

To,

Dated: 27/01/25

- 1) **THE HONOURABLE CHIEF MINISTER SINDH/**
Chairman of the Governing Body, ZDA,
Through Principal Secretary, CM House,
Karachi.
- 2) **THE WORTHY CHIEF SECRETARY, SINDH/**
Member of the Governing Body, ZDA.

SUBJECT: COMPLAINT REGARDING THE ILLEGAL PROMOTIONS IN BPS-18 IN ZULFIKARABAD DEVELOPMENT AUTHORITY (ZDA) WITHOUT PRIOR APPROVAL OF THE GOVERNING BODY, ZDA/PROVINCIAL SELECTION BORD-II, GOVERNMENT OF SINDH.

1. Your kind self may refer to the subject cited above.
2. It is brought to your notice that illegal promotions were carried out in April 2024 in ZDA without the approval of the Governing Body of ZDA. The ZDA is a corporate body (Sec. 4(2), ZDA Act 2010, amended 2016) that performs its functions and exercises its powers through its Governing Body (Sec. 5, ZDA Act). As per Sec. 6 of the ZDA Act, the administration, management, and control of ZDA are vested in the Governing Body. Furthermore, according to Sec. 7(2) of the ZDA Act, the Managing Director performs duties and exercises powers under the direction of the Governing Body through call the meeting of the Governing Body (copy of relevant section of ZDA Act at Annex-1 and some copies of illegally promoted employees for a ready reference at Annex-2). The last meeting of the ZDA Governing Body was held in 2011, and no subsequent meetings have been convened since then.
3. It has been observed that the then Managing Director, Mr. Muzamil Hussain Halipoto (PAS Officer, BPS-19), exercised discretionary powers in violation of the relevant statutes, leading to the illegal promotion of ZDA employees from BPS-16 to BPS-17 and BPS-17 to BPS-18 as detailed below:

S.No.	Name of Employee	Designation	Illegally Promoted
1	Syed Ali Mehdi	Assistant Director (Operation) Equivalent to BPS-17	In BPS-18 as Deputy Director (Ops.)
2	Mr. Faiq Ali Shah	Account Officer Equivalent to BPS-17	In BPS-18 as Deputy Director (Finance)
3	Mr. Afraz Ahmed Memon	Assistant Director (Planning) - Equivalent to BPS-17	In BPS-18 as Deputy Director (Planning)
4	Mr. Samiullah	Assistant Director Equivalent to BPS-17	In BPS-18 as Deputy Director
5	Ms. Sabeen Shaikh	Assistant Director Equivalent to BPS-17	In BPS-18 as Deputy Director

6	Mr. Akbar Ali	Accountant Equivalent to BPS-16	In BPS-17 as Account Officer
7	Mr. Shahid Hussian Soomro	Sub-Engineer Equivalent to BPS-16	In BPS-17 as Assistant Executive Engineer
8	Ms. Dilshaira Zainab	Private Secretary Equivalent to BS-16	In BP-17 as Assistant Director

4. Moreover, the above promotions were not referred through the proper channel to the Provincial Selection Board-II, as required by the Government of Sindh rules, which must be strictly adhered to. Instead, the promotions were carried out by the Executive Committee, which lacks the legal mandate to do so, as outlined in the SGA&CD Notification dated 05-08-2011 (copy of Notification attached at Annex-3). The notification explicitly outlines the Terms and Conditions (ToR) of the Executive Committee, clearly stating that it does not have the authority to approve or grant promotions for ZDA employees in BPS-16, BPS-17, and BPS-18, respectively. This authority is legally only vested in the Governing Body of ZDA, as per the ZDA Act.

5. It is further informed that the above employees were contractual employees of the Authority and were regularized under the Regularization Act 2013 not by the Governing Body of ZDA. However, the case regarding their regularization is still pending in the High Court of Sindh for a final decision, as per the directions of the Honourable Supreme Court dated 29-12-2023 (Copy attached at Annex-4). Furthermore, it is a standard practice that no government department grants promotions to employees whose cases are still under judicial consideration in the Honourable High Court. Moreover, there is no evidence available to suggest that the employees who were regularized under the above-mentioned Act have been promoted to higher scales in the Government of Sindh since 2013.

6. No clear criteria or standards were established for these promotions. In addition, the service records of the promoted employees were not properly reviewed, revealing that several promotees were under disciplinary actions, had received multiple show-cause notices over time, were the subject of complaints, and had been absent from duties for significant periods without official approval. It is imperative that their records be thoroughly verified against the official ZDA database.

7. Without adhering to the Standard Operating Procedures (SOPs) or complying with the directions of the Honourable High Court, and without obtaining any consent or directives from the Governing Body of ZDA, such illegal actions were carried out solely by the senior management of ZDA under the directions of the then Managing Director. Committees were forcibly constituted to fulfil this mandate, pressuring contractual officers and favouring individuals who lacked basic competencies, such as the inability to differentiate between capital and lowercase letters in written English. Despite these deficiencies, these individuals were promoted to higher BPS-18 levels, as evidenced by their submitted ACR reports available in the ZDA records.

8. Furthermore, the promotion notifications were issued by the individuals themselves without any authorization or consent from higher forums such as SGA&CD (Services wing). No official Gazette Notifications were issued in favour of the promoted employees, further

undermining the legitimacy of these actions. Contractual officers were coerced into participating in the Departmental Promotion Committees, with management threatening to withhold their contract extensions if they raised objections to the promotions. This blatant disregard for procedural fairness and merit highlights the systemic issues within the promotion process at ZDA 9.

Additionally, some employees have been found tampering with official records, removing or discarding letters from ZDA files, and using unauthorized signatures for approvals. Same irregularities were also observed in the promotion process, where minutes of meetings were allegedly prepared prior to the official meetings, without the consent, endorsement, or participation of committee members. These claims can be verified through the history of computer files, which provide clear evidence of such malpractice. If necessary, a forensic investigation of the computer records may be undertaken.

10. Nonetheless, it is important to highlight that the Deputy Director (HR), who had been performing his official duties satisfactorily since 2013, was not granted an extension by the then Managing Director, despite being a senior staff member deserving of it. The then Managing Director, ZDA justified this decision by claiming that ZDA required only technical staff, given its mandate as a development authority. However, contrary to this claim, over 80% of the nontechnical staff promoted at ZDA Headquarters which is currently engaged in administrative work. This discrepancy suggests a hidden agenda that has been in effect since the posting of the then Managing Director in ZDA, on 3rd November 2023.

11. Such actions not only discriminated against dedicated, long-serving employees but also violated the Civil Servants (Appointment, Promotion, and Transfer) Rules, 1973, which govern the promotion of civil servants in Pakistan (copy of Notification at Annex-5). These rules stipulate that Provincial Selection Boards are responsible for recommending promotions and transfers to posts within their purview, under the chairmanship of the Chief Minister of Sindh or the Chief Secretary of Sindh. By extension, the Chief Minister of Sindh also serves as the Chairman of the ZDA Governing Body.

12. The lack of adherence to these rules, coupled with evident favouritism and procedural irregularities, has severely undermined the principles of merit and transparent fairness. This has led to significant resentment and demotivation among deserving employees, who feel deprived of their rightful opportunities. In some cases, junior employees who were promoted became heads of departments and were posted as Directors on an additional charge, leaving long-serving employees to work under them.

13. As a result, these promotions imposed an excessive financial burden on the exchequer, including increased salaries, project and special allowances, and fuel card provisions exceeding 1,000 liters of petrol per month. This is particularly alarming for a defunct organization where no physical activities have taken place on the ground since its inception, despite over 1 billion PKR in funds being utilized without any tangible construction activity.

14. It is important to highlight that the case of illegal promotions was brought to the attention of the then Managing Director of ZDA through a noting sheet submitted by the Director of Planning (copy enclosed as Annex-6); however, he declined to take any action.

Similarly, the succeeding Managing Directors of ZDA have also shown reluctance to take substantial action against the irregularities caused by the aforementioned employees.

15. In light of the facts explained above, it is humbly submitted to the higher authorities to take serious action against the illegal promotions of the aforementioned employees of ZDA in BPS-17 and BPS-18 and revert back immediately. It is requested to issue orders for an inquiry to be conducted through SGA&CD (Secretary I&C/Services/GA), and to immediately revoke and de-notify the illegal promotions until a resolution is made by the committee to address these irregularities in ZDA. This action is necessary to safeguard the government exchequer in the public interest.

Submitted for your kind directives and further instructions in the public interest.

(PInr. Sajjad Ali)

Deputy Director (P/E),
Zulfikarbad Development Authority,
Government of Sindh, Karachi.

Cc to:

1. Secretary Establishment Division, Govt. of Pakistan, Islamabad.
2. Principal Secretary to President of Pakistan, President House Islamabad.
3. Secretary (GA), SGA&CD, Govt. of Sindh, Karachi.
4. Secretary (Services), SGA&CD, Govt. of Sindh, Karachi.
5. Secretary (I&C), SGA&CD, Govt. of Sindh, Karachi.
6. Managing Director, ZDA, Govt. of Sindh, Karachi
7. Secretary, Provincial Ombudsman (Mohtasib) Secretariat Sindh, Karachi.
8. Accountant General Sindh, Karachi.
9. Director General NAB Sindh, Karachi.
10. Chairman Enquires & Anti-Corruption Establishment Sindh, GoS, Karachi.
11. Registrar, Honourable Sindh High Court, Karachi (Reference Civil Appeals No. 26K-38K).
12. SO-II (Services), SGA&CD, Govt. of Sindh, Karachi.
13. SO (Budget), SGA&CD, Govt. of Sindh, Karachi.
14. SO (C-IV), SGA&CD, Govt. of Sindh, Karachi.
- ✓ 15. Transparency International Karachi.

(PInr. Sajjad Ali)

Deputy Director (P/E),
Zulfikarbad Development Authority,
Government of Sindh, Karachi.

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 23rd NOVEMBER, 2010.

NO.PAS/Legis-B-23/2010- The Zulfikarabad Development Authority Bill, 2010 having been passed by the Provincial Assembly of Sindh on 29th October, 2010 and assented to by the Governor of Sindh on 11th November, 2010 is hereby published as an Act of the Legislature of Sindh.

THE ZULFIKARABAD DEVELOPMENT AUTHORITY ACT, 2010

SINDH ACT NO: XXI OF 2010

AN
ACT

to provide for establishment of Zulfikarabad City in District Thatta and to establish an Authority for such purpose.

Whereas it is expedient to provide for establishment of a modern city to be known as Zulfikarabd City in District Thatta and to establish an Authority for such purpose and provide for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:-

CHAPTER I - PRELIMINAY

1. **Short title, extent and commencement.** (1) This Act may be called the Zulfikarabad Development Authority Act, 2010.
 - (2) It shall extend to such areas of District Thatta as Government may from time to time specify by notification.
 - (3) It shall come into force at once and shall be deemed to have taken effect on and from 14th day of October, 2010.
2. **Definitions.** In this Act, unless there is anything repugnant in the subject or context-
 - a) "agency" means any department or organization of the Government and includes local government, a corporation, or other autonomous or semi-autonomous body set up by the Government;
 - b) "Authority" means the Zulfikarabad Development Authority constituted under section 4 of this Act;
 - c) "building" includes any factory, industrial or business establishment, shop, godown, warehouse, farmhouse, outhouse, hut, hutment, shed, garage, stable, well, or platform, and any other structure, whether meant for residential, business, recreational or amenity purpose or not, made of masonry bricks, wood, mud, thatch, metal or any other material, but does not include a temporary structure made for any purpose connected with agriculture;
 - d) "Chairman" means Chairman of the Governing Body;
 - e) "Director" means a Director of the Authority;

- f) "Government" means the Government of Sindh;
- g) "Governing Body" means the Governing Body constituted under this Act;
- h) "land" includes earth, water, air above, below or the surface of land and any thing attached to the earth or permanently fastened to any thing attached to the earth;
- i) "Managing Director" means the Managing Director of the Authority;
- j) "Member" means a Member of the Governing Body;
- k) "prescribed" means prescribed by rules and regulations made under this Act;
- l) "scheme" means a planning scheme or a development scheme prepared, undertaken or executed under this Act;
- m) "Specified Area" means any area of District Thatta as Government may from time to time specify by notification under section 3;

3. **Declaration of Specified Area.** The Government may, from time to time by notification in the official Gazette, declare any part or parts of District Thatta as Specified Area under this Act.

CHAPTER II - ESTABLISHMENT OF THE AUTHORITY

4. **Establishment of the Authority.** (1) There shall be established an authority to be known as Zulfikarabad Development Authority for carrying out the purposes of this Act.

(2) The Authority shall be a body corporate, having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire and hold property, both movable and immovable, and shall by the said name sue and be sued.

5. **Governing Body.** (1) The Authority shall perform the functions and exercise the powers through Governing Body which shall consist of-

- | | |
|---|----------|
| (a) Chief Minister | Chairman |
| (b) Chief Secretary | Member |
| (c) Additional Chief Secretary,
Planning & Development | Member |
| (d) Senior Member, Board of Revenue | Member |
| (e) Secretary Finance | Member |
| (f) Secretary Local Government | Member |
| (g) Member Land Utilization,
Board of Revenue; | Member |
| (h) Managing Director | Member |

Provided that in his absence, Chief Minister may authorize the Chief Secretary to act as Chairman.

(2) The meetings of the Governing Body shall be held at such time and place and in such manner as may be prescribed.

(3) Notwithstanding the provisions of sub-section (2), the Chairman may convene the meeting of the Governing Body at any time and place.

6. Management. (1) The administration, management and control of the Authority shall vest in the Governing Body.

(2) The Authority shall perform the functions and exercise the powers as may be prescribed.

7. Managing Director. (1) The Managing Director shall be appointed by the Government on such terms and conditions as it may determine

(2) The Managing Director shall be the Chief Executive of the Authority, and shall, subject to general and special directions of the Governing Body, perform such duties and exercise such powers as may be delegated to him by the Governing Body and assigned to him under this Act.

(3) Where the Managing Director is absent from his duty for any reason, or is unable to perform the functions of his office, Government may nominate any officer of the Authority to perform the duties and exercise the powers of the Managing Director.

8. Headquarters of the Authority.

(1) The Authority shall establish its Headquarters within the Specified Area of Zulfiqarabad City.

(2) Until the Authority establishes its Headquarters within the Specified Areas, temporarily its Headquarters may be situated at Karachi.

CHAPTER III – FUNCTIONS AND POWERS OF THE AUTHORITY

9. Functions and Powers of the Authority. (1) Subject to the provisions of this Act and the Rules made thereunder, the Authority may perform such functions and exercise such powers as may be necessary for carrying out the purposes of this Act.

(2) Without prejudice to the generality of powers conferred by sub-section (1), the Authority may –

- a) acquire any land in the Specified Areas;
- b) undertake any work in the Specified Areas in pursuance of any scheme prepared under section 13;
- c) incur or cause to be incurred any expenditure;
- d) procure plant, machinery, instrument and material required for its use;
- e) enter into and perform all such contracts as it may consider necessary with specific or general approval of the Governing Body;
- f) perform building control functions;
- g) cause studies, surveys, experiments and technical researches to be made or contribute towards the cost of any such studies, surveys, experiments or technical researches made by any other agency at the request of the Authority;



ZULFIKARABAD DEVELOPMENT AUTHORITY

House # D-18 Block F Kohkashan Clifton Karachi
Tel # 0092 21 90112196 Fax # 0092 21 90111196

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ZULFIKARABAD
DEVELOPMENT AUTHORITY

NOTIFICATION

No. ZDA/HRD/Order/2024: On the recommendation of Departmental Promotion Committee (DPC-D) in its meeting held on 15-04-2024 and with the approval of Executive Committee, ZDA in its meeting held on 24-04-2024, Mr. Samiullah S/o Agha Noorullah, Assistant Director (Administration) (HPS-17) is hereby promoted to (HPS-18) on regular basis with immediate effect.

(MUZAMIL HUSSAIN)
MANAGING DIRECTOR, ZDA

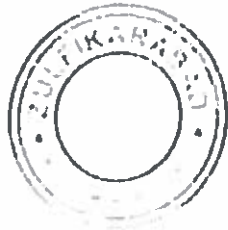
No. ZDA/HRD/Order/2024/ 310

Karachi, dated 25th April, 2024

A copy is forwarded for information to:

- 1 The Secretary (GA), SGA&CD, Government of Sindh Karachi.
- 2 The Secretary (Services), SGA&CD, Government of Sindh Karachi.
- 3 The Director (Accounts & Finance), ZDA, Karachi.
- 4 The Director (Administration / HR), ZDA, Karachi.
- 5 PS to Managing Director, ZDA, Karachi.
- 6 Officer concerned.
- 7 Office File.

DIRECTOR (ADMIN / HR), ZDA





ZULFIKARABAD DEVELOPMENT AUTHORITY



House # D-18 Block E, Kalkashan, Clifton, Karachi
Tel: 021-35011196 or 021-35011196 Fax: 021-35011196

NOTIFICATION

No. ZDA/HRD/Order/2024: On the recommendation of Departmental Promotion Committee (DPC-D) in its meeting held on 15.04.2024 and with the approval of Executive Committee ZDA in its meeting held on 24.04.2024, Mr. Akbar Ali S/o Muhammad Soomar, Accountant (BPS-16) is hereby promoted to (BPS-17) on regular basis with immediate effect.

(MUZAMIL HUSSAIN)
MANAGING DIRECTOR, ZDA

No. ZDA/HRD/Order/2024/3W2.

Karachi, dated 25th April, 2024

A copy is forwarded for information to:

1. The Secretary (GA), SGA&CD, Government of Sindh Karachi.
2. The Secretary (Services), SGA&CD, Government of Sindh Karachi.
3. The Director (Accounts & Finance), ZDA, Karachi.
4. The Director (Administration - HR), ZDA, Karachi.
5. PS to Managing Director, ZDA, Karachi.
6. Officer concerned.
7. Office File.

(SAMI ULLAH)
DIRECTOR (ADMIN / HR), ZDA





ZULFIKARABAD DEVELOPMENT AUTHORITY



House # D-18, Block E, Kohkashan, Clifton, Karachi
Tel # 021-33 9911186-96 Fax # 021-33 9911206

NOTIFICATION

No. ZDA/HRD/Order/2024: On the recommendation of Departmental Promotion Committee (DPC-D) in its meeting held on 15-04-2024 and with the approval of Executive Committee, ZDA in its meeting held on 24-04-2024, Mr. Faqir Ali Shah S/o Allah Ali Shah, Accounts Officer (HPS-17) is hereby promoted to (HPS-18) on regular basis with immediate effect.

(MUZAMMIL HUSSAIN)
MANAGING DIRECTOR, ZDA

No. ZDA/HRD/Order/2024/3A

Karachi, dated 25th April, 2024

A copy is forwarded for information to:

1. The Secretary (GA), SGA&CD, Government of Sindh Karachi.
2. The Secretary (Services), SGA&CD, Government of Sindh Karachi.
3. The Director (Accounts & Finance), ZDA, Karachi.
4. The Director (Administration / HR), ZDA, Karachi.
5. PS to Managing Director, ZDA, Karachi.
6. Officer concerned.
7. Office File.

(SAMIULLAH)
DIRECTOR (ADMIN / HR), ZDA





ZULFIKARABAD DEVELOPMENT AUTHORITY



House # D-18, Block-I, Kalkashan, Clifton, Karachi
Tel # 0092-21-99112186-96 Fax # 0092-21-99112196

NOTIFICATION

No. ZDA/HRD/Order/2024: On the recommendation of Departmental Promotion Committee (DPC-I) in its meeting held on 15-04-2024 and with the approval of Executive Committee, ZDA in its meeting held on 24-04-2024, **Mr. Shahid Hussain S/o Naik Muhammad, Associate Engineer (BPS-16) is hereby promoted to (BPS-17) on regular basis with immediate effect**

(MUZAMIL HUSSAIN)
MANAGING DIRECTOR, ZDA

No. ZDA/HRD/Order/2024/3117

Karachi, dated 25th April, 2024

A copy is forwarded for information to:

1. The Secretary (GA), SGA&CD, Government of Sindh Karachi.
2. The Secretary (Services), SGA&CD, Government of Sindh Karachi.
3. The Director (Accounts & Finance), ZDA, Karachi.
- ✓ 4. The Director (Administration / HR), ZDA, Karachi.
5. PS to Managing Director, ZDA, Karachi.
6. Officer concerned.
7. Office File.

(SAMIULLAH)
DIRECTOR (ADMIN / HR), ZDA



NOTIFICATION

NO:SO(C-IV)SGA&CD/4-64/09: The Governing body of Zulfikarabad Development Authority (ZDA) has constituted an Executive Committee (EC) of ZDA with following composition and terms of conditions to facilitate the expeditious work of Zulfikarabad City:

1.	Managing Director, ZDA	Chairman
2.	Chief Secretary Sindh or in case of his regret to attend a meeting (in writing) any Additional Chief Secretary or Senior Member Board of Revenue nominated by him.	Member
3.	Additional Chief Secretary (Dev) P&D Department or in case of his regret to attend a meeting (in writing) Secretary P&D.	Member
4.	Secretary Finance, Government of Sindh or in case of his regret to attend a meeting (in writing) a grade 20 officer nominated by him.	Member
5.	Director Operation (Engg), ZDA	Member
6.	Director Planning, ZDA	Member
7.	Director Finance, ZDA	Member/Secretary
8.	Director (Admn), ZDA	Non Voting Member
9.	Two Co-opted Members	

Terms and Conditions:

- i. To conceive, approve and develop Plans related to the new Zulfikarabad City in conformity with the master Plan;
- ii. Preparation, approval and execution of development projects/ Schemes to implement the conceptual/ detailed master plan of Zulfikarabad;
- iii. To enter into and perform all contracts related to the Authority;
- iv. Prepare/revise organizational structure to accomplish the assigned task;
- v. Hire qualified Human Resources for the smooth functioning of the Organization;
- vi. Procure/dispose off material and services;
- vii. Prepare and submit annual budget (development and non-development) and submit to P&D and Finance department for release of funds;
- viii. Copy minutes of all meetings of the EC to the Chairman of the Governing body i.e. Chief Minister Sindh for information and submit all minutes to the next meeting of Governing body for information.
- ix. The meeting of the EC is to be convened as and when required on atleast five days written notice with Agenda. The quorum of the meeting will be minimum of five members but Chief Secretary or ACS(Dev) and Finance Secretary Sindh or his nominee must be prese

Note:

1. All actions and transactions based on the decisions taken by EC shall be in compliance with SPPRA rules.
2. Co-opted members of high qualifications/credentials with good professional reputation shall be selected by EC from various fields for each meeting depending upon the items belug discussed in the EC meeting.

RAJA MUHAMMAD ABBAS
CHIEF SECRETARY SINDH

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05/08/11 Cont'd Page-2

Circulate among own staff.

DD, E/A

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10/8

Karachi, dated the 05th August, 2011.

NO:SO(C-IV)SGA&CD/4-64/09

A copy is forwarded for information to:

1. All Additional Chief Secretaries to Government of Sindh, Karachi
2. The Senior Member, Board of Revenue, Sindh.
3. The Principal Secretary to Governor Sindh, Karachi.
4. The Secretary to Chief Minister Sindh, Karachi.
5. All Administrative Secretaries, Government of Sindh (including, members, Board of Revenue, Sindh).
6. The Secretary, Provincial Ombudsman (Mohtasib), Secretariat, Sindh.
7. The Chairman E&ACE/CMIE&I Team.
8. The Commissioner ----- (All in Sindh).
9. The Deputy Commissioners -----(All in Sindh).
10. The Private Secretary to Chief Secretary Sindh.

Abdul Wajid Khan
05/08/11

(ABDUL WAJID KHAN)
SECTION OFFICER (C-IV)



ZULFIKARABAD DEVELOPMENT AUTHORITY

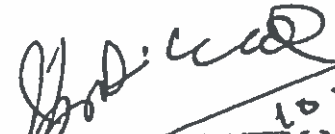


No. ZDA/DDE/Circular/2011/ 270
Dated 10th August, 2011

OFFICE CIRCULAR

The Government of Sindh has Notified Executive Committee of Zulfiqarabad Development Authority to facilitate the expeditious work of Zulfiqarabad City.

2. The copy of the notification is attached for information and further necessary action please.


10.8.2011
(MUHAMMAD IBRAHIM MEMON)
Deputy Director, Estt: / Admn, ZDA

A Copy is forwarded for information to: -

1. Director Finance, ZDA
2. Director Estt:/ Admn, ZDA
3. Dr. Shuaib Ahmed Consultant, ZDA
4. Deputy Director Finance, ZDA
5. Staff Officer to MD, ZDA
6. Assistant Director (HR), ZDA
7. Assistant Director (Plans), ZDA
8. Assistant Director (Engineering/ Operation), ZDA
9. Office Order File

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IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Present:

Mr. Justice Jamal Khan Mandokhail
Mr. Justice Muhammad Ali Mazhar
Mr. Justice Syed Hasan Azhar Rizvi

Civil Appeals No.26-K to 38-K of 2021 and

Against the judgment dated 08.04.2021 passed by High Court of Sindh, Karachi in Constitutional Petitions No.D-6241, D-828, D-5115/2016, D-2683, D-4516, D-6229, D-2732, D-4271/2017, D-5995, D-9016/2018, D-4107, D-7376/2019, D-1572, D-4292, D-4902/2020

CMA's 7436 & 3498/2021 IN CPLAs No.NILL/2021

(Permission to file and argue)

Abdullah Jumani & others

...Appellants

Versus

Province of Sindh & others

...Respondents

For the Appellants:

Mr. Abid S. Zuberi, ASC
Mr. Abdul Salam Memon, ASC
Mr. Malik Nacem Iqbal, ASC
Mr. Muhammad Shoalb Shaheen, ASC
Mr. Muhammad Iqbal Chaudhry, AOR
Mr. K. A. Wahab, AOR
Anjum Badar, Saba Wakeel, in-person

For the Respondents:

Mr. Soulat Rizvi, Addl. AG Sindh
Mr. Shafiq Ahmed, ASC
Mr. Bhuromal, LO, Sindh
Mr. Abdul Razzaq, Dy. Secretary
Mr. Abdul Samih, Dy. Dir. (L)
Mr. Ahmed Ali, SO
Ms. Tehmina Rahman, F.P. (WDD)

Date of Hearing:

29.12.2023

ORDER

Jamal Khan Mandokhail, J.— Civil Miscellaneous Applications No.7436 & 3498/2021 have been filed seeking permission to file and argue CPLA. For the reason mentioned therein, the same are allowed. Office is directed to number the said petitions.

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2. After hearing learned Additional Advocate General Sindh and other learned counsel appearing for the parties, for reasons to be recorded later, all these petitions are converted into appeals and allowed. The impugned judgment is set aside and the matter is

remanded back to the High Court for its decision afresh after providing opportunity of hearing to all the parties.

Sd/- Jamal Khan Mandokhail
Sd/- Muhammad Ali Mazhar, J
Sd/- Hasan Azhar Rizvi, J

NARACHI
30 December, 2023
Sd/-

"Not received for signature"



**GOVERNMENT OF SINDH
SERVICES, GENERAL ADMINISTRATION
& COORDINATION DEPARTMENT
(REGULATION WING)**

Karachi, dated 19th March 2022

NOTIFICATION

No. SORI(SGA&CD)II-62/82/2021: In exercise of the powers conferred by sub-section (1) of section 26 of the Sindh Civil Servants Act, 1973 (XIV of 1973), the Government of Sindh are pleased to make following rules, namely:-

1. Short title, application and commencement.— (1) These rules may be called the Sindh Civil Servants Promotion (BPS-18 to BPS-21) Rules, 2022.

(2) These rules shall apply for promotion of Civil Servants to all posts in Basic Pay Scales 18 to 21 for the time being reserved for promotion in their respective services or cadres.

(3) These rules shall come into force at once.

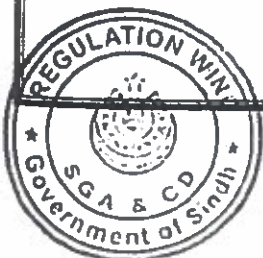
2. Definitions.—(1) In these rules, unless there is anything repugnant in the subject or context –

- a) "Act" means the Sindh Civil Servants Act, 1973 (XIV of 1973);
- b) "actualization" means assumption of charge of the higher post upon promotion;
- c) "appointing authority" shall have the same meaning as assigned thereto in clause (a) of rule 2 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974;
- d) "civil servant" means a person as defined in clause (b) of section 2 of the Act;
- e) "consideration for promotion" means consideration of a civil servant for promotion by the PSB-I, PSB-II or respective DPC, irrespective of the recommendations made by such PSB-I,



PSB-II or DPC resulting in his/her promotion, acting charge appointment, deferment or supersession;

- f) "deferment" means deferment of a civil servant for promotion, approved by the appointing authority on recommendations of the PSB-I, PSB-II or DPC, as the case may be, for reasons to be recorded in writing;
- g) "Departmental Promotion Committee" or "DPC" means a committee constituted under clause (d) of rule 2 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, to consider the promotion of civil servants to BPS-18 and equivalent;
- h) "dossier" means the detailed record and information, with regard to an officer;
- i) "field posting" means the posting of officers of Sindh Police or any particular service or cadre against any particular post and in specified departments or organizations as notified by the Services, General Administration and Coordination Department (SGA&CD) through policy instructions;
- j) "Government" means the Government of Sindh;
- k) "mandatory training" means the training of an officer required for consideration of his/her promotion to a particular post or basic pay scale as provided in rule 19 of these rules;
- l) "promotion" means the appointment by promotion as provided in the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974;
- m) "Provincial Selection Board-I" or "PSB-I" means a Board constituted under clause (b) of rule 2 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, to consider the promotion of civil servants to BPS-20/21 and equivalent;
- n) "Provincial Selection Board-II" or "PSB-II" means a Board constituted under clause (b) of rule 2 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, to consider the promotion of civil servants to BPS-19 and equivalent and to posts of BPS-18 carrying Special Pay;



- o) "Schedule" means the Schedule to these rules; and
- p) "supersession" means the decision of the appointing authority on the recommendations of the PSB-I, PSB-II or DPC, as the case may be, to supersede an officer for promotion to a higher basic pay scale or post on a particular occasion.

(2) All other words and expressions used but not defined in these rules shall, unless the context otherwise requires, have the same meanings assigned thereto in the Constitution of the Islamic Republic of Pakistan, the Sindh Civil Servants Act, 1973 (XIV of 1973) and rules made thereunder.

3. Composition of PSB-I, PSB-II and DPC.— (1) The constitution of PSB-I and PSB-II shall be notified, in accordance with rule 6-A of Sindh Civil Servants (Appointment, Promotion and Transfer) Rules 1974, by the Services, General Administration & Coordination Department with the approval of the Chief Minister Sindh.

(2) The Departmental Promotion Committees (DPCs) shall be constituted in accordance with sub-rules (2) and (3) of rule 5 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974.

(3) The meeting in case of Provincial Selection Board-I (PSB-I) shall be held not less than an interval of three months and that of Provincial Selection Board-II (PSB-II) and Departmental Promotion Committees (DPCs) not less than an interval of one month.

4. Consideration by PSB-I, PSB-II and DPC.—(1) The PSB-I, PSB-II or DPC, as the case may be, shall consider a civil servant for promotion in order of seniority and in accordance with these rules or the recruitment rules or the criteria specified for promotion to the particular post.

(2) While making consideration under sub-rule (1), the PSB-I, PSB-II or DPC, as the case may be, shall follow the provisions of these rules and guidelines set out in Schedule-I.

(3) Subject to availability of a post for the time being reserved for promotion, a civil servant shall be considered for promotion and after such consideration, he shall be recommended for -

- a) promotion; or
- b) appointment on acting charge basis; or
- c) deferment; or
- d) supersession.



(4) Subject to rule 8-A of Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, the consideration as well as recommendations of a civil servant for acting charge appointment shall be made in accordance with the manner of consideration of a civil servant for promotion.

5. Approval of recommendations by the appointing authority.-(1) The recommendations made by the PSB-I, PSB-II or DPC shall have no effect unless approved by the appointing authority concerned.

(2) In case a civil servant is recommended for promotion by the PSB-I, PSB-II or DPC conditionally and such recommendations have been approved by the appointing authority, the promotion of such a civil servant shall be notified after the required conditions are fulfilled;

Provided that a civil servant may be recommended by PSB-I, PSB-II and DPC concerned for promotion conditionally against the future vacancies in his/her service/cadre falling within a period of six months.

(3) The appointing authority shall have the powers to approve or reject or remand back the recommendations of the PSB-I, PSB-II or DPC.

(4) In case of rejection or remand back of any particular recommendations, the appointing authority shall record reasons for doing so.

(5) Recommendations of the PSB-I, PSB-II or DPC duly approved by the appointing authority if not actualized shall lapse after one year reckoned from the date of such approval by the appointing authority and such cases shall require re-submission for consideration by the PSB-I, PSB-II or DPC concerned; provided that the delay in such actualization is attributable to the officer recommended for promotion.

6. Eligibility criteria for consideration for promotion.-(1) The minimum criteria for consideration of promotion of civil servant to various posts shall be -

a) fulfillment of length of service for promotion to any particular post or basic pay scale or grade that has been separately specified:

Provided that the conditions, made by the Government as reproduced in Schedule-II, shall apply while calculating the length of service of the civil servant for his/her promotion;



- b) satisfactory completion of mandatory training;
- c) possession of qualification and experience and other conditions as prescribed in the relevant recruitment rules, if notified separately;
- d) fulfillment of mandatory conditions of the rotation policy so specified for any service or cadre;
- e) fulfillment of policy for field posting, if so specified for any service or cadre; and
- f) fulfillment of other terms and conditions for the time being in force.

(2) The minimum criteria under sub-rule (1) in no way shall vest the right whatsoever for promotion to a particular post.

7. Conditions for deferment.-On consideration for promotion in order of seniority, a civil servant shall be recommended for deferment, if -

- a) the officer does not meet the eligibility criteria as contained in rule 6 of these rules ;
- b) the officer has not submitted Part-I and Part-II of his/her form of the Performance Evaluation Report(PER) to his/her reporting officer;
- c) the PSB-I, PSB-II or DPC considers that service record of the officer is incomplete in any aspect;
- d) the PSB-I,PSB-II or DPC wants to further watch performance of the officer for any reason to be recorded in writing:

Provided that period of performance to be watched under this clause shall not exceed twelve months;

- e) disciplinary or departmental proceedings are pending against the civil servant:

Provided that this clause shall not be applicable in cases, where on the date of consideration of the civil servant for promotion, such proceedings are pending for more than a year and the delay has not been caused by any reason attributable to the officer;



- f) the civil servant is for a period of not less than one year on deputation to a foreign government or international agency irrespective of whether it is located abroad or within the country:

Provided that this clause shall not be applicable to those civil servants who have been appointed or nominated for deputation to international organizations against reserved and specified posts, as defined in the relevant rules and are representing Government of Pakistan or Government of Sindh therein, as the case may be;

- g) the civil servant is availing ex-Pakistan leave including extra ordinary leave or study leave as well as similar leave within Pakistan for a period of not less than one year;
- h) the civil servants who have availed ex-Pakistan leave including extra-ordinary leave or study leave as well as similar leave within Pakistan for a period of not less than one year and have not earned one full year PER on return from such leave;
- i) an inquiry, investigation, case or a reference is pending against any civil servant in Enquires & Anti-Corruption Establishment, Federal Investigation Agency, National Accountability Bureau or such other organization by whatever name called for:

Provided that this clause shall not be applicable in such cases, where on the date of consideration of a civil servant for promotion, the total period of pendency comprising inquiry, investigation, case or reference is more than two years and the delay has not been caused by any reason attributable to the officer; or

- j) there is any other reason to be recorded in writing by the PSB-I, PSB-II or DPC as the case may be.

8. Conditions for supersession.—A civil servant shall be recommended for supersession, if -

- a) he/she does not meet the requisite threshold for promotion to a particular post or grade in any particular service or post;



- b) subject to the provisions of rule 22 of these rules, he/she falls thrice for any reason to attend the mandatory training; or
- c) there is any other reason which shall be recorded in writing by the PSB-I, PSB-II or DPC as the case may be.

9. Consideration of promotion in case seniority is sub-judice.

(1) A civil servant whose seniority is sub-judice may be considered for promotion subject to final outcome of the court case.

(2) The promotion if approved under sub-rule (1) shall be considered a temporary promotion and the juniors so promoted on the basis of a sub-judice seniority shall be assigned seniority as per final court orders and in case no vacancy remains available in the cadre, the junior most shall be reverted to lower post or grade, as the case may be.

10. Consideration of promotion of civil servants who were deferred/superseded.— (1) A civil servant deferred, except under clause (d) of rule 7 of these rules, shall be considered for promotion again after the reason on the basis of which the deferment took place ceases to exist.

(2) The civil servants falling in the category mentioned in clauses (g) and (h) of rule 7 of these rules shall be considered for promotion only on return to a cadre post and earning at least one PER for full year before consideration for promotion.

(3) The one full year PER referred in sub-rule (2) means a report of twelve complete months inclusive of period spent on mandatory training:

Provided that if an officer has not earned PER for complete one year (twelve months) and has earned only part PER in that year for reasons beyond his/her control, then his/her special report, for the period of deficiency, earned subsequently shall be taken into account to complete the twelve months requirement for the purpose.

(4) In a case where an officer has returned from deputation abroad or joined duty after availing leave of one year or more but no PER is due in the present grade, his/her overall PER grading for the previous grade shall be counted, for the purpose of quantification in the present grade:



Provided that only such cases shall be covered under this sub-rule wherein an officer after such return from deputation abroad or leave has served within the cadre for a period of one complete year reckoned from the date the officer assumes duty after such return till the date of holding the meeting of the PSB-I, PSB-II or DPC, as the case may be:

Provided further that in such cases a satisfactory special report of the officer in present basic pay scale shall invariably be required but the same shall not be quantified under any circumstances.

(5) A civil servant, once superseded for promotion under rule 8 of these rules, shall be eligible for reconsideration only after he/she earns one more PER of one full year.

11. Consideration of promotion of civil servants who are on deputation abroad.— (1) Promotion of a civil servant on deputation to an international agency or foreign government abroad or within the country for a period not less than one year shall only be considered after the officer resumes duty on his/her cadre post.

(2) Before consideration for promotion a civil servant upon his/her return from deputation shall be required to earn PER for period, mentioned in column (3) of the table below in relation to period of deputation as mentioned in column (2) of that table, namely: —

TABLE

S.No.	Period of deputation	Minimum period of PER
(1)	(2)	(3)
1.	One year	Three complete months
2.	Between one to three years	Six complete months
3.	Above three years	Twelve complete months

(3) In case the period of deputation is less than one year, the civil servant shall be considered for promotion but the officer shall actualize his/her promotion on return from such a deputation on the cadre post.

(4) Civil Servants who have been appointed or nominated for deputation to international organizations against reserved and specified posts, as defined in the relevant rules and are representing Government of Pakistan or Government of Sindh therein, as the case may be, shall be considered for promotion subject to fulfillment of eligibility criteria.



12. **Consideration of promotion of civil servants who are on leave** –(1) A civil servant having availed or availing ex-Pakistan leave or leave within Pakistan including extra ordinary leave or study leave shall be considered for promotion by the PSB-I or PSB-II or concerned DPC; provided that such leave is less than one year. However, on approval of recommendation of promotion by the appointing authority, the promotion shall be actualized on return from leave.

(2) A civil servant having availed or availing ex-Pakistan leave or leave within Pakistan including extra ordinary leave or study leave for a period of not less than one year shall be required to earn a PER for one full year after the officer joins back:

Provided that the training period and the training evaluation report (TER) shall also be included for the purpose of computation of twelve complete months period and evaluation:

Provided further that the full year shall start from the date the officer joins back:

Provided further that civil servants availing scholarships after a competitive process and through Technical Assistance Program shall only be required to produce the evidence of successful completion of the course and the provision of sub-rule (2) of rule 12 shall not apply to such cases.

13. **Reservation of vacancies.**– In case of deferment of seniors, particularly in small cadres, the PSB-I, PSB-II or the DPC may, as it may deem fit, recommend to reserve a vacancy or vacancies for future promotions in the cadre for reasons to be recorded in writing.

14. **Promotion to various posts.**– (1) The posts in BPS-19 to BPS-21 shall be selection posts, while the posts in BPS-18 shall be non-selection posts.

(2) For selection posts, PERs and TERs shall be given due importance as prescribed under these rules. Dossier and collective judgment of the PSB-I and PSB-II shall also be taken into account.

(3) Promotion from BPS-17 to BPS-18 posts, shall be on seniority-cum-fitness basis, based on PERs score, passing of the departmental examination, successful completion of training courses, as the case may be, if so prescribed.



15. Specialist Cadres.— (1) The condition of mandatory training as contained in clause (b) of sub rule (1) of the rule 6, shall not be strictly applicable to civil servants belonging to specialist cadres such as doctors, engineers, teachers, professors, research scientists and incumbents of purely technical posts, for promotion within their own lines of specialization under their respective service rules.

(2) In case of interpretation of this rule and to declare any particular post or cadre as 'specialist cadre' for the purpose of exemption of mandatory training, the SGA&CD shall examine such cases and decide the same as deemed appropriate.

16. Efficiency index for promotion, deferment and supersession.— The minimum threshold of marks for promotion to various basic pay scales, mentioned in column (2) of the table below, shall be as mentioned in column (3) of that table, namely:-

TABLE

S.No.	Basic Pay Scale	Aggregate Marks of Efficiency Index
(1)	(2)	(3)
1.	BS-18	50
2.	BS-19	60
3.	BS-20	70
4.	BS-21	75

17. Panel of officers per vacancy.—(1) A panel consisting of a minimum of two officers per vacancy shall be submitted for consideration of the PSB-I, PSB-II or DPC depending on availability of the eligible officers in the cadre.

(2) The panel of officers under sub-rule (1) shall be in addition to cases of officers superseded in previous meetings of the PSB-I, PSB-II or DPC.

18. Quantification of PERs, training evaluation reports and PSB-I, PSB-II& DPC evaluation.—(1) For the purpose of consideration by the PSB-I, PSB-II and DPC, the PERs shall be quantified in accordance with the formula as set out in Schedule-III.

(2) For the purpose of promotion to BPS-18, the PERs shall have the weightage of hundred percent.



(3) For the purpose of promotion to the posts in BPS-19, BPS-20 and BPS-21, the following quantification method shall be followed namely:-

a) PERs in respect of two preceding BPS or the last fifteen years whichever is more shall be quantified. If the service of an officer in present and previous BPS is less than fifteen years then the deficiency shall be met by taking into account the PERs of next lower BPS, which shall be bracketed with the PERs of preceding BPS. Quantification of PERs relating to present and previous BPS will have ratio of 60%:40%;

b) the marks mentioned in column (3) of the table below shall be allocated for quantification of PERs, training evaluation report and PSB-I & PSB-II evaluation as mentioned in column (2) of that table namely :-

TABLE

S.No.	Factor	Marks
(1)	(2)	(3)
1.	Quantification of PERs	70%
2.	Training Evaluation Reports (TERs)	15%
3.	Evaluation by PSB-I and PSB-II	15%
	Total	100%

c) the objective assessment form as set out in Schedule-IV shall be placed before the PSB-I and PSB-II along with panel proforma of every officer for objective evaluation. The PSB-I and PSB-II shall assess each officer on the panel on the basis of parameters and attributes as given in the respective objective assessment form for promotion;

d) the PSB-I or PSB-II, as the case may be, shall apply its collective judgment to determine the fitness for promotion to selection posts as per parameters given in the objective assessment form and shall award marks to an officer and place him in category A, B or C in accordance with the classification given in the following table, namely :-



TABLE

Category	Marks
(1)	(2)
A	11 to 15
B	06 to 10
C	01 to 05

- e) In such cases whereby a civil servant, belonging to a specialist cadre, was not required to undergo mandatory training, weightage of PERs shall be 70% and marks out of 30% shall be awarded by the PSB-I and PSB-II; and
- f) In case, a civil servant has been appointed in the cadre in the present scale, his/her PERs of the present scale shall be given the total weightage assigned to the PERs in the table under clause (b) above.

19. Trainings.—Except civil servants belonging to specialist cadres as contained at rule 15 of these rules, every Civil Servant shall successfully undergo the mandatory trainings mentioned in column (3) of the table below for promotion to next higher BPS as mentioned in that table namely :-

TABLE

S.No.	For Promotion from	Name of Course
(1)	(2)	(3)
1.	BPS-18 to BPS-19	Mid-Career Management Course (MCMC)
2.	BPS-19 to BPS-20	Senior Management Course (SMC)
3.	BPS-20 to BPS-21	National Management Course (NMC)/National Security and War Course (NSWC) at NDU

20. Training evaluation reports.—A total fifteen marks shall be allocated to the last two training evaluation reports (09 marks @60% for the training in the present scale and 06 marks @40% in the previous scale). In case of promotion to BPS-19 there is only one training, hence calculation shall be made out of 15 marks. Evaluation of reports from the training institutions shall be worked out as set out in Schedule-V.

21. Exemption from mandatory training.—Subject to provisions of clause (b) of rule 8, an officer who is likely to retire within two years from service on attaining the age of superannuation shall be exempted from the mandatory training.



22. Declining to proceed on mandatory training.
(1) The administrative departments concerned may make a request for deferment from training of a civil servant only once.

(2) Any relaxation of sub-rule (1) shall require specific approval of the Chief Minister, Sindh.

23. Communication of reasons of deferment & supersession.— The civil servants deferred or superseded shall, immediately after the recommendations of the PSB-I, PSB-II and DPC have been approved by the respective appointing authority, invariably, be informed about the reasons of their deferments and supersessions.

24. Responsibilities of the Departmental Representative.— While forwarding proposals for consideration of PSB-I and PSB-II and DPC the Administrative Departments shall follow the guidelines set out in Schedule-VI.

25. Repeal.— The policy instruction including promotion policy issued by the Establishment Division and subsequently adopted by Government of Sindh from time to time and all other policy instructions related to promotion of civil servants in BPS-18, BPS-19, BPS-20 and BPS-21, in so far as inconsistent to these rules, are hereby repealed.

**MUMTAZ ALI SHAH
CHIEF SECRETARY SINDH**

No. SORI(SGA&CD)II-62/82/2021 Karachi, dated 19th March, 2022

A copy is forwarded to the Superintendent, Sindh Government Printing Press, Karachi with a request to publish the same in the next issue of the Sindh Government Gazette and supply 300 copies thereof to this Department.




(MUSADDIQUE MEMON)
SECTION OFFICER (REGULATION-I)

A copy is forwarded for information and necessary action

to :-

- 1 The Secretary, Establishment Division, Cabinet Secretariat, Government of Pakistan, Islamabad.
- 2 The Chief Secretaries, Government of the Punjab/KPK/Balouchistan.
- 3 The Chairman, Planning & Development Board, Government of Sindh, Karachi.
- 4 The Senior Member, Board of Revenue, Sindh, Hyderabad.
- 5 The Additional Chief Secretaries (all), Government of Sindh, Karachi.
- 6 The Principal Secretary to Governor Sindh.
- 7 The Principal Secretary to Chief Minister, Sindh.
- 8 The Registrar, High Court of Sindh, Karachi.
- 9 The Advocate General/Prosecutor General Sindh, Karachi.
- 10 The Administrative Secretaries (All) Government of Sindh.
- 11 The Secretary (GA), SGA&CD, Government of Sindh with reference to his letter No. SO-VI(SGA&CD/7(337)/2022 dated 09.03.2022.
- 12 The Secretary (Services), SGA&CD, Government of Sindh, with reference to his endorsement No. SOI(SGA&CD)3/28/2002 dated 14.03.2020.
- 13 The Secretary Law, PA Criminal Prosecution Department, Government of Sindh, with reference to his endorsement UO No. S.Reg:4(12)/2021/49 dated 18.03.2020.
- 14 The Chairman, E&ACE, SGA&CD, Government of Sindh.
- 15 The Chairman, Sindh Revenue Board, Karachi.
- 16 The Managing Director, Sindh Public Procurement Regulatory Authority, Karachi.
- 17 The Divisional Commissioners (All in Sindh).
- 18 The Accountant General Sindh, Karachi.
- 19 The Secretary, Provincial Assembly Secretariat, Karachi.
- 20 The Secretary, Provincial Ombudsman, Sindh, Karachi.
- 21 The Secretary Provincial Assembly Secretariat, Karachi.
- 22 The Secretary, Sindh Public Service Commission, Hyderabad.
- 23 The Registrar, Sindh Service Tribunal, Karachi.
- 24 The Secretary, Sindh Public Service Commission, Hyderabad.
- 25 The Deputy Secretary (Staff) to Chief Secretary, Sindh.
- 26 The Consultant to Chief Secretary, Sindh for Court Affairs, Karachi.
- 27 The Registrar, Sindh Service Tribunal, Karachi.
- 28 All Officers in SGA&CD/Private Secretary to Chief Secretary, Sindh.



(Handwritten signature)

(MUSADDIQUE MEMON)
SECTION OFFICER (REGULATION-I)

Annex-6

**ZULFIKARABAD DEVELOPMENT AUTHORITY
GOVERNMENT OF SINDH**

NOTE SHEET

Dated: 16-04-2024

SUBJECT: REQUEST FOR REVIEW THE PROMOTION OF REGULAR EMPLOYEES BY THE EXECUTIVE COMMITTEE, ZDA.

Your kind self may refer to the subject cited above.

2. It is stated that ZDA regular employees will receive promotions through the Executive Committee of ZDA (EC) instead of the Governing Body, ZDA. However, the Executive Committee lacks the legal authority to grant such promotions, as per the provisions of the ZDA Act, 2010 (amended in 2016).

3. It would be prudent to highlight here that the Executive Committee of ZDA (EC) was formed to facilitate the expeditious development work of Zulfikarabad City. However, the notification of the EC does not grant it the mandate to approve promotions for ZDA regular employees. This authority vests solely with the Governing Body, as stipulated in the ZDA Act, 2010 (amended in 2016). To prevent any legal contradictions, it is recommended that the case be referred to the Governing Body or that an opinion be obtained from the Secretary (I&C) and Services Wing, SGA&DC, Government of Sindh, to ensure compliance and avoid conflicts in the public interest.

4. Furthermore, it is important to note that some of the employees who will receive promotions are also members of the Executive Committee. This presents a clear conflict of interest, which goes against standard government practices. As ZDA is a public entity, such practices should not be permitted.

5. Therefore, it is requested that the promotion process be immediately suspended, and a fresh process for promotions be initiated through the Governing Body, ZDA, in accordance with standard practices to ensure transparency and safeguard the public interest.

6. Submitted for your kind perusal and necessary action, please.


16/04/24
Director (Planning), ZDA

7. **Managing Director, ZDA**