

- 2. QAMDEEN BROTHERS (PRIVATE) LIMITED
having its registered office at 4th Floor
Valika Chambers, Altaf Hussain Road,
Karachi..... *Petitioner No. 2*
- 3. ARINA ASSOCIATES (PRIVATE) LIMITED
having its registered office at 4th Floor
Valika Chambers, Altaf Hussain Road,
Karachi..... *Petitioner No. 3*
- 4. NASIR & QUTBI BROTHERS (PRIVATE) LIMITED
having its registered office at 4th Floor
Valika Chambers, Altaf Hussain Road,
Karachi..... *Petitioner No. 4*

- 4. PUNJAB PESTICIDES (PRIVATE) LIMITED
having its registered office at 38/C/IV,
Block VI, P.E.C.H.S. Karachi..... *Petitioner No. 4*
- 5. SAYIED (PRIVATE) LIMITED
having its registered office at 14-D,
1st Central Lane, Defence Housing
Authority, Karachi..... *Petitioner No. 5*

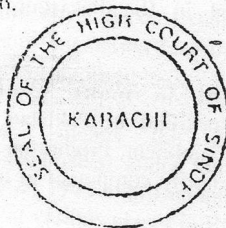
Versus

The Registrar, Joint Stock Companies,
State Life Building No.2, I.I. Chundrigar
Road, Karachi..... *Respondent.*

NOTICE UNDER RULE 781 SCCR

Notice is hereby given that Petition under Sections 284, 285, 287, 97 and 98 of the Companies Ordinance, 1984 for re-organization and Division of Valika Properties (Private) Limited and for passing order for confirmation and sanction the Scheme of Reconstruction and Division of Valika Properties (Private) Limited was filed in this Court. This Petition was presented by Valika Properties (Pvt.) Limited and others on 10th March, 1996 through M/s. Iqbal L. Bawany and Co. Advocates and that the said petition is directed to be heard on 8th August, 1996 at 10.00 A.M. before Addl. Registrar (OS) II. Any person desirous of supporting or opposing the making of an order as prayed in the Petition should appear at the time of hearing by himself or by his Advocate. A copy of the Petition will be furnished to any person requiring the same on application and payment of usual fees for copies of such documents.

Given under my hand and the Seal of the Court, this 15th day of July, 1996.



By order
Sd. Illegible
Superintendent,
Execution and Misc. Branch.

IN THE HIGH COURT OF SINDH AT KARACHI

[J. Misc. Application No. 185/1996]

IN THE MATTER OF COMPANIES ORDINANCE, 1984
AND OF
VALIKA PROPERTIES (PRIVATE) LIMITED
AND

- 1. PAKISTAN AGRO CHEMICALS (PRIVATE) LIMITED
having its registered office at 38/C/4,
Block VI, Karachi..... *Petitioner No. 1*
- 2. AGRO CHEMICALS (PRIVATE) LIMITED
having its registered office at B-3/A,
S.I.T.E. Manghopir Road, Karachi..... *Petitioner No. 2*
- 3. TYRESOLES (WEST PAKISTAN) (PVT) LIMITED
having its registered office at D-147,
S.I.T.E. Manghopir Road, Karachi..... *Petitioner No. 3*

NOTICE UNDER RULE 781 SCCR

Notice is hereby given that a petition under section 284 read with Section 287 of the Companies Ordinance, 1984 for a scheme of Amalgamation of the Petitioner No. 2 Petitioner No. 5 with the Petitioner No. 1 as the respective members of the Petitioner have approved adopted and agreed to the scheme of amalgamation in the Extra-Ordinary General Meeting of the respective Petitioner has been filed in this Court, praying that this Honourable Court may be pleased to make the following orders :-

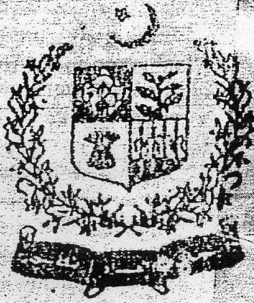
- (a) An order approving the meetings already held by all the Petitioner companies in exercise of the Scheme of Amalgamation.
- (b) An order under Section 284(2) of the Companies Ordinance, 1984 (2), Sanctioning the Scheme of amalgamation as set forth in "Annex-A" to the Petition so as to make the Scheme binding on the Petitioner No. 1 and its members and on the Petitioner No. 2 to Petitioner No. 5 and their members.
- (c) The following orders so as to take effect at the same time as the order sanctioning the Scheme of amalgamation takes effect in accordance with Section 284 (3) of the Companies Ordinance, 1984.
 - (i) An order under Section 287(1)(a) of the Companies Ordinance, 1984, transferring to and vesting in the Petitioner No. 1 the whole undertaking of the Petitioner No. 2 to Petitioner No. 5 together with all its properties, assets, rights, liabilities and obligations of every description.

(ii) An order under Section 287 (1) (b) of the Companies Ordinance, 1984 directing the Petitioner No. 1 to allot 13,393 share of the nominal value of Rs. 100,000 (Hundred) credited as fully paid in the Petitioner No. 1 to the registered shares of the following

Petitioner No.	Shares
2	9,967
3	2,568
4	346
5	512

and directing that the determination of the registered shareholders of Petitioner No. 2 to Petitioner No. 5 and their respective entitlement to such share of the

The Gazette of Pakistan



PUBLISHED BY AUTHORITY

KARACHI, WEDNESDAY, AUGUST 7, 1996

PART VI

Advertisements and Notices issued by Corporate Bodies and Private Individuals in payment

PAKISTAN BROADCASTING CORPORATION HEAD-
QUARTERS

NOTIFICATIONS

Islamabad, the 18th March, 1996

No. A-11/3(S/86).—In exercise of the powers conferred by Section 22 of PBC Act, 1973 (XXXII of 1973), the Board of Directors of PBC with the previous sanction of the Federal Government, is pleased to direct that the following amendment shall be made in the PBC (PBA) Regulations No. 26(1), 2(b) and (c):—

- (1) Cases in which the dead body of the deceased non-gazetted employees is buried locally.

The actual cost of the local burial may be reimbursed by the PBC to the extent specifically applied for by the bereaved family, subject to a maximum of Rs. 1000/- in each case.

- (2) Cases in which the dead body of the deceased employee/ste (only one) is transferred to home town.

- (a) If the dead body is transported by road.

Actual cost of such transportation shall be met by PBC, subject to the maximum of Rs. 3/- per kilometer. The distance shall be calculated from the residence of the deceased in his last station of duty to his hometown.

- (c) Transportation of the dead body by air.

Actual cost of transportation will be permissible if direct air service is available from the last station of duty to his home town or the nearest airport. For journey from such an airport dead body shall be transported by road at the rate prescribed in (b) above.

- (d) Actual cost of transportation of dead body shall also include charges on crating where necessary not exceeding Rs. 1000/-.

- (ii) In cases where death occurs in an accident or in an unnatural of a family member of a non-gazetted PBC employee as defined in SR.2(E), his/her dead body shall also be transported to the home town of the PBC employees concerned at PBC expense.

PBC Employees (Seniority & Confirmation) Regulations,
1995

Islamabad, the 3rd August, 1995

No. ROM-493.—In exercise of the powers conferred by section 22 of the PBC Act 1973 (XXXII of 1973), the Board of Directors of the PBC, with the previous sanction of the Federal Government is pleased to make the following regulations namely:—

1. Short Title and Commencement.—(1) These Regulations may be called the PBC Employees (Seniority & Confirmation) Regulations, 1995. (2) They shall come into force at once and shall be deemed to be effective from the date of the establishment of the Corporation.

2. Application.—Subject to the provisions of Pakistan Broadcasting Corporation Act, 1973, these regulations shall apply to all employees in the whole time employment of the Corporation and its units, other than those:—

- (i) Appointed on deputation;
- (ii) Appointed on contract unless their terms of appointment make these regulations applicable; and
- (iii) Paid from contingencies or on daily wages.

3. Interpretation.—Nothing in these regulations be interpreted in respect of the employees referred to in sub-section (1) of section 12 of Pakistan Broadcasting Corporation Act, 1973 as may in any way be derogatory to the terms and conditions of the service applicable to such employees immediately before the coming into force of the Act aforesaid.

4. Definitions.—In these regulations, unless there is anything repugnant in the subject or context:—

- (a) "Employee" means a person transferred to the Corporation under sub-section (1) of Section 12 of the Pakistan Broadcasting Corporation Act, 1973 (XXXII of 1973) and person employed by the Corporation on or after the twentieth day of December, 1972, but does not include a person serving in the Corporation on deputation from the Federal Government;
- (b) "Competent Authority" means the appointing authority or a person duly authorised by the appointing authority in that behalf, not being a person lower in rank than the employee concerned;
- (c) "Selection Board" means the Board constituted by the Board of Directors of PBC or Federal Government as the case may be for purpose of selection for initial appointment/promotion or appointment by transfer to post in Corporation's Scale 6 to 8 and consisting of such persons as may be appointed to it by the Board of Directors of the PBC;
- (d) "Departmental Promotion Committee" means committee constituted for purpose of making selection for initial appointment/promotion or appointment by transfer to posts in PBC Scale 5 and below;
- (e) "Scale" means a Corporation's Scale of pay in which a post or group of posts is placed;
- (f) "Board" means the Board of Directors of Pakistan Broadcasting Corporation;
- (g) "Unit" means any office, Establishment, Broadcasting Station, transmitting station functioning under the Pakistan Broadcasting Corporation;
- (h) "Corporation" means the Pakistan Broadcasting Corporation established under the Pakistan Broadcasting Corporation Act, 1973 with Headquarters at Islamabad and stations/units at various places in Pakistan;
- (i) "Department" means Programme Department, Engineering Department, News Department, Administration and Personnel Department and Accounts Department of Corporation;
- (j) "Foreign Service" means service in which an employee receives his pay with the sanction of competent authority from any source other than the budget grant of PBC; and
- (k) "Lien" means the title of an employee to hold substantive-ly a post on which he has been confirmed.

Explanation: Words and expressions used but not defined in these regulations shall have the same meaning as assigned to them in the Pakistan Broadcasting Corporation Act, 1973.

PART-I SENIORITY

5. (1) For the proper administration of a cadre or post, the appointing authority shall cause a seniority list of the employee at the time being of such cadre or post to be prepared separately for similar duties and performing similar functions and for

whose appointment same qualification and experience have been laid down but nothing herein contained shall be construed to confer vested right to a particular seniority in such cadre or post the case may be.

(2) The seniority of an employee of the Corporation's Scale 4 to 9 of a particular department shall be reckoned in relation to other employees belonging to the same cadre, whether serving at the Headquarters of the Corporation or at any of the Units, in the manner laid down in these regulations.

(3) The appointing authority shall every year cause to be prepared or advised as the case may be under sub-regulation (1).

(4) The seniority of an employee in Corporation Scale 3 and below be maintained on level basis whereas seniority list in the case of other employees in Scale 4 and above, shall be prepared at the Headquarters as may be specified by the Corporation from time to time.

6. Subject to the provisions of regulation 10, the seniority of an employee shall take effect from the date of his regular appointment or promotion as the case may be.

7. Seniority on Initial Appointment:— (1) Persons initially appointed on the recommendations of the selection authority through an earlier open advertisement shall rank senior to those appointed through a subsequent open advertisement.

(2) If two or more persons are recommended in open advertisement by the selection authority their inter seniority shall be determined in order of merit assigned by the selection authority.

(3) If only one candidate is recommended in open advertisement by the selection authority he shall count his seniority from the date of his joining the post.

8. Seniority on Promotion:—Seniority in a cadre or post to which an employee is promoted shall take effect from the date of regular promotion to that cadre or post: Provided that:—

(a) An employee selected for promotion to a higher post on an earlier date shall be senior to those selected for such promotion on a later date;

(b) Employees selected for promotion to higher posts in one batch shall on their promotion to the higher post, retain *inter se* seniority as in the lower post; and

(c) Employees who are eligible for promotion but could not be considered for promotion in the original reference in circumstances beyond their control or whose case was deferred while their juniors were promoted to the higher post, shall, on promotion, without supersession, take their seniority with the original batch.

9. Seniority on Appointment by Transfer:—Seniority in a cadre or post to which an employee is appointed by transfer shall take effect from the date of regular appointment provided that:—

(a) Persons belonging to the same service, cadre or post selected for appointment by transfer to a service, cadre or post in one batch shall, on their appointment, take *inter se* seniority in the order of their date of regular appointment in their previous service/cadre or post; and

Persons belonging to different services, cadres or posts who are appointed by transfer in one batch shall take their inter se seniority in the order of the date of their regular appointment to the post which they were holding before such appointment and, where such date is the same, the person older in age shall rank senior.

10. Inter se Seniority of employees appointed in the same calendar Year :—

- (a) Persons appointed by transfer in a particular calendar year shall, as a class, be senior to those appointed by promotion or by initial appointment to such posts in the year, and persons promoted to higher posts in a particular calendar year shall, as a class, be senior to those appointed by initial appointment to such post in that year.
- (b) In the case of person not covered by sub-regulation (1) and (2) of Regulation 7 and clause (a) above, persons older in age shall rank senior to persons younger in age.

PART-II CONFIRMATION

11. General Conditions of Confirmation:—(1) An employee initially appointed to a post on probation including an employee promoted or appointed to a post by transfer, shall on satisfactory completion of his probation, be eligible for confirmation against that post. Provided that the confirmation shall be made only against a permanent post. Provided further that two or more employees shall not be confirmed against the same post and at the same time or against a post on which another employee holds a permanent post.

Provided also that an employee shall not be confirmed against two or more posts at the same time.

(2) An employee shall be considered for confirmation strictly in order of seniority.

(3) No confirmation shall be made against the post vacated on dismissal, removal or compulsory retirement of an employee until an appeal against such dismissal or, as the case may be, removal or retirement is finally decided.

(4) The confirmation shall be made by the authorities competent to make appointments to various posts in PBC Scales 1 to 9 mentioned in schedule I to Pakistan Broadcasting Corporation Employees (Appointment, Promotion and Transfer) Regulations.

12. Acquiring of Lien :—(1) On confirmation against a permanent post an employee shall acquire a lien against and shall hold it during the period when he :—

- (a) holds a temporary post other than a post in a service or cadre against which he was originally appointed;
- (b) holds a post on deputation with a foreign Government, an international organisation or a multinational corporation outside Pakistan;
- (c) holds a post on foreign service in Pakistan;
- (d) is on leave;
- (e) is called for duty in the Armed Forces as reservist of Armed Forces of Pakistan;
- (f) is under suspension; or

(g) is on joining time on transfer to another post.

(2) An employee acquiring lien as referred to in sub-regulation (1) above, shall cease to hold lien acquired previously on any other post.

13. Termination of Lien :—(1) The lien of an employee who is reduced in rank or reverted to a lower post as a consequence of action taken against him under the Pakistan Broadcasting Corporation Employees (Efficiency and Discipline) Regulation 1979, shall be terminated against the post from which he is reduced in rank or as the case may be, reverted to a lower post:

(2) An employee shall cease to hold lien against a post if he takes up an appointment on selection in the Federal Government, Provincial Government, and autonomous body under the control of Federal Government, local authority or private organisation ;

(3) Notwithstanding the consent of an employee, his lien on post in Pakistan Broadcasting Corporation shall not be terminated until he acquires lien on any other post;

(4) A confirmed employee who of his own accord intends to join some other service, post or cadre on regular basis in the Federal Government, Provincial Government or an autonomous body/local authority under the control of the Federal or Provincial Government shall have, after being selected through a regular process, the right of reversion to the previous post against which he shall hold lien only during the period of his probation on his new service, post or cadre.

Provided that if such an employee joins some private organisation, he shall have to tender resignation/obtain retirement from service in the corporation and on being relieved, shall cease to hold Lien against any post in the Pakistan Broadcasting Corporation.

14. Authority competent to make Confirmation :—Appointing authority as specified in Pakistan Broadcasting Corporation Employees (Appointment, Promotion and Transfer) Regulations, shall be the authority competent to making confirmation.

15. Repeal :—“All existing orders and instructions relating to seniority and confirmation of the employees of the Pakistan Broadcasting Corporation issued from time to time are hereby repealed”.

K. M. ASHRAF,
for Director-General.

IN THE HIGH COURT OF SINDH AT KARACHI

[J. Misc : APPLICATION No. 170/1996]

IN THE MATTER OF COMPANIES ORDINANCE, 1984
AND OF
VALIKA PROPERTIES (PRIVATE) LIMITED
AND

1. Qandeed Brothers (Private) Limited
2. Ariba Associates (Private) Limited
3. Nasir & Kutbi Brothers (Private) Limited

1. VALIKA PROPERTIES (PRIVATE) LIMITED
having its registered office at 4th Floor
Valika Chambers, Altal Hassan Road,
Karachi

Petitioner No. 1