



TRANSPARENCY INTERNATIONAL-PAKISTAN

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24th April, 2013

Dr. Khawar Jamil,
Federal Secretary, Ports & Shipping,
Government of Pakistan,
Islamabad.

Sub: Allegations of Illegal postings of Heads of POA, PNSC, GPA and JS MoP&S and DGP&S in second week of February which are in violation of rules.

Dear Sir,

In continuation of the correspondence related to the captioned subject, Transparency International Pakistan has received a complaint dated 23rd April 2013, about illegal appointment/contract of Mr. Muhammad Raza (Ex-Joint Secretary Federal Ministry Ports & Shipping).

The earlier letter, forwarded by TI-Pakistan to the Federal Secretary P&S dated 19th March 2013, remains unanswered.

The complainant has alleged the followings:

1. Mr. Muhammad Raza (Ex-Joint Secretary Federal Ministry of Ports & Shipping has been retired from Government Service on 03-03-2013.
2. Ex- Minister for Ports & Shipping moved a Summary (Summary was prepared by Mr. Muhammad Raza) for contract appointment of Mr. Raza in Karachi Port Trust. Ex-Prime Minister Raja Pervaiz Ashraf has approved the Summary and Mr. Muhammad Raza has been appointed in BS-20 in KPT Karachi in the last 16 days of former government.
3. According to official files of M/o Ports & Shipping and KPT, Mr. Raza has been re-employed on contract basis at KPT, this appears to be a simple arrangement due to:
 - (a) There was no vacant post of BS-20 in KPT at the time of his contract appointment.
 - b) This post was not advertised in the news papers, as per contract appointment policy:

“The government can hire on a contract any person from the open market only after advertising a post, and the incumbent can be selected after a competition and by a selection board or committee”.
 - c) According to the rules: *“Federal Ministry has no authority to appoint Grade 20 officers even in a department attached to his ministry without approval of the Establishment division”*



4. Mr. Raza was appointed in KPT, but he is serving in Ministry of Port and Shipping.
5. In Pakistan, the age of superannuation stipulated in the Civil Servants Act 1973 is 60 years. It means that a civil servant who has completed sixty years of his recorded age can not continue in the service of Pakistan, in terms of Section 14 of the Civil Servants Act. However, this rule is blatantly violated in practice in said case.

The Re-employment Policy says that:

“A retired civil servant can be re-employed against a seat only when he or she does not block the promotion of those junior to the post, and when no-one else of the required caliber is available in the service”.

6. Ex-Prime Minister has approved Government accommodation (No.5-E, Street # 6 Sector G-6/4) to Mr. Raza, which is also a sheer violation of rules, how a contract employee of Autonomous body of Karachi can keep Government Accommodation of Federal at Islamabad.

As per the Pension Rules: *“The re-employed person can only enjoy the salary equivalent to his or her last salary in regular service.”*

7. Ministry’s Vehicle is not available for acting Deputy Secretaries while he being illegal appointee and not a part of the Ministry, enjoying facility of 1300 cc Car of Ministry (Car No GA-1247) and Official driver (Driver Name: Khalid Shah).

Transparency International Pakistan request the Secretary, Ministry of Ports & Shipping to examine the complaint, and if the allegations are found to be correct, than terminate the illegal contract/ appointment of Mr. Raza, which is made on political and personal considerations

With regards,

Syed Adil Gilani,
Adviser

Copy forwarded for the information and action to be taken:

1. Chairman NAB, Islamabad
2. Federal Tax Ombudsman, Islamabad
3. Auditor General Pakistan, Islamabad
4. Registrar, Supreme Court of Pakistan, Islamabad
5. MD, PPRA, Islamabad