



नेशनल प्रोजेक्ट्स कन्स्ट्रक्शन कारपोरेशन लिमिटेड
(भारत सरकार का उद्यम)
NATIONAL PROJECTS CONSTRUCTION CORPORATION LIMITED
(A GOVT. OF INDIA ENTERPRISE)
PLOT NO. 67-68, SECTOR-25, FARIDABAD – HARYANA.
CORPORATE OFFICE

Ref.No.500121/2678

Dated: 01.04.2016

ADDENDUM

In exercise of the power conferred by Article 83(15) of Articles of Association the **Board in the 300th meeting held on 14.03.2016 approved the agenda to incorporate following rule/procedure for inserting at clause under 29 A in NPCC (Classification control and appeal) (First amendment rule-2005) with Caption RULE FOR RETIRING AT THE AGE OF 50/55 YEARS.**

- (1) Where an employee has attained the age of 50/55 years and where the Chairman and Managing Director, NPCC is satisfied that the employee is:
- (i) medically unfit to continue in service;
 - (ii) inefficient; or
 - (iii) of doubtful integrity;

Then such an employee may be prematurely retired from service with the approval of CMD, NPCC subject to the procedure prescribed in this rule being followed.

- (2) (i) If an employee has been on leave on medical grounds for a period of 120 days or more during the continuous period of 6 months, then the Chairman and Managing Director may refer him to a Medical Board consisting of three doctors of appropriate specialization for check up and report on:
- (a) the disease he is suffering from
 - (b) whether it is curable or incurable
 - (c) whether the disease is infectious or contagious
 - (d) in case of curable disease, whether the person is likely to be fit to resume his normal duties within a period of 12 months.
- (ii) If the employee is not fit to resume his duties within a period of 12 months or in cases of employees, suffering from incurable or infectious / contagious disease or suffering from lunacy or mental derangement, the Medical Board may certify in regard to his fitness or otherwise to be continued in service.
- (iii) If the Medical Board certifies that the employee is not medically fit to continue in service, then he is liable to be prematurely retired with the approval of the Chairman and Managing Director.
- (3) (i) A Committee shall be constituted to consider and Recommend the fitness or otherwise of employees to continue in service on grounds of inefficiency or doubtful integrity. The composition committee to review shall consist of following officials:-

P.T.O.

S. No.	Grade of Staff	Composition of committee	Disciplinary Authority	Appellate Authority
1.	Non Executive	ED/GGM/GM	Director concern	C.M.D.
2	Executive	2 DIRECTORS	CMD	Board of Director

- (ii) The report of the Committee shall be submitted to the competent authority, namely the Chairman and Managing Director, who shall take a decision on the question of premature retirement or continuance in service of the employee concerned.

The committee will review as per following calendars and periodical review shall be done six months before he/she attains the age of 50/55 years or completing 30 years of service.

Sl No	Quarter in which review is to be made	Cases of employees who will be attaining the age of 50/55 years or will be completing 30 years of service in the quarter.
1	January to March	July to September of the same year
2	April to June	October to December of the same year
3	July to September	January to March of the next year
4	October to December	April to June of the next year

The Criteria, Procedure and guidelines for undertaking Review of Services:- In order to ensure that the powers vested in the appropriate authority are exercised fairly and impartially and not arbitrarily, procedure and guidelines has been laid down for reviewing the cases of NPCC employees as mentioned below:-

- A. The cases of NPCC employees under Rule **29A** shall be reviewed on quarterly basis before they attain the age of 50/55 years.
- B. **Cases where integrity is found doubtful on the basis of records available in Personal file / Disciplinary case status / Vigilance status or through any other records would be sent to CVO for his recommendations in the matter.**
- C. The employees, whose integrity is doubtful, will be retired.
- D. NPCC employees who are found to be ineffective will also be retired. The basic consideration in identifying such employee should be fitness/ competence of the employee to continue in the post which he is holding. The same would be done based upon records including his Personal file and APARs.

Contd.....P..3

- E. While the entire service record of an officer should be considered at the time of review, no employee should ordinarily be retired on grounds of ineffectiveness if his service during the preceding 5 years or where he has been promoted to a higher post during that 5 year period & his service in the higher post has been found satisfactory.
- F. Ordinarily no employee should be retired on grounds of ineffectiveness if he is retiring on superannuation within a period of one year from the date of consideration of the case, on compassionate grounds. While this will continue to be applicable, it is clarified that in a case where there is sudden and steep fall in the competence, efficiency or effectiveness of an employee, it would be open to review his case for premature retirement in accordance with the orders. The above instruction is relevant only when an employee is proposed to be retired on the ground of ineffectiveness but not on ground of doubtful integrity.
- G. The rules relating to premature retirement should not be used to retire a NPCC employee on grounds of specific acts of misconduct, as a shortcut to initiating formal disciplinary proceedings.
- H. It is well settled that premature retirement is not a punishment that there is no stigma and that no civil consequence follow.
- I. If, however, the appropriate authority consider at any time after a review that the retention of the NPCC employee will not be in public interest, the authority may take necessary action to retire the officer by following the laid down procedure.
- J. Action for premature retirement on medical ground due to mental or physical disability shall only be considered in accordance to DOPT order No. 13015/3/2002-Estt. (L) Dated 19 Jan, 2004.
- K. The performance and evaluation is to be adjudged on the basis of Confidential Reports for the last 5 years and the points are awarded as follows: Outstanding – 5, Very Good – 4, Good – 3, Average-2, Unsatisfactory-1 on the basis of gradings given in the APAR :
 - a. Those who secure 15 or more marks are allowed to continue in service.
 - b. Those who secure 11 to 14 points are bracketed as “Grey Areas”, whose cases for retention / retirement will depend upon the latest reports whether they have been assessed by the same officers etc.
 - c. Those who secure less than 11 points in relation to the grading are compulsorily retired from service.
- L. In cases where the review committee recommends to retire an employee, the recommendations of the Committee shall be put up to the Competent Authority (CMD) as the case may be; through Director concerned for acceptance of the recommendations.
- M. No show-cause notice is necessary before a notice of premature retirement is issued. The orders regarding retirement on the last day of the month will not apply to the cases of premature retirement.
- N. The employee proposed to be retired prematurely shall be paid three/one months or three/one months pay and allowances in lieu thereof as the case may be.

- O. Grant of leave due/ admissible: Leave due and admissible may be allowed if applied by the employee during the period of Notice.
- P. In a case where an employee refuses to accept the service of notice of retirement or order of retirement along with cheque/cash equivalent to three months pay and allowances, it should be ensured that the refusal of the govt. employee is witnessed by two officers. In such a case, a copy of the notice/ order of retirement shall be sent under registered post with acknowledgement due to individual concerned at the last officially known address.
- Q. Procedure for consideration of Representation:
The employee may submit a representation within three weeks from the date of service of such notice/ order.
On receipt of the representation, the representation committee will examine the same to see whether it contains any new facts or any new aspects of a fact already known but which was not taken into account at the time of issue of notice/ order of premature retirement. Representation Committee will be constituted by CMD, NPCC.

The representation committee will put up his recommendation to CMD, NPCC and Appellate Authority will dispose the representation accordingly.
- R. The purpose of incorporating this rule is to premature retirement of inefficient, corrupt and medically unfit officials.

This addendum comes into force with effect from 01.04.2016.

This rule will not be applicable for Board Level appointee and the **EMPLOYEE COVERED UNDER THE INDUSTRIAL DISPUTES ACT 1947. (BPE O.M. NO. 15(39)/84-GM dated 4th FEBRUARY, 1988).**

(JASMINE DHAR SINGH)
SENIOR MANAGER (HR)

Copy to:

1. All Divisional Heads, NPCC Limited, Corporate Office, Faridabad with a request to circulate the same among employees under their control.
2. All Zonal Managers, NPCC Limited with a request to circulate the same all the units under their control.
3. GGM(IT),NPCC Ltd. with a request to upload the same in NPCC Website please.
4. CS/SM(HR)/M(P&A)/M(Disc)/M(HR)/TS(CPF)/Govt.Audit/I.A/PM(CS&WD)
NPCC Ltd. C.O./Regd.Office.
5. Notice Board.

SPS TO CMD / CVO