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KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION

Subject: - **MINUTES OF THE 10th MEETING OF KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION HELD ON 09.06.2023**

The 10th meeting of the Khyber Pakhtunkhwa Public Service Commission (KPPSC) was held on 09.06.2023 at 02:00 pm in Conference Room of KPPSC Office. (List of participants is attached).

2. Proceedings started with recitation from the Holy Quran whereafter the Hon'able Chairman formally welcomed all the participants. Before taking up formal agenda items of the meeting, the Hon'able Chairman informed the house that the Annual Report for the year 2022 had been presented to Hon'able Governor Khyber Pakhtunkhwa. He further shared that during the meeting he had highlighted the achievements of the KP PSC as well as important administrative issues being faced by it. Thereafter, Hon'able Governor evinced interest in the PSC and particularly its role in the Selection Boards of the public sector universities of the province. The Hon'able Chairman further apprised that the Hon'able Governor had assured all support in that behalf lauding the achievements and efforts of the PSC during the year 2022.

3. Afterwards, the Hon'able Chairman allowed the Secretary PSC to go ahead with the proceedings who onwardly asked the Deputy Director Admn: to present the agenda items. Accordingly, agenda items were presented one by one, discussion held and decisions taken as highlighted in the following paras.

AGENDA ITEM NO.1

ACTION ON MINUTES OF PREVIOUS MEETING OF THE COMMISSION HELD ON 10.02.2023

4. The august forum was informed that all the decisions taken in 9th meeting of the KP PSC had been implemented except the decision number 5 which had been executed partially. At this point, Dr Tahir Nadeem Hon'able Member-X shared that he alongwith Mr Farmanullah Anjum Hon'able Member-IX and other staff of the Commission had worked on the e-application form and finalized the recommendations. He further added that they were ready to give presentation to the Hon'able Chairman and after than a special meeting of the Commission might be convened for its deliberation and decision as to the amended e-application form. On a query raised by Engr: Niaz Sarwar Baloch Hon'able Member-II, Director Examination presented the letter written to all the paper setters wherein they were requested that "the paper should cover all major sub-fields/ branches of the main subject and should not put any candidate of one sub-field / branch at advantageous/ disadvantageous position to the other".

Decision

5. Secretary PSC will coordinate and arrange special meeting of the Commission in next week.

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AGENDA ITEM NO.2

AMENDMENT IN REGULATION 34(C) REGARDING INTER SE MERIT OF CANDIDATES IN VARIOUS SUBJECTS HAVING COMMON SENIORITY

6. The meeting was apprised that in certain departments like Higher Education Department, Elementary & Secondary Education and Health, common seniority of various subjects/ specialties was maintained. Those departments sent requisition for posts of all the subjects jointly. As per previous regulation, KP PSC would advertise the requisitioned posts jointly in the same advertisement. Subject-wise recommendations would be conveyed to the departments without indicating to them the inter-se-seniority. In the recommendations to the departments it would be made clear that the inter-se-seniority of the recommendees linked with different subjects would be intimated on the completion of interviews for all the subjects.

7. Deputy Director Admn: stated that during currency of the previous Regulation an issue emerged when some Lecturers were promoted in between the dates of recommendations of candidates for the post of Assistant Professor in various subjects. For addressing that issue, the KP PSC amended Regulation 35(3) [now 34(c)] and PSC started to issue serial-wise/ sub serial-wise recommendations alongwith inter-se-merit without waiting to finalize recommendations in all other subjects. Thereafter, the Hon'able Chairman inquired from the Director Recruitment and Director Examinations as to whether there was any issue being faced by the PSC due to the present practice. In response both the officers confirmed that there was no issue in hand. Mr Laiq Zaman Hon'able Member-VI stated that at the time of amending the Regulation 35(3) (now 34c), the then Commission must have thoroughly deliberated upon the matter before approving amendment in the regulation in public interest.

Decision

8. The Commission unanimously decided to continue with the existing regulation 34(c) and present practice.

AGENDA ITEM NO.3

EXAMINATION SOPs FOR BODY SEARCH AND REQUIRING CANDIDATES TO REACH EXAMINATION HALL 30 MINUTES BEFORE TEST TIMING

9. The meeting was apprised that an inquiry had been conducted to probe into the use/ possession of mobile phones in the Ability Test held on 07.06.2022 for the posts of Assistant Engineer (Advt.01/2021, 03/2021, 09/2021 & 11/2021). As a result certain candidates had been disqualified for 03 years on the charge of possession/ use of mobile phone in the examination hall. Subsequently another inquiry had been conducted to find any possible lapses from mobile searchers of the concerned examination halls. The findings/ recommendations of the inquiry report were placed before the Commission for consideration/ approval.

10. The Commission deliberated on the issue of growing use of modern electronic gadgets by the candidates for cheating in ability tests. The Hon'able Chairman and all the Hon'able Members showed their concern over that serious issue and emphasized the need for taking stringent measures to curb the undesirable trend. It was unanimously agreed that all possible venues for procuring jammers and detectors be made available during the tests/ examinations. Furthermore, special arrangements should be made to carry out physical check/ body search. Moreover, all female

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candidates should be kept in one/ same centre to make their body search by the female staff only.

Decision

11. After detailed discussion the following decisions were taken unanimously:-

- i) Director Examination shall put up SOPs for the body search/ body searchers, get it approved from Hon'ble Chairman and be made part of the Examination SOPs already notified.
- ii) All possibilities to procure jammers and detectors may be made available during the tests/ examinations.
- iii) Special arrangements shall be made to carry out physical check/ body search.
- iv) The Administration Wing will request the Finance Department fixing remuneration for body search duty equivalent to that meant for invigilator.
- v) For training of the body searchers the Police Department may be requested to depute an expert who will further train other staff assigned the body search duties in future.
- vi) The number of PSC employees in each hall shall be increased.
- vii) All female candidates shall be kept in one/ same centre to make their body search by the female staff only.
- viii) Secretary PSC shall immediately approach the IT Board and NRTC to share with KP PSC possible solutions to check/ curb the use of electronic gadget in examination halls
- ix) The Deputy Director IT shall make a survey of the market and find specifications of mobile detector devices as well as Mobile Jammers and will make a case for the Finance Department for provision/ release of funds.
- x) Director Examination shall ensure to call up candidates at least one hour in advance of the start of paper for completing all pre-test formalities including body search. However, this decision will not be implemented in cases where call letters have already been issued/ uploaded on website. The 10 minutes grace time presently allowed for entry into the hall shall stand discontinue.

AGENDA ITEM NO.4

CREATION OF QR CODE SYSTEM FOR RECOMMENDATIONS OF CANDIDATES AND RETIRED/ INSERVICE EMPLOYEES OF KPPSC

12. The Commission was apprised that the IT Section, KP PSC had generated QR Code system for recognition of employees of the PSC. The QR Codes would be applied on service identity cards of in service as well as retired employees of KP PSC. The QR Codes would also be applied on recommendation letters issued to various departments in order to avoid any possibility of fake correspondence/tampering.

Decision

13. The proposal as to use of Quick Recognition (QR) Code system is approved by the Commission.

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AGENDA ITEM NO.5

APPROVAL OF AMENDMENTS IN KP PSC OFFICERS AND SERVANTS (TERMS AND CONDITIONS OF SERVICE) REGULATIONS, 1985 RECOMMENDED BY SSRC

14. Recommendations of the Standing Service Rules Committee of the KP PSC made in its meeting held on 15.02.2023 regarding amendments in KP PSC Officers and Servants Terms and Conditions of Service Regulations 1985 in respect of certain posts were placed before Commission for approval. It was highlighted that the analogy of the service rules of the IT cadre of the Provincial Government had been followed. The Commission after thorough deliberations made the following decisions: -

Decisions: -

- i) The Commission observed that as the proposed amendment in the method of recruitment for the posts of Deputy Director C&R allocating 50% by promotion and 50% by initial recruitment had already been approved in 7th meeting of PSC held on 06.09.2022. So no further approval was required for the relevant recommendations of the SSRC. As such the same stands approved.
- ii) Regarding amendment in the service Regulations for the posts of Assistant Director IT/ Programmer/ Web Administrator/ LAN Administrator the Commission agreed with the SSRC's recommendations regarding the qualification and method of recruitment. However, it was observed that all the three specialties of the post i.e., programming, web administering and LAN administering were clubbed under same serial/ heading with same qualification. In case an Assistant Director of one specialty quits service or promotes filling of that gap of specific specialty with the existing service regulation would be difficult. It would be desirable to provide for induction of experienced hand in the three specialties in the Regulations in the larger functional interests of the Commission. It was therefore, decided that the matter might be placed before the SSRC for necessary modification.
- iii) The recommendations of the SSRC regarding the amendment in qualification (i.e., "*at least Secondary School Certificate from a recognized Board/ Institution and holding a valid LTV driving license*") for the post of Driver is approved by the Commission.
- iv) The recommendations of the SSRC regarding the amendments in qualification for the post of Electrician BPS-3 (i.e., "*At least Secondary School Certificate from a recognized Board / Institution with diploma in electrical field from a recognized Institution or Board of Technical Education*") and experience (i.e., "*three years practical experience of electrical work*") and method of recruitment (i.e., "*by initial recruitment after advertisement of the posts in leading newspapers*") are approved by the Commission with consensus.

AGENDA ITEM NO.6

REQUEST FOR FULL COMMISSION DECISION IN RESPECT OF ERRONEOUS CLAIM IN APPLICATION FORM

15. Deputy Director Admn: informed that the last sentence of Regulation 8(a) to the effect that "*Incomplete application or application with incorrect information shall*

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be rejected" had been deleted by the Commission on 25.03.2022. He further informed that regarding unclaimed and erroneous claim, the practice was as follow: -

- a) Qualification unclaimed in application form. Such applications are rejected;
- b) Erroneously claimed qualification. Such applications with errors in claim of qualification are accepted for interview with the permission of the Hon'able Members in-charge.

16. Thereafter, Hon'able Member-I clarified that there was no such term as "erroneous" rather it was "incorrect information". Therefore, the term erroneous should not be used. He was of the opinion that every information which was incorrect whether mistakenly or intentionally recorded fell under the general meaning of "incorrect information" and should be treated the same way. Hon'able Member-III (Mr Subhan Sher) and other Members were of the opinion that "incorrect information" recorded by design and incorrect information inserted by mistake provided the applicant had the prescribed qualification, possessed the requisite experience and relevant documents are attached needed to be treated separately. Such applications with incorrect information inserted by mistake should be considered on case to case basis. The Hon'able Chairman asked the Senior Law Officer to intimate what would be the legal impact if the matter is so decided. The Senior Law Officer replied that this arrangement would be safe.

Decision: -

17. After detailed discussion, the Commission unanimously decided as under:-

- I. in cases wherein advertisement was released before amendment in Regulation 8(a) on 25.03.2022, unclaimed qualification or experience shall be rejected as per the said Regulation. If qualification or experience is claimed in the application form but there is some mistake not by design the same may be accepted provided the applicant possesses the prescribed qualification and experience, requisite documents/ documentary proofs thereof he / she has attached. Such eligibility to be decided on case to case basis.
- II. Eligibility in advertisements released after 25.03.2022 shall be decided as per amended Regulation.

ADDITIONAL AGENDA ITEM

**OBSERVATIONS OF PROVINCIAL OMBUDSMAN IN CASE OF COMPLAINT OF
MST. TANIA KHALID SAEED REGARDING AWARD OF LESS MARKS IN INTERVIEW**

18. Hon'able Chairman informed the meeting that a candidate, namely Tania Khalid Saeed, for one post Female Lecturer History had complained to Provincial Ombudsman for awarding less marks in interview by interview panel of KP PSC. The case had since been decided by Provincial Ombudsman with his findings as follows: -

- a) Regulation 31(f) of KP PSC Regulations 2017 states that the interview proceedings are confidential and cannot be challenged at any forum. No further proceedings are needed in the complaint.
- b) But before parting with these proceedings it is added that principally the version of the complainant has reasons behind it. A candidate should not be left at the mercy of interviewers. Propriety demands that while taking help of modern technology, some mechanism should be

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developed where the proceedings of interview can also be recorded for ensuring complete transparency and meritocracy. These findings be conveyed to the worthy Chairman KP PSC for looking into this proposal for implementation.

19. Hon'able Chairman placed the observations of the Provincial Ombudsman before the Commission for consideration. Hon'able Member-III Mr Subhan Sher (Retd. Judge) and other Hon'able Members were of the view that "the Provincial Ombudsman prima facie has crossed his jurisdiction in the matter reflected at (b) above." The Hon'able Members were of the opinion that the practice is not only unprecedented in respect of all other Public Service Commissions but is liable to call for an un-ending litigation and debate bringing the recruitment processes to a standstill. Moreover, the interview panel of PSC consisted of two Members of PSC who had lifelong experience in the Government service, one advisor from university and other from Department concerned would never agree on injustice. It is the actual performance of the candidate in the interview which was counted.

Decision: -

20. After detailed deliberation, the Commission unanimously took the decision as under: -

"Recording of the proceedings of interview, being unprecedented in other Public Service Commissions, is neither feasible nor advisable to be implemented in interviews of KP PSC."

21. The meeting ended with a vote of thanks to and by the chair.

LIST OF PARTICIPANTS

THE COMMISSION

1. Capt. Retd. Sikander Qayyum, Hon'able Chairman, KP PSC (In chair)
2. Mr Sharif Ahmed, Hon'ble Member-I, KP PSC
3. Engr. Niaz Sarwar Baloch, Hon'able Member-II, KP PSC
4. Mr Subhan Sher, Hon'able Member-III, KP PSC
5. Mr Shad Muhammad, Hon'able Member-IV, KP PSC
6. Mr Sadiq Kamal Khan, Hon'able Member-V, KP PSC
7. Mr Laiq Zaman, Hon'able Member-VI, KP PSC
8. Mr Masud ur Rehman, Hon'able Member-VII, KP PSC
9. Syed Kamran Shah, Hon'able Member-VIII, KP PSC
10. Mr Farmanullah Anjum, Hon'able Member-IX, KP PSC
11. Dr Tahir Nadeem, Hon'able Member-X, KP PSC
12. Dr Razia Sultana, Hon'able Member-XI, KP PSC
13. Mr Muhammad Nadir Khan Rana, Secretary, KP PSC

BY SPECIAL INVITATION

1. Mr Ilyas Shah, Director Recruitment, KP PSC
2. Mr Muhammad Arshad, Director Examination, KP PSC
3. Mr Rashid Khan, Director Curriculum & Research, KP PSC
4. Mr Muhammad Kashif, Deputy Director IT, PSC
5. Mr Faheemullah, Senior Law Officer, PSC

IN PRESENCE

1. Mr Hayat Hussain, Deputy Director Admn., PSC