

NESPAK RULES

**(Induction & Promotion in Service, Criteria for
Conversion to Regular Service, Higher
Qualification/Educational Allowances)**

PROCEDURE FOR INDUCTION AND PROMOTION

1. Introduction

The Management has laid down the following eligibility criteria for induction and promotion of all staff as a minimum requirement which must be fulfilled before any person can be inducted or any presently serving employee of NESPAK can be considered for promotion. **It must, however, be understood that just fulfilling the eligibility criteria does not entitle a person to be appointed or promoted.** The appointment or promotion is entirely at the discretion of the Management.

These criteria are subject to review by the Board of Management (BoM) from time to time as deemed appropriate.

2. Procedure For Induction

- a) All induction of employees in NESPAK are made through applications received online via NESPAK recruitment against advertised requirements.
- b) An anticipated requirement for hiring of staff as determined by the concerned Division Head and approved by the Managing Director for publication in important daily newspaper across the country as well as on NESPAK website. The advertisement for publication on both mediums is prepared by the Human Resources Division.
- c) Shortlisted candidates strictly in accordance with the requirements as mentioned in advertisement are interviewed by the multi-divisional interview committee as issued by the Human Resources Division.
- d) A merit list will be prepared on the basis of marks obtained in the interviews. Fulfilment of the requirement of staff will then be made from the merit list on as and when required basis. The merit list will remain valid upto a year from the date of finalization.
- e) Approval of the Managing Director for hiring of selected candidates in order of merit will be obtained by the concerned Division Head through Human Resources Division. The shortlisted/approved candidates will have to undergo medical test before appointment.
- f) Human Resources Division will then process the case for degree verification to concerned university/board. After the receipt of degree verification from the concerned university/board, appointment letters in accordance with the Company Rules are issued by Human Resources Division.

3. Minimum Credit Points Table for Induction in Various Grades:

Grades	3	4	5	6	7	8(b)	8	9	10	11	12
Credit Points for Induction	Professionals (Engineers, Architects & Town Planners)	-	-	-	-	-	48	76	103	133	168
	Other Professionals	-	-	-	-	48	60	76	103	133	168
	Para- Professionals	4	12	16	22	32	44	56	76	106	136
	Support Staff	4	12	22	34	46	60	78	96	126	NA

4. Procedure for Promotion

Promotion of an employee is a four-tier process i.e., assessment by the Reporting Officer, recommendation by the Head of Division, evaluation process by the Administrative Committee and finally approval of the Management:

- a) Annual Performance Review Report (APRR) of each employee shall be written by a Reporting Officer (RO) who shall be an authorized officer, for reporting for the year ending on 30th June every year, on the respective APRR forms.
- b) Credit points for every year of performance in NESPAK (P1), shall be as per prescribed.
- c) Eligibility for promotion of a regular/contract employee, who has been promoted to the current grade while in the service of NESPAK, shall be as under:
 - i. $P1 \geq P$ (Stay-in-Grade Criteria)
OR
 - ii. $P2 \geq N1$ (Induction Criteria) and $P1 \geq 0.7P$;

where,

- N1 = Credit points prescribed by the minimum value given in the criteria stated in para 3 for induction in the next higher grade
P = Credit points prescribed by the minimum value given in the criteria stated in para 5;
P1 = Credit points in the current grade actually earned for performance in NESFAK as on the date of assessment; and
P2 = Credit points earned on the basis of qualifications, past experience and service in NESPAK

- d) A regular/contract employee, who has been inducted in the current grade on appointment, shall be eligible for promotion when he fulfills the following criteria:

$P2 \geq N1$ (Induction Criteria);
or
 $P1 \geq P$ (Stay-in-grade Criteria).

However, for promotion from grade 8 to 9, fresh inductees who had obtained less than 60 credit points for qualification at the time of induction, will have to qualify both the Induction Criteria and the Stay-in-grade Criteria as stated above.

- e) The candidates recommended for promotion from Grade-10 to Grade-11 by the Administrative Committee, will be required to appear for an assessment interview before a sub-committee of BOM. The candidates qualifying the interview will be considered by the BOM for promotion from Grade-10 to Grade-11; BOM will, however, reserve the right to accept or reject recommendations of the sub-committee.

The grading of candidates will be based on following criteria:

Interview marks max. = 50% Past performance max. = 50%
Minimum overall qualifying score will be 75% to be considered for inclusion in the recommended list.

- f) Support staff (Drivers, Naib Qasids, Guards, sweepers etc.) may be promoted subject to their respective grade ceilings when they complete at least 07 years continuous service in NESPAK in their respective grades, irrespective of their previous experience.
- g) Promotion of eligible employees shall be considered only after a definite recommendation for promotion is received by the BoM from the concerned Division Head at the time and in the manner prescribed by the Management from time to time.
- h) The employees who do not fulfill the induction criteria of the current grade shall not be promoted to the next grade until they fulfill such criteria, regardless of the fact that they may have fulfilled the Stay-in-Grade Criteria i.e., $P_1 \geq P$ as defined hereinabove.
- i) In case of promotions from Grade 11 to Grade 12, a short-list of employees finally recommended for promotion, shall be prepared by the BoM after review of each case on merit and points criteria. The BoM shall interview short-listed employees and forward their recommendations based on the following parameters to the Managing Director for approval:
 - j) 30% weightage of credit points earned for last 5 APRRs.
 - ii) 70% weightage of the marks obtained in interview.
- k) Accelerated Promotion (discontinued for the time being since January, 2019)

An employee who does not fulfill the eligibility criteria and is recommended for accelerated promotion by the Head of his Division, shall, for the purpose of assessing his suitability for promotion, be interviewed by the BoM, provided:

 - i. all but one of his APRRs in the current grade show 'Outstanding' performance: the excepted APRR must not be lower than 'Very Good';
 - ii. the current year's and the last year's APRRs (if applicable) show 'Outstanding' performance; and
 - iii. the credit points earned by him fall short of the eligibility criteria by not more than the credit points awarded for one year of outstanding service.
- l) Category wise percentage/quota limits upto Grade-10 (excluding support staff)
 - i) Outstanding and Very Good as 60% of the total employees in each category with Outstanding not more than 10%.
 - ii) Good and below as 40%

5. Minimum Credit Points for Promotion to Next Grade:

Promotion from Grade	3 to 4	4 to 5	5 to 6	6 to 7	7 to 8(b)	8(b) to 8	8 to 9	9 to 10	10 to 11	11 to 12	
Credit Points for Stay in Grade	Professionals (Engineers, Architects & Town Planners)	NA	NA	NA	NA	NA	NA	16 to 28*	27	30	35
	Other Professionals	NA	NA	NA	NA	NA	12	16	27	30	35
	Para-Professionals	6	6	6	10	12	12	20	30	30	NA
	Support Staff	8	10	12	12	14	18	18	30	NA	NA

CRITERIA FOR CONVERSION TO REGULAR CADRE

a) Criteria for Service Regularization (Professionals):

- Minimum length of service of an employee must not be less than a year having at least one APR Report. APR Report for a period of less than six month shall not be considered for evaluation.
- Recommendation by the Head of the concerned Division shall be mandatory.
- An employee is considered eligible for regular cadre if he/she earns an 'Outstanding' performance report during the tenure of contract employment. The regular cadre shall effective on competition of at least one-year of contract service.
- If not having an 'outstanding' APR Report, an employee shall be considered eligible for conversion to regular cadre as and when he/she earns two 'Very Good' performance reports during the contract employment.
- Performance of an employee shall be evaluated on 30th June each year keeping in view the overall grading quota as decided by the Company from time to time.

b) Criteria for Service Regularization (Para – Professionals/Secretarial/Support Staff) Grade-8(b) and above:

- Minimum length of service of an employee must not be less than three years having at least three (03) APR Reports at credit for evaluation of the case.
- APR Report for a period of less than six month shall not be considered for evaluation.
- Recommendation by the Head of the concerned Division shall be mandatory.
- An employee is considered eligible for regular cadre if he/she earns two 'Very Good' and one 'Good' or better performance reports during the over minimum required three (03) years tenure of contract employment.
- This criterion is also applicable to the Para-Professional and Secretarial staff, contract employees inducted in Grade-8(b) or below and promoted to Grade-8(b) and above.
- Performance of an employee shall be evaluated on 30th June each year keeping in view the overall grading quota (where applicable) as decided by the Company from time to time.

c) Grade - 1 to 07

- Conversion from Contract to Regular cadre will be governed as per CBA agreements as agreed from time to time.

HIGHER EDUCATION ALLOWANCE

a). **M.Sc. Allowance**

Allowance for M.Sc. in Engineering/Architecture and Town Planning from Local/Foreign Institutes as well as full time/part time studies as approved by the Company from time to time.

b). **Ph.D. Allowance**

Allowance for Ph.D. in Engineering/Architecture and Town Planning from Local/Foreign Institutes as approved by the Company from time to time.

c). **Chartered Accountancy Allowance**

Chartered Accountancy Allowance for Chartered Accountants as approved by the Company from time to time.

NATIONAL ENGINEERING SERVICES PAKISTAN (PVT) LIMITED
EMPLOYEES (EFFICIENCY & DISCIPLINE) RULES 1974

PREAMBLE:

WHEREAS it is expedient to make rules for the efficiency and discipline of the employees of the NATIONAL ENGINEERING SERVICES PAKISTAN (PVT) LIMITED, (the 'Company').

AND WHEREAS the Directors of the Company have been empowered by the Articles of Association to make, vary and repeal the bye-Laws of the Company.

NOW THEREFORE in exercise of the powers conferred on it by the Articles of Association of the company, the Board of Directors of the Company makes the following "EMPLOYEES (EFFICIENCY AND DISCIPLINE) RULES, 1974.

1. SHORT TITLE, COMMENCEMENT AND APPLICATION

- a) These rules shall be called "NESPAK EMPLOYEES (EFFICIENCY AND DISCIPLINE) RULES, 1974.
- b) They shall come into force at once and shall apply to all permanent and temporary employees including employees on contract, PROVIDED that in case of a workman these rules shall stand modified to the extent of the provisions in the relevant labour laws. Or any other rules, laws enactment as may be made by the Govt. from time to time. PROVIDED further that in case of an employee on deputation/secondment from Government or other organization the charge-sheet prepared by the Company shall be sent to his parent organization who will have the power to take an action against that employee on the basis of such charge-sheet. The Company may also revert the services of such employee to his parent organization.

2. DEFINITIONS:

In these rules unless the context otherwise requires.

- a) "Accused" means an employee against whom action is taken under these rules.
- b) "Authority" means the Managing Director or any other senior employee of NESPAK designated by him to exercise powers of the company under these rules.
- c) "Authorized employee" means an employee authorized by the Company to perform functions of an authorized employee under these rules.
- d) "Board" means Board of Directors of the Company.
- e) "Company" means National Engineering Services Pakistan (Pvt) Limited.

- f) "Employee" means a permanent or temporary employee of the Company and includes an employee on contract.
- g) "Penalty" means a penalty which may be imposed under these rules.
- h) "Managing Director" means the Managing Director of the Company.
- i) "Misconduct" means conduct prejudicial to good order or service discipline or unbecoming of an employee and includes any act on the part of an employee to bring or attempt to bring political or other outside influence directly or indirectly to bear on the Company or any other employee in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of an employee.

EXPLANATION:

In these rules wherever the context so admits and unless it is repugnant or inconsistent with the subject or context, male includes female and singular includes plural and vice versa.

3. ACTS OF MISCONDUCT:

Without prejudice to the general meaning of the term "misconduct" as given in clause 2 hereof it shall be deemed to mean and include the following:

- (a) Willful insubordination or disobedience, whether alone or in combination with another or others, of any lawful and reasonable order of a superior.
- (b) Striking work either singly or with another or others in contravention of service rules or any statute or law, rule or enactment, from time to time and for the time being in force or where there is no such statute, law rule or enactment, striking work singly or in combination with another or others or inciting any employee while within the precincts of the office premises to strike work.
- (c) Malingering or slowing down of work.
- (d) Refusal to work on another job.
- (e) Habitual late attendance and habitual absence without leave or absence without leave for more than ten days.
- (f) Absence without leave or without sufficient cause from the work or from the office.
- (g) Habitual or gross negligence.

- (h) Carrying on any private business, without the prior written permission of the Company.
- (i) Causing willful damage to the property of the Company.
- (j) Theft, fraud or dishonesty in connection with the Company's business or property and theft of another employee's property inside and outside the office premises.
- (k) Giving or accepting bribes, or any illegal gratification whatsoever to or from any employee of the Company.
- (l) Drunkenness, fighting, riotous or disorderly or indecent behavior within or without the office premises.
- (m) Gambling within the office premises.
- (n) Sleeping while on duty.
- (o) Disclosing to any unauthorized person any secret or confidential information including proprietary information in regard to processes, dealings and affairs of the Company or its affiliates, which may come into the possession of the employee in the course of his work or otherwise.
- (p) Indiscipline or break of any or more of the service rules or instructions for the maintenance and working of any department or for the maintenance of its cleanliness.
- (q) Conviction by the Court of law on any criminal offence involving moral turpitude.
- (r) Insolvency.
- (s) Giving false information regarding his name, age qualifications or previous experience at the time of employment.
- (t) Instigation or abetment of or attempt at any of the above acts of misconduct.
- (u) Inefficiency, engaging in subversive activities, corruption including reputation for being corrupt.

4. PENALTIES

The Company may in its discretion punish an act of misconduct in any one or more of the following manners:

(a) Minor Penalties:

- (i) Censure;
- (ii) Withholding, for a specific period, promotion or increment otherwise than for unfitness for promotion or financial advancement in accordance with the rules or orders pertaining to the service or post;
- (iii) Recovery from pay of the whole or any part of any pecuniary loss caused to the Company by negligence or breach of orders.

(b) Major Penalties:

- (i) Reduction to a lower post or time scale or to a lower stage in a time scale
- (ii) Compulsory retirement
- (iii) Removal from service
- (iv) Dismissal from service

Provided that a major penalty shall only be imposed after complying with the procedure prescribed herein.

DISMISSAL

- (a) The Company may at its discretion give the employee the following punishment in lieu of dismissal:

- (i) A warning or
- (ii) Suspend him without pay for a period not exceeding fifteen days or
- (iii) Reduce his salary or demote him or withhold increments.

- (b) Any employee dismissed for misconduct shall not be entitled to any benefit or privilege under these rules or any other benefits or privileges provided by the Company, except to the extent to which he is entitled under any statutory provisions.

DISCHARGE:

Nothing in these rules shall apply to the Company's right to discharge a person:

- (a) Appointed on probation, during the period of probation, or in accordance with the probation or training rules applicable to him;

- (b) Appointed otherwise than under a contract, to hold a temporary appointment, on the expiration of the period of appointment or
- (c) Engaged under a contract, in accordance with the terms of the contract.

5. PROCEDURE FOR AWARD OF PUNISHMENT:

- a) The authority competent to award punishment in the case of an employee shall be the authority competent to make appointment in his case.
- b) Before a major penalty is imposed, the following procedure shall be followed:
 - (i) A charge-sheet along with a statement of allegations leveled against the employee, shall be served on him. While serving the charge-sheet, the employee shall be given reasonable time, not being less than three days to produce any evidence in his defense. He will also be allowed to be heard in person if he so wishes.
 - (ii) An Enquiry Officer shall be appointed to examine the defense offered by the accused and to give a report thereon indicating whether or not the charges made against the employee are established.
 - (iii) The report of the Enquiry Officer shall be considered by the competent authority who may accept or reject the report for reasons to be recorded in writing and order a fresh enquiry.

On receipt of final report of enquiry the competent authority shall give his decision.

Provided that where the appointing authority happens to be lower than the Director/Managing Director, prior approval of the Director/Managing Director as the case may be, shall be obtained before passing an order of dismissal.

Provided further that the prior approval of the Board shall always be required before passing an order of dismissal of Company employees in Grade 12 and above.

6. PROCEDURE TO BE OBSERVED BY THE INQUIRY OFFICER AND INQUIRY COMMITTEE

Where an Inquiry Officer or Inquiry Committee is appointed, the authorized employee will;

- a) Frame a charge sheet and communicate it to the accused together with a statement of the allegations explaining the charge and of any other relevant circumstances which are proposed to be taken into consideration.
- b) Require the accused within a reasonable time, which shall not be less than three days or more than 14 days from the day the charge has been communicated to him, to put in a written defense and to state at the same time whether he desires to be heard in person.
- c) The Inquiry Officer or the Committee, as the case may be shall inquire into the charge and may examine such oral or documentary evidence in support of the charge or in defense of the accused as may be considered necessary and the accused shall be entitled to cross-examine the witnesses against him.
- d) The Inquiry Officer or the Committee, as the case may be shall hear the case from day to day and no adjournment shall be given except for reasons to be recorded in writing. However, every adjournment, with reasons therefore shall be reported forthwith to the authorized employee. Normally no adjournment shall be for more than a week.
- e) Where the Inquiry Officer or the Committee, as the case may be, is satisfied that the accused is hampering or attempting to hamper, the progress of the enquiry, he or it shall administer a warning, and if thereafter he or it is satisfied that the accused is acting in disregard of the warning, he or it shall record a finding to that effect and proceed to complete the enquiry in such manner as he or it thinks best suited to do substantial justice.
- f) The Inquiry Officer or the Committee, as the case may be shall within ten days of the conclusion of the proceedings or such longer period as may be allowed by the authorized employee submit his or its findings and the grounds thereof to the authorized employee.

7. SUSPENSION:

Where, for the purpose of conducting an inquiry against an employee, the competent authority considers it necessary, it may suspend the employee.

The orders of suspension shall be in writing and shall take effect immediately on being sent to the employee by hand or by registered post at his last known address. During the period of suspension the employee shall be paid a subsistence allowance equal to fifty percent of his pay. If the employee is found not guilty, he shall be deemed to have been on duty during the period of suspension and shall be entitled to the same pay as he would have received if he had not been suspended.

8. APPLICATION FOR REVISION:

- a) An employee shall have the right of making an application for revision or as provided hereunder and appeals against any of the punishment imposed hereunder.
- b) An application for revision shall be to the authority imposing the punishment.
- c) An appeal shall be to the next higher authority of the authority awarding punishment.

Provided that, in every case where the employee concerned so desires, he will have a right to be heard in person before the authority competent to decide the application or appeal.

Every appeal and application for revision shall comply with the following requirements:

- d) It shall contain all material statements and grounds relied upon and shall be complete in itself.
- e) It shall contain all material documents such as a copy of the charge sheet and a reply thereof;
- f) It shall specify the relief desired
- g) It shall be made within 30 days from the date of the receipt of the impugned order.