

**IN THE SUPREME COURT OF PAKISTAN**  
(Original Jurisdiction)

**PRESENT:**

**Mr. Justice Iftikhar Muhammad Chaudhry, CJ**  
**Mr. Justice Tassaduq Hussain Jilani**  
**Mr. Justice Karamat Nazir Bhandari**

**Human Right Case No. 640 of 2005**

(Complaint by Hafeez Ahmad)

Complainant: In person.

On Court Notice. Dr. Danishwar Malik,  
Deputy Attorney General,  
a/w Mr. Fazal Hussain, Technical  
Officer, Pakistan Academy of Sciences,  
Islamabad.

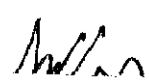
Date of hearing: 20.7.06

**ORDER**

**Iftikhar Muhammad Chaudhry, CJ.** Learned Deputy Attorney General stated that Pakistan Academy of Sciences has allowed to accommodate the applicant if he tenders unconditional apology and gives assurance that in future he will maintain discipline.

2. Applicant is present in Court and stated that he is ready to <sup>tender</sup> apologies and assures that in future he will abide by the rules and discipline of the Academy.

3. In view of the statement so made on behalf of the Secretary General, Pakistan Academy of Science as well as the statement given by the petitioner matter stand disposed of with the observation that on tendering apology etc he shall be reinstated in service.

  
Lahore  
20<sup>th</sup> July, 2006.  
Nisar

To

**The Hon'ble Chief Justice of Pakistan,  
Islamabad**

Subject: **HUMAN RIGHTS CASE NO. 640 OF 2005**

Respected Sir,

It is respectfully submitted that I was serving in Pakistan Academy of Sciences as an Administrative Officer when after 18 years of service my services were terminated on 05.08.2005 without any reason.

2. It is further submitted that I submitted an application before your lordship. Your lordship very kindly ordered for registration of this application, as a Human Rights Case. Accordingly, it was registered as H.R. Case No. 640 of 2005 and came up for hearing before the Court presided over by your lordship on 20.7.2006 when I was very kindly ordered to be reinstated into service by passing the following Order: -

**“ Learned Deputy Attorney General stated that Pakistan Academy of Sciences has allowed to accommodate the applicant if he tenders unconditional apology and gives assurance that in future he will maintain discipline.**

**Applicant is present in Court and stated that he is ready to tender apologies and assures that in future he will abide by the rules and discipline of the Academy.**

**In view of the statement so made on behalf of the Secretary General, Pakistan Academy of Sciences as well as the statement given by the petitioner matter stands disposed of with the observation that on tendering apology etc. he shall be reinstated in service.”**

3. It is also submitted that in compliance with the above reproduced Order I submitted unconditional apology vide application dated 31.7.2006 (received on 7.8.2006) to the Secretary General of Pakistan Academy of Sciences who has reinstated me into service vide Office Order dated 7.8.2006 which is reproduced as under: -

**“ This refers to the order by the Supreme Court of Pakistan vide letter No. HRC.640/2005 dated 28<sup>th</sup> July, 2006. The apology tendered by Mr. Hafeez Ahmed on 7<sup>th</sup> August, 2006 has been accepted by the Competent Authority, resulting in his **reinstatement in service with immediate effect.****

**Mr. Hafeez Ahmed shall remain on probation for one year and shall abide the Rules & Regulations of Pakistan Academy of Sciences, failing which his services shall be terminated without assigning any reason.”**

4. It is further submitted that I am profoundly grateful to your lordship for my reinstatement into service and will always pray for your lordship's long and prosperous life.

5. I would like to bring it to your kind notice that the period during which I remained out of service because of my termination was a hard time for me. In the age of 56, I was not able to start a new job and remained unemployed. I had to take loans from relatives and friends to manage the situation. Now, after my reinstatement into service they are pressing hard for repayment of the loans.

6. However unfortunately the Order of this August Court dated 20.7.2006 of my reinstatement into service has not been fully implemented, as a result, I am still facing many problems as under: -

- a. Reinstatement into service is always from back date. However, I have been reinstated into service with immediate effect and not from back date. Consequently, I have not been paid back benefits w.e.f. 01.09.2005 to 06.08.2006 which amounts to approximately Rs.2,50,000/- (Rupees Two lac and Fifty Thousand). Furthermore, it may be brought into your lordship's kind notice that the Earned Leave available in my account far exceeds the above said period and can be adjusted against this period.
- b. I have been kept on probation, while there is no probation when a person is reinstated into service.
- c. I have not been granted annual increment for the year 2005.
- d. I have neither been given the same duty nor the same facilities which I was having before termination of service. The Administrative Officer appointed earlier in my place is working at my place and I have been directed to sit alone in another building separate/away from the main Office of the Academy. Practically, I have not been given any work to do.

7. It is, therefore, very humbly prayed that Pakistan Academy of Sciences, Islamabad may very graciously be directed as under: -

- i. To grant me back benefits for the period from 01.09.2005 to 06.08.2006 which amounts to approximately Rs.2,50,000/- (Rupees Two lac and Fifty Thousand)
- ii. To strike off the probationary period as there is no probation when a person is reinstated into service.
- iii. To grant me annual increment for the year 2005.
- iv. To give me the same duties and the same facilities which I was having before termination of service.

  
(HAFEEZ AHMED)

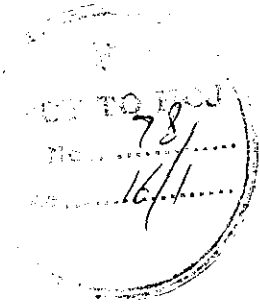
**Dated: 12-10-2006**

**Petitioner in person**

House No. DK/850-B,  
Dhoke Paracha,  
Rawalpindi.

10/7  
Registrar Board  
submitted

To



**The Hon'ble Chief Justice of Pakistan,  
Islamabad**

15.7.07

H.C.J. (H.R.C.)

C.M.A. \_\_\_\_\_/2007

In

**Human Rights Case No. 640/2005**

Subject:

**HUMAN RIGHTS CASE NO. 640 OF 2005**

J.A. III

Respected Sir,

Put up  
on H.R.C. No  
640/2005

It is respectfully submitted that I was serving in Pakistan Academy of Sciences as an Administrative Officer when after 18 years of service my services were terminated on 05.08.2005 without any reason. I submitted an application before your lordship which was registered as Human Rights Case No. 640 of 2005 and came up for hearing before the bench presided over by your lordship on 20.7.2006 when I was very kindly ordered to be reinstated into service. However the order was not implemented by the Department in its true sense. As a result of this I had to submit an application dated 12.10.2006 (copy enclosed) in the above cited case praying that my Department namely Pakistan Academy of Sciences, Islamabad may be directed as under: -

2/1/2

- i. To grant me back benefits for the period from 01.09.2005 to 06.08.2006 which amounts to approximately Rs.2,50,000/- (Rupees Two lac and Fifty Thousand)
- ii. To strike off the probationary period as there is no probation when a person is reinstated into service.
- iii. To grant me annual increment for the year 2005.
- iv. To give me the same duties and the same facilities which I was having before termination of service.

2. It is also submitted that aforesaid application is still pending. Meanwhile another grievance has added as the Department has not granted me the annual increment for the year 2006. Therefore the following prayer may very kindly be allowed to be added in the prayers made in my earlier application:-

To grant me annual increment for the year 2006

3. It is also requested that my aforesaid application along with the above said additional prayer may very kindly be ordered to be put up upon file for consideration and orders by your lordship **at an early date.**

4. I shall be very grateful to your lordship for this act of kindness.

5/1—

**(HAFEEZ AHMED)**

**Dated: 11-01-2007**

**Petitioner in person**

House No. DK/850-B,  
Dhoke Paracha,  
Rawalpindi.

✓ Copy to the Registrar, Supreme Court of Pakistan, Islamabad.

*Hafeez*  
**(HAFEEZ AHMED)**