

Agenda Item # 1

Memorandum for the Executive Committee of the Board of Directors

Brig. (R) Rashid Ali, General Manager PASSCO filed a Writ petition no. 37734/2015 in Lahore High Court by Brig. (R) Rashid Ali, General Manager PASSCO VS (i) Federation of Pakistan – M/o NFS&R, (ii) Managing Director PASSCO, (iii) **Executive Committee of BOD PASSCO** & (iv) BOD PASSCO.

Lahore High Court has ordered **respondent no. 3** to decide the aforesaid application of the petitioner strictly in accordance with law, expeditiously, preferably before expiry of contract period i.e. 12.12.2015.

Submitted for deliberation and decision on the case as deemed appropriate by the Committee.

(Annexed herewith copy of Writ petition and Court Order)

MINUTES OF 60th MEETING OF THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS OF PASSCO HELD ON 11th December, 2015

1. The 60th meeting of the Executive Committee of PASSCO's Board of Directors was held on 11th December, 2015 at 1430 hours in the office of Managing Director PASSCO, PASSCO Head Office, Lahore. The following attended:-

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| a. | Mr. Tariq Masud Capt. (Retd.)
Managing Director, PASSCO | Chairman |
| b. | Mr. Kamran Rasool
Group Head CSR & Security
MCB Bank Limited | Member |
| c. | Mr. Zahoor Ahmad
Joint Secretary(CF),
MINFIN. | Member |
| d. | Mr. Emad Nazir Ahmed
General Manager, PASSCO | Company Secretary |

2. **AGENDA ITEM NO.1: Writ petition no. 37734/2015 in Lahore High Court by Brig. (R) Rashid Ali, General Manager PASSCO VS (i) Federation of Pakistan – M/o NFS&R, (ii) Managing Director PASSCO, (iii) Executive Committee of BOD PASSCO & (iv) BOD PASSCO.**

The Executive Committee of PASSCO's Board of Directors considered the agenda point at length in light of employment contract of the applicant, PASSCO HR Policy and court orders. It was deliberated that Brig. (R) Rashid Ali was appointed on contract for a period of three years ending on 12.12.2015. The relevant clauses of the contract reads as under:

Clause # C: "Period of Contract – Three years from the date of joining the service with a probation period of six months (extendable, if deemed necessary)."

Clause # L: "Seniority – You will not have any seniority and will not be placed in the regular gradation list of the cadre in which the post for the time being held by you is included".

Furthermore, Para – 7 of the HR Policy “The policy shall apply to all regular employees of the Corporation other than such employees who are employed on contract basis on specific terms and conditions. The corporation reserves the rights for interpreting finally this policy or supplementary Policy made in connection with this policy.”

The case of Brig. (R) Rashid Ali was considered by the Committee where MD PASSCO informed that his performance was not up to the mark. Therefore, the committee resolved that:-

“In the light of above referred clause of employment contract and relevant Para of HR Policy, employment contract of Brig. (R) Rashid Ali shall expire on 12.12.2015 and he shall cease to be an employee of PASSCO after 12.12.2015.”

The Board further directed that the decision of 112th Board Meeting regarding induction procedures (ex-agenda item no. 2) shall be discussed in next Board meeting for the purpose of bringing clarity into policies and procedures.

There being no other point, the meeting ended with a vote of thanks to the chair.