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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN
MINISTRY OF HUMAN RIGHTS
(National Commission on the Rights of Child
Recruitment Rules, 2022)

NOTIFICATION

Islamabad, the 25th January, 2022

S. R. O. 290(I)/2022.—In the exercise of the powers conferred by section 22 of the National Commission on the Rights of Child Act, 2017(XXXII of 2017), the Federal Government, in consultation with the National Commission on the Rights of Child, is pleased to make the following rules, namely:—

PART-I

1. **Short title and commencement.**—(1) These rules shall be called the National Commission on the Rights of Child Employees (Recruitment and Conditions of Service) Rules, 2022.

(2) They shall come into force at once.

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2. **Definitions.**—(1) In these rules, unless there is anything repugnant in the subject or context:—

- (a) **“Act”** means National Commission on the Rights of Child Act, 2017 (XXXII of 2017);
- (b) **“appointing authority”** means the Appointing Authority competent to make appointments under these rules;
- (c) **“authority”** means the appointing authority;
- (d) **“basic pay”** shall have the same meaning as assigned thereto in the Civil Servants Act, 1973(LXXI of 1973);
- (e) **“basic pay scale”** or **“BPS”** means the basic pay scales applicable to civil servants of the Government and hereby adopted for employees;
- (f) **“contract services”** means service under specific agreement for a specific period;
- (g) **“deputationist”** means an employee on deputation to the commission from Federal Government, Provincial Government, autonomous bodies, semi-autonomous bodies, corporate bodies etc;
- (h) **“duty”** means time spent on joining time on transfer, on probation, on training provided that it is followed by regular appointment and course of training, if any, within Pakistan or abroad after becoming a regular employee unless otherwise specified by the commission;
- (i) **“employee”** means a regular employee of the Commission appointed on whole time basis, but shall not include a person appointed on contract, work-charged basis, contingent period basis or on daily wages basis or on deputation or secondment to the commission or who is a worker or workman as defined in the Factories Act, 1934 (XXV of 1934) or the Workmen’s Compensation Act, 1923 (VIII of 1923);
- (j) **“family”** means spouse and legitimate children and parents of the employee wholly dependent on and residing with him except where otherwise specified in these rules;
- (k) **“Government”** means the Federal Government;

- (l) **“honorarium”** means a recurring or non-recurring payment granted by the commission to an employee or such other person as remuneration for special work of an occasional or intermittent character, not being part of job description of his own post;
- (m) **“initial appointment”** means appointment made otherwise than by promotion or transfer;
- (n) **“permanent employee”** means appointment of a duly qualified person on regular basis;
- (o) **“pay”** means the amount drawn monthly as—
 - (i) the pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and
 - (ii) overseas pay, technical pay, special pay and personal pay, and
- (p) **“permanent post”** means a post sanctioned without limit of time;
- (q) **“probation”** means the period for which an employee is placed in a vacancy, on promotion, initial appointment or transfer, on trial as prescribed in these rules;
- (r) **“provident fund”** means contributory provident fund;
- (s) **“qualifying service”** means the service which begins from the date of joining the Commission but not before attaining the age of eighteen years and continues under conditions determined by the Commission excluding such interruptions during which duty pay or leave or leave salary is not granted to the employee;
- (t) **“salary”** means the amount drawn by an employee on monthly basis as basic pay and allowances as approved by the Commission.
- (u) **“selection and promotion committee”** means a committee, constituted for the purpose of making selection for initial appointment, promotion or transfer to various posts in the Commission, in accordance with rules;
- (v) **“secretary”** means secretary of the Commission;

- (w) “**seniority**” means the position of an employee in the Service Group to which he belongs with reference to the date of his joining as compared with the position of other employees in the same service group;
- (x) “**service record**” means history of service on such form in which every step of an employee’s official life is recorded without any erasing or over writing and is duly attested by the concerned officer;
- (y) “**Schedule**” means the schedule appended to these rules;
- (z) “**temporary post**” means a post other than a permanent post;

(2) All other words and expressions used but not defined in these rules, shall unless the subject context otherwise requires, have the same meanings as assigned thereto in the Act or in relevant laws.

3. **Secretariat of the Commission.**—(1) Secretariat of the Commission shall be composed of such posts as are specified in the Schedule-I;

(2) The perks and privileges of the Chairperson and Members shall be governed under MP Scale’s policy of the Government however the stipend for the Child Members shall be determined by the commission.

4. **Methods of appointment.**—(1) Appointment to the posts shall be made in accordance with these rules by any of the following methods, namely;

- (a) initial appointment; or
- (b) promotion; or
- (c) Transfer.

(2) In case where a person possessing specific skills or expertise is required to assist the Commission in performing its functions and the required services cannot be immediately availed through initial appointment, such vacant posts in the Commission may be filled by acquiring services of any person from Federal or Provincial Governments, departments, autonomous and semi-autonomous bodies with the approval of the Commission, on deputation to equivalent post and in exceptional cases one step higher in the service of the Commission, for a period of three years extendable by two years and on such terms and conditions as mutually agreed by the lending authority and the Commission in accordance with the deputation policy of the Federal Government.

(3) Initial appointment to a post shall be made after the vacancy is duly advertised through electronic and print media, additional daily newspaper including its uploading on official website of the Commission duly observing quotas as prescribed by the Federal Government.

(4) The advertisement shall indicate the job description and specification for the said post.

(5) Applicants shall be short listed by the appropriate selection and promotion committee of the Commission.

(6) The selection and promotion committee may recommend a panel of at least three candidates against each vacancy in order of merit to the appointing authority.

(7) Final approval for appointment shall be accorded by the respective appointing authority on the recommendations of relevant selection and promotion committee.

5. **Promotion and initial appointment.**—All the posts in Schedule-1 to these rules shall be filled as prescribed under these rules.

6. **Appointing authority.**—(1) The authorities competent to make appointment to the various posts shall be as follows:

S. No.	Posts	Appointing authority
1	2	3
1	Chairperson	Federal Government
2	Member	Federal Government
3	Secretary	Federal Government
4	Posts in BPS 16 to BPS 19	Commission
5	Posts in BPS 1 to BPS 15	Commission

7. **Promotion and selection committees.**—There shall be two promotion and selection committees consisting of members as specified in column (3) of the table below to recommend to the appointing authority after selection in accordance with these rules employees or as the case may be persons for appointment by promotion, initial appointment or transfer to the posts in BPS as specified in column (2) of that table, namely;—

S. No.	Appointment to posts in BPS	Constitution of promotion and selection committee
(1)	(2)	(3)
1	Posts in BPS 1 to BPS 15	Two Members of Commission nominated by Chairperson of the Commission and Secretary of the Commission.
2	Posts in BPS 16 to BPS 19	Chairperson of the Commission, Secretary of the Commission, One Member nominated by Chairperson of the Commission, one representative of MoHR.

8. **Conditions of appointments.**—(1) appointment to a post in the Commission shall be subject to the following conditions, namely:—

- (a) there is an approved vacancy; and
- (b) the candidate recommended for appointment fulfills the minimum requirements prescribed for a post with regard to educational qualifications, experience and age etc.

(2) The candidate shall produce a medical certificate from Medical Board of the Government:

Provided that no such certificate shall be required in respect of an employee already in service of the Commission appointed by transfer or deputation or by promotion or initial appointment.

(3) The original degrees, certificates and other requisite testimonials shall be got verified by the officer in charge of the administration wing after joining of the candidate, from the concerned university, board or authority as the case may be.

9. **Probation.**—(1) Persons appointed by initial appointment, promotion or transfer shall be on probation for a period of one year;

(2) The period of probation may be curtailed for good and sufficient reasons, to be recorded in writing or, if considered necessary, it may be extended for a period not exceeding one year as may be specified at the time of appointment.

(3) On successful completion of probation period the appointing authority shall, by specific order, terminate the probation:

Provided that, in the absence of an order under sub-rule (3), the period of probation shall, on the expiry of the extended period under sub-rule (2), be deemed to have successfully been completed.

10. Acting, current and additional charge appointments.—(1) Acting Charge appointment shall be governed in accordance with the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

(2) Grant of current charge of a vacant post shall be governed in accordance with the rules of the Government as amended from time to time.

11. Seniority.—For the purposes of seniority, the employees shall be governed under the provisions of the Civil Servants (Seniority) Rules, 1993.

12. Performance appraisal.—(1) Performance of each employee shall be evaluated annually by his immediate controlling officer and countersigned by the next higher officer in such form and manner as prescribed by the Government for civil servants, for the relevant post:

Provided that an employee shall have served continuously at least for a period of ninety days under the controlling officer:

Provided further that where an employee has served for a period of ninety days or more under more than one controlling officer in a year, his performance shall be evaluated by each such controlling officer for the respective period independently and countersigned by the next higher officer.

(2) An employee shall not have access to his annual performance appraisal Report. Adverse remarks, if any, shall be communicated to the employee concerned within thirty days of passing such remarks for remedial measures and improvement.

(3) An employee aggrieved by adverse remarks, communicated to him, may file an appeal, within seven days to the authority.

(4) The performance appraisal report shall have weight age of twenty percent in the promotion criteria.

13. Promotion.—(1) The employees possessing such minimum qualifications and length of service as prescribed under schedule-II, shall be eligible for promotion to a higher post for the time being reserved under the rules for departmental promotion.

14. **Termination of service.**—(1) The service of an employee may be terminated without notice;

- (a) during the initial or extended period of his probation:

Provided that, where such employee is appointed by promotion on probation or, as the case may be, is transferred from one post to another post, his service shall not be so terminated as long as he holds a lien against his former post but he shall be reverted to his former post;

- (b) on the expiry of the initial or extended period of his employment; or
(c) in case of *ad hoc* appointment, on the appointment of a person on the recommendation of the selection and promotion committee.

(2) Where, on abolition of a post or reduction in the number of posts, the services of an employee are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or service.

(3) Notwithstanding the provisions of sub-rule (1), but subject to the provisions of sub-rule (2), the service of an individual appointed on temporary or *ad hoc* basis shall be liable to termination on fourteen days' notice or forfeiture or payment of pay in lieu thereof.

15. **Resignation from service.**—An employee who wishes to resign shall submit his resignation in writing. The resignation shall not become effective unless it is accepted by the appointing authority. Till such time the resignation is accepted the employee concerned shall continue to be in service and shall not absent himself from duties without proper leave.

16. **Resignation during the pendency of disciplinary proceedings.**—
(1) Resignation of an employee against whom disciplinary action is pending shall not be accepted till conclusion of the proceedings and finality of orders there upon.

17. **Withdrawal of resignation.**—(1) In case an employee withdraws resignation before it is accepted by the appointing authority, such resignation shall be deemed to have been withdrawn.

(2) If an employee intends to withdraw his resignation after the same is accepted but before the aforesaid employee is relieved then such withdrawal is subject to the decision of the authority which accepted the resignation.

18. **Retirement.**—(1) An employee appointed on regular basis shall retire from the service of the Commission in the afternoon of the day on which he attains the age of superannuation *i.e.*, the age of sixty years.

19. **Nomination of legal heir.**—All permanent employees shall be required to nominate his legal heir to receive any payment in case of death or permanent disability of that employee.

20. **Appointment of advisors etc.**—The Federal Government may appoint advisors, consultants and researchers, etc. on contract basis on such terms and conditions as may be determined by the Federal Government.

21. **Misconduct and discipline.**—(1) For the purpose of conduct and discipline the employees of the Commission shall be governed under the provisions of Government Servants (Conduct) Rules, 1964 and the Government Servants (Efficiency and Discipline) Rules, 2020 as amended from time to time.

22. **Appeal.**—For the purpose of appeals, the employees of the Commission shall be governed under the Civil Servants (Appeals) Rules, 1977, as amended from time to time.

23. **Declaration of fidelity.**—An employee on appointment shall sign the declaration of fidelity and secrecy on the form as set out in the Schedule-III.

PART- II

24. **Salary.**—(1) The salary, pay and allowances of an employee shall be payable to him, from the date, he reports for duty, subject to medical fitness and fulfillment of other prescribed conditions.

(2) Subject to sub-rule (3) the employees shall be entitled to receive such salary, pay and allowances sanctioned by the Federal Government in respect of civil servants of the Corresponding scales under the Government.

(3) Instead of paying Rental Ceiling to the owner of the hired house, the amount admissible to employees in the shape of their Rental Ceiling shall be paid to them with their monthly pay. However, those deputationists who are in possession of Government accommodation shall not be paid such amount and five percent deduction from their monthly pay shall also be made for depositing the same in Federal Treasury Office.

25. **General principles of leave.**—(1) Leave shall not be claimed as a matter of right. Grant of leave shall be subject to the exigencies of service. The

competent authority may refuse leave or cancel the leave already granted and recall the employee for duty. No leave shall be deemed to have been granted unless is sanctioned by the Competent Authority. The leave shall be applied in advance. Sundays and holidays may be suffixed or prefixed to any kind of leave. An employee shall cease to earn any leave from the date of notice of termination of services given from either side.

26. **Casual leave.**—(1) An employee and such other person in service of the commission is entitled to various types of leaves as a civil servant or such other person in service of the Government is entitled to.

(2) casual leave may be allowed to an employee and such other person in service of the commission up to a maximum of twenty days in a calendar year. Casual leave is granted for unforeseen circumstances, which shall be admissible only in proportion of the period of service in a year. The appointing authority may allow casual leave up to the half of the maximum admissible leave at a stretch and only in special cases. Un-availed casual leave shall lapse automatically at the end of every calendar year. Casual leave shall not be combined with any other leave.

27. **Re-employment.**—After retirement, an experienced employee may be re-employed on contract basis by the commission, initially for a period of one year at a time and his contract may be extended for further such period on requirement basis in public interest and due to service exigencies, and in accordance with law applicable to civil servants.

28. **In service death.**—In case of death of a regular employee during service, the family of such employee shall be entitled for the Prime Minister's assistance package as families of civil servants of the Government, who die in service, are entitled to.

29. **Matters not specifically covered in the rules.**—All matters relating to appointment and other terms and conditions of Service, not specifically covered in these rules shall be regulated by the other rules applicable to civil servants of the Federal Government.

30. **Power to amend the schedule.**—The Commission may, by notification in the official gazette, amend the schedule so as to amend any entry therein, add entry thereto or omit any entry therefrom.

SCHEDULE I

Sr. No.	Designation	BPS	Number of Posts
1.	Chairperson	MP Scale-II	01
2.	Member	MP Scale-III	05
3.	Child Member	Stipend as determined by the Commission	02
4.	Secretary	20	01
5.	Director	19	02
6.	Deputy Director	18	03
7.	Assistant Director	17	08
8.	Private Secretary to Chairperson	17	01
9.	Admin Officer	16	01
10.	Assistant Private Secretary	16	03
11.	Accounts Officer	16	01
12.	Assistant	15	13
13.	Steno Typist	14	03
14.	UDC /Cashier	11	01
15.	LDC	09	04
16.	Driver	04	03
17.	Dispatch Rider	04	01
18.	Naib Qasid	02	11
19.	Sweeper	01	01
20.	Farash	01	01
Total			66

SCHEDULE II

Sr. No.	Post with BPS	Method of appointment in percentage		Conditions for promotion			Conditions for initial appointment		
		By initial appointment	By promotion	Persons eligible	Conditions of eligibility	Academic qualification	Experience	Age-limit	
(1)	(2) Secretary (BPS-20)	(3) 100%	(4)	(5)	(6)	(7)	(8)	(9)	
1.					(a) Required qualification for direct recruitment; 22 years' experience in the relevant field. Further length of required experience may be relaxed by 02 years in case of M.Phil. Degree holders and by 04 year in case of Ph.D. Degree holders. The length of service for appointment shall be in accordance with the policy	(a) Ph.D or equivalent qualification in law/Social Work/ Sociology/ Economics/Anthropology, MPA, MBA or (b) M. Phil degree or equivalent in law/Social Work/ Sociology/ Economics Anthropology, or (c) Bachelor's degree or equivalent in law (LL.B.) or Master's degree in Social Work, Sociology, Economics and Anthropology	(a) 13-Years' experience in BPS-19 or above or equivalent in the field of administrations, management, finance, monitoring, evaluation, law, research related to international covenants / conventions on human rights; or (b) 15 years' experience in BPS-18 or above or equivalent in the fields mentioned at (a) above; or (c) 17 years' experience in BS-17 or above or equivalent in the field mentioned at (a) above.	42-55 years	

2.	Director (BS-19)	50%	50%	Deputy Director (BPS-18)	of the Federal Government notified vide O.M No.1/9/80- R-2 dated 02- 06-1983.	with 2 nd Division from the HEC recognized University.	12 years' experience in law or investigation or budget or finance or Administration or research and publications related to Human Rights/Welfare/ Development.	37-45 years
3.	Deputy Director (BS-18)	50%	50%	Assistant Director(Legal) (BPS-17)	(a) Required qualifications for direct recruitment; and (b) 17 year experience in the relevant field. The length of service for appointment shall be in accordance with the policy of the Federal Government notified vide O.M No.1/9/80- R-2 dated 02- 06-1983.	Bachelor's Degree in Law (LL.B.) or Master's Degree in Social Work/ Sociology, Economics, Anthropology or equivalent with 2 nd Division from the recognized University.	12 years' experience in law or investigation or media and communication or research and publications related to Human Rights/ Welfare/ Development	30-38 years

4.	Deputy Director (Operations) (BS-18)	50%			Assistant Director (BPS-17)	50%		field. The length of service for appointment shall be in accordance with the policy of the Federal Government notified vide O.M No.1/9/80-R-2 dated 02-06-1983.	(a) Required qualifications for direct recruitment; and (b) 17 year experience in the relevant field. The length of service for appointment shall be in accordance with the policy of the Federal Government notified vide O.M No.1/9/80-R-2 dated 02-06-1983.	Bachelor's Degree in Law (LL.B.) Master's Degree in Social Work/ Sociology, Economics or Mass Communication with 2 nd Division from the HEC recognized University.	Mass Communication with 2 nd Division from the HEC recognized University.		12 years' experience in investigation or media and communication or Planning or Monitoring and Evaluation or research and publications related to Human Rights/ Welfare/ Development		30-38 years
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5.	Deputy Director (A&F) (BPS-18)	25%	75%	Assistant Director (BS-17)	(a) Required qualifications for direct recruitment; and (b) 05 year experience in the relevant field. The length of service for appointment shall be in accordance with the policy of the Federal Government notified vide O.M No.1/9/80-R-2 dated 02-06-1983.	Master's Degree in Accounting or MBA or MPA with 2 nd Division from the HEC recognized University.	5 years' experience in Administration/ Finance	30-38 years
6.	Assistant Director (BPS-17)	100%	-	-	-	Master's degree in Social Work, Sociology, Anthropology or MBA, MPA or LL.B with 2 nd Division from the HEC recognized University.	-	25-30 years
7.	Assistant Director (Inquiry)	100%	-	-	-	LL B./ LL. M. or Masters in Social Work with 2 nd	-	25-30 years

8.	Private Secretary (BPS-17)	--	100%	Assistant Private Secretary (BPS-16)	(a) Regular appointed Assistant Private Secretary (BS-16) (b) 3 years' satisfactory service as APS (BS-16)	-	Division from the HEC recognized University.	-	20-28 years.
9.	Assistant Private Secretary (BPS-16)	100%		Assistant (BPS 15)	(a) Required qualifications for direct recruitment; and (b) 3 years' service as Assistant (BPS-15).	-	Bachelor's degree from a University recognized by HEC with minimum speed of 100/50 w.p.m. in shorthand/typing respectively and should be Computer literate.		20-28 years.
10.	Assistant (BPS-15)	50%	50%	UDC (BPS-11)	(a) Required qualifications for direct recruitment; and (b) 3 years' service as UDC	-	Graduate with Computer literate.		20-28 years.

11. UDC (BPS-11)	50%	50%	LDC (BPS-09)	(a) Required qualifications for direct recruitment; and (b) 3 years service as LDC	Intermediate with Computer literate.	-	18-25 years.
12. LDC (BPS-09)	90%	10%	Employees holding posts BPS-05 and below	Matric with a minimum typing speed of 30 w.p.m.	Matric with a minimum typing speed of 30 w.p.m.	-	18-25 years.
13. Driver (BPS-4)	100%	-	-	-	Primary pass and holder of a valid driving licence	-	20-30 years.
14. Dispatch Rider (BPS-04)	100%	-	-	-	Primary pass and holder of a valid driving licence	-	18-30 years.
15. Naib Qasid (BPS-01)	100%	-	-	-	Primary pass	-	18-25 years.
16. Sweeper (BPS-01)	100%	-	-	-	Literate	-	18-25 years.
17. Chowkidar (BPS-01)	100%	-	-	-	Literate	-	18-25 years.

SCHEDULE – III
[See rule 22]
DECLARATION OF FIDELITY

I _____ S/D/O _____ do hereby declare on oath as under:

2. That, I as _____ of the Commission will discharge my duties and perform my functions to the best of my ability and in accordance to National Commission on the Rights of Child Act, 2017 and the rules framed under the said Act and will always remain faithful with the Commission.
3. That, I will not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the Commission, or to the affairs of any person having any dealing with the Commission nor will I allow any such person to inspect or have access to any confidential documents belonging to or in the possession of the Commission and relating to the business of the Commission.
4. That, I will not allow my personal interest to influence my official conduct or my official decisions and shall show due courtesy and attention to all orders and instructions issued from time to time by the Commission.

 (Name and Signature of Declarant/Deponent)

FARHAN AHMAD,
 Section Officer (Admin).