

**ORDER SHEET.**  
**ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**W.P.No.2872/2023**

**Dr. Muhammad Hamid Ali Vs. Federation of Pakistan and others**

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
10	27.12.2023	Mr. Afnan Karim Kundi, Advocate along with the applicant/petitioner in person. Ms. Asia Batool, learned AAG. M/s Kashif Manzoor Malik, Joint Sec. (HRM) and Ahmed Ali, S.O. (TO-I), Ministry of Commerce. Mr. Ghulam Khaliq, S.O., Estb. Division.

**C.M. No.3972/2022**

This is an application for placement of the additional documents on the record. Allowed, subject to all just and legal exceptions.

**C.M. No.3973/2022**

Exemption sought for is allowed, subject to all just and legal exceptions.

**MAIN CASE.**

This case was heard at length. The only impediment before the petitioner to be eligible for consideration for appointment as Trade Officer in Pakistan's Diplomatic Missions Abroad is the non-fulfillment of the criteria set out in paragraph-1(d) of the Police Guidelines for Selection, Appointment and Posting of Trade and Investment Officers (BS-18 to BS-21) in Pakistan's Trade Missions Abroad issued by the Ministry of Commerce through office memorandum dated 03.07.2023, which requires an officer to have complete

Performance Evaluation Reports (“PERs”) for the last five years, and furthermore, requires the minimum average of “*very good*” ACRs.

The petitioner served as Director General, Trade Development Authority of Pakistan during the year, 2020. For the period commencing from 04.05.2020 to 16.06.2020, his Reporting Officer was different from the one for the period between 17.06.2020 to 05.08.2020. The petitioner’s Reporting Officer for the period between 17.06.2020 to 05.08.2020 recorded the petitioner’s PERs and so did the Countersigning Officer. However, since the petitioner’s Reporting Officer for the period between 04.05.2020 to 16.06.2020 had been transferred, his PERs recorded by the Reporting Officer were not available. It is the non-availability of the petitioner’s PERs recorded by the Reporting Officer for the said period, which is causing the impediment for his consideration for appointment as Trade Officer in Pakistan’s Diplomatic Missions Abroad.

Mr. Kashif Manzoor Malik, Joint Secretary, Ministry of Commerce is in attendance and submits that during the period between 04.05.2020 to 16.06.2020 the present worthy Secretary, Ministry of Commerce was the petitioner’s Reporting Officer, he can

record the petitioner's PERs for the said period i.e. 04.05.2020 to 16.06.2020.

Let the Worthy Secretary, Ministry of Commerce record the petitioner's PERs for the said period and thereafter immediately send the same to the Countersigning Officer. Let a report in this regard be submitted to the Court on the next date of hearing.

Relist on 10.01.2024.

**(MIANGUL HASSAN AURANGZEB)**  
**JUDGE**

*\*Sanaullah\**