
Whoever:
  - (a) contravenes any provision or any order issued under any provisions of this Act or of any Rule made thereunder or;
  - (b) wilfully interferes with or misuses any appliance, convenience or other things to be provided or kept in a mine for the purpose of securing the health and safety of person employed therein or;
  - (c) wilfully and without reasonable cause do anything likely to endanger himself or others or;
  - (d) wilfully neglect to make use of any appliance or thing provided in the mine for the purpose of securing the health or safety of the employees; or

(e) for any contravention of this act for which no penalty is hereinbefore provided,

commits an offence.

**19) Contravention of law with dangerous results**

(a) Whoever contravenes the provisions of this Act or of any rule or order made thereunder; and such contravention results in loss of life;

(b) Whoever contravenes the provisions of this Act or of any rule or order made thereunder; and such contravention results in serious bodily injury; or

(c) Whoever contravenes the provisions of this Act or of any rule or order made thereunder; and such contravention causes injury, or danger to persons employed in a mine or other persons in or about the mine in circumstances other than clause a and b of sub section 19 of section 43;

commits an offence.

**44. Penalties**

- 1) The offence in clause (a) sub section 1, sub section 18 and clause (a) of subsection 19 of section 43 shall be deemed cognizable and non-bailable and the Chief Inspector, or an Inspector duly authorized in this regard, shall report such offences to the respective police station for the registration of a case against the accused. The offence shall be punishable by a fine or imprisonment as mentioned in Schedule [3] of this Act.
- 2) The offences specified in section 43 other than specified in sub section 1 and 3 of section 44 section 43 shall be non-cognizable and a complaint shall be filed before J.M according to the section 200 CrP.C 1898. The offences shall be punishable with fine as mentioned in Schedule [4] of this Act.
- 3) The offences specified in section 43 other than offence provided in Sub-section 1 and 2 of the section 44 of section 43 shall be punishable with Administrative Penalty by Chief Inspector or an Inspector authorized in this behalf, in accordance with Schedule [5] and on the challan specified in Schedule [6] of this Act. No administrative penalty shall be imposed without giving the alleged offender an opportunity of being heard.
- 4) A person who owes a duty under this Act may only be sentenced to a term of imprisonment where that person, without reasonable excuse, engages in conduct that exposes an individual, to whom that person's duty is owed, to a risk of death and either (i) engages in the conduct with gross negligence, or (ii) is reckless as to the risk to an individual of death.

Action Notice gives rise to a significant health and safety risk under this Act and the Rules, and

- (b) that violation remains unremedied; then the Chief Inspector of Mines shall notify the Licensing Authority to initiate proceedings for sanctions, suspension or cancellation of the Mineral Title under the relevant provisions of the Balochistan Mines and Minerals Act, 2025.
- (c) No Mineral Title shall be cancelled unless the Owner, Agent or Manager of a mine to whom a Corrective Action Notice is sent has been afforded a fair opportunity to be heard, and to take necessary corrective action. The Licensing Authority shall determine the appropriate sanction having regard to the gravity, recurrence and consequences of the violations.
- (d) If the Chief Inspector of Mines determines that a Mineral Title shall be cancelled, they shall notify the Licensing Authority for initiation of any lease cancellation proceedings under the relevant provision of the Balochistan Mines and Minerals Act, 2025 (Act No VIII of 2025). Upon such cancellation, the Mineral Title shall not be renewed or re-granted to the same individual, firm or company for a period of five (5) years unless specifically approved by the Provincial Government for reasons recorded in writing. Nothing in this section shall prejudice the Licensing Authority's power to order immediate suspension of operations where an imminent danger to life or serious risk to health or safety exists.

#### **46. Enforceable undertaking**

- 1) The Chief Inspector may, in cases not involving any offences listed in Schedule [3] or section 43 subsection 1 clause a, 18 and 19, accept a written undertaking (**WHS undertaking**) given by a person in connection with a matter relating to a contravention or alleged contravention by the person of this Act.
- 2) The giving of a WHS undertaking does not constitute an admission of guilt by the person giving it in relation to the contravention or alleged contravention to which the undertaking relates.
- 3) The Chief Inspector must give the person seeking to make a WHS undertaking written notice of the Chief Inspector's decision to accept or reject the WHS undertaking and of the reasons for the decision and shall consider:
  - (a) the seriousness of the offence;
  - (b) any history of non-compliance;
  - (c) the likelihood of improved compliance through the WHS undertaking; and
  - (d) public interest and employee safety.

- 4) A WHS undertaking takes effect and becomes enforceable when the Chief Inspector's decision to accept the undertaking is given to the person who made the undertaking or at any later date specified by the Chief Inspector.
- 5) A person must not contravene a WHS undertaking made by that person that is in effect. The maximum penalty for a contravention of a WHS undertaking is [Rs. 300,000/-].
- 6) If a court is satisfied that the person has contravened the WHS undertaking, the court may make one or both of the following orders:
  - (a) an order directing the person to comply with the undertaking; or
  - (b) an order discharging the undertaking.
- 7) A person who has made a WHS undertaking may at any time with the written agreement of the Chief inspector:
  - (a) withdraw the undertaking; or
  - (b) vary the undertaking.
- 8) No prosecution shall be initiated or continued in respect of a contravention eligible under subsection 46.1 while a WHS undertaking is in effect.
- 9) No proceedings may be brought for a contravention or alleged contravention of this Act against a person who has made a WHS undertaking in relation to a contravention that has completely discharged the WHS undertaking
- 10) The Chief Inspector may accept a WHS undertaking in relation to a contravention or alleged contravention before proceedings in relation to that contravention have been finalised.
- 11) If the Chief Inspector accepts a WHS undertaking before the proceedings are finalised, the Chief Inspector must take all reasonable steps to have the proceedings discontinued as soon as possible.

**47. Cognizance of offences.**

- 1) No Court inferior to that of Magistrate of the First Class shall take cognizance of any offence under this Act, except upon a written complaint made by the Chief Inspector or an Inspector authorized in this behalf by the Chief Inspector.
- 2) The government shall appoint a special magistrate to try offences under this Act.
- 3) Unless any specific provision is provided in this Act, the provisions of Criminal Procedure Code, 1898 (V of 1898) shall apply to all the proceedings under this Act.

**48. Power of the Court.**

- 1) Where the Owner, agent, Manager, Manufacturer, Supplier, Contractor or Competent person is convicted of an offence

punishable under this Act, the Court may, in addition to awarding him any punishment, upon application by the Chief Inspector and Inspectors authorized by the Chief Inspector, make an order in writing which:

- (a) specifies additional reasonable measures for remedying the matters which relate to the offence; and
  - (b) specifies a reasonable time for such measures to be taken which may be extended by the Court.
- 2) The Court may request a party to provide expert evidence, or consult with a technical expert, including the Mines Health and Safety Committee, in order to make a determination in the matter.
  - 3) Where an order is made under sub section 1 of section 48 , the Owner, agent or Manager, as the case may be, shall not be liable under this Act in respect of the continuance of the offence during the period or extended period, if any, but if on the expiry of such period or extended period the order of the Court has not been fully complied with, the Owner, agent or Manager shall be punishable with a fine which may extend to ten thousand rupees for every day after such expiry on which the order has not been complied with.

**Chapter V**  
**Rescue and Training**

**49. Mine Rescue and Emergency Preparedness.**

**1) Mine Emergency Response Plan.**

- (a) The Manager shall develop a Mine Emergency Response Plan (MERP) and send a copy of the same to the Chief Inspector or Inspector. The MERP shall be kept up to date and followed in the event of an emergency.
- (b) The MERP must outline the response procedures that are essential for effective and timely management of an emergency situation.
- (c) The MERP must include the emergency preparedness and response plans in the manner as may be prescribed.
- (d) The Manager shall ensure that annual testing of the effectiveness of the MERP is conducted and record of the testing must be submitted to the Chief Inspector.
- (e) The Manager shall ensure that periodic emergency drills and simulations are conducted in accordance with the Mine Emergency Response Plan, in such manner and frequency as may be prescribed.
- (f) The Manager shall ensure that all employees are informed of and trained in the Mine Emergency Response Plan relevant to their duties.

**2) Mine Emergency Response Team.**

- (a) Every Owner, agent or Manager shall ensure the presence of a Mine Emergency Response Team (MERT), in their leased or licensed area to be available all the time at the mine site during operations of the mines.
- (b) The team mentioned in clause a of this section shall consist of at least five members qualified by experience and having a valid "mine rescue certificate":
  - i. In underground mines, experience in underground mining operations will be required.
  - ii. In surface mines, experience in surface mining operations will be required.
- (c) The Owner, agent or Manager shall submit the details of the mine emergency response team to the Chief Inspector in the manner as may be prescribed.
- (d) The MERT shall aid the Mine Rescue Teams of the mines rescue station, Rescue Superintendent, Inspector or the Chief Inspector as the case may be, during the rescue operations in their own leased area or anywhere in the surrounding where their services are required.
- (e) At least one qualified member of the Mine Emergency

Response Team shall be present at the mine site during active mining operations.

**3) Mine Rescue Equipment and Breathing Apparatus.**

Every Owner, agent or Manager shall keep ready at their mine site, mine rescue equipment and breathing apparatuses in the manner and on the scale as may be prescribed.

All mine rescue equipment and breathing apparatus shall be maintained in serviceable condition and inspected at prescribed intervals.

**4) Emergency Mine Rescue and First Aid Training**

The Manager shall ensure for the purpose of sub section 2 of section 52, that MERT get proper mine rescue training, refresher courses and First Aid Training arranged by Mines Rescue and Training Station of the [Balochistan] and a record of all such training shall be maintained at the mine site.

**5) Mine Plans for Rescue Purpose.**

The Manager shall ensure that the mine plans required under this Act are readily available for the use of mine rescue teams.

Such mine plans shall be kept updated and readily accessible in both hard copy and digital form where practicable.

**50. Establishment of Mine Rescue and Training Station.**

- 1) The government shall establish a centralized mine rescue and training station (MRTS) for the whole of the [Balochistan] and such substations at such places as it considers necessary, all of which shall be equipped and maintained by the government.
- 2) The mine rescue and training station or its substations shall be subordinate to Chief Inspector and shall consist of such number of persons and equipment as may be prescribed.
- 3) The MRTS established under sub section 1 of section 53 shall be responsible for training and leading the mine rescue operations in the [Balochistan] and shall conduct its business in the prescribed manner.
- 4) providing for the levy and collection of a duty of Rescue/Safety/Training (at a rate not exceeding 25% rate of royalty per ton) on coke and coal and (5% rate of royalty on other minerals) produced in and dispatched from mines specified under clause (a) in any group or included under clause (a) in any specified area, the utilization of the proceeds thereof for the creation of a central rescue station fund for such group or area and the administration of such funds.
- 5) The government shall ensure adequate funding, staffing and equipment for the effective functioning of the Mine Rescue and Training Stations.
- 6)

**51. Establishment of a survey institute.**

The government shall establish a central survey institute for the [Balochistan] in a specified area of such size and capacity as may be prescribed to produce competent surveyors required in different phases of mining.

**52. Employee training.**

- 1) Every Owner, agent or Manager (as applicable) shall ensure that the persons employed in any mine are made available to attend any mandatory trainings conducted by the Inspectorate of Mines.
- 2) The Chief Inspector may, adopt strategies, arrange programs of such form, scale and period as may be deemed necessary to provide training on various subjects relating to mine management, mine workings, general safety, hazard identification and occupational safety and health in mines.
- 3) Every Owner or agent of every mine shall afford all reasonable facilities to the trainers and trainees at place of training and shall ensure the availability of such number of employees as determined and required to be trained in the proposed training program at sites as well as at Mine Rescue and Training Stations and its substations.
- 4) All the trainees (mine employees) may be paid compensation/stipend by the Owner, agent or Manager at the rate as may be prescribed.
- 5) Failure to make employees available for mandatory training shall constitute an offence under this Act.

**53. Expenses of Training.**

The government shall, allocate sufficient amount in the annual budget and the amount so allocated shall be paid as stipend to the trainers and training related activities in manner as may be prescribed.

**Chapter VI**  
**Rules, Regulations & Bye-Laws**

**54. Powers of the government to Make Rules**

The government may, by notification in the official Gazette, prescribe Rules, Regulations & Bye-Laws in alignment with this Act for the following purposes:

- 1) To specify the duties of Chief Inspector, Inspector, Rescue Superintendent, or any officer of Inspectorate of Mines concerning the procedure of inspection of mines under this Act.
- 2) To define the responsibilities of Owners, agents, Managers, competent persons, and any other individuals acting under their authority.
- 3) To frame Rules and procedures for the conduct of competency examinations for personnel, including but not limited to the following provisions:
  - (a) prescribe qualifications for Managers and other competent persons;
  - (b) establish processes for verifying qualifications and issuing, renewing, or revoking certificates of competency and medical fitness;
  - (c) determine fees for examinations and certifications; and
  - (d) outline procedures for investigating misconduct or incompetence, including the suspension or cancellation of certificates.
- 4) To set forth the conditions under which multiple mines may be managed by a single Manager, or when a Manager, without the prescribed qualifications, may manage a mine.
- 5) To stipulate the number, qualifications, and duties of appointed personnel in accordance with this Act.
- 6) To regulate the storage, handling, and use of explosives in Mines, in accordance with the provisions of the Explosives Act of the [Balochistan].
- 7) To regulate the generation, storage, transmission, and use of electricity in Mines, in compliance with the Regulation of Generation, Transmission and Distribution of Electricity Power Act, 1997 (Act No. XL of 1997), and applicable rules.
- 8) To regulate the employment of women in mines including:
  - (a) To prohibit women employment in mines or specific mining activities that pose a risk to their life, safety, or health;
  - (b) To specify and regulate the maternity benefits and compensations allowed to women working in mines under this Act; and

- (c) To ensure that suitable childcare facilities are provided for children of women employed in mines, and to establish related standards for room specifications and supervision.
- 9) To provide for the training and medical examination of mine workers prior to employment and periodically thereafter, in accordance with prescribed intervals.
  - 10) To ensure the safety of individuals employed in mines, including provisions for proper means of access, shaft fencing, and pathway safety.
  - 11) To regulate occupational safety and health practices for both underground and surface mining operations.
  - 12) To prescribe personal protective equipment (PPE), clothing, and respiratory apparatus for all mine workers, and to regulate their use.
  - 13) To establish provisions for safeguarding against explosions, ignitions, and water accumulations in mines, and to regulate mineral extraction in circumstances that may exacerbate such hazards.
  - 14) To specify the form, content, recipients, and timelines for accident notifications, mineral output returns, and other reports required under the Rules.
  - 15) To prescribe regulations for the inspection of mine workings, disused areas, and sealed-off zones, and for limiting mining near dangerous sites such as water bodies or public roads.
  - 16) To regulate the ventilation of mines and establish actions to address harmful gases, dust, fire risks, and inflammable materials.
  - 17) To set standards for the use, care, and maintenance of machinery, equipment, and materials in mines.
  - 18) To regulate the safety of haulage roads and ensure adequate lighting in mines, including the use of safety lamps.
  - 19) To prescribe facilities for bathing, lockers, and canteens in mines, including hygiene standards, food quality, and management by workers.
  - 20) To define standards for latrine and first-aid accommodations, the supply of drinking water, medical facilities, and the training of workers in emergency medical procedures.
  - 21) To regulate the maintenance of registers and records related to training, health certifications, safety certifications, and accident management.
  - 22) To establish procedures for managing accidents, registering mines, and furnishing related reports, including the payment of medical examination fees.
  - 23) To regulate the certification of workers for employment in mines, ensuring compliance with minimum age and health standards.

- 24) To govern the appointment, functioning, and procedures of the Mining Board, Mine health and safety committees and inquiry committees, including their powers and payment structures.
- 25) To prescribe practice and procedure for Appellate Tribunal.
- 26) To prescribe the abstracts of Act and Rules that are required to be posted at mine site.
- 27) To establish Rules and guidelines for mine rescue and emergency preparedness; Employees training and establishment of survey institute.
- 28) To frame a separate set of Rules for different Minerals or different types of mining operations, as the case may be, in accordance with the provisions of this Act.
- 29) To frame Rules for imposition of mine rescue and recovery fee at the rate as may be prescribed
- 30) To provide for any other matters not explicitly covered by the Act, which are necessary to give effect to the provisions of this Act.

Such decisions by the Chief Inspector shall be temporary in nature and shall cease to have effect upon the promulgation of the relevant Rules.

of an employee.

**57. Authority of Chief Inspector to modify or revoke orders.**

The Chief Inspector may, for reasons to be recorded in writing, modify or revoke any order passed by him or an Inspector duly authorized by him under this Act;

Provided that no order prejudicial to the Owner, agent, or Manager shall be made under this section unless such Owner, agent, or Manager has been given a reasonable opportunity of being heard in person or through an authorised representative.

**58. Application of the Act.**

- 1) This Act shall apply to all mines situated in the Balochistan, whether above or below ground within the leased or licensed areas granted under the Balochistan Mines and Minerals Act, 2025 or any other applicable law enforced.
- 2) If any question arises as to whether any excavation or working in a mine is within the meaning of this Act, the Mines Health and Safety Committee may decide the question and in this regard a certificate signed by the Chairman of the committee shall be conclusive on the point.

**59. Signing of returns, notices etc.**

All returns and notices required to be furnished or given by or on behalf of an owner of the mine in connection with the provisions of this Act or any rule or any order made thereunder shall be duly signed and stamped by the Owner or, agent or Manager.

**60. Registration of Mines**

Every Owner or agent of a mine shall register the mine with Inspectorate of Mines in the manner as may be prescribed.

Every mine shall be registered before commencement of mining operations.

**61. Public Disclosure of Safety Performance**

The Chief Inspector may, in the prescribed manner, publish anonymised or mine-wise safety performance data and accident statistics for the purpose of transparency and improvement of safety standards.

**62. Annual Mine Safety Report**

The Chief Inspector shall submit an annual report on mine safety, accidents, enforcement actions and training activities to the Government and the Mining Board.

**63. Continuance of liability**

Any person who, in any capacity, has or had ultimate control over the operations or management of a mine shall remain liable for any contravention of the provisions of this Act, notwithstanding any change in their role or association with the mine.

**64. Delegation of Powers**

The Chief Inspector may from time to time:

- 1) delegate any of his powers and functions to Inspectors or any other officer of Inspectorate of Mines as may be necessary for the due administration of this Act; and
- 2) vary or revoke any delegation given by him.

**65. Indemnity**

No suit, prosecution or other legal proceedings, whatsoever, shall lie against any Inspector or Chief Inspector or any officer authorised by Chief Inspector, for anything which is in good faith done or intended to be done under this Act.

**66. Removal of difficulties**

In the event of any difficulty arising in the implementation of any provision of this Act, the government may, by notification, issue such orders as it deems necessary to resolve the difficulty;

Provided that such orders are not inconsistent with the provisions of this Act.

Such power shall be exercised within two years of commencement of this Act.

**67. Repeal and savings**

- 1) The Mines Act ,1923 is hereby repealed in its application within the jurisdiction of the Balochistan.
- 2) Notwithstanding the repeal under sub section 1 of section 67, any act performed, action taken, rule established, or order issued pursuant to the repealed Act shall, to the extent that it is not inconsistent with the provisions of this Act, be deemed to have been performed, taken, established, or issued under this Act and shall remain in full force and effect accordingly.
- 3) Any reference made to the repealed Act in any document shall be construed as a reference to the corresponding provisions of this Act.

**Schedule [1]**

**Occupational Diseases [See section 29]**

- (a) asbestosis.
- (b) carcinoma of the lungs;
- (c) carbon monoxide poisoning;
- (d) dermatitis;
- (e) heatstroke;
- (f) loss of hearing acuity;
- (g) nystagmus;
- (h) pneumoconiosis;
- (i) Silicosis;
- (j) tuberculosis;
- (k) tunnel workers Anaemia;
- (l) tetanus;

## **Schedule [2]**

### **Exemption of persons from hours of employment [see sub section 7 section 34]**

Persons holding responsible position of managerial or technical character or employed in health services including in the positions listed below;

1. Assistant;
2. Managers;
3. Under-Managers;
4. Over-Man;
5. Mechanical Engineers;
6. Engine Drivers;
7. Electricians;
8. Electrical Engineers;
9. Driller In charges;
10. Blaster;
11. Surveyors;
12. Inspectors of works;
13. Clerks;
14. Overseers;
15. Doctors;
16. Dispensers;
17. Health Officers;
18. Welfare Officers;
19. Labour Inspectors.

**Schedule [3]**

**Cognisable Offences [see section 44 subsection 1]**

<b>S.No.</b>	<b>Section</b>	<b>Name of offence</b>	<b>Amount of fine and term of imprisonment</b>
	Sub section 1 of section 43	Obstruction	Rs. 250,000/- to Rs. 1,000,000/-
	Sub section 18 of section 43	Disobedience of orders	Rs. 250,000/- to Rs. 1,000,000/- In case of continuous contravention, the amount of fine may be extended to Rs. 1,000,000/- to Rs. 2,000,000/-
	Sub section 19 of section 43	Contravention of law with dangerous results a. Contravention resulting in loss of life	Fine extending to the amount of Diyat notified by the Federal Government from time to time or (5) Five years imprisonment or both.

The appropriate penalty will be determined based on the nature and scale of mining operations and circumstances of the offending.

**Schedule [4]**

**Offences Requiring Prosecution [see section 44 subsection 2]**

<b>S.No.</b>	<b>Section</b>	<b>Name of offence</b>	<b>Amount of fine</b>
1	Sub section 2 of section 43	Falsifying documents	Rs. 100,000/- to Rs. 500,000/-
2	Sub section 4 of section 43	Contravention regarding employment of persons	Rs. 100,000/- to Rs. 500,000/-
3	Sub section 6 of section 43	Failure to appoint Manager and competent persons	Rs. 300,000/- to Rs. 1,000,000/-
4	Sub section 9 of section 43	Failure to give notice of accident: a. Accident causing loss of life b. Accident causing serious bodily injury c. Accident causing entrapment of persons d. Failure to make entry in the prescribed register	a. Rs. 500,000/- to Rs. 1,000,000/- b. Rs. 300,000/- to Rs. 600,000/- c. Rs. 300,000/- to Rs. 600,000/- d. Rs. 100,000/- to Rs. 200,000/-
5	Sub section 10 of section 43	Failure to give notice of occupational diseases: a. Occupational disease resulting in loss of life b. Occupational disease resulting in serious bodily injury	a. Rs. 500,000/- to Rs. 1,000,000/- b. Rs. 300,000/- to Rs. 600,000/-
6	Sub section 12 of section 43	Failure to provide emergency rescue plan and arrangements	Rs. 500,000/- to Rs. 1,000,000/-

S.No.	Section	Name of offence	Amount of fine
7	Sub section 16 of section 43	<p>Contravention regarding employment of women:</p> <p>a. Contravention by Owner, Agent or Manager (as applicable)</p> <p>b. Contravention by a woman</p>	<p>a. Rs. 300,000/- to Rs. 600,000/-</p> <p>The court imposing the fine may order the payment of benefits due to the women by the Owner, agent or Manager with immediate effect, and the appellate court in exercise of its power of revision may also make such order</p> <p>b. Rs. 100,000/- to Rs. 200,000/-</p> <p>If the woman convicted is entitled to maternity benefit under this Act, shall forfeit her right to any maternity benefit not already paid to her.</p>
8	Sub section 19 of section 43	<p>Contravention of law with dangerous results</p> <p>b. Contravention resulting in serious bodily injury</p> <p>c. Contravention resulting in injury, or danger to persons employed in a mine or other persons in or about the mine</p>	<p>b. Rs. 500,000/- to Rs. 1,000,000/-</p> <p>c. Rs. 300,000/- to Rs. 600,000/-</p>

**Note:** The appropriate penalty will be determined based on the nature and scale of the mining operations and circumstances of the offending.

**Schedule [5]**

**Offences where Administrative Penalty can be imposed [see section 44  
subsection 3]**

<b>S.No.</b>	<b>Section</b>	<b>Name of offence</b>	<b>Maximum fine</b>
1	Sub section 3 of section 43	Failure to furnish plans	Rs. 300,000/-
2	Sub section 5 of section 43	Employment of Children	Rs. 500,000/- In case of persistent violation, the amount of fine may be extended to Rs. 1,000,000/-
3	Sub section 7 of section 43	Failure to provide First Aid	Rs. 200,000/- In case of persistent violation, the amount of fine may be extended to Rs. 400,000/-
4	Sub section 8 of section 43	Failure to register mines	Rs. 200,000/- In case of persistent violation, the mining operation shall be suspended by Chief Inspector till registration of the mines.
5	Sub section 11 of section 43	Failure to post extracts of law	Rs. 200,000/-
6	Sub section 13 of section 43	Failure to provide Personal Protective Equipment	Rs. 200,000/- In case of persistent violation, the amount of fine may be extended to Rs. 600,000/-
7	Sub section 14 of section 43	Failure to train persons	Rs. 200,000/-
8	Sub section 15 of section 43	Failure to comply with section 58	Rs. 200,000/- In case of persistent violation, the amount of fine may be extended to Rs. 300,000/- to Rs. 600,000/-
9	Sub section 17 of section 43	Contravention by an employee	Rs. 200,000/-

**Note:** The appropriate penalty will be determined based on the nature and scale of the mining operations and circumstances of the offending.

### **Guidelines for Imposition of fine through Challan.**

1. The Chief Inspector or Inspector authorised in this behalf shall, impose fine for the offences specified in this schedule by issuing a challan in the form specified in Schedule [6] of this Act.
2. The Challan shall be issued in quadruplicate by delivering three copies to the accused after obtaining his signatures or thumb impression on the fourth copy to be retained by the Chief Inspector or the Inspector, as the case may be, for record.
3. The person to whom a Challan has been issued under this section may either contest the imposition of fine in the court within ten days from the date of the issuance of the ticket or deposit the fine within that period and provide the original copy of paid Challan to the Chief Inspector or as the case may be, the Inspector authorised by him as a proof of payment.
4. If an Owner, agent or Manager failed to deposit the fine imposed within the specified period, the same shall be referred to the court by the Chief Inspector or concerned Inspector for recovery.
5. The Chief Inspector or an Inspector authorised by him in this behalf shall, on monthly basis, provide a scroll of all unpaid Challans to the court having jurisdiction in the cases.
6. The court receiving the scroll shall issue summons to the accused forthwith stating date of appearance.
7. Where on the first date of hearing, the accused appears before the court and produces proof of deposit of fine, or unconditionally admits his failure, deposits the fine forthwith along with the penalty which shall not be less than ten percent and not more than twenty five percent of the amount of fine as determined by the court, further proceedings against the accused may be dispensed with and no conviction shall be recorded against him.
8. Upon failure of the accused to appear before the court in response to the summons, the court shall forthwith issue warrants for arrest of the accused.
9. The court shall recover the fine under this section in accordance with the procedure as given in the Code of Criminal Procedure, 1898 (Act V of 1898) relating to the procedure for default in payment of fine.
10. The fines recovered by the court under this section shall be deposited in the relevant head of account of Inspectorate of Mines on the challan specified in Schedule [6] and shall submit original copy of paid treasury challan to Chief Inspector or Inspector as a proof of payment.
11. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure 1898, it shall be lawful for a Magistrate of the First Class to pass a sentence of fine exceeding ten thousand rupees authorised by this Act on any person convicted of the offence thereunder.

**Schedule [6]**

**Form of Challan [see section 44 subsection 3 ]**

**Name and Address of the offender** .....

.....

**Date and details of offence** .....

.....

**Violation of provision of law** .....

.....

**Amount of challan** .....

**Due date of payment** .....

**Head of Account** .....

**Seal and Signature of  
The Chief Inspector of Mines  
/Inspector of Mines**

**STATEMENT OF OBJECTS AND REASONS**

The mining sector is a significant contributor to the economy of Balochistan and provides livelihood opportunities to a large segment of the population. However, mine health, safety, and rescue operations in the Province have continued to be regulated under the Mines Act, 1923, a pre-partition colonial-era legislation, which does not adequately address the complexities of modern mining practices, mechanization, occupational health risks, emergency preparedness, and contemporary enforcement requirements.

2. With the expansion of mining activities in the Province, including both large-scale and small-scale mining operations, the need for a modern, comprehensive, and province specific legal framework to safeguard the lives, health, and welfare of mine workers has become essential. The existing legal framework does not sufficiently incorporate risk-based safety management systems, structured inspection mechanisms, institutional accountability, and modern mine rescue and training arrangements.

3. The proposed Balochistan Mines Health and Safety Act, 2026 seeks to repeal the outdated regime and introduce a robust and contemporary statutory framework governing mine health, safety, and rescue operations in the Province. The Act provides for the establishment and functional independence of the Inspectorate of Mines; regulation of mining operations through risk assessment and safety management plans; strengthened inspection and enforcement mechanisms; constitution of statutory bodies including the Mining Board, Appellate Tribunal, and Mines Health and Safety Committees; and a comprehensive framework for mine rescue, emergency preparedness, and workforce training.

4. The proposed legislation has been prepared as part of the harmonization of mining laws in the Province and aligns with the Balochistan Mines and Minerals Act, 2025. The draft has undergone detailed technical scrutiny and has been vetted by the Law & Parliamentary Affairs Department.

5. The enactment of the Balochistan Mines Health and Safety Act, 2026 will modernize the legal framework, strengthen regulatory oversight, enhance worker protection, and promote safe and sustainable mining practices in the Province.

6. In Light of these considerations, the Balochistan Health and Safety Bill, 2026 is hereby presented before the Provincial Assembly of Balochistan for enactment in the greater interest of the province and its minerals sector.

  
MINISTER FOR MINES AND MINERALS  
BALOCHISTAN

**BALUCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT**  
**THE BALUCHISTAN WITNESS PROTECTION (AMENDMENT) BIL, 2026**

BILL NO. 019 OF 2026.

A

BILL

to amend the Balochistan Witness Protection Act, 2016 (Act IV of 2016)

**WHEREAS**, it is expedient to amend the Balochistan Witness Protection Act, 2016 (Act IV of 2016) to strengthen the framework for witness security and to facilitate effective appearance and testimony of witnesses in the Province of Balochistan and for the purpose hereafter appearing.

It is hereby enacted as follows:

- |   |   |
|---|---|
| <b>Short title and Commencement.</b>            | <b>1.</b> (1) This Act may be cited as the <i>Balochistan Witness Protection (Amendment) Act, 2026</i> .<br>(2) It shall come into force at once.   |
| <b>Amendment of Section 1 of Act IV of 2016</b> | <b>2.</b> (1) In the Balochistan Witness Protection Act, 2016 (Act IV of 2016), hereafter referred to as the said Act, in section 1, in Sub Section (2), the expression "except Tribal Areas" shall be omitted.   |
| <b>Amendment of Section 2 of Act IV of 2016</b> | <b>3.</b> In the said Act, in section 2,-<br>(a) in clause (n), in sub-clause (i), for the expression "twelve months", the expression "seven years" shall be substituted;<br>(b) in clause (p), in sub-clause (i), after the expression "serious offence", the expression, "including victim, survivor, and complainant" shall be inserted. |
| <b>Amendment of Section 3 of Act IV of 2016</b> | <b>4.</b> In the said Act, in section 3, in sub-section (1), for the word "heinous", the word "serious" shall be substituted.   |
| <b>Amendment of Section 4 of Act IV of 2016</b> | <b>5.</b> In the said Act, in section 4, in sub-section (2), in clause (ii), after the expression "her identity by", the expression "changing his or her particulars including name and address" shall be inserted.   |
| <b>Amendment of Section 5 of Act IV of 2016</b> | <b>6.</b> In the said Act, in section 5,-<br>(a) In sub-section (1)-  |

- "Chairperson" shall be substituted.
- (ii) Clause (b) shall be deleted.
- (iii) in clause (c) for the expression "the Secretary, Home and Tribal Affairs" the expression "the Additional Chief Secretary, Home" shall be substituted;
- (iv) clause (f) shall be deleted.
- (v) in clause (g), after the word "Balochistan" the expression "or the additional Inspector General nominated by the Inspector General of Police" shall be inserted;
- (vi) in clause (i), after the word "Balochistan" the expression "or any prosecuting officer nominated by the Prosecutor General" shall be inserted;
- (vii) in clause (k) for the expression "Additional IG CID" the expression "Deputy Inspector General of Police, Counter Terrorism Department (CTD)" shall be substituted;
- (viii) in clause (l), for the expression "the Director General (Levies) Balochistan, Quetta", the expression "Assistant Inspector General of Police, Legal" shall be substituted;

- (b) in sub-section (2), for the expression "the Additional Inspector General, CID", the expression "Deputy Inspector General of Police, CTD" shall be substituted;
- (c) after sub-section (3), the following new sub-sections shall be added:

"(4) In the absence of the Chairperson, the meeting shall be chaired by the Additional Chief Secretary, Home Department, Government of Balochistan.

(5) The quorum of the meeting shall be one half of the total members."

**Amendment of Section 6 of Act IV of 2016**

- 7. In the said Act, in section 6, in sub-section (2),-
  - (a) in clause (a), after the words "of the Unit", the expression "or a sub-Unit" shall be inserted;
  - (b) In clause (b), after the words "any branch office", the expression "and sub-Unit" shall be inserted.

**Amendment of Section 7 of Act IV of 2016**

- 8. In the said Act, in section 7.-
  - (a) In sub-section (1), the expression "Secretary, Home and Tribal Affairs", the expression "Additional Chief Secretary, Home" shall be substituted;
  - (b) In sub-section (2), a comma "(,)" appearing after the expression

"conferred upon", shall be substituted with word "or" and after the expression "assigned to" the expression "or imposed upon" shall be deleted.

- (c) in sub-section (3), a comma "(,)" appearing after the expression "conferred upon" shall be substituted with word "or" and after the expression "assigned to" the expression "or imposed upon" shall be deleted.

**Amendment of Section 9 of Act IV of 2016**

in the said Act in section 9,-

- (a) in clause (a), before the expression "Home Department", the expression "Additional Secretary," shall be inserted;
- (b) for clause (b), the following shall be substituted "  
(b) Deputy Inspector General of police, Counter Terrorism Department (CTD);
- (c) in clause (c) the expression "Additional IG Special Branch" "Deputy Inspector General, Special Branch" shall be substituted,

**Amendment of Section 10 of Act IV of 2016**

in the said Act, in section 10,-

- (a) in sub-section (1) in clause (e), a comma "(,)" appearing after the expression "conferred upon" shall be substituted with word "or" and after the expression "assigned to" the expression "or imposed upon" shall be deleted;
- (b) in sub-section (2), in clause (a), a comma "(,)" appearing after the expression "conferred upon" shall be substituted with word "or" and after the expression "assigned to" the expression "or imposed upon" shall be deleted.
- (c) in sub-section (3), a comma "(,)" appearing after the expression "conferred upon" shall be substituted with word "or" and after the expression "assigned to" the expression "or imposed upon" shall be deleted.

**Amendment of Section 11 of Act IV of 2016**

in the said Act, in section 11,-

- (a) in sub-section (2), a comma "(,)" appearing after the expression "conferred upon", shall be substituted with word "or" and after the word "assigned" the expression "or imposed upon" shall be deleted.
- (b) in sub-section (2) after the expression "Chief Witness Protection Officer", a comma "(,)" shall be inserted and the expression "Witness Protection Unit or the Committee constituted under section 9 of this Act" shall be added;
- (c) after sub-section (2), the following new sub-section shall be inserted:

"(3) The Government may transfer any officer working under the

Provincial Government on deputation basis until regular appointments are made."

**Amendment of Section 12** in the said Act, in section 12, after sub-section (3), the following new  
**14 of Act IV of 2016** sub-section shall be added:

"(4) The protected witness shall be facilitated through the Witness Protection Officer, who shall escort the witness to a secure and approved facility where the evidence may be recorded safely. However, directions or orders of the trial court, if any, shall be duly observed."

## STATEMENT OF OBJECTS AND REASONS

The *Balochistan Witness Protection Act, 2016* was enacted to provide a legal framework for the protection of witnesses in criminal proceedings. Experience in its implementation has revealed certain practical and administrative gaps requiring amendment to enhance its effectiveness and alignment with current legal standards and international best practices. The amendments refine the definition of "serious offences" to include only those punishable with imprisonment of seven years or more, ensuring that protection measures and resources are focused on high-risk cases. The term "witness" is broadened to include victims, survivors, and complainants, reflecting a more inclusive and victim-centered approach.

Provisions are introduced to permit alteration of official particulars of protected witnesses and to establish secure facilities for recording testimony, ensuring protection against intimidation. Institutional reforms include restructuring the Witness Protection Advisory Board with judicial representation, quorum requirements, and local sub-units for improved accessibility and coordination. The amendments also authorize the deputation of officers pending permanent appointments and clearly define the duties of Witness Protection Officers for consistent implementation. Collectively, these measures strengthen the integrity, efficiency, and reach of the witness protection system in Balochistan, ensuring participation in the justice process without fear and reinforcing public confidence in the rule of law.



**MIR SARFRAZ AHMED BUGTI**  
**CHIEF MINISTER BALOCHISTAN**  
**MINISTER INCHARGE HOME DEPARTMENT**