

Principle Secretary to Prime Minister
(PSPM) Prime Minister Secretariat,
Islamabad

Subject : Application For Issuance Of Directions To Secretary, Cabinet Division, Secretary, Interior Division AND Secretary, Finance Division / Chairman PPRA Board To Submit The Fact Finding Report On Tempering, Preparation of Bogus / Fake Minutes / Documents of 37th PPRA BOD's Meeting held on 01.04.2019. (Termination Of TEN (10) BS-18, BS-19 & BS-20 Officers Through Illegal Manner Without Lawful Authority on the Basis of Bogus Documents)

Respectfully Submitted :-

Public Procurement Regulatory Authority (PPRA) is functioning under the administrative control of Cabinet Division. Finance Secretary is the Chairman, PPRA Board. Secretary, Cabinet Division being administrative Secretary of PPRA had completed fact finding inquiry on 22.06.2022 on the directions of Principle Secretary to Prime Minister on 11.01.2022 as proposed in summary of Establishment Division on dated 17.12.2021.

2. The services of **Ten (10) Nos** ex-Officers of PPRA have been terminated through illegal manner without the approval of PPRA Board on the basis of Bogus /Fake tempered documents. Therefore, terminated officers submitted the following **Thirty (30)** applications to Secretary, Interior Division, Secretary, Cabinet Division, Chairman, PPRA Board and DG, Federal Investigation Agency (FIA) for initiation of proceedings under E & D Rules and Scheduled Offences of FIA.

A : Pending Before The Chairman PPRA Board / Finance Secretary

S.#	Details of Applications Pending Till Date To Chairman PPRA Board
1.	Application dated <u>23.06.2020</u> submitted to Chairman PPRA Board, Secretary Cabinet Division and others members for initiation of Inquiry Proceedings against Muhammad Zubair and other co-accused, who prepared forged/Bogus Minutes of 37 th Board Meeting held on 01.04.2019.
2.	Application dated <u>31.12.2020</u> submitted to Chairman, PPRA Board and other members for initiation of Inquiry Proceedings against M. Zubair, who prepared the forged/Bogus Minutes of 37 th , 41 st and 42 nd of PPRA's BOD's Meetings.
3.	Application dated <u>01.06.2022</u> submitted to Chairman, PPRA Broad / Finance Secretary to make the compliance of Hon'able Court order dated 20.01.2022 passed in Writ Petition No.2991 of 2019.
4.	Application dated <u>01.03.2022</u> submitted to initiate the proceedings under E&D Rules against the Muhammad Zubair, Ali Temoor and Muhammad Khurshid as already nominated in application dated <u>04.11.2021</u> . Direct the Chairman PPRA Broad / Finance Secretary, to make the compliance of Hon'able Court order dated <u>20.01.2022</u> passed in Writ Petition No.2991 of 2019.
5.	Application dated <u>11.08.2022</u> submitted to initiate the proceedings under E&D Rules against the Muhammad Zubair, Ali Temoor and Muhammad Khurshid as already nominated in application dated <u>04.11.2021</u> Chairman, PPRA Broad / Finance Secretary to make the compliance of Hon'able Court orders dated <u>02.08.2022</u> , <u>20.01.2022</u> Passed in Crl, Org, Petition No.125 of 2022 & WP No.2991 of 2019.
6.	Mr. Naveed Kamran Baloach, Chairman PPRA Board / Secretary, Finance Division issued letter dated <u>24th March, 2020</u> to MD (PPRA) to fix the responsibility of including non-discussed items in draft minutes of 41 st Board Meeting.
7.	Section Officer (Audit & PAC) issued letter to Chairman, PPRA Board / Secretary, Finance Division regarding tempering in Minutes of 37 th PPRA Board Meeting dated <u>01.04.2019</u> and allegations of illegal appointments, corruptions, Kick-Backs And Bribe against the officers of PPRA.

B : Pending Before The Cabinet Secretary (Administrative Secretary of PPRA)

S.#	Details of Applications Pending Till Date To Cabinet Secretary
1.	Application dated <u>23.06.2020</u> submitted to Chairman PPRA Board, Secretary Cabinet Division and others Members for initiation of Inquiry Proceedings against Muhammad Zubair and other co-accused who prepared forged/Bogus Minutes of 37 th Board Meeting held on 01.04.2019.
2.	Mr. Latif Afzal, ex-Board Member & Secretary, M/o Industries & Productions (MoIP) issued letter dated <u>21.01.2021</u> to Secretary, Cabinet Division regarding irregularities in managerial affairs of PPRA and take necessary action.
3.	Secretary Cabinet Division issued directions on <u>29.07.2020</u> , which is reproduced as "please take n/legal action as per rules. Advocate Hafiz Munawar Iqbal of this firm appeared before me and has alleged that there has been a forgery done in the minutes of the PPRA Board meeting of 01.04.2019 as borne out by the copy produced in IHC as compared to what available in the record of Cabinet Division.
4.	Secretary, Cabinet Division issued letters dated <u>06.08.2020</u> and <u>16.10.2020</u> for inquiry against the tempering in 37 th Board Meeting documents.
5.	Application dated <u>15.08.2022</u> submitted to initiate the Proceedings of Misconduct under Efficiency & Discipline (E&D) Rules Against Ali Temoor, DD (HR) on Account of Mis-representation of a Material Facts & Concealment Through Submission of False Evidence / Statement against The Facts As Witness in (FIA).

C : Application Submitted Before The Secretary Interior Division

S.#	Details of Applications Pending Till Date (Interior Division)
1.	Application dated <u>25.07.2022</u> , submitted for re-inquiry in RE-41/2021 through constitution of Joint Enquiry Team (JET) under the supervision of Senior Officers.
2.	Application dated <u>25.07.2022</u> , submitted to declare the witnesses/statements of ex-Board Members against the facts, illegal & un-lawful, Void Abnitio Having no legal affects and re-inquire the matter through constitution of (JET) under the supervision of Senior Officers. Furhter, directions may be issue to order a fact finding inquiry on SOPs / Procedure adopted by Enquiry Officer (EO).
3.	Application dated <u>11.08.2022</u> submitted to obtain the Minutes of 37 th Board Meeting from Cabinet Division, M/o Energy (Power Division), M/o Water Resources and Ministry of Industries & Productions (MoIP) and incorporate these facts in final report.
4.	Application dated <u>11.08.2022</u> submitted to obtain the copies of 37 th Meeting Documents from Cabinet Division and Special Assistant to Prime Minister (SAPM) on Accountability Office in PM Sectt, and in-corporate these facts in final report.
5.	Application dated <u>11.08.2022</u> submitted to obtain the copies of 37 th PPRA Board Meeting Minutes from <u>Cabinet Division, Principle Secretary, to Prime Minister (PSPM) Office</u> and <u>32 (Thirty Two) Members of the Federal Cabinet Offices</u> those have attended the Federal Cabinet Meeting held on 9 th April, 2019, wherein 37 th Board Meeting Agenda items were presented and discussed and in-corporate these facts in final report to meet the end of Justice.
6.	Application dated <u>11.08.2022</u> submitted to obtain the copies of 37 th Meeting Documents from <u>Cabinet Division, Principle Secretary, to Prime Minister (PSPM) Office</u> and <u>NINE (09) Member of Cabinet Committee for Disposal of Legislative Cases (CCLC)</u> , wherein 37 th Board Meeting Agenda items were presented and in-corporate these facts in final report to meet the end of Justice.
7.	Application dated <u>02.08.2022</u> submitted to declare the statement / witnesses of Ali Temoor Deputy Director (HR) false, untrue, illegal, un-lawful and void Abnitio having no legal affects.
8.	Application dated <u>23.08.2022</u> submitted to declare the witnesses/statements of ex-Board Members against the facts, illegal & un-lawful, Void Abnitio.

D : Applications Submitted Before The Director General Federal Investigation Agency (FIA)

S.#	Details of Applications Pending Till Date Before The DG (FIA)
1.	Letter dated <u>19th January, 2021</u> issued to DG (FIA) Islamabad to initiate the criminal proceedings.
2.	Applications dated <u>06.09.2021</u> & <u>04.11.2021</u> submitted to FIA for initiation of criminal proceedings under sections 35, 200, 471, 468, 419, 209 in the light of Pakistan Information Commission (PIC) inquiry report dated 13.01.2021.
3.	Two Applications dated <u>15.11.2021</u> submitted by terminated officers for initiation of criminal proceedings under sections 35, 200, 471, 468, 419, 209.
4.	Application dated <u>27.06.2022</u> submitted for initiation of departmental action against Enquiry Officer for conducting irresponsible, irrational, indiscipline and illegal Enquiry No.41/2021 and depute some responsible officer to re-inquire.
5.	Applications dated 29.07.2022 submitted for re-inquiry through constitution of Joint Enquiry Team (JET) under the supervision of Senior Officers in FIA HQtrs.
6.	Additional Facts submitted vide letter dated <u>26.02.2022</u> in RE-41/2021 regarding submission of Bogus/Fake Documents of 37 th Board Meeting by Muhammad Zubair & Others and requested to initiate the criminal proceedings u/s 35, 200, 471, 468, 419, 209.
7.	Applications dated <u>29.07.2022</u> , submitted for re-inquiry in RE-41/2021 through constitution of Joint Enquiry Team (JET) under the supervision of Senior Officers and declare the witnesses/statements of ex-Board Members against the facts, illegal & un-lawful, Void Abnitio Having no legal affects.
8.	Four (04) Applications dated <u>22.08.2022</u> submitted to obtain the Minutes of 37 th Board Meeting from Cabinet Division, M/o Energy (Power Division), M/o Water Resources and Ministry of Industries & Productions (MoIP), Special Assistant to Prime Minister (SAPM) on Accountability Office, <u>Principle Secretary, Prime Minister (PSPM) Office</u> and <u>32 (Thirty Two) Members of the Federal Cabinet Offices</u> those have attended the Federal Cabinet Meeting held on 9 th April, 2019 and from NINE (09) Members of Cabinet Committee for <u>Disposal of Legislative Cases</u> (CCLC) and incorporate these facts in final report.
9.	Application dated <u>22.08.2022</u> submitted to declare the statement / witnesses of Ali Temoor DD (HR) false, untrue, illegal, un-lawful and void Abnitio having no legal affects. Ali Temoor has done criminal offense through misrepresentation concealment of material facts and false evidence/statement.
10	Application dated <u>02.08.2022</u> submitted to constitute revised JET under the supervision of CSP Officer and initiate the disciplinary proceedings against EO.

Muhammad Zubair, Ali Temoor and Muhammad Khurshid destroyed the whole structure of department and submitted the cases to MD (PPRA) for termination of services of following new appointed officers during probation period on the basis of forged/tempered documents of 37th BOD's Meeting Minutes showing delegation of powers in respect of termination of service of Employees.

- 1) Termination of services of Director General (HR) BS-20. (Ms. Saima Tasneem) without the approval appointing authority i.e PPRA Board.**
- 2) Termination of services of Director General (IT) BS-20. (Muhammad Irfan Rafiq) without the approval appointing authority i.e PPRA Board.**
- 3) Termination of services of Director (HR) BS-19. (Dr. Saqib Yousaf) without the approval appointing authority i.e PPRA Board.**
- 4) Termination of services of Dr. Rahila Yousaf BS-18 without the approval appointing authority i.e PPRA Board.**
- 5) Withdrawal of appointment letter of Muhammad Ali, Director (M & E) BS-19 without the approval appointing authority i.e PPRA Board.**
- 6) Not allowed/accepted the joining of Mr. Ghous Bux Khari, Deputy Director (Legal) BS-18 SINDH Quota after issuance of appointment letter without the approval appointing authority i.e PPRA Board.**
- 7) Not allowed/accepted the joining of Ms. Tayyaba Rashid, Director (Fin & Acct) BS-19 on PUNJAB Quota after issuance of appointment letter on august Supreme Court directions.**
- 8) Repatriated the Dr. Muhammad Zubair (PhD), Director (Research) BS-19 during probation period without the approval appointing authority i.e PPRA Board.**
- 9) Repatriated the Mirza Saqib Baig, Director (M & E) BS-19 during probation period without the approval appointing authority i.e PPRA Board.**
- 10) Approval of Resignation of Director General (Finance) BS-20, during probation period without the approval appointing authority i.e Board.**

The sitting officers of PPRA have established certain lobby of Project staff, illegal appointed, promoted, upgraded officers / officials and created hostile environment for new appointees which cause termination of services of officers during probation period on the basis of forged/tempered documents of 37th Board Meeting held on 01.04.2019.

The Pakistan Information Commission (PIC) conducted an inquiry in the matter of delegation of powers to MD (PPRA) and vide order dated 13.01.2021 in Appeal No.455-08-2020 held that the officers of PPRA had been using tempered document (Minutes of 37th BOD's Meeting) to show that the PPRA officers could themselves terminate services of PPRA employees/officers. As per Para No.38 and 40 to 44 of (PIC) decision, it is established that the Minutes of PPRA 37th BOD's Meeting was tempered and MD/Officers of PPRA had been illegally exercising powers of the PPRA Board on the basis of forged documents showing delegation of powers in respect of appointment and termination of service. PIC vide letter dated 19-01-2021 forwarded the case to DG, FIA for initiation of proceedings under Section 22 (1) (d) (2) of the Right of Access to Information Act 2017.

Hon'able Mr. Qadir Khan MandoKhail
Member National Assembly (MNA)
Chairman, Special Committee On Affected Employees
National Assembly Secretariat, Islamabad

Subject : Application For Re-instatement of Applicant AND Others Nine (09) BS-18, BS-19 & BS-20 ex-Officers of PPRA, Who Were Terminated From Service Through Illegal Manner Without Lawful Authority on the Basis of Bogus / Fake / Tempered Documents of 37th PPRA BOD's Meeting held on 01.04.2019.

Respectfully Submitted :-

This is submitted with reference of Para No.2 & No.3 of Terms of Reference of National Assembly Sectt, Revised Circular No.F.15(1)/2022-Com-I/Spl. Com dated 04.11.2022. (Annex-I)

2. Public Procurement Regulatory Authority (PPRA) is functioning under the administrative control of Cabinet Division. Finance Secretary is the Chairman, PPRA Board. The Applicant holds Master in Information Technology (MIS) and joined PPRA as Director General (IT & Research) on 27.05.2018. The services of Applicant and Others Nine (09) BS-18, BS-19 & BS-20 officers of PPRA have been terminated by MD through illegal manner on the basis of bogus/fake documents of 37th Board Meeting held on 1st April, 2019, showing delegation of Powers to MD (PPRA) on Para 11 (b) to terminate the Employees. The approval of PPRA Board being Appointing Authority has not been obtained by MD (PPRA) before the issuance of termination of service letter to applicant on 27.05.2019. (Annex-II)

3. Pakistan Information Commission (PIC) in its final order dated 13.01.2021 in Appeal No 455-08/20 (Annex-III) held on Para 5, 6, 10 11, 33 & 38 of report that Minutes of 37th BOD's Meeting are tempered and Para 11 (b) showing delegation of powers to MD (PPRA) in respect of termination of services of employees is based on forged documents. The Officers of Cabinet Division on Para 10/N of Report have admitted and endorsed during the PIC proceedings that the original Minutes of 37th Board Meeting are available in the Working Papers of Cabinet Division's file at Annex-I, Page 1180, 1181, 1182, 1183 in record room (Annex-IV), Whereof there is no other agenda (b) on Para 11 and 12 regarding delegation of Powers to MD (PPRA) is available in Minutes and never on the record. The representatives of others Three (03) Board Members also admitted and endorsed that the Original Minutes of 37th Meeting in official record in Ministries containing Three (03) Pages with a total of TEN (10) Paragraphs, wherein Last / Closing Para 11 stating "The meeting ended with a note of thanks to and from the chair".

4. The terminated ex-officers of PPRA have submitted following applications to Secretary, Cabinet Division, Chairman, PPRA Board and others Board Members.

S.#	Details of Applications Pending Till Date To Chairman PPRA Board
1.	Application dated <u>23.06.2020</u> submitted to Chairman PPRA Board, Secretary Cabinet Division and others members for Inquiry Proceedings against the Officers who prepared Bogus documents of 37 th Board Meeting held on 01.04.2019.
2.	Application dated <u>31.12.2020</u> submitted to Chairman, PPRA Board and other members for initiation of Inquiry Proceedings against M. Zubair, who prepared the forged/Bogus Minutes of 37 th , 41 st and 42 nd of BOD's Meetings.
3.	Application order dated <u>20.01.2022</u> submitted to Chairman, PPRA Board / Finance Secretary.
4.	Mr. Naveed Kamran Baloach, Chairman PPRA Board / Secretary, Finance Division issued letter dated <u>24th March, 2020</u> to MD (PPRA) to fix the responsibility of including non-discussed items in draft minutes of 41 st Board Meeting.

5.	Section Officer (Audit & PAC) issued letter to Chairman, PPRA Board / Secretary, Finance Division regarding tempering in Minutes of 37 th Meeting dtd <u>01.04.2019</u> and allegations of illegal appointments, corruptions, Kick-Backs And Bribe.
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S.#	Details of Applications Pending Till Date To Cabinet Secretary
1.	Mr. Latif Afzal, ex-Board Member & Secretary, M/o Industries & Productions (MoIP) issued letter dated <u>21.01.2021</u> to Secretary, Cabinet Division regarding irregularities in managerial affairs of PPRA and take necessary action.
2.	Secretary Cabinet Division issued directions on <u>29.07.2020</u> , as "please take n/legal action as per rules. Advocate Hafiz Munawar Iqbal of this firm appeared before me and has alleged that there has been a forgery done in the minutes of the PPRA Board meeting of <u>01.04.2019</u>"
3.	Secretary, Cabinet Division issued letters dated <u>06.08.2020</u> and <u>16.10.2020</u> for inquiry against the tempering in 37 th Board Meeting documents.

5. It is pertinent to mention here that Minutes of 37th BoD's Meeting are available in following Departments/Divisions/Offices at present.

- a) The Seven (07) representatives from following Four (04) Ministries / Divisions appeared in-person during PIC proceedings and admitted / endorsed the original version of 37th Board Meeting as mentioned on Para 5, 6, 10 11, 33 & 38 of PIC report dated 13.01.2021.
 1. Secretary, Cabinet Division, (Administrative Division of PPRA).
 2. Secretary, Industries & Productions, (Member PPRA Board).
 3. Secretary, Water Resources, (Member PPRA Board).
 4. Secretary, Energy (Power Division) (Member PPRA Board),
- b) The Minutes of 37th Board Meeting are also available in PS, to Prime Minister (PSPM) Office and 52 (Fifty Two) Members of the Federal Cabinet, those are attended the Federal Cabinet Meeting held on 9th April, 2019, wherein, 37th Board Meeting documents has been placed on Agenda Item No.3.
- c) The Minutes of 37th Board Meeting are also available in Special Assistant to Prime Minister (SAPM) on Accountability Office in PM Office, wherein the Agenda Item No.2 (Assets Recovery Unit (ARU)) was decided and submitted to (SAPM) for record and compliance. The Minutes of 37th Board Meeting were placed before the NINE (09) Members of Cabinet Committee for Disposal of Legislative Cases (CCLC), on the directions of PM on 09.04.2019.

6. In the light of findings in PIC Report dated 13.01.2021, (Annex-III) it has been established that the services of Applicant & Other Nine (09) Officer of PPRA have been terminated without Lawful Authority on the basis of bogus/fake/tempered documents of 37th BoD's Meeting held on 01.04.2019. Therefore, following requests are submitted for directions please.

- i. Direct the Finance Secretary / Chairman PPRA Board to re-instate the Applicant and all others ex-Officers of PPRA, who were terminated by MD (PPRA) without lawful Authority on the basis of bogus/fake/tempered documents of 37th Meeting as established in PIC Report dated 13.01.2021.
- ii. Direct the Cabinet Secretary, to submit the certified copy of Fact Finding Report as concluded on the directives of Prime Minister issued on 11.01.2022.

Any other favorable relief may also graciously be granted to the Applicant as may be deemed just and proper in the facts and circumstances of the case.

(Muhammad Irfan Rafiq)

ex-DG (IT & Research) PPRA Rawalpindi.

Copy to:-

Mr. Naveed Amir Jeeva, MNA Member, Islamabad.

Hon'able Mr. Qadir Khan MandoKhail
Member National Assembly (MNA)
Chairman, Special Committee On Affected Employees
National Assembly Secretariat, Islamabad

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2. Public Procurement Regulatory Authority (PPRA) is functioning under the administrative control of Cabinet Division. Finance Secretary is the Chairman, PPRA Board. The Applicant holds PhD Degree in Statistics and joined PPRA as Deputy Director (Research) on 16.07.2018. The services of Applicant and Others Nine (09) BS-18, BS-19 & BS-20 officers of PPRA have been terminated by MD (PPRA) through illegal manner on the basis of bogus/fake documents of 37th Board Meeting held on 1st April, 2019, showing delegation of Powers to MD (PPRA) on Para 11 (b) to terminate the Employees. The approval of PPRA Board being Appointing Authority has not been obtained by MD (PPRA) before the issuance of termination of service letter to applicant on 17.04.2019. (Annex-II)

3. Pakistan Information Commission (PIC) in its final order dated 13.01.2021 in Appeal No 455-08/20 (Annex-III) held on Para 5, 6, 10 11, 33 & 38 of report that Minutes of 37th BOD's Meeting are tempered and Para 11 (b) showing delegation of powers to MD (PPRA) in respect of termination of services of employees is based on forged documents. The Officers of Cabinet Division on Para 10/N of Report have admitted and endorsed during the PIC Proceedings that the Original Minutes of 37th Board Meeting are available in the Working Papers of Cabinet Division's file at Annex-I, Page 1180, 1181, 1182, 1183 in record room (Annex-IV), Whereof there is no other agenda (b) on Para 11 and 12 regarding delegation of Powers to MD (PPRA) is available in Minutes and never on the record. The representatives of others Three (03) Board Members also admitted and endorsed that the Original Minutes of 37th Meeting in official record in Ministries containing Three (03) Pages with a total of TEN (10) Paragraphs, wherein Last / Closing Para 11 stating "The meeting ended with a note of thanks to and from the chair".

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S.#	Details of Applications Pending Till Date To Cabinet Secretary
1.	Mr. Latif Afzal, ex-Board Member & Secretary, M/o Industries & Productions (MoIP) Issued letter dated <u>21.01.2021</u> to Secretary, Cabinet Division regarding irregularities in managerial affairs of PPRA and take necessary action.
2.	Secretary Cabinet Division issued directions on <u>29.07.2020</u> , as "please take n/legal action as per rules. Advocate Hafiz Munawar Iqbal of this firm appeared before me and has alleged that there has been a forgery done in the minutes of the PPRA Board meeting of <u>01.04.2019</u>
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5. It is pertinent to mention here that Minutes of 37th BoD's Meeting are available in following departments/Divisions/Offices at present.

- a) The Seven (07) representatives from following Four (04) Ministries / Divisions appeared in-person during PIC proceedings and admitted / endorsed the original version of 37th Board Meeting as mentioned on Para 5, 6, 10 11, 33 & 38 of PIC report dated 13.01.2021.
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 2. Secretary, Industries & Productions, (Member PPRA Board).
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 4. Secretary, Energy (Power Division) (Member PPRA Board),
- b) The Minutes of 37th Board Meeting are also available in PS, to Prime Minister (PSPM) Office and 52 (Fifty Two) Members of the Federal Cabinet, those are attended the Federal Cabinet Meeting held on 9th April, 2019, wherein, 37th Board Meeting documents has been placed on Agenda Item No.3.
- c) The Minutes of 37th Board Meeting are also available in Special Assistant to Prime Minister (SAPM) on Accountability Office in PM Office, wherein the Agenda Item No.2 (Assets Recovery Unit (ARU)) was decided and submitted to (SAPM) for record and compliance. The Minutes of 37th Board Meeting were placed before the NINE (09) Members of Cabinet Committee for Disposal of Legislative Cases (CCLC), on the directions of PM on 09.04.2019.

6. In the light of findings in PIC Report dated 13.01.2021, (Annex-III) it has been established that the services of Applicant & Other Nine (09) Officer of PPRA have been terminated without Lawful Authority on the basis of bogus/fake/tempered documents of 37th BoD's Meeting held on 01.04.2019. Therefore, following requests are submitted for kind directions please.

- i. Direct the Finance Secretary / Chairman PPRA Board to re-instate the Applicant and all Others ex-Officers of PPRA, who were terminated by MD (PPRA) without lawful Authority on the basis of bogus/fake/tempered documents of 37th Meeting as established in PIC Report dated 13.01.2021.
- ii. Direct the Cabinet Secretary, to submit the certified copy of Fact Finding Report as concluded on the directives of Prime Minister issued on 11.01.2022.

Any other favorable relief may also graciously be granted to the Applicant as may be deemed just and proper in the facts and circumstances of the case.

Rahila

(Dr. Rahila Yousaf)

ex-Deputy Director (Research) PPRA Rawalpindi.

0360-988539

**PRIME MINISTER'S OFFICE
ISLAMABAD**

**Subject : DEPUTATION OF A CIVIL SERVANT AS DEPUTY SECRETARY
GENERAL (TRANSPORT & COMMUNICATION, PROJECT &
ECONOMIC RESEARCH AND STATISTICS AND CFU) (CATEGORY-I,
D-3) (ECO SECRETARIAT, TEHRAN, IRAN)**

22. The Prime Minister is placed to approve the Ministry of Foreign Affairs may initiate this selection process against the said position afresh, after revising the eligibility criteria in consultation with Establishment Division.

23. The Prime Minister has further been pleased to direct the following :

- a) NAB, FOSPAH, FIA may be approached to expedite the cases against Mr. Muhammad Zubair stated in the inquiry report at para 8 (ii, v & vi) for want of decision ;
- b) The appointment of Mr. Muhammad Zubair in PPRA as DG (M&E) is void ab initio and the same recommendation may be forwarded to the PPRA Board to be placed as an agenda item in the next meeting by the MD (PPRA) ;
- c) Disciplinary proceedings may be initiated against Mr. Ali Temoor (DD-Admn) for misrepresenting facts in front of the selection committee for the appointment of DG (M&E) by the MD (PPRA) ;
- d) The PPRA Board and MD (PPRA) may take effective administrative action to tackle the frequent litigant behaviour, structural issues and irregular managerial practices that were found prevalent in the organization ; and,
- e) Secretary, Cabinet Division may examine this case from the lens of improving inter-divisional coordination and submit his recommendations to avoid similar situations in future.

24. Further necessary action may kindly be taken accordingly.

-sd-

**(Sara Saeed)
Special Secretary
To the Prime Minister
22.06.2022**

**Establishment Secretary
No.2277/SPM/2021**

Cc

**Secretary, Cabinet Division.
Secretary, Ministry of Foreign Affairs.**

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PRIME MINISTER'S OFFICE
ISLAMABAD

Subject.


DEPUTATION OF A CIVIL SERVANT AS DEPUTY SECRETARY
GENERAL (TRANSPORT & COMMUNICATION, PROJECT &
ECONOMIC RESEARCH AND STATISTICS AND CEU) (CATEGORY
I, D-3) ECO SECRETARIAT, TEHRAN, IRAN

22 The Prime Minister is pleased to approve that the Ministry of Foreign Affairs may initiate this selection process against the said position afresh, after revising the eligibility criteria in consultation with Establishment Division.

23 The Prime Minister has further been pleased to direct the following:

- a) NAB, FOSPAN, PIA may be approached to expedite the cases against Mr. Muhammad Zubair stated in the Inquiry report at para 8(ii, v & vi) for want of decision;
- b) The appointment of Mr. Muhammad Zubair in PPRA as DG (M&E) is valid ab initio and the same recommendation may be forwarded to the PPRA Board to be placed as an agenda item in the next meeting by the MD (PPRA).
- c) Disciplinary proceedings may be initiated against Mr. A. Faimoor (MD Admin) for mispresenting facts in front of the selection committee for the appointment of DG (M&E) by the MD PPRA.
- d) PPRA Board and MD PPRA may take effective administrative action to tackle the frequent litigant behavior, structural issues and irregular managerial practices that were found prevalent in the organization, and,
- e) Secretary, Cabinet Division may examine this case from the lens of improving inter-divisional coordination and submit his recommendations to avoid similar situation in future.

24 Further necessary action may kindly be taken accordingly.


Sarah Siddique
Special Secretary
to the Prime Minister
22-06-2022

Establishment Secretary
No. 2277/SPM/2021

Cc: Secretary, Cabinet Division
Secretary, Ministry of Foreign Affairs



Subject : APPLICATION FOR RELEASE OF SALARY OF THE APPLICANT ACCUMULATED EVER SINCE 01-05-2020 AS DIRECTOR (HR) PPRA, WHILE SETTING ASIDE IMPUGNED LETTER DATED 28TH APRIL, 2020 ISSUED WITHOUT DUE PROCESS AND APPROVAL OF PPRA BOARD (I.e. APPOINTING AUTHORITY) IN ABSENCE OF FULL TIME REGULAR MD (PPRA)

Reference of Para No.2 & No.3 of Terms of Reference of National Assembly Sectt, Revised Circular No.F.15(1)/2022-Com-I/Spl.Com dated 04.11.2022.

2. The applicant joined Public Procurement Regulatory Authority (PPRA) as Director (HR) on 1st June, 2018, after due competitive process such as advertisement, competitive exam, and recommendation from selection committee and with the approval of PPRA Board. Before joining PPRA, I had more than 15-Years of Professional Experience and Vast Experience in the field of HR including 14-Years in the Federal Govt. Departments. Furthermore, it is apprised that in addition to Master of Business Administration (MBA), I possess higher academic qualification in HR discipline i.e. PhD (Doctorate), from the world top ranked Business University of the World i.e. 'Vienna University of Economics and Business' Austria.

3. Mr. Fida Muhammad Wazir, the then MD (PPRA) retired from services on 17.04.2020, therefore the Post of MD (PPRA) remained vacant from 17.04.2020 to 23.07.2020 till the joining of new MD (PPRA) Mr. Rizwan Malik on 23.07.2020. Mr. Ali Temoor, DD (HR) with the convince of other officers of PPRA issued impugned letter No.1(28)/Admn/PPRA/2018 dated 28th April, 2020, without due process and approval of PPRA Board (i.e. appointing authority) during the absence of regular MD (PPRA) (Annexure-I)

4. It is pertinent to mention that all communications as mentioned in the aforesaid letter dated 28-04-2020 were made in the absence of full time regular MD (PPRA) from 02.07.2019 to 14.08.2019 and from 18.04.2020 to 23.07.2020. The Secretary, Cabinet Division being administrative head of PPRA vide letter dated 11th May, 2020 issued directions to PPRA not to take any action against the applicant in the absence of MD and wait for new MD to decide the case on merit. (Annexure-II)

5. It was unfortunate that despite clear directions of Secretary, Cabinet Division conveyed to PPRA vide letter dated 11th May, 2020, the Finance Wing (PPRA) stopped my salary in the absence of regular MD (PPRA) without lawful authority as the new MD (PPRA) joined on 23rd July, 2020. The applicant submitted several representations dated 15-06-2020, 13-07-2020, 30-07-2020, 25-08-2020 and 07-10-2020 and 21-10-2020 to release the salary, but neither the salary was released nor any action/administrative order issued till date.

6. The applicant joined PPRA as Director (HR) along with other employees in pursuance of the decision of the Islamabad High Court (IHC) in the judgment dated 21-05-2018 in WP No.578/2018 and decision was upheld by Hon'able Division Bench of the Court in its reported judgment dated 09-05-2019 in ICA No.258/2018 reported as 2019 PLC(CS) 1348 (DB) Islamabad, wherein it was also observed that "it ought to be borne in mind that such employee should not be penalized or blamed for faults or omission on the part of P.P.R.A 's management in the recruitment process". (Annexure-III)

7. The services of several officers of PPRA have been terminated by MD (PPRA) without lawful authority on the basis of bogus/ fake tempered documents of 37th Board Meeting held on 1st April, 2019. In 37th PPRA Board meeting held on 1st April, 2019, prima facie, MD (PPRA) was delegated power by PPRA Board to confirm and terminate the services of probationer in the context of Regulations 16 of PPRA Service Regulation (2017) based on performance. Pakistan Information Commission (PIC) in its final order dated 13.01.2021 in Appeal No.455-08/20 established that the Minutes of 37th BOD's Meeting are tempered and Para 11 (b) showing delegation of powers to MD (PPRA) in respect of termination of services of employees is based on forged documents. (Annexure-IV) Therefore, following prayers are submitted for kind directions please.

PRAYER :

- i. Declare that impugned letter dated 28-04-2020, issued in absence of regular MD PPRA and without due process approval of PPRA Board being appointing authority and ultra vires to PPRA's Service Regulations 2017.
- ii. Direct the PPRA to treat the applicant as a serving employee of PPRA holding the post of Director (HR) since 28.04.2020;
- iii. Set aside the impugned letter dated 28.04.2020 being issued without lawful authority/jurisdiction and of no legal affects as established in PIC report dated 13.01.2021.
- iv. Direct the concerned to release the unpaid salary of the applicant accumulated ever since 01.05.2020 along-with other service benefits, increments, allowances etc as admissible under the PPRA Service Regulations

Any other appropriate relief may also graciously be granted to the Applicant as may be deemed just and proper in the facts and circumstances of the case.



(Dr. Saqib Yusuf)
Director (HR), PPRA
09-12-2022

Mobile No.0333-5249250

Copy for information and action to the worthy Members of the Committee, please.

- 1) All Members of Special Committee On Affected Employees, National Assembly Secretaries, Islamabad.
- 2) Mr. Syed Hasseen Raza Zaidi, Joint Secretary Committees, National Assembly Secretariat, Islamabad.
- 3) Mr. Tahir Farooq, Director (Legislation Drafting Wing)/Secretary Committees, National Assembly Secretariat, Islamabad.

-1-

IN THE ISLAMABAD HIGH COURT, ISLAMABAD

CMA No. _____/2022

In

Writ Petition No. 2991/2021

Dr. Rahila Yousaf

Applicant/Petitioner

Versus

Federation of Pakistan, through Secretary, Cabinet
Division/PAO PPRA, Cabinet Block /Sectt, Islamabad.

.....Respondents

**APPLICATION UNDER SECTION 151 OF THE CODE OF CIVIL PROCEDURE,
1908, FOR APPROPRIATE ORDERS**

Respectfully Sheweth:

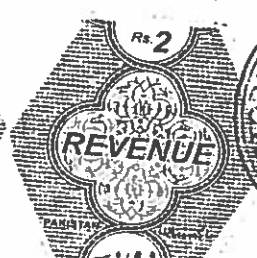
- (1) That the titled case is pending before this Hon'able Court and is fixed for 15.12.2022 along-with others connected Writ Petitions.
- (2) That this Hon'able Court issued directions on 20.01.2022 in CM No.184 of 2022 to Respondents to place on record the proceedings undertaken pursuant to the application dated 20.08.2021.
- (3) That the applicant filed Crl. Org. Petition No.125/2022 in WP No.2991/2021 for disobedience of order dated 20.01.2022, which is also fixed along-with tilted case, but the respondents are not taking care of order.
- (4) That the applicant and Four (04) Others Affected ex-Officers of PPRA filed the Petitions on 09.12.2022 before the Hon'able Chairman (Mr. Qadir Khan MandoKhail/(MNA)) Special Committee On Affected Employees.
- (5) That the Hon'able Chairman has recommended the Petition of applicant and issued directions to Respondent No.1 on 12.12.2022 for submission of Compliance Report/Comments within three days.
- (6) The Respondent No.1 is the Administrative Secretary and Principle Accounting Officer (PAO) of PPRA, therefore, Compliance Report/Comments of Respondent No.1 in applicant Petition dated 09.12.2022 would be help in subject case.
- (7) That the ends of justice would be served if the reports on Petitioner application dated 20.08.2021 and Petition dated 09.12.2022 may please be requisitioned from Respondent No.1 being the Administrative Secretary and PAO of PPRA.

PRAYER:

In view of above, it is most respectfully prayed that the instant application may kindly be accepted and report as requested above may please be requisitioned in the interest of justice.

Rahila

Applicant/Petitioner



Through

(Riaz Hanif Rahi)
Advocate Supreme Court

Hon'able Mr. Qadir Khan MandoKhail
Member National Assembly (MNA)
Chairman, Special Committee On Affected Employees
NA, Sectt, Islamabad.

Subject : Application For Acceptance of Joining of Applicant As Director (Monitoring & Evaluation) PPRA, Whose Offer of Appointment letter dated 18.11.2019 As Director (M & E) Was Withdrawn vide letter dated 13.01.2020 Without the Approval of PPRA Board (Being Appointing Authority) On The Basis of Fake / Tempered Documents of 37th PPRA Board Of Director (BoD's) Meeting held on 01.04.2019, (Showing delegation of Powers to MD) AS Established In PIC Report Dated 13.01.2021

Respectfully Submitted:-

Reference Para No.2 & 3 of Terms of Reference of National Assembly Sectt, Revised Circular No.F.15(1)/2022-Com-I/Spl.Com dated 04.11.2022.

2. **Public Procurement Regulatory Authority (PPRA)** is functioning under the administrative control of Cabinet Division. The Finance Secretary is the Chairman, PPRA Board. The PPRA Board (being appointing authority) selected the applicant through transparent selection process on the merit, as Director, Monitoring and Evaluation (M&E) PPRA on 02.01.2018. Mr. Ali Temoor, Deputy Director (HR) PPRA signed and issued the offer of appointment to the applicant vide offer letter dated 18-11-2019. The Applicant conveyed his acceptance against the said offer of appointment on 21-11-2019 and also submitted joining along-with attested copies of required documents vide letter dated 13.12.2019. The Applicant received another letter from PPRA dated 13-01-2020 with the subject Withdrawal of Offer of Appointment as Director (Monitoring & Evaluation" stating that the offer of appointment bearing No.3(4)/Admn/PPRA/2013 dated 18th November, 2019 is withdrawn and cancelled.

3. It is humbly stated that the impugned letter dated 13-01-2020 was issued without lawful authority with the approval of the then MD (PPRA) on the basis of bogus/forged/tempered documents of 37th BoD's Meeting held on 01.04.2019 showing delegation of Powers to MD (PPRA) on Para 11(b) to terminate the employees. (F/A) The reference of applicant's letter dated 20.12.2020 was given by Deputy Director (Mr. Ali Temoor) in his withdrawal letter dated 13.01.2020 by deliberately concealing Para No.1 of applicant's application dated 20.12.2020, record of acceptance applicant's letter dated 21-11-2019 and submission of documents vide letter dated 13-12-2019 in order to cause injury to the applicant within the meaning of section 167-PPC, which is a criminal offence. Cabinet Secretary also concluded the fact finding inquiry on the directions of Prime Minister of Pakistan issued vide letter dated 11.01.2022. (F/C).

4. The applicant's request seeking leave for joining till 30.01.2020 (vide applicant's letter dated 20-12-2019) was made an ISSUE by PPRA in its withdrawal letter which was not placed before the PPRA Board being appointing authority and withdrawal letter was issued with the intention to prove the lapse on the part of applicant, which is not the case in fact. Therefore, withdrawal letter dated 13.01.2020 was issued with the approval of in-competent authority (i.e MD (PPRA) which is a crime under section 167-PPC and withdrawal order does not qualify the test of fairness being issued with malafide intention and to deprive the applicant from joining PPRA. Moreover, the said letter was aimed at prejudice by concealing the facts submitted by the applicant through submission of acceptance of offer to PPRA within allowed time and causing injury by preparing fictitious ground for withdrawal.

5. **The Post of Director (M&E) is still vacant at PPRA and no lawful order for ignoring the Applicant has been passed by the competent authority (i.e. PPRA Board). Therefore, a fresh order allowing the applicant to join as Director (M&E)**

6. It is further highlighted that the Pakistan Information Commission (PIC) vide its order dated 13.01.2021 in appeal No.455-08-2020 (F/B) held that the officers of PPRA had been using tempered document (Minutes of 37th BOD's Meeting) to show that the PPRA officers could themselves terminate services of PPRA Employees /Officers. In the light of Paras No.Para 5, 6, 10 11, 33, 38 & 40 to 44 of (PIC) decision, it is established that the Minutes of PPRA 37th BOD's Meeting were tempered and MD /officers of PPRA had been illegally exercising powers of the PPRA Board on the basis of forged documents showing delegation of Powers in respect of appointment and termination of service. The forged/tempered/Bogus Minutes (of 37th BoD's Meeting) comprise of 04-Pages while original minutes comprise of 03-Pages.

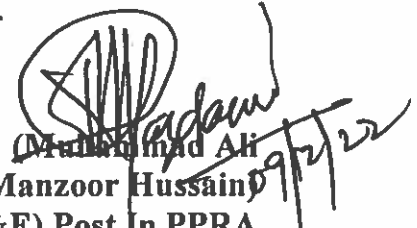
7. That the report of Pakistan Information Commission dated 13.01.2021 was time and again duly/officially conveyed to the Hon'able Members of PPRA Board by the affected persons whose services have been terminated under the guise of delegation of Powers, but even then, the Petitioner has moved application/representation dated 22.11.2021 to Chairman, PPRA Board and others Board Members, but no reply has been received from any quarters till date.

8. The applicant holds degrees like MA Development Studies (IISS of Erasmus University, Netherlands), M.Sc. Rural Development (Wye College University of London – SDSC UOS link program), B.Sc. Honors (PMAS UAAR), LLB (BZU Multan), Diploma in Banking & Finance (Institute of Bankers Pakistan), PGD HRM, Management & PGD Criminology (AIU, Islamabad), Project Management Professional (PMP®) Credential (PMI USA) and Certificates in Public Procurement (World Bank and LUMS). Moreover, the petitioner possesses more than Eighteen (18) Years of relevant Experience, which is a right mix of skill set to perform as Director (Monitoring & Evaluation) in (PPRA) in an exemplary manner.

9. In the light of findings of PIC Report dated 13.01.2021 (Annex-II), it has been established that the MD (PPRA) approved and issued the impugned letter dated 13.01.2020, without Lawful Authority on the basis of bogus/fake/tempered documents (Annex-I) of 37th BoD's Meeting held on 01.04.2019. Therefore, following prayers are submitted for issuance of directions to concerned quarters please.

- i. Direct the Chairman, PPRA Board (Finance Secretary) to accept the applicant's joining letter dated 20.12.2019 and notify the joining forthwith.
- ii. The applicant may be given chance for joining as Director (M&E) by considering his application for leave afresh.
- iii. Set aside the Withdrawal of offer of appointment letter dated 13.01.2020 being issued without jurisdiction and of no legal affects as established in PIC report dated 13.01.2021.
- iv. Direct the Cabinet Secretary, to submit the certified copy of Fact Finding Report as concluded on the directives of Prime Minister issued to Secretary Cabinet on 11.01.2022.

Any other favorable relief may also graciously be granted to the Applicant as may be deemed just and proper in the facts and circumstances of the case.


Manzoor Hussain
S/o Manzoor Hussain

Selected Candidate For Director (M&E) Post In PPRA
Address : 184-A, Upper Mall Scheme Scotch Corner,
Behind NIPA, Lahore. (0300-7515003)

1. The Pakistan Information Commission (PIC) conducted an inquiry in the matter of delegation of powers to MD (PPRA) and vide order dated 13.01.2021 in Appeal No.455-08-2020 held that the officers of PPRA had been using tempered document (Minutes of 37th BOD's Meeting) to show that the PPRA officers could themselves terminate services of PPRA employees/officers. As per Para No.38 and 40 to 44 of (PIC) decision, it is established that the Minutes of PPRA 37th BOD's Meeting was tempered and PPRA Officers had been illegally exercising powers of the Board on the basis of forged documents showing delegation of powers.
2. Under Section 18 of the Ordinance provides that PPRA Board is the Authority to the appointment of officers, staff, advisors and consultants etc under section 18 (Appointment of officers and staff, etc). Regulation (13) and Regulation 2 (1) of (ESR-2017), described that appointing authority to various posts is the PPRA Board.
3. Under Section 16 of the General Clauses Act only the appointing authority has power to terminate the services of employee. Similarly, under Section 21 of the Act ibid, power to issue an order includes power to rescind, amend or modify that order. So, the authority who is competent to issue appointment order has inherent power to undo the appointment power. A lower authority cannot assume power of terminating the appointments made by the higher authority.
4. MD (PPRA) used the Power/Authority of PPRA Board on the basis of forged, tempered / bogus documents of 37th Board Meeting Minutes showing delegation of Powers to MD (PPRA) in respect of termination of service of Employees through addition of Para 11 (b) in 37th BoD's Meeting Minutes held on 01.04.2019, but the fact is that MD (PPRA) is not empowered to terminate, withdrawn the offer of appointment of Employees.
5. Managing Director, Public Procurement Regulatory Authority (PPRA) abused his authority and used the Power of PPRA Board without any lawful authority and destroyed the whole structure of department and terminated the services, withdrawn the offer letters and repatriated the following new appointed officers illegally/unlawfully through illegal manner without the approval of appointing authority i.e. PPRA Board.

S.#	Names & Designation of ex-Officers
1.	Termination of services of Director General (HR) BS-20. (Ms. Saima Tasneem)
2.	Termination of services of Director General (IT&R) BS-20. (Muhammad Irfan Rafiq).
3.	Termination of services of Director (HR) BS-19. (Raja Saqib Yousaf)
4.	Termination of services of Deputy Director (Research) BS-19. (Rahila Yousaf).
5.	Withdrawal of appointment letter of Director (Monitoring & Evaluation) BS-19. (Muhammad Ali)
6.	Not allowed/accepted the joining of Ms. Tayyaba Rashid, Director (Finance & Account) BS-19 after issuance of appointment letter.
7.	Not allowed/accepted the joining of Mr. Ghous Bux Khari, Deputy Director (Legal) BS-18 after issuance of appointment letter.
8.	Repatriated the Director (Monitoring & Evaluation) BS-19. (Mirza Saqib Baig) (SINDH Quota) after Joining PPRA.
9.	Repatriated the Director (Research) BS-19 (Zubair Hayat) during probation period.
10.	Approval of Resignation of DG (Finance) BS-20, during probation period.

The sitting officers of PPRA have established certain lobby of Project staff, illegal appointed, promoted, upgraded officers and created hostile environment for new appointees which cause termination of services of officers during probation period on the basis of forged/tempered documents of 37th Board Meeting.

Copy to:- *Joint Secretary, (Litigation) Islamabad.*

Special Secretary to
Prime Minister (PSPM)
Islamabad.

Islamabad, the 15th March, 2023

Subject : Non-Recovery of Miscellaneous Equipments/Items/Documents & Non-Completion of Handing Taking of Important Files/Records/Data To PPRA Office W.E.F. 21.02.2023 To Till Date From The Accused Muhammad Zubair ex-DG (M&E) PPRA

The Seven (07) Federal Secretaries (PPRA Board Members) ignored the directives of Prime Minister dated 22.06.2022 and used the Powers & Authority of President & Prime Minister of Pakistan and gave the indemnity through Non-recovery of emoluments w.e.f 01.06.2018 from the accused Muhammad Zubair. These Board Members also Provide Protections to all his illegal acts, abuse of authority, Administrative/Moral Financial Corruptions, fraud, assault/betray and Harassment Cases. The Board Members Partially Implemented the directives of Prime Minister, therefore, Muhammad Zubair Enjoying the Status of DG (M&E) PPRA after de-notifying w.e.f. 21.02.2023 and using the following PPRA resources till date.

(a)	The Official <u>1300cc Car GAE-365</u> is still Under M. Zubair use from 21.02.2023 to onward. He can be use Official Car for Entry on Different Sensitive Offices. The CCTV Outside Camera of M. Zubair House verify that PPRA Car is still in his Custody.
(b)	<u>The Official Card, Officer Stamp And PAD (As DG M&E PPRA & As Executive Director (Project))</u> are still under his Custody w.e.f. 21.02.2023. He can be use said Official instruments in different Govt/Pvt, Offices for Benefits & Ulterior Motives.
(c)	The Handing Taking of Official Files, Important Documents, Computers, Printers, Laptops, Tables, USBs, Hard Disks, are still Pending. (As DG & Executive Dir, (Project)).
(d)	He had worked on <u>Atomic Energy Power Plant</u> for More Than Two (02) Years. He can be use Official Card as DG (M&E) for Entry on Sensitive Places/Offices.
(e)	He arranged the <u>Passport & Pistol/Arm as DG (M&E)</u> after obtaining NOC from PPRA, therefore it is required that to cannel his NOCs forthwith and declare his status as a Private Person in the record of Ministry of Interior & Passport Office. The direction may also be issue on All Airports in this regard.
(f)	He received A Laptop in <u>Prime Minister Needy Student Scheme</u> in Islamic International University as a Student of LLM in 2018-2019. The fact is that he was Working as DG (M&E) in 2019, wherein he received Laptops as DG (M&E) in PPRA @ <u>Rs.400,000/-</u> Salary Per Month. It is required that to recover the Laptop of PM Scheme forthwith.
(g)	<u>The Name Plate of Muhammad Zubair as DG (M&E)</u> is still fixed on Door of his PPRA room. All visitors are visiting to his room, which is required to remove forthwith.
(h)	There is no documents/certificates are available and on the record that, he had completed his <u>Security Clearance</u> from ISI, MI, SPD and PNRA Offices before Joining PPRA on 01.06.2018 and also never completed till date.
(i)	Muhammad Zubair Left Hand Finger is totally damaged and his Legs are also shot/injured with Bullets, due to which it is possible that, he can be use PPRA Car and Others Official Card/Instruments in any Criminal Activity. Therefore, it is require that to recover the all these instruments from him forthwith.

2. The above Acts & History of Muhammad Zubair is showing that he is a Negative/Criminal Mind Person and Captured/Holds the Govt, resources, instruments and Assets illegally without any lawful authority. These Acts damaged the reputation of PPRA. Therefore, following requests are submitted for Prompt Action please

- Direct the Secretary, Interior Division to send a Team of Police Commandos & Rangers for recovery of above items from Muhammad Zubair Home and Register the FIR u/s 411 /378/379 of PPC 1860 against the Muhammad Zubair and others facilitators forthwith.
- Direct the Finance Secretary / Chairman PPRA Board to issue No Concerned/ Detached Person Notice against the Muhammad Zubair and also Advertise in Newspapers and Upload on PPRA Website forthwith and also direct to present the fact finding report on above subject within 15-Days.



Ejaz Rasool
(Petitioner of WP No.2203/2020)

Copy to :

- All Concerned.

Chairman

Transparency International Pakistan(TIP)

Karachi

Islamabad, the 15th March, 2023

Subject : Non-Compliance of Prime Minister's Directives dated 22.06.2022 (100%) And Secretary, Cabinet Division Fact Finding Report's Recommendations By (7) Federal Secretaries of PPRA Board Members

This Application is moved for 100% Compliance of Prime Minister's directives dated 22.06.2022 and Implementation of Recommendation of Cabinet Secretary/Inquiry Officer, who concluded the Inquiry on the directions of Prime Minister Office issued on 11.01.2022. **The Seven (07) Federal Secretaries (PPRA Board Members) used the Powers & Authority of President & Prime Minister of Pakistan and gave the indemnity through Non-recovery of Perks & Benefits w.e.f 01.06.2018 from the accused Muhammad Zubair and also provide protections to all his illegal acts, abuse of authority, Administrative/Moral Corruption/Corrupt Practices, fraud, assault/betray, harassment of Employees cases.**

2. The Accused Muhammad Zubair never filed any Appeal/Application to President & Prime Minister of Pakistan for indemnity and no such type of evidences/ documents are on the record. All Board Members willfully without any lawful authority gave the indemnity to the accused Muhammad Zubair and approved in 68th Meeting of BoD's held on 20.02.2023. **This is a classic example of favoritism and abuse of authority by PPRA Board to extend favour to the culprit M. Zubair.**

3. The Prime Minister office had issued directives vide letter dated 22.06.2022 that appointment of Muhammad Zubair in PPRA as DG (M&E) be declared void ab initio. Therefore, PPRA Board on 20.02.2023 in 68th Meeting passed decision as "The appointment of Mr. Muhammad Zubair in PPRA as DG (M&E) is hereby de-notified with immediate effect" without recovery of emoluments from 01.06.2018. The recommendations of Cabinet Secretary/IO and then issuance of Notification dated 21.02.2023 proves that M. Zubair, Ali Temoor, Muhammad Khurshid and Other 35-Employees were involved in administrative, financial and moral corruption as forwarded by 12-Nos Complaints by M/o Foreign Affairs (MoFA) on 08.12.2021.

4. The Seven (07) Board Members willfully totally ignored the following concealment of facts, frauds, Mis-representations and criminal offences of Muhammad Zubair, which he has done at the time of shortlistings on OTS Form and interview during the whole selection process till the date of his Joining in PPRA.

S.#	Mis-representation, Concealment of facts / Fraud Committed by Accused Muhammad Zubair Before Shortlistings & During Whole Selection Process
1.	<p><u>False Statement/Fraud/Mis-representations/Concealment of Facts :</u> He mentioned on Page No.2 of OTS Form that Minimum Academic Requirements for the award of B.Sc Degree in Civil Engg were completed in September, 2000 : whereas in actual his last result was declared in March, 2001 on 17.03.2001. <u>This a BIG Fraud he has committed.</u></p> <p><u>Actual Facts : The Fact is that he passed Only Three (03) Semester in Septembers, 2000.</u> His B.Sc (Civil) Degree (Srl.No.867) dated 10.04.2001, Pakistan Engineering Council (PEC) Certificate No.83864 dated 04.07.2003 and DMC (No. 270/13764) dated 17.03.2001 <u>verify that he has completed all the requirements for the award of B.Sc Degree in Civil Engineering in March, 2001 i.e. 17.03.2001.</u></p>
2.	<p><u>False Statement/Fraud/Mis-representations/Concealment of Facts :</u> On Page No.2 of OTS Form he mentioned Experience date from 30.10.2000, which is also a Big Proof of Fraud, Mis-representation and Concealment of facts.</p>

	<p>Actual Facts : The fact is that his Post Qualification Experience starting date is 17.03.2001 from the date of attaining the required Qualification. The Experience shown by Muhammad Zubair from 30.10.2000 to 17.03.2001 cannot be considered as Post Qualification Experience, because he never possess the required qualifications upto 30.10.2000.</p> <p>The FPSC Guidelines also define as "Post Qualification Experience" means the experience gained in a regular full time paid job including experience of daily wages/contingent services and that of the on job training subject to its relevancy acquired <u>after attaining the requisite / minimum advertised qualifications.</u></p> <p>Hence, in this way Muhammad Zubair Post Qualification Experience starting date is 17.03.2001 the date of attaining the required advertised qualification, which proves that he mentioned wrong date of 30.10.2000 on OTS Form to get shortlist.</p>
3.	<p>False Statement/Fraud/Mis-representations/Concealment of Facts : He has submitted particulars in WP No.348 of 2018 on 30.01.2018, that he has passed his B.Sc (Civil) Engineering from UET Lahore <u>in 2000</u> and mentioned experience starting from <u>30.10.2000.</u></p> <p>Actual Facts : The fact is that his B.Sc (Civil) Degree, Pakistan Engineering Council (PEC) Certificate and B.Sc DMC <u>verify that he has completed all the requirements for the award of B.Sc Degree in Civil Engineering in March, 2001.</u></p>
4.	<p>False Statement/Fraud/Mis-representations/Concealment of Facts : He has admitted on Para 6 of CM No.399 of 2019 dated 30.01.2019 in WP No.4708 of 2018, that he has passed his B.Sc (Civil) Engineering from UET Lahore <u>in 2000.</u></p> <p>Actual Facts : The fact is that his B.Sc (Civil) Degree, Pakistan Engineering Council (PEC) Certificate and B.Sc DMC <u>verify that he has completed all the requirements for the award of B.Sc Degree in Civil Engineering in March, 2001.</u></p>
5.	<p>Managing Director (PPRA) uploaded the DMC (No.270/13764) of Muhammad Zubair on PM Portal in Complaint No.IS280519-2890496 dated <u>13.06.2019</u>, wherein Result declaration of BSc (Civil) was written as <u>May-1999</u> on the back side of DMC, which is also attested by Higher Education Commission (HEC) Officer vide ticket No.1565779 (Rs.800) dated 25.05.2018.</p> <p>Muhammad Zubair has tempered the Original DMC No.270/13764 and mention false date of May-1999 by HAND Writing on the back side of DMC in order to cover the deficiency in Experience in reply of complaint on PM Portal.</p> <p>Actual Facts : The fact is that his B.Sc (Civil) Degree, Pakistan Engineering Council (PEC) Certificate and B.Sc DMC <u>verify that he has completed all the requirements for the award of B.Sc Degree in Civil Engineering in March, 2001 i.e. 17.03.2001.</u></p>

5. Muhammad Zubair was Registered in B.Sc (Civil) Engineering Programme in 1993 (93-Civil-575) in UET Lahore. He passed all Semesters Exams of his B.Sc (Civil) Engineering by 17.03.2001, which proves that he passed his B.Sc Degree (Civil Engineering) in Nine (09) Years. The fact is that the B.Sc (Civil) Engineering Degree Programme consisted of Four (04) Years in 1993 as per relevant rules and regulations. Therefore, it is required that to inquire from UET Lahore that under which Rules, Regulations & Policy in 1993, UET Lahore allowed the Muhammad Zubair to complete his Four (04) Years B.Sc Degree (Civil-Engineering) Programme in Nine (09) Years from 1993 to 17.03.2001 and involvement in any Suspension/Expelled from UET Lahore Case from during this Period. Further it is also require to inquire from Police Station Garree Shahoo & Police Station (UET) Campus Lahore and Inspector General Police (IGP) Punjab Office about the involvement of Muhammad Zubair in any Suspension/Expelled from UET Lahore Or any other Case during this Period.

6. The Seven (7) (PPRA's Board Members) ignored the directives of the Prime Minister and also Secretary, Cabinet Division's recommendations and Partially Implemented the directives of superior Authorities. All Board Members favoured Muhammad Zubair without any lawful authority through illegal manner and involved in Abuse of Authority and favoritism. They Mishandled the case, willfully ignored the Prime Minister directives and recommendations, which is tantamount to Gross Misconduct of relevant Officers, those are involved in preparation of 68th Board Meeting Agenda Items and Proposals for Board approval. Therefore, it is required that to approve the Fact Finding Inquiry on relevant Agenda Item Points of 68th BoD's Meeting held on 20.02.2023.

- a) Prime Minister issued directives on 22.06.2022 that appointment of Muhammad Zubair in PPRA as DG (M&E) is void ab initio, but PPRA Board Members willfully ignored this and never declared his appointment as Void ab initio and used the word de-notified with immediate effect, which established that Board Members consider his appointment as termination /removal from services with immediate effect instead of considering his appointment as void ab initio from the date of joining i.e. 01.06.2018. This is classic example of favouritism to give favour to accused Muhammad Zubair without any lawful authority.
- b) The Inquiry Officer declared the appointment of Muhammad Zubair void ab initio, which means that Muhammad Zubair is an accused person and committed criminal offences for obtaining Job through illegal / deceitful Manner on 01.06.2018 and his appointment may be declared void ab initio and all Salaries/Perks and Benefits received may be recovered from 01.06.2018 to till date. The PPRA Board totally ignored this point and give favour to accused Muhammad Zubair without any lawful authority.
- c) The Managing Director (PPRA) in notification dated 21.02.2023 indemnified all illegal actions of Muhammad Zubair i.e (1). Two Harassment Cases which are under trail. (2). Issuance of letters dated 14.08.2019 and 09.08.2019 without lawful authority. (3). Harassment/assault cases of PPRA Employees. (4). Recommendations of termination from services of PPRA officers. (5). Abuse of authority, corruption and corrupt practices, which is highlighted in NAB Islamabad Office in complaint dated 10.02.2020. (6). Preparation of Three Bogus/Fake Letters dated 26.08.2019, 16.11.2020 and 16.10.2017 with the connivance of Ali Temoor and Muhammad Khurshid after 1st July, 2019 and same submitted on different forums to take favour. (7). Tempering in 37th, 42nd and 41st PPRA Board Meeting Minutes. **PPRA Board totally ignored these points and provided the protection on his all illegal acts.**
- d) The recommendations of Prime Minister, Cabinet Secretary and decision of PPRA Board in 68th Meeting established that Muhammad Zubair obtained the Job through deceitful manner by Fraud, Mis-representation and Concealment of Facts on the basis of forged, bogus & tempered documents, which is a criminal offence under section 35, 109, 200, 209, 419, 466, 468, 471 and 474 of PPC 1860. The PPRA Board Members willfully ignored these facts and never declared his appointment void ab initio from the date of his Joining i.e. 01.06.2018.

e) Managing Director (PPRA) in notification dated 21.02.2023 also gave the indemnity that all emolument received by Muhammad Zubair during the course of his employment shall not be returned. The following points established/verified that PPRA Board had no authority to give the indemnity on fraud, Mis-representation, Concealment of facts, illegal acts, corruption/ corrupt practices and criminal acts of accused Muhammad Zubair.

- i. The recommendations of Secretary Cabinet Division verify that Muhammad Zubair obtained the job through fraud and illegal manner, hence PPRA Board had no authority to legalize the Fraud, Mis-representation, Abuse of Authority, Concealment of facts and corruption and corrupt practices of Muhammad Zubair. The PPRA Board Members totally ignored these points on 20.02.2023.
- ii. MD (PPRA) used the word indemnity in Notification dated 21.02.2023, which establish that Muhammad Zubair is the Culprit and committed criminal offence as stated on Para No.1 & 6 (e.) (i) above, therefore, it is required that to initiate the criminal proceedings u/s 35, 109, 200, 209, 419, 466, 468, 471 and 474 of PPC 1860 against the accused Muhammad Zubair forthwith.
- iii. Muhammad Zubair Committed Criminal Offences, due to which he is not eligible to take indemnity from any forum. The Seven (07) PPRA Board Members have no Authority to give the indemnity to Mohammed Zubair in subject case.

7. The General Terms & Conditions mentioned on Serial No.12 of PPRA advertisement dated 14.10.2017 and Muhammad Zubair's Undertaking on Serial No.4 of OTS Form empowers the PPRA Board being appointing authority to take the following actions in the light of above Facts and Grounds against the Muhammad Zubair & Muhammad Khurshid.

- i. Direct the Finance Secretary/Chairman PPRA Board and all Members to declare the appointment of Muhammad Zubair void ab initio with the recovery of all emoluments from the date of his Joining i.e. 01.06.2018 and issue revised Notification for recovery forthwith.
- ii. To issue the directions for fact finding inquiry on the facts/grounds of Proposal/Agenda item of 68th PPRA BoD's Meeting held on 20.02.2023, wherein PPRA de-notified Muhammad Zubair as DG (M&E) with immediate without recovery of all emoluments from 01.06.2018 alongwith indemnity on all his illegal acts.
- iii. Direct the Finance Secretary/Chairman PPRA Board to inquire from UET Lahore that under which Rules, Regulations & Policy in 1993, UET allowed the Muhammad Zubair to complete his Four (04) Years B.Sc Degree Programme in Nine (09) Years from 1993 to 17.03.2001. Further, also inquire from Police Station Garree Shahoo & Police Station (UET) Campus and Inspector General Police (IGP) Punjab Lahore about the involvement of M. Zubair in any Case Or in any proceedings regarding expelled from UET Lahore etc etc from 1993 to 17.03.2001.

Note : Copies of all above refereed documents / letters are attached as per INDEX.



Ejaz Rasool
(Petitioner of WP No.2203/2020)

Copy to :

- All Concerned.

Islamabad, the 15th March, 2023

Subject : Application For Registration of FIR U/S 35, 109, 200, 209, 419, 466, 468, 471 and 474 of PPC 1860 Against Muhammad Zubair, Ali Temoor And Muhammad Khurshid In The Light Of Facts / Grounds of Fact Finding Inquiry Report of Secretary Cabinet Division/Inquiry Officer.

The subject Application has been filed to issue directions to Secretary Cabinet as Inquiry Officer/(Administrative Secretary) to take up the case for initiation of Criminal Proceedings in the form of FIR u/s 35, 109, 200, 209, 419, 466, 468, 471 and 474 of PPC 1860 against Muhammad Zubair, Ali Temoor and Muhammad Khurshid.

2. The Prime Minister issued directives vide letter dated 22.06.2022 that appointment of Mr. Muhammad Zubair in PPRA as DG (M&E) be declared void ab initio and the same recommendation forwarded to PPRA Board for placement as agenda item in the next Meeting by the MD (PPRA). M/o Law & Justice Division also endorsed the said recommendation vide its letter dated 12.01.2023. The PPRA Board in 68th BoD's Meeting held on 20.02.2023 passed decision that "The appointment of Mr. Muhammad Zubair in PPRA as DG (M&E) is hereby de-notified with immediate effect". The decision was notified vide letter dated 21.02.2023.

3. The applicant filed the said application in the light of following General Terms & Condition mentioned on Serial No.12 of PPRA advertisement dated 14.10.2017 and Muhammad Zubair Undertaking on Serial No.4 of OTS Form on Page No.2, which is duly signed & thumb impressed by Muhammad Zubair & Muhammad Khurshid for shortlisting against the Posts of DG (M&E) & Deputy Director respectively.

Serial No.12 of PPRA advertisement dated 14.10.2017

"Information provided in application form will be verified in case of offer of appointment. In case of any false and forged informations, PPRA reserves the rights to cancel the candidature at any stage (even after employment if so discovered later) and to initiate legal action against the applicant."

Undertaking on Serial No.4 of OTS Form of Page No.2,

I ___d/s/w of ___do hereby solemnly affirm that I have read and understood the conditions for applying in the above mentioned Post and that I have filled the form as per instructions given above and in the event any information contained herein is found to be untrue, I shall be liable to disciplinary action which may result in cancellation of my candidature & test.

4. Muhammad Zubair, Ali Temoor and Muhammad Khurshid prepared and placed Three Bogus / Fake Letters dated 26.08.2019, 16.11.2020 and 16.10.2017 in record of PPRA files after 1st July, 2019 and also submitted these letters on different forums to give favour to Muhammad Zubair and Muhammad Khurshid. These bogus / fake letters prepared to protect Muhammad Zubair and Muhammad Khurshid from severe legal consequences, whom appointments were already challenged through WP Nos.2498 & No.2410 of 2019 on 27.06.2019 & 03.07.2019. Ali Temoor and Farrukh Bashir were the official custodians of Personal files of PPRA employees at the time of preparation of above referred Three Bogus / Fake letters.

5. Muhammad Zubair during his look after charge as MD (PPRA) from 02.07.2019 to 15.08.2019 & from 05.11.2019 to 15.11.2019 and as DG (HR) from 22.05.2019 to 30.05.2019 and 21.02.2020 to 17.08.2020 took possession the recruitment main files of employees alongwith his own and others Personal files and documents, when experience certificates and illegal appointments of Both of these Officers were challenged in court, he replaced the old documents placed in Personal files with new ones (as above) with the connivance of Ali Temoor and M. Khurshid and later showed that the certificates assailed were different from the ones actually submitted by M. Zubair & M. Khurshid in PPRA.

6. Muhammad Zubair, Ali Temoor and Muhammad Khurshid prepared and produced fake/bogus letter, shown as issued on 16.10.2017 in office record to cover the deficiency of Muhammad Zubair's Experience 05-Months (Approx). Muhammad Khurshid's Experience by 02-Months (Approx). The Three (03) fake/bogus letters i.e. 26.08.2019, 16.11.2020 and 16.10.2017 were never Submitted & Presented by PPRA on different forums before the issuance of appointment letters and after joining of Muhammad Zubair & Muhammad Khurshid on 01.06.2018 & 30.07.2018 respectively.

(a)	Not mention in the Minutes of selection committee signed on <u>29.12.2017</u> .
(b)	Not mention In Job advertisement dated <u>14.10.2017</u> .
(c)	Not mention in the eligibility criteria as described/endorsed on relevant recruitment file dated <u>13.12.2017</u> .
(d)	Not mention in reply on PM Portal Complaint No.IS280519-290496 dated <u>13.06.2019</u> .
(e)	Not mention in reply of CM No.3712/2018 in ICA No.258/2018 in September, 2018 as prepared & produced by Muhammad Zubair.
(f)	Not mention in Para-wise comments of CP No.D-539/2020 (titled Abdul Basit Vs FoP & Others) before the High Court SINDH, Sukkar Bench.
(g)	Not mention in 34 th BoD's Meeting Minutes held on 02.01.2018 on Agenda Item No.4, wherein Board approved the M . Zubair appointment.
(h)	Not mention in OTS & PPRA agreement dated <u>05.10.2017</u> .

7. The Recommendations/Directives of Prime Minister, Cabinet Secretary and decision of PPRA Board in 68th Meeting established that Muhammad Zubair obtained the Job in PPRA through deceitful manner by Fraud, Mis-representation and Concealment of Facts on OTS Form and also on the basis of forged, bogus and tempered documents, which is a criminal offence under section 35, 109, 200, 209, 419, 466, 468, 471 and 474 of PPC 1860. **All relevant documents as referred above are attached on INDEX.**

8. In the light of above proofs and Grounds of Fact finding Inquiry report and PPRA Notification dated 21.02.2023, following requests are submitted please.

- Direct the Cabinet Secretary/(Inquiry Officer) to take-up the Case for Registration of FIR u/s 35, 200, 209, 419, 466, 468, 471 and 474 of PPC 1860 against Muhammad Zubair, Ali Temoor and Muhammad Khurshid on their involvement in forgery and fraud by preparation of fake / bogus letters dated 26.08.2019, 16.11.2020 and 16.10.2017 and placing the same in office record of PPRA as well as on different forums.
- Direct the Cabinet Secretary to initiate the Proceedings of Misconduct under Efficiency & Discipline (E&D) Rules against the Ali Temoor and Muhammad Khurshid, who are involved in preparation of above referred Three (03) fake / bogus letters and same placing in office record.
- The appointment fraudulently got by Muhammad Khurshid may be declared void ab initio and all emoluments/Perks and Benefits received by him till date may be recovered from the date of his Joining i.e. 30th July, 2018.



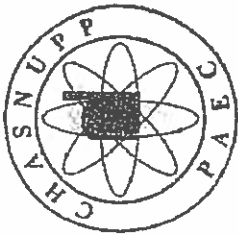
Ejaz Rasool

(Petitioner of WP No.2203/2020)

Copy to :

- Legal Counsel/Lawyer for preparation of case within 15-Days.
- All Concerned.

S. No. 168



CHASNUPP CENTRE OF NUCLEAR TRAINING

Regd:ENG-CV-PNR-4-1



CHASHMA NUCLEAR POWER PLANT

Certificate

This is to certify that, Mr. Muhammad Zubair son of Abdul Jabbar has completed

the one year *Post Graduate Training* course in

NUCLEAR POWER PLANT TECHNOLOGY

held from 02-05-2006 to 30-04-2007 and passed the examination

after the prescribed in class and field training.

He obtained 88.3 per cent marks.

Dated This

Day of

Syed Javed Munawar

Syed Javed Munawar

Sr. Manager (CHASCENT)

M. H.

Safder Habib

Director General (C-1)

Pakistan Nuclear Regulatory Authority

P.O. Box 1912, Islamabad

PNRA is pleased to award

GOLD MEDAL

TO

Mr. Muhammad Zubair

On his excellent performance by securing 1st Position in

4th one year PGT Course in Nuclear Power Plant Technology

Conducted by Chasnupp Centre of Nuclear Training (CHASCENT)

held in 2007

Shahid A. Mallick

Dr. Shahid A. Mallick

Director General - Corporate

Jamshed Hashmi

Jamshed Azim Hashmi

Chairman PNRA



GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
CABINET DIVISION
(HR Wing)
.....

F.No 1(24)ADMN/PPRA/2018

Islamabad, February 21, 2023

NOTIFICATION

In Pursuance of Public Procurement Regulatory Authority Board Decision taken in its 68th Board Meeting held on 20-02-2023 at 11 AM, the appointment of Mr. Muhammad Zubair in PPRA as DG M&E is hereby de-notified with immediate effect. However all his actions taken and during the course of his employment are hereby indemnified and all emolument received by the officer during course of his employment shall not be returned.

(Farrukh Bashir)
Director General (HR)

Distribution:

- All PPRA Board Members
- All Wings of PPRA
- The Officer Concerned

Copy for information

- PS to Managing Director, PPRA

Copy to :

- 1) Auditor General of Pakistan, Islamabad.
- 2) Additional Secretary-I, Prime Minister Office, PM Sectt, Islamabad.
- 3) Additional Secretary-II, Prime Minister Office, PM Sectt, Islamabad.
- 4) Joint Secretary, (Admn) Cabinet Division, Islamabad.
- 5) Joint Secretary, (Org-II) Cabinet Division, Islamabad.
- 6) Chief Finance & Accounts Officer (CFO), Cabinet Division, Islamabad.
- 7) Director General, Federal Audit, Islamabad.
- 8) Joint Secretary (Litigation) Finance Division, Islamabad.
- 9) Deputy Secretary, (Dev/Lit) Cabinet Division, Islamabad.
- 10) Deputy Secretary, (Co-ordination) Cabinet Division, Islamabad.
- 11) Secretary, Establishment Division, Islamabad.
- 12) Additional Secretary-III, Prime Minister Office, Islamabad.
- 13) Additional Secretary, (Admn) Finance Division, Islamabad.
- 14) Special Secretary to Prime Minister, PM Sectt, Islamabad.
- 15) Additional Secretary, (Admn) Establishment Division, Islamabad.
- 16) Joint Secretary, (JS (IA-III), Prime Minister Office, Islamabad.
- 17) Additional Secretary, (Budget) Finance Division, Islamabad.
- 18) Director General (Federal Audit) Islamabad.

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(B)

MOST IMMEDIATE

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
CABINET DIVISION

No.11-10/2019-RA-III (PPRA)

Islamabad, the 2nd August, 2022

Establishment Division
I.V Section
By No. 626
Date: 4-8-2022

From: AMNA FAROOQ,
Section Officer (RA-III),
Ph: 051-9201444.

To: The Managing Director,
Public Procurement Regulatory Authority (PPRA),
Islamabad.

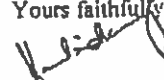
Subject: DEPUTATION OF A CIVIL SERVANT AS DEPUTY SECRETARY
GENERAL (TRANSPORT & COMMUNICATION, PROJECT &
ECONOMIC RESEARCH AND STATISTICS AND CFU) (CATEGORY-
I, D-3) (ECO SECRETARIAT, TEHRAN, IRAN)

Dear Sir,

I am directed to refer to Establishment Division's O.M. No. 1/2/2018(T-IV), dated 6th July, 2022 on the subject noted above and to state that upon consideration of the summary, the Prime Minister was pleased to direct as under (Annex-I):

- NAB, FOSPAH, FIA may be approached to expedite the cases against Mr. Muhammad Zubair stated in the inquiry report at para 8(ii, v & vi) for want of decision;
- The appointment of Mr. Muhammad Zubair in PPRA as DG (M&E) is void ab initio and the same recommendation may be forwarded to the PPRA Board to be placed as an agenda item in the next meeting by the MD (PPRA);
- Disciplinary proceedings may be initiated against Mr. Ali Taimoor (DD-Admn) for mispresenting facts in front of the selection committee for the appointment of DG (M&E) by the MD PPRA;
- The PPRA Board and MD PPRA may take effective administrative action to tackle the frequent litigant behavior, structural issues and irregular managerial practices that were found prevalent in the organization;

2. Managing Director, PPRA is requested to take further necessary action strictly in accordance with the directions/orders of the Prime Minister as reflected at para 1(a-d) above as per governance policy/rules under intimation to this Division.

Yours faithfully,

(AMNA FAROOQ)

Copy to:-

- ✓ The Joint Secretary (Training), Establishment Division, Islamabad with reference to O.M. No. 1/2/2018(T-IV) dated 6th July, 2022 for information.


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By (T-IV)

no
3/8

So (T-IV) PI File
05.08.22

Establishment Division
By No. 772 D.S (T-IV)
Dated: 03-08-2022

X. 1067

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
CABINET DIVISION

CONFIDENTIAL/
RESTRICTED
DISTRIBUTION, ONLY
FOR MEMBERS BOD
AND MD (PPRA)

897

FACT FINDING INQUIRY REPORT

Subject: **DEPUTATION OF A CIVIL SERVANT AS DEPUTY SECRETARY
GENERAL (TRANSPORT & COMMUNICATION, PROJECT &
ECONOMIC RESEARCH AND STATISTICS AND CFU)
(CATEGORY-I, D-3) (ECO SECRETARIAT, TEHRAN, IRAN)**

In pursuance of the Prime Minister's Office U.O No. 2277/SPM/2021 dated 11th January, 2022 (Annex-I) this Fact-Finding Inquiry was conducted into the Allegations/Complaints leveled against Mr. Muhammad Zubair, DG(M&E) BS-20 officer of Public Procurement Regulatory Authority (PPRA), Islamabad by employees and ex-employees of the PPRA.

2. Upon the recommendations of the Special Section Board (SSB) (Annex-II) and subsequent request of M/o Foreign Affairs (Annex-III), the Establishment Division moved a Summary for appointment of Mr. Muhammad Zubair, DG (PPRA/BS-20) (hereinafter referred as the officer) as Deputy Secretary-General at ECO Secretariat, Tehran, Iran on 15-10-2021 (Annex-IV). However, the Hon'ble Prime Minister regretted the proposal due to the fact that the officer is not being a Civil Servant within the meaning of section 2(1) (b) of the Civil Servant Act, 1973, and therefore, not eligible for appointment against the subject position. The following directions were conveyed:

a). The Foreign Affairs Division shall clarify as to why before approval of the Prime minister i.e. the Competent Authority, Parez Tehran confirmed the nomination to ECO Secretariat?

b). Consideration serious complaints pending against the officer at different forums, the Cabinet Secretary, being Secretary of the Division concerned, shall order a fact-finding inquiry with regard to the conduct of the officer in accordance with relevant rules/regulations

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governing his terms and conditions of service under intimation to this Office.

On the direction of the Hon'ble Prime Minister vide Prime Minister's office U.O No. 2277/SPM/2021 dated 11th January, 2022, the Secretary, Cabinet Division, constituted the following Fact-Finding Inquiry Committee (Annex-V):

- a) Mr. Zahid Akhtar Zaman, Additional Secretary (Chairman)
- b) Mr. Mehar Shahid Zaman, Deputy Secretary (Member)

4. Around 28 complaints against the officer were scrutinized and following allegations were framed for the purpose of fact finding inquiry:

The said officer is involved in illegal appointments, administrative corruption, the illegal firing of employees, forgery, non-compliance of IHC orders, misconduct, harassment, assault and also changing of minutes of the 37th PPRA Board meeting.

5. Detail of Documents/official records provided by the Establishment Division and other sources, relevant with the inquiry, were obtained and scrutinized (Annex-VI & Annex-VII).

6. The Managing Director (MD), PPRA was requested vide letter dated 15th February, 2022 to depute a well conversant officer to assist to provide relevant records the Fact Finding Committee. Mr. Farrukh Bashir DG(HR) was nominated as the focal person by the PPRA. Detail of Documents/official records obtained from PPRA is placed at Annex-VIII.

7. The accused officer, Mr Zubair DG(M&E), PPRA, was also given an opportunity of hearing vide letter dated 15th February, 2022 mentioned above (Annex-VIII). He also attended this office twice and was confronted with questions regarding allegations leveled against him in different complaints. He submitted his written reply vide letter dated 21st February, 2022 (Annex-IX). He mainly contented that the above-referred directives, issued by the Prime Minister's office, are without lawful authority and have been obtained by the Establishment Division without placing the true and complete picture of the case. He also emphasized that neither the Cabinet Division nor the PM office is

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ant to initiate or recommend any such fact finding inquiry against the
of the autonomous regulatory body.

**GIST OF ALLEGATIONS/COMPLAINTS. RESPONSE OF PPRA &
FINDINGS OF THE COMMITTEE THEREOF**

i. Illegal firing of PPRA employees DG(IT), DG (HR), and DD Research.

Complainants (Ms. Rahila Yousuf) Ex-Deputy Director Research, Mr. Ejaz Rasool) The petitioner of WP No.2203/2020, Siama Tasneem, Mr. Shahid Ahmed s/o Karmat Ullah)

On the allegation, the PPRA responded that the services of Mr. Irfan Rafiq DG (IT&R) and Ms. Saima Tasneem DG (HR) were terminated, by the then MD (PPRA), due to unsatisfactory performances during the initial period of probation while the services of (Ms. Rahila Yousuf) Ex-Deputy Director Research were terminated during the extended period of probation on 17-04-2020. (Annex-X)

Findings

As per PPRA's Regulations-2017, MD PPRA is the Competent Authority and has also been duly authorized by PPRA Board to extend, confirm the probation and terminate the services of the newly recruited employees of the Authority (Annex-XI). They have been removed by the competent authority as per law/rules/regulations. However, the complainants have filed different petitions in Islamabad High court and those are pending adjudications. As the matter is in the court, action may be taken on the basis of the outcome of the case.

ii). Forgery/change in 37th board minutes allegedly by Zubair DG(M&E) to get the powers delegated for MD PPRA in order to remove the newly recruited officers

Complainants (Ms. Rahila Yousuf) Ex-Deputy Director Research, Mr. Ejaz Rasool) The petitioner of WP No.2203/2020, Siama Tasneem, Mr. Shahid Ahmed s/o Karmat Ullah).

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2A responded that incomplete draft minutes of the 37th Meeting of the PPRA Board, without one of the additional items titled "Probation of Employees of the Authority", was inadvertently sent to the then Secretary Finance Chairman PPRA Board. Rather than approving the incomplete draft, the then Secretary Finance/ Chairman PPRA Board recorded his observations on file regarding the incomplete draft and also personally called the then Managing Director in his office on 3rd April, 2019 to incorporate the same in the draft. Subsequently, the amended version was approved. However, a copy of unapproved minutes of 37th PPRA Board Meeting (bearing the initial signature of the MD PPRA) remained in the file due to the complacency of one of the officers who was proceeded against and awarded penalty of censure by the then MD PPRA. The Minutes of 37th Meeting of PPRA Board were also presented before the Honorable Islamabad High Court during the hearing proceedings of cases filed by Ex-DG (HR) and Ex-DG(IT). The Honorable Court vide judgment dated 30.06.2020, while dismissing the said cases, also referred to the relevant extracts of 37th and 39th PPRA Board Meetings, wherein the Agenda regarding the above-mentioned terminated probationary officers was ratified by the PPRA Board. It is worth mentioning that the Status of the Probation of PPRA Employees was again deliberated, as an Agenda Item No. 5 in the 39th Meeting of the PPRA Board held on 25.11.2019 with the title "Operational Issues of PPRA", in which referring the same agenda item of the 37th Board Meeting, PPRA Board ratified all the decisions of MD PPRA regarding appointment related issues. (Annex-XII)

Findings

As per available record, the then MD PPRA had admitted that a copy of unapproved minutes of the 37th PPRA Board Meeting (bearing the initial signature of the MD PPRA) remained in the file due to the complacency of one of the officers, who was accordingly awarded a penalty of censure by the then MD PPRA. (Annex-XIII). However, as the matter is being investigated by Federal Investigation Agency(FIA), therefore, the outcome of the inquiry may determine the future course of action on this issue.

iii). Illegal appointment of Mr Muhammad Zubair as DG(M&E) PPRA having less experience required under regulation

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...ants (Mr. Ejaz Rasool, Ms. Rahila Yousuf) Ex-Deputy Director
...arch, Siama Tasneem, Mr. Shahid Ahmed s/o Karmat Ullah)

(901)

On this charge, PPRA intimated that the PPRA Board in its 31st Meeting constituted a Committee to carry out the selection process at the earliest for the recruitment against the posts of DGs and Directors in PPRA i.e.

- | | | |
|-------|--|----------|
| (i) | Secretary Communication | Chairman |
| (ii) | Secretary Housing and Works | Member |
| (iii) | Managing Director (PPRA) | Member |
| (iv) | A representative of the
Establishment Division of BS-20 or above. | |

Minutes of the 31st Meeting are attached as (Annex-XIV). Later on, a process of recruitment was initiated through the Open Testing Service (OTS) by conducting a written test of the eligible applicants after scrutiny of their applications. Results of written test for the posts of directors and Director generals were placed before the Selection Committee which took interviews of the top five shortlisted candidates for each post. Recommendations of the Selection Committee (Annex-XV) were presented before the PPRA Board in 34th Meeting held on 2nd January, 2018, wherein the Board decided to take final interviews of selected and alternate candidates against the posts of Director General(s) PPG-4/BS-20. The Board took the interviews of principal and alternate candidates for the posts of Director General(s) wherein the Board in its 35th meeting held on 4th January, approved the recommendations of the Selection/HR Committee for the appointment of Director General(s) in PPRA including Mr. Muhammad Zubair, DG M&E. Copy of the minutes of 34th and 35th are attached as (Annex-XVI).

Mr. Zubair had actual experience of 16 years and seven months which was five months short of the required experience (17 years). However, through a letter of Deputy Director(Admin) dated 16th October, 2017, additional practical experience of two (02) and four (04) years was allowed on the basis of higher qualification of MS/M.Phil. and Ph.D degree.

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After the perusal of record and relevant regulations, it has been observed that as per regulation 14 of PPRA Service Regulations, 2017 (Annex-XVII), the method of appointment, qualifications, and experience of the incumbent to a sanctioned post and other conditions relating to various posts shall be as laid down in Appendix-2 of the regulations. Para 2 (iv) (a) column 3 (Annex-XVIII) of the table clearly specifies that the candidate must possess a minimum of seventeen years post qualification relevant field experience. It is very obvious from his documents and record that Mr. Zubair did not possess 17 years of experience at the time of submission of the application. He completed his BSc Engineering in March, 2001. If we calculate his experience till the closing date of his application i.e. October, 2017, it comes to 16 years and 7 months. He was definitely short of 17 years by a period of almost five months (05). The deficiency of experience was compensated through a letter of DD Admn, wherein it was stated that any higher qualification i.e. MS/M.Phil. and Ph.D. would be given two years(02) and four(04) years as additional practical experience respectively. Mr. Zubair had MS Degree in Structural Engineering and was awarded two years of additional experience and he got qualified. The DD (Admn) misrepresented the facts and vide letter dated 16th October, 2017, he covered up the deficiency of requisite experience by giving the double benefit for higher qualification.

Para 2 (iii) (b) of Appendix-2 (Annex-XIX) clearly states that a candidate who has obtained the degree of M.Phil. or Ph.D. during service shall not be entitled to a double benefit of counting the said period as service towards experience prescribed for the post. In this regard, General instructions issued by the Federal Public Service Commission (FPSC) were also examined, which also endorse the above-stated fact that a candidate who has obtained the degree of M.Phil./ Ph.D. during service shall not be entitled to a double benefit of counting the said period as service towards experience prescribed for the post (Annex-XX). Therefore his the appointment is void ab initio.

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on, Mr. Zubair submitted an application (Annex-XXI) dated 29th May, 2018, before MD PPRA for getting the double benefit on the basis of higher qualifications and covering up the shortage of requisite experience after getting an offer letter from the PPRA. There is no approval of any relaxation granted to him by any forum.

Hence, the charge is proved as he does not have the requisite experience for the post for which he was considered and recruited.

iv). Illegal appointment of Mr. Muhammad Tariq Javed Khan (BSc Civil Engineering) in PPRA as Chief Software Specialist without observing codal and legal formalities.

Complainants(Mr. Ejaz Rasool, Ms. Rahila Yousuf) Ex- Deputy Director Research, Siama Tasnem).

The PPRA responded that the PPRA Board in 39th Meeting held on 25-11-2019, approved the creation of two senior-level posts i.e. Chief Software Specialist Principal Software Engineer funded under the project of e-Procurement. Minutes of the 39th Board meeting are attached (Annex-XXII). In the 41st Meeting of the PPRA Board, the agenda titled "status of two Posts for the e-procurement project" was presented before the PPRA Board wherein the Board approved the appointment of the Chief Software Specialist as per the remuneration fixed by the Managing Director (PPRA) in accordance with regulation 20 of PPRA Employees Service Regulations. The copy of the minutes of the 41st Meeting of the PPRA board is attached as (Annex-XXIII).

Findings

The appointment of Mr. Tariq Javed Khan as Chief Software Specialist was done after the creation of said post by the PPRA Board. He was recruited after conducting the test by the testing agency, interviews of shortlisted candidates by the PPRA notified committee, and final approval of the PPRA board on the recommendation of the Selection Committee. Hence, it is not a charge against the officer.

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Issuance of advices (National Highway Authority (NHA), Passport (Immigration Office), guidelines, and instructions by DG (M&E) without the approval of The Competent Authority.

Complainants(Mr. Shahid Ahmed s/o Karnat Ullah)

In this allegation, three highlighted cases were indicated by the complainants.

a) Clarification sought by the NHA for Rule 26 Bid Validity:

PPRA evaluated the case after receiving a letter dated April 09, 2019, from NHA, and presented the same to the Managing Director (PPRA) for approval. Subsequently, the letter was issued on April 16, 2019. NHA raised some observations on the same matter through an email on April 30, 2019 (Annex-XXXIV). The reply was sent on May 31, 2019, with the approval of DG (M&E) instead of MD PPRA.

b) Clarification sought by Directorate General Immigration and Passport regarding payment against partial delivery of cameras:

Initially, the matter was examined in the PPRA through Directorate General (Legal). Later on, under the direction of the MD (PPRA), the matter was evaluated by Mr Zubair, DG (M&E), and a letter was issued on February 13, 2019, with the approval of the then MD (PPRA).

c) Instructions regarding blacklisting/debarment of international organizations and determination of modalities to invoke clause 77.1 of the particular conditions of the contracts prescribed in PEC bidding documents:

The above mentioned instructions were directly issued by DG (M&E) under his signature vide letters dated August 09 and August 14, 2019 without examining and processing them on file for approval. It is pertinent to mention that DG (M&E) was holding the additional charge of Managing Director during the said period.

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matter is being investigated by NAB for misuse of authority by Mr. N Zubair (NAB). The outcome of the inquiry may be awaited to proceed further.

II. Harassment, victimization, damaging credibility, and reputation of Dr. Rahila Yousuf ex-DD (Research)

Complainants:-

Dr. Rahila Yousuf ex-DD (Research) and Mr. Asim Bashir, DD (IT) PPRA.

PPRA submitted that Ms. Raheela Yousaf, the then DD (Research) launched a complaint of harassment against Mr. Muhammad Zubair before M.D PPRA on 25-10-2019 and also filed another complaint on the same matter on 25-11-2019 before Federal Ombudsman Secretariat for Protection against harassment (FOSPAH) of women at work Place, Islamabad. MD PPRA probed the matter and submitted his response vide Letter No. F.3(12) Admin/PPRA/2010 dated December 4, 2019, and F.No.3(12) Admin/PPRA/2010 dated December 31, 2019, to Federal Ombudsman Islamabad (Annex-KXV).

Findings

The matter is pending before Federal Ombudsman Secretariat for Protection Against Harassment (FOSPAH) for want of decision. MD PPRA may be requested to pursue the case.

RECOMMENDATION(S) OF THE FACT FINDING COMMITTEE

Hence on the basis of the reply submitted by PPRA, findings, and grounds mentioned hereinabove, the following recommendations may be placed before competent authority after seeking approval of the Prime Minister:

- 1) National Accountability Bureau (NAB), Federal Ombudsman Secretariat for Protection Against Harassment at workplace (FOSPAH), and Federal Investigation Agency (FIA) may be approached to decide the matters expeditiously as mentioned at Para Number 8 (v, vi, and ii) respectively in above-stated report pending for want of decisions.


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pointment of Mr. Zubair in PPRA as DG(M&E) suffers from meeting requisite experience of almost 20 months (05) under PPRA Service regulations, 2017. PPRA Board being appointing authority may be look into being void ab initio. MD PPRA should place the matter with the facts before the PPRA Board to decide the matter in accordance with the rules/law. Also, disciplinary proceedings, against Mr. Ali Tarnoor then DD Admin, for misrepresenting the case before the Selection Committee and MD PPRA, be initiated for recommending and issuing a letter regarding the double benefit of experience to Mr. Zubair on the basis of higher qualification, which otherwise was not qualified.

- 3) During the conduct of inquiry and examination of the record, serious issues of lack of discipline, maintenance and movement of record/files without proper process (like without diary/dispatch), and litigant behavior of staff against each other including senior management, have been found in the PPRA. The PPRA Board and the MD PPRA may be directed to take effective administrative measures to manage internal organizational issues.


Zahid Akhtar Zaman
Additional Secretary
Chairman


Mehar Shahid Zaman
Deputy Secretary,
Member