

IN THE HIGH COURT OF SINDH KARACHI

Before:

Mr. Justice Aftab Ahmed Gorar
Mr. Justice Adnan-ul-Karim Memon

C.P. No. D-518 f 2022

Muhammad Ashraf
Petitioner through : Mr. Munawar Alam Khan, advocate

Respondens
through: : Mr. Al Safdar Depar, AAG alongwith
Aziz Ahmed Hakro, Director (Information Legal),
Government of Sindh.

Date of hearing
& order : **07.02.2022**

At the outset, learned AAG has filed notification dated 03.02.2022, whereby posting of respondent No.8 as Information Officer has been canceled/withdrawn. Be that as it may, we asked learned AAG under what law and authority respondent No.8 was allowed to work as Information Officer (BPS-17) Advertisement. Learned AAG replied to the query and submitted that respondent No.8 was the Senior Scale Stenographer, thus was entitled to promotion as Information Officer under the recruitment rules notified on 10.07.2020. We have gone through the notification dated 10.7.2020 whereby the post of Information Officer (BPS-17) is to be filled (a) fifty percent by initial appointment through Sindh Public Service Commission; and (b) Fifty percent by promotion as per ratio: (i) Fifteen percent by promotion from amongst the Superintendent (BPS-17); (ii) Fifteen percent by promotion from amongst the Senior Scale Stenographers (BPS-16); (iii) Fifteen percent by promotion from amongst the Computer Technician (BPS-16); and, (iv) Ten percent by promotion from amongst the Senior Translator (BPS-11) Note: Having at least 10 years length of service, on seniority-cum-fitness basis.

Prima facie, the respondents have not advertised the post of Information Officer (BS-17), which post is required to be filled through competitive process i.e. Sindh Public Service Commission and even the respondent-department has not applied the ratio of 15% by promotion from amongst the Superintendent (BPS-17) and directly jumped to the clause (a)(ii) of the recruitment rules, even the respondents have not considered the minimum academic qualification and experience for the subject post, which action on the part of respondent-department is not appreciated.

In view of the above, the respondents are directed to appoint the Information Officer (BPS-17) through a competitive process i.e. Sindh Public Service Commission under the recruitment rules and not otherwise. This petition stands disposed of along with pending application(s), in the above terms. Let a copy of this order be transmitted to the Secretary, Information Department, Government of Sindh, for compliance.

JUDGE

JUDGE