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Ref: No. M&A/TEVTA/WP/19/2257

26th April, 2019

The Governor Punjab,
Governor House,
The Mall, Lahore.

The Chief Minister Punjab,
Chief Minister House,
Lahore.

Chief Secretary,
Civil Secretariat,
Lahore.

Secretary Industries,
Civil Secretariat,
Lahore

Subject: CANCELLATION OF APPOINTMENT OF
CHAIRPERSON OF THE TECHNICAL
EDUCATION & VOCATIONAL TRAINING
AUTHORITY (TEVTA) AGAINST THE MERIT,
TRANSPARENCY, LEVEL PLAYING FIELD AND
JUDGMENT OF SUPERIOR COURTS.

PROVISION OF INFORMATION UNDER
ARTICLE 19-A OF THE CONSTITUTION OF
ISLAMIC REPUBLIC OF PAKISTAN, 1973 READ
WITH THE RIGHT OF ACCESS TO
INFORMATION ACT, 2017.

In Re- **Amna Malik** (President) *Armaan Welfare Foundation, 50/C Lawrence Road, Lahore. ("our Client")*

Dear Sir(s),

This is with reference to the recent appointment of chairperson of the Technical Education & Vocational Training Authority (TEVTA). As informed a summary was sent to the Chief Minister of Punjab from which it can be deduced that the name of Mr. Ali Suleman Siddiqui was proposed for the position of Chairperson. Later on a panel was proposed for the interview against the post of Chairperson for which candidates were Mr. Ali Suleman Siddiqui, Mr. Muhammad Ali, Mr. Mian Muhammad Kashif Ashfaq and Mr. Hafiz Farhat Abbass. It was proposed that the Chief Minister may nominate any person from the aforementioned panel as the Chairperson for TEVTA after which the Chief Minister appointed Mr. Hafiz Farhat Abbass as the Chairperson of TEVTA without following merit, transparency, level playing field and violation of judgment of Superior Courts. It is pertinent to mention here that we have been informed that the aforementioned candidate is under qualified for the post of Chairperson as he has only completed his B.Com. The Constitution of Pakistan, 1973 and other statutory laws of the country permit every citizen to ask and inquire the relevant information which directly or indirectly connects with the matter of public-at-large.

2. The Punjab TEVTA Act, 2010 briefly explains the role of the Chairperson, mode of his/her appointment, mode of

his/her termination and defines his/her role in TEVTA. The relevant provisions of the Punjab TEVTA Act, 2010 is being reproduced hereunder for your kind perusal:

***“Preamble.**— Whereas it is expedient to reorganize the Punjab Technical Education and Vocational Training Authority for proper provision of technical education in the Province and to provide for ancillary matters;*

5. Functions of the Authority.— (1) *The Authority may—*

- (a) provide technical education as it may deem fit, and make provisions for research, service to the society and for the application, advancement and dissemination of technical education in all sectors of economy including industry, commerce and trade, agriculture and livestock, and services sectors in such manner as it may determine;*
- (b) establish and maintain technical institutions, and regulate and administer the institutions under the control of the Authority at the commencement of the Act;*
- (c) establish and support other facilities for technical education, training including teachers’ pre-service and in-service training and research;*
- [4] [* * * *]*
- (e) establish and maintain technical institutions for promoting innovation in technology adoption, and shall provide common facilitation centres and training the workforce in new technologies as per market demand;*
- [5] [* * * *]*
- (g) prescribe the terms and conditions of employment of the officers, teachers and other employees of the Authority;*
- (h) take initiatives for placement of trainees or graduates and provide career counselling and job search services to the students and alumni;*
- (i) maintain linkages with alumni;*

[6] [* * *]*

- (k) take initiatives for welfare of its employees in any manner it deems appropriate;*
- (l) provide and support the academic development of the faculty of the technical institutions;*
- (m) institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes in the prescribed manner;*
- (n) provide for the residence of the students, establish and maintain halls of residence and ^[7][* * *], lodging or boarding place;*
- (o) maintain order, discipline and security in the technical institutions;*
- (p) promote the extracurricular and recreational activities of the students and make arrangements for promoting health and general welfare of the students;*
- (q) demand and receive such fees and other charges as it may determine; and*
- (r) perform such other functions as may be ancillary, or as may be prescribed by the rules or as may be assigned by the Government.*

6. Chairperson.— (1) *The Government shall appoint a Chairperson for a period not exceeding five years on such terms and conditions as the Government may determine.*

(2) The Chairperson shall hold office during the pleasure of the Government but shall not be removed without notice and opportunity of hearing.

(3) The Chairperson may resign his office subject to one month prior notice in writing to the Government or on payment of one month's pay in lieu of the notice.

(4) The Chairperson—

(a) shall be the Chief Executive of the Authority and shall be responsible for the management, administration and day to day affairs of the Authority; and

(b) shall exercise such powers as are assigned under the Act or are delegated by the Authority or as may be prescribed.

(5) The Chairperson may delegate any of his powers under the Act to any officer of the Authority."

3. The news as appeared in newspaper of 27th April, 2019 confirmed the fact that Mr. Hafiz Farhat Abbas has been appointed as Chairperson TEVTA enclosing photo shot of Face Book Account of Hafiz Farhat Abbas, whereby he has been appointed as Chairperson TEVTA through Notification No. SI.2-2/2019(A) dated 20th April, 2019. The link of the newspaper and as well as photo-shot of Face-Book and as well as Notification is pasted hereunder to establish the case. We are least concern about any family relations with wife of Prime Minister of Pakistan, but making out our case for implementation of merit, transparency and level playing field.

<https://en.dailypakistan.com.pk/pakistan/has-punjab-government-appointed-first-lady-bushra-bibis-son-in-law-as-tevta-board-chairman/>



GOVERNMENT OF THE PUNJAB,
SERVICES & GENERAL ADMINISTRATION
DEPARTMENT
SECTION (SERVICES-I)

Lahore, the 20th April, 2019.

NOTIFICATION

No.SI.2-2/2019 (A). In exercise of the powers conferred upon him under Section 6(1) & (2) of the Punjab Technical Education & Vocational Training Authority Act, 2010, the Competent Authority is pleased to appoint HAFIZ FARHAT ABBAS as Chairperson, Technical Education & Vocational Training Authority (TEVTA), against a vacant post, relieving Mr. Tahir Khurshid (PAS/BS-21), Secretary to Government of the Punjab, Industries, Commerce & Investment Department, of additional charge of the post.

2. HAFIZ FARHAT ABBAS shall work as Chairperson, Technical Education & Vocational Training Authority (TEVTA) as pro bono.

BY ORDER OF THE GOVERNOR OF THE PUNJAB

YOUSAF NASEEM KHOKHAR
CHIEF SECRETARY

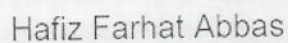
NO. & DATE EVEN.

A copy is forwarded for information and necessary action to:-

1. The Secretary (Establishment), Govt. of Pakistan, Cabinet Sect., Estt. Div., Islamabad.
2. The Secretary / Military Secretary to Governor, Punjab, Lahore.
3. The Principal Secretary to Chief Minister, Punjab, Lahore.
4. The Secretary (Coordination), Chief Minister's Office, Punjab, Lahore.
5. All Divisional Commissioners in Punjab.
6. All Administrative Secretaries to Government of the Punjab.
7. All Deputy Commissioners in the Punjab.
8. The Accountant General, Punjab, Lahore / District Accounts Officer, concerned.
9. The Secretary to Provincial Ombudsman, Punjab, Lahore.
10. The Director (PD), Govt. of Pakistan, Cabinet Sect., Establishment Div., Islamabad.
11. The Director General, Public Relations, Punjab, Lahore.
12. The Director (Archives), S&GA Department.
13. The A.S.(G), AS (Admn.), D.S.(Staff), Staff Officer to A.C.S., D.S (Confdl.) / Incharge Computer Cell of Services Wing, D.S.(Estt.), E.O, SO(W-I), SJM, SO(S-II), SO(C-II), SO(W-IV), S.O (Accounts), M.T.O. and Communication Security Officer, S&GAD.
14. P.Ss to all Provincial Ministers / CS / ACS / Secretary (I&C), D.G.(O&M), S&GAD.
15. The Superintendent, Government Printing Press, Punjab, Lahore, for publication in the official gazette.
16. Officer concerned.


(AHMIR SOHAIL KAYFI)
SECTION OFFICER (SERVICES-I)

(Constitutional, Corporate & Tax Counsel)

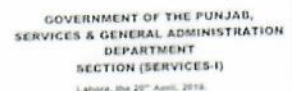
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20 April at 22:55

ALHAMDULLILAH ! Thankyou PM Imran Khan (official) and CM punjab sardar Usman buzdar for entrusting me with the responsibility as Chairman Technical and Vocational Training Authority (TEVTA). Inshallah, I will do my utmost to make it a vibrant and productive organization designated to impart demand-driven technical and vocational training to our youth, and turn them into skilled human resource competitive in the local and global market on the way to achieving vision of Naya Pakistan 🇵🇰. Ameen



NOTIFICATION

VS.12-2019) (A) in exercise of the powers conferred upon him under Section 1(1) & (2) of the Punjab Technical Education & Vocational Training Authority Act, 2010, the Competent Authority is pleased to appoint HAFIZ FARH ULLAH as Chairperson, Technical Education & Vocational Training Authority (TEVTA), against a vacant post, relieving Mr. Tahir Khurshid (PAS/PS-4) Secretary to Government of the Punjab, Industries, Commerce & Investment Department, of additional charge of the post.

HAFIZ FARHAT ABBAS shall work as Chairperson, Technical Education & Vocational Training Authority (TEVTA) as pro bono.

BY ORDER OF THE GOVERNOR OF THE PUNJ

YOUSAF NASEEM KHOKHAR
CHIEF SECRETARY

D. & DATE EVEN.

A copy is forwarded for information and necessary action to:

- [illegible]

(AJMER SOHAIL KAYE)
SECTION OFFICER (SERVICENT)

402 comments 42 shares

3. That as can be seen from the aforementioned statutory provisions, functions of the TEVTA have been enumerated and the role of the Chairperson, mode of his/her appointment, mode of his/her termination and defines his/her role in TEVTA has been enumerated.

4. It is pertinent to mention here that the Supreme Court of Pakistan in Human Rights Case No.3654 of 2018 reported as 2019 SCMR 1 pertaining to the appointment of the Managing Director of Pakistan Television Corporation has laid down the criteria for the appointment of such personnel. The relevant portion of the aforementioned judgment is being reproduced hereunder for your kind perusal:

“9. An important question that stems from the foregoing is what is the criteria on the basis of which such nomination is to be made? Rule 3(1) of the Rules of 2013 provides that “The Board shall consists (sic) of executive and non-executive directors...with the requisite range of skills, competence, knowledge, experience and approach so that the Board as a group includes core competencies and diversity considered relevant in the context of the Public Sector Company’s operations.” Furthermore, according to Rule 3(7) of the Rules of 2013, “The appointing authorities, including the Government...shall apply the fit and proper criteria given in the Annexure in making nominations of the persons for election as Board members under the provisions of the Ordinance.” The Annexure to the Rules of 2013 provides a H.R.C. No.3654 of 2018 :- 16 :- non-exhaustive list of the criteria for the purpose of determining as to whether a person proposed to be appointed as a director is a fit and proper person. According to such list the person should, amongst other things, be at least a graduate, a reputed businessman or a recognized professional with

relevant sectoral experience, have financial integrity, no convictions or civil liabilities, be known to have competence, have good reputation and character, have the traits of efficiency and honesty, and does not suffer from any disqualification to act as a director stipulated in the Ordinance or from a conflict of interest, etc. [Clause (1) of the Annexure]. The Annexure also provides certain conditions for disqualification [Clause (2) thereof]. These criteria prescribed by the Rules of 2013 ensure that highly competent and capable people are appointed to the Boards of Public Sector Companies so that such companies are run in a smooth and efficient manner. In the instant case, while PTV is a media organization and therefore experience in the relevant sector of media would undoubtedly be helpful. At the end of the day PTV is a big company with an annual turnover of Rs.8.778 billion in the year 2014 but a comprehensive loss of Rs.1.467 billion; 1 an annual turnover of Rs.9.4 billion in the year 2015 but a comprehensive loss of Rs.0.437 billion; 2 and an annual turnover of Rs.9.54 billion but a comprehensive loss of Rs.1.736 billion. 3 Business management skills and experience of running a big company are the basic requirements for an MD/Chairman to efficiently run such a huge commercial enterprise. While we refrain from commenting as to whether Mr.Qasmi indeed possessed such skills, the point to be noted is that nowhere from the record produced before us was it evident that the Federal Government considered such criteria while nominating Mr.Qasmi as a Director of PTV. In fact, the summary dated 30.10.2015 moved to the PM for Mr.Qasmi's appointment as a Director and the Chairman of PTV fails to state his business management and media sector skills, whilst answering the AoA requirement that "One of the Directors has to be an eminent person from the media". This depicts the myopic and stubborn resolve of the Federal Government to accommodate Mr.Qasmi against the said position."

5. Moreover in 2018 CLC 530 further elaborates the criteria by which selection for candidates is to be made. The

relevant portion of the judgment is pasted hereunder for your kind perusal:

“ High Court recorded elaborate reasoning for allowing the Constitutional petition and issued directions for making the appointments of heads of departments and administration agencies including regulatory authorities; Appointments of heads of departments and administrative agencies including regulatory authorities must conform to settle principles of propriety, transparency and objectivity. Regulators and supervisors needed a substantial degree of independence both from the government and the industry in order to fulfil their mandate and contribute to the achievement and preservation of financial and democratic stability. Chairman of Pakistan Electronic Media Regulatory Authority (PEMRA) was not to speak the Government line; therefore, process of his appointment should be such as not to smack of exercising control in a manner that placed a premium on loyalty and ideological affinity. It should not be a tool of governmental control. Appointment process of the Chairman PEMRA must be consistent with the provisions and overall structure of the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 and the Constitution.”

6. In another case **P L D 2012 Supreme Court 132** it was held that when an executive uses his/her discretionary powers to make appointments to key positions of authority, those powers have to be employed in a reasonable manner. Relevant portion of the judgment is pasted hereunder for your kind perusal:

“28. The Executive's ability to make appointments to key positions of authority, and to dispense with the incumbents therein, needs to be examined in historical context as this will facilitate our

*understanding of the constitutional principle of separation of powers and the importance of judicial review in ensuring adherence to such separation. On account of our colonial legacy and its attendant pattern of governance, this examination takes us back to the pre-independence dispensation and to the British constitutional scheme. That was a time when almost all important State functionaries including not just the Prime Minister and the Cabinet but also judges and civil servants, were appointed and removed by the British monarch in his absolute unfettered discretion. It is for this reason they were said to **"hold office during the King's pleasure"**. While this vestige of an absolute monarchy receded in Britain on account of emerging democratic conventions, in the colonies it survived. Even after several years of independence, this practice continued, as was manifested by the imperious dissolution of the Constituent Assembly in 1954, by the representative of the British Crown.*

30. *It is to be noted that even where appointments are to be made in the exercise of discretionary powers, it has become well settled that such powers are to be employed in a reasonable manner and the exercise of such powers can be judicially reviewed. In the Corruption of Hajj Arrangements' case (Suo Moto Case No.24 of 2010) and in the case of Tariq Aziz-ud-Din (2010 SCMR 1301), it has been held that appointing authorities "cannot be allowed to exercise discretion at their whims, sweet will or in an arbitrary manner; rather, they are bound to act fairly, evenly and justly". There is an obligation thus imposed on the Executive to make appointments based on a process which is manifestly and demonstrably fair even if the law may not expressly impose such duty. In the Hajj corruption case *supra*, the Court has again clarified this point saying that "[b]y now, the parameters of the Court's power of judicial review of administrative or executive action or decision and the grounds on which the Court can interfere with the same are well settled. Indisputably, if the action or decision . . . has been arrived at by the authority misdirecting itself by adopting a wrong approach or has been influenced by irrelevant or extraneous matters, the Court would be justified in interfering with the same"*

7. Furthermore in **2013 S C M R 1159** it was held as follows:

“27. It must be understood that the statute has vested the power of appointment in the Federal Government, not the SECP or its Chairman. The Federal Government cannot abdicate its duty and delegate this function to the SECP or its Chairman because it is well-settled that a statutory delegate cannot sub-delegate his powers. The very structure of the SECP as envisioned in the Act can be seen as requiring independent decision making by the Government in respect of each appointment of Commissioners and Chairman. If the Chairman is to be given the role of consultee, it would taint the process of selection, firstly, because by doing so the Federal Government will be seen as abdicating its statutory duty and in effect outsourcing its own obligation and secondly, by according a special status to the Chairman in the matter of selecting the constituents of SECP. Furthermore, giving the Chairman so much power, in the matter of appointment of other Commissioners would not be in line with the independent, collegiate and deliberative relationship which is meant to exist amongst all Commissioners, including the Chairman. From a reading of the statute, it seems clear that the Chairman is only as much of a statutory and tenured office-holder as the other Commissioners. The object of having at least five Commissioners and the requirement that such Commissioners be appointed by the Federal Government is meant to ensure that each Commissioner is appointed independently so that he can perform his functions in accordance with law without being beholden to the Chairman for his appointment.

28. Furthermore, in view of the requirements of section 5, there is a need to devise a proper mechanism for targeting and attracting a pool of qualified potential appointees. Randomly entertaining CVs, with or without the backing of political patrons, or seeking

nominations from arbitrarily selected consultees do not meet this requirement. The requirement can be achieved through a number of different means, be it by open advertisement, or through the auspices of talent scouts who have the needed expertise and who ensure confidentiality to applicants or through any other sufficiently transparent and inclusive process. The details of the mechanism are not our concern at present; these may be worked out by the Federal Government and recorded in the report which we have sought from the Government. What is clear, however, is that the process that went into the impugned appointment clearly does not meet the requirement of the law and the appointment has, therefore, been set aside and struck down.

29. *We have also carefully gone through the record placed before us. Apart from the circumstances, noted above, which show that no attempt whatsoever was made to attract the pool of potential talent having the requisite statutory qualifications, we have been unable to find any exercise or effort whatsoever for determining if indeed respondent No. 4 was a person known for his integrity or if he had the requisite expertise, experience or eminence. It may well be that he may have these qualifications; equally, it may be that he does not possess these attributes. What is missing is due diligence or a fair and demonstrably transparent selection process. In the notings on official files, as observed above, a wholly haphazard and unstructured culture of contacts, recommendations or sifarish appears to have pervaded the corridors of Government in the matter of appointment of Commissioners. In this respect some names as noted above, were floated by random individuals such as the Secretary Finance and the Governor Punjab based on no apparent process and based on no apparent reason. When this glaring omission was pointed out to learned counsel representing the Federation and it was mentioned that individuals, political or otherwise, even*

when well intentioned, could not be treated as arbiters of integrity, expertise, experience and eminence of recommendees, learned counsel was unable to give any satisfactory response. He merely repeated his submission that the respondent's appointment was made as per past practice.

34. We also asked learned counsel for the Federation to explain the reason as to why only one out of the five persons approved by the Prime Minister was appointed and the others despite approval were not notified. He did not give any explanation for this unusual and whimsical action. We also asked him to state as to how it was that two legally distinct appointments i.e. the appointment of respondent No. 4 as Commissioner and his appointment as Chairman SECP were notified through the same notification. This question was raised in view of the provisions of section 6 of the Act which stipulate that "the federal Government shall appoint one of the Commissioners to be the Chairman [SECP] ...". It is obvious from this statutory provision that the appointments (as Commissioner and Chairman) have to be sequential. Firstly, Commissioners have to be appointed. It is only thereafter that the federal Government after another exercise undertaken by it objectively and transparently, is to appoint one of the Commissioners to be the Chairman of the SECP. This exercise can be undertaken after the appointment of the statutory minimum number of Commissioners for the obvious reason that the most competent and qualified amongst them be appointed as Chairman. From the notification dated 24-12-2010, it is abundantly clear that the law as set out in section 6 ibid was not adhered to while making the appointment of the respondent as Chairman. The sheer arbitrariness and failure to adhere to the law, renders the appointment unlawful and also mars the fairness of the selection process."

8. Another Judgment (**P L D 2014 Lahore 375**) is pertinent to mention here because the Honorable Justice of the Supreme Court has laid down relevant criterion (FIT AND PROPER) for the selection of such candidates. The relevant portion of the judgment is pasted hereunder for your kind perusal:

"The fit and proper criteria are reproduced below:

"For the purpose of determining as to whether a person proposed to be appointed as director is a 'fit and proper person', the Commission shall take into account any consideration as it deems fit, including but not limited to the following criteria, namely:

The person proposed for the said position -

- (a) is at least graduate;*
- (b) is a reputed businessman or a recognized professional with relevant sectoral experience;*
- (c) has financial integrity;*
- (d) has no convictions or civil liabilities;*
- (e) is known to have competence;*
- (f) has good reputation and character;*
- (g) has the traits of efficiency and honesty;*
- (h) does not suffer from any disqualification to act as a director*

stipulated in the Ordinance;

(i) has not been subject to an order passed by the Commission cancelling the certificate of registration granted to the person individually or collectively with others on the ground of its indulging in insider trading, fraudulent and unfair trade practices or market manipulation, illegal banking, forex or deposit taking business;

(j) has not been subject to an order passed by the Commission or any other regulatory authority, withdrawing or refusing to grant any license of approval to him which has a bearing on the capital market;

(k) is not a stock broker or agent of a broker; and

(l) does not suffer from a conflict of interest; this includes political office holders in a legislative role." (emphasis added)

The aforesaid criteria of fit and proper person that impose personal, professional and moral standards of merit are applicable under Rule 3(7) to nominations of persons for election as Board members and under Rule 5(2) to the evaluation of candidates for the post of chief executive by the Board. After such evaluation the Board must under Rule 5(2) recommend at least three persons to the Federal Government for appointment as chief executive of a public sector company. The nominee concurred by the Federal Government is then to be appointed by the Board as chief executive of the concerned public sector company. Bare reading of the Rules leaves the distinct impression that management in public sector companies is intended to be appointed and retained on fair considerations of merit and transparency. Therefore, the Rules purport to promote both efficiency and stability of management in public sector companies."

9. It can be seen clearly from the aforementioned dictums that the Superior Courts of Pakistan has set a definite criteria for the selection of persons to such posts and this judgments are also binding upon every single government department may it be federal or provincial in nature.

10. In view of the larger interest of the nation and considering the Article 19-A of the Constitution of Islamic Republic of Pakistan, 1973 read with Punjab Transparency and Right to Information Act, 2013/ the Right to Access of Information Act, 2017 as the authorities are under legal obligations to act in accordance with law. We are once again raising the following questions with a hope that the concerned authorities would immediately answer them:-

- i. What process was undertaken for the selection and appointment of the Chairperson of TEVTA? Was the vacancy for this post published in newspapers or any other print media? If the ad was published for the vacancy then on which date was it published (Local/International)? Please provide us with the complete documents, details and information in this regard.
- ii. We have been informed that the candidate who has appointed as the Chairperson of TEVTA is under qualified and has only completed his Bachelors in Commerce. Please provide us with the documents, details and information pertaining to the qualifications of the said candidate.

- iii. What were the qualifications required for the post of Chairperson? Please provide us with the details, documents and information regarding the qualification criteria which was set for the scrutinizing of the candidates?
- iv. Was a committee formulated in order to scrutinize the shortlist of candidates for the appointment of the Chairperson of TEVTA? If a committee was formed then please provide us with the list of members who were a part of that committee. Please provide us with the complete documents, details and information in this regard.
- v. Was an interviewing committee formed for the appointment of one of the candidates? If it was then please provide us with the names of all the members of said committee. How was the selection made for the candidates for the Chairperson of TEVTA? How many candidates were initially shortlisted? Please provide us with the complete documents, details and information in this regard.
- vi. What was the process of the appointment of the Chairperson of TEVTA? What procedure was administered for his appointment? Were meetings held for the shortlist and selection of prospective candidates? How were their CVs scrutinized? If meetings were held then please provide us with the minutes of meeting of the same. Provide us with the mark sheet of the meeting as well. Please provide us with the complete documents, details and information in this regard.

- vii. What was the criterion with which the selection was made? What was the criterion set for scrutinizing prospective candidates? How was it judged that a candidate was a "fit and proper person" for the vacant post? Was the selection of the candidate for Chairperson of TEVTA on merits? Please provide us with the complete documents, details and information in this regard.

10. We are asking the above mentioned questions for only with a bonafide to establish and to enforce transparency, merits, level playing field and saving of the Public Exchequer. Therefore, you are requested to provide the required information instantly.

11. It is the constitutional obligations of your offices to update all kind of relevant information, document, material and details as well as to provide all the required information promptly by keeping in view the Article 19-A of the Constitution read with the Right to Access of Information Act, 2017. The executive authorities are under legal and constitutional obligation to act fairly, justly and in a transparent manner and duty bound to provide the information, details and documents in view of Article 19-A of the Constitution of Islamic Republic of Pakistan 1973, read with the Right to Access of Information Act, 2017.

11. This is a public matter, hence, in view of Article 19-A read with the Right to Access of Information Act, 2017 it is the right of the citizens to know about the allocations of Public Exchequer and before approaching the Superior

Court, we are requesting you to provide us with the requested information.

12. The above information requested by us does not fall under any 'exception' and if the information falls under any exception, the reasons have to be provided to us so as to take up the matter before the Superior Courts for interpretation.

In view of the aforementioned facts and circumstances as the recent appointment of Chairperson of TEVTA is violation of the judgments of superior courts, negation of merits, transparency, level playing field and vague exercise of discretion, hence the same may very kindly be set-aside, in the interest of justice equity and fair play, otherwise we are under clear instructions to challenge the same before the superior courts so as to enforce Articles 4&5 of the Constitution of Pakistan, 1973.

It is further prayed that, in the interest of justice, equity, & fairplay and in order to enforce merit, transparency and level playing field, please provide us with the detail(s), information(s) material(s) and document(s) as referred to hereinabove in view of Article 19-A of the Constitution of Islamic Republic of Pakistan, 1973 to be read with Punjab Transparency and Right to Information Act, 2013 and the Right of Access to Information Act, 2017.

Mohammad & Ahmed

(Constitutional, Corporate & Tax Counsel)

Continuation Sheet 090

Should you have any queries, regarding above, please do not hesitate to contact Muhammad Azhar Siddique, Advocate Supreme Court of Pakistan at his Mobile No. 0302-8479997 & 0322-8477707.

We Remain,

MOHAMMAD AZHAR SIDDIQUE

Advocate Supreme Court of Pakistan

**AHMAD IMRAN GHAZI, MIAN ASHHAD ALI
AZHAR (LLM UK), MOHAMMAD IRFAN, MIAN
SHABIR ASMAIL, MUNIR AHMAD, ABDULLAH
MALIK, MIAN ALI ASGHAR & SALMA RIAZ**

Advocate(s) High Court of Pakistan

1. *The President of Pakistan, Government of Pakistan, Islamabad.*
2. *The Prime Minister of Pakistan, Government of Pakistan, Islamabad*
3. *The Registrar, Supreme Court of Pakistan, Lahore.*
4. *The Registrar, Lahore High Court, Lahore.*