



RULES FOR DISCIPLINARY MATTERS AND INQUIRY PROCEEDINGS / (GUIDELINES)

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Human Resource Directorate
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DOCUMENT CONTROL

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Repeal	The NUST Employees (Efficiency and Discipline) Statutes 1993 as revised, in their application to the NUST employee to whom these rules apply, are hereby repealed but the repeal thereof shall not affect any action taken or anything done or suffered thereunder.
Note	Nothing in these guidelines/ rules shall affect the University's right to summarily terminate an employee's contract of employment on grounds recognized by law as sufficient, after/ before holding a Disciplinary Hearing.

TABLE OF CONTENTS

1.	PURPOSE.....	4
2.	APPLICABILITY.....	4
3.	DEFINITIONS.....	4
4.	GUIDING PRINCIPLES.....	5
5.	BREACHES OF CONDUCT.....	6
6.	GROUND FOR PENALTY.....	9
7.	PENALTIES.....	9
8.	INQUIRY PROCEDURE.....	11
9.	COMPETENT AUTHORITY(IES).....	17
10.	COMPOSITION OF INQUIRY COMMITTEE (IES).....	17
11.	PROCEDURE OF INQUIRY AGAINST MUST EMPLOYEE ON DEPUTATION OR WORKING IN OTHER GOVT OR ORG ETC...	18
12.	FORMAT/CONTENT OF INQUIRY REPORT.....	19
13.	APPEAL.....	21
14.	APPEARANCE OF COUNSEL.....	21
15.	CLASSIFICATION OF DOCUMENTS.....	21

RULES FOR DISCIPLINARY MATTERS AND INQUIRY PROCEEDINGS / (GUIDELINES)

1. PURPOSE

The National University of Sciences & Technology (NUST) recognises that Employee Efficiency and Discipline Rules are imperative for maintaining discipline and order towards efficiently achieving short-term objectives and long-term goals of the University. Disciplinary procedures help promote fairness and transparency in dealing with employees and strengthening employee relations.

NUST Employee Efficiency & Discipline Rules are intended to operate in cases where the behaviour of member(s) of the faculty or staff allegedly falls below the accepted standards of personal/ professional conduct. The spirit, within which disciplinary action may be taken, is based on the intention to offer the individual an opportunity to correct or improve his/her behaviour/ conduct.

2. APPLICABILITY

These guidelines/rules shall be applicable to all members of faculty and support staff of the University, including regular, contractual and tenured employees.

3. DEFINITIONS

In these rules, unless the context otherwise requires: -

3.1. “**Accused**” means a NUST employee against whom action is taken under these guidelines/ rules/statutes

3.2. “**Authority**” means the appointing authority as prescribed in para-44 chapter XII of NUST Statutes.

Provided that where proceedings under these rules are to be initiated against two or more NUST employees jointly, the authority in relation to senior most NUST employee in rank shall be the authority in respect of all the accused.

3.3. “**Appellate Authority**” means the appellate authority as defined in para 105(a) of Chapter XV, NUST Employees (Efficiency and Discipline) Statutes.

3.4. “**Borrowing Authority**” means the Federal Government, Provincial Government or a local or other authority to whom the services of NUST employees are lent.

3.5. “**Competent Authority**” means Rector NUST or an officer or authority designated by him to exercise the powers of the authority under these guidelines/rules/statutes.

3.6. “**Conduct**” means personal behaviour of an employee; way of acting; bearing or deportment.

3.7. “**Charges**” means allegations framed against the accused relating to the acts of omission or commission cognisable under these guidelines/rules/ statutes.

3.8. **“Government”** means the Federal Government.

3.9. **“Hearing officer”** means an officer, as far as possible senior in rank to the accused, appointed by the authority to afford an opportunity of personal hearing to the accused on behalf of the authority concerned.

3.10. **“Inefficiency”** in relation to the discharge of duties of a NUST employee means the failure to efficiently perform functions assigned to him/her.

3.11. **“Inquiry committee”** means a committee consisting of two or more officers, headed by a convener, as may be appointed by the authority to inquire into charges of the accused under these guidelines/ rules/ statutes.

3.12. **“Inquiry officer”** means an officer appointed by the authority to inquire into charges of the accused under these guidelines/ rules/ statutes.

3.13. **“Misconduct”** means conduct prejudicial to good order or service discipline or contrary to NUST Employees (Conduct) Statutes 1993 as revised, or unbecoming of an officer and, a gentlemen and includes any act on the part of a NUST employee to assert or attempt to assert political or other exterior influence directly or indirectly to bear on the NUST or any NUST employee in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of a NUST employee, or having entered into plea bargain under any law for the time being in force and returned the assets or gains acquired through corruption or corrupt practices, voluntarily.

3.14. **“NUST Employee”** means a person duly appointed by the competent authority of the University against any of the posts in NUST including faculty and support (administrative and technical) staff.

3.15. **“Penalty”** means a penalty as prescribed under these guidelines/ rules/NUST statutes.

4. GUIDING PRINCIPLES

4.1. The University will:-

4.1.1. Maintain, fair, just and consistent discipline

4.1.2. Ensure that all employees are made aware of the standards of minimum acceptable behaviour/attitude expected from them.

4.2. The employees are expected to:-

4.2.1. Conform to and abide by the rules and regulations of NUST and observe/comply with/abide by all the orders which may from time to time be given by any person under whose area of responsibility, superintendence and control he may have been placed.

- 4.2.2. Follow all reasonable and lawful instructions issued by superiors.
- 4.2.3. Comply with the laws/rules/ instructions issued by the University authorities.
- 4.2.4. Behave in an orderly and lawful manner.
- 4.2.5. Treat the University's property with care and honesty and not to misuse such property for their own benefit.
- 4.2.6. Treat all other employees and their property with respect.
- 4.2.7. Not to victimise or intimidate any other employee(s).
- 4.2.8. Make themselves available for work in terms of the rules set by the University and to keep to the specified working hours.
- 4.2.9. Perform their duties in accordance with the standards required by the University.

5. BREACHES OF CONDUCT

The detail of major breaches of conduct have been provided under Chapter XVI Para 107 of the said statutes. However, for strict and appropriate observance of the same with some elaboration/ addition are re-listed as below:-

5.1. Approaching Foreign Missions

No employee shall approach, directly or indirectly, any foreign mission in Pakistan or any foreign aid-giving agency to secure for himself/herself an invitation to visit a foreign country or to elicit offers of training facilities abroad.

5.2. Assault

No employee of NUST shall be allowed to attempt assault or perform physical violence at workplace.

5.3. Comply with Instructions

Every employee shall avoid intentional and/ or malicious refusal to comply with reasonable instructions or request made by a supervisor within the workplace.

5.4. Court Proceedings

No employee of NUST shall be allowed to take proceedings to the court against any fellow employee in respect of any dispute or offence non-cognisable by civil police that may happen on the premises of the organisation or in connection with their work, without obtaining prior sanction in writing from the Rector.

5.5. Computer Records

No employee of NUST shall be allowed for unauthorised entry and copy of or damage to computer records.

5.6. Disrepute

No employee of NUST shall be allowed to bring disrepute to the University in one's capacity as an employee.

5.7. Discrimination

No employee of NUST shall be allowed to discriminate against any person, group, or class on the basis of race, ethnicity, national origin, colour, sex, or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability.

5.8. Gift

Except for the prior sanction of the University, no employee shall accept or permit any member of his family to accept from any person any gift the receipt of which shall place him under any form of official obligation to the donor.

5.9. Health and Safety Rules

No employee of NUST shall be allowed to breach any of health and safety rules, which may put the fellow employees or others in danger.

5.10. Information

Every employee shall avoid intentional misuse of confidential information of the University.

5.11. Investment

No employee shall make or permit his/her family to make any investment, which is likely to embarrass or influence him/her in the discharge of his/her official duty.

5.12. Insolvency and Habitual Indebtedness

Every employee shall avoid habitual indebtedness. If an employee is adjudged or declared insolvent, he/she shall report his/her insolvency to the University forthwith.

5.13. Lending and Borrowing

No employee shall lend money to, or borrow money from, or place himself/herself under any pecuniary obligation to any person with whom he/she has any official dealings, provided that the above provision shall not apply to dealing in the ordinary course of business with insurance company, bank or other financing institutions.

5.14. Nepotism, Favouritism and Victimisation

No employee shall indulge themselves in provincialism, parochialism, favouritism, victimisation and willful abuse of office.

5.15. National Security

An employee who, in the opinion of the Competent Authority, is engaging or is reasonably suspected of or being associated with others in subversive activities and whose retention in NUST is thereby considered prejudicial to national security or the security of the organisation, may without any notice be dismissed from the service. For the establishment of charge, the case must be referred to the relevant/ appropriate authorities for defence/civilian persons respectively.

5.16. Negligence

Every employee shall avoid serious negligence resulting in unacceptable loss, damage or injury.

5.17. Private Trade or Employment

No employee shall, except for the prior sanction of the University, engage in any trade or undertake any employment or work other than his/her official duties.

5.18. Propagation of Sectarian Creeds

No employee shall propagate such sectarian creeds or take part in such sectarian controversies or indulge in such partiality and favoritism as are likely to affect his/her integrity in the discharge of his/her duties or to embarrass the administration or create feelings of discontent or displeasure amongst other employees.

5.19. Theft, Fraud and Falsification of Records/ Documents

No employee of NUST shall be allowed to commit theft, fraud or deliberate falsification of records or University documents through means including but not limited to manual, electronic and/or cyber means etc.

5.20. Taking Part in Politics

No employee shall take part in/subscribe to/ assist in anyway any political movement in Pakistan or relating to affairs of Pakistan.

5.21. Teaching/ Research/ Consultancy

No employee shall get involved in teaching/ research/ consultancy activities outside of NUST without prior approval/ information of the Competent Authority.

5.22. Unauthorised Communication

No employee shall communicate directly or indirectly any official document or information to any other employee not authorised to receive it or to any other person or any types of media, unless permitted by the Competent Authority.

5.23. Use of Political or Other Influence

No employee shall bring or attempt to bring political/ media or other outside influence, directly or indirectly, to bear on the University or any employee of the University in support of any claim arising in connection with his/her employment as such, nor shall any employee approach, directly or indirectly, any member of legislative authorities i.e. Senate, National Assembly or a Provincial Assembly.

5.24. University Rules/ Regulations

Every employee shall avoid intentional serious breach of the University rules/ regulations or improper conduct in relation to job responsibilities.

5.25. University's Property and Name

No employee of NUST shall be allowed to cause damage to/misuse the University's property and name.

5.26. Unauthorised/Unfair Access

No employee of NUST shall be allowed to provide unauthorised/unfair access to an outside individual/university/organisation/third party to materials including but not limited to the University academic programmes, research activities, services, information or technology etc.

6. GROUNDS FOR PENALTY

Where an employee, in the opinion of the authority is:-

a. Considered or reported to be inefficient or has ceased to be efficient;

OR

b. Considered or reported to be guilty of misconduct; or

c. Considered or reported to be corrupt because:-

(i) He/she or any of his/her dependents or any other person through him/her or on his/her behalf is in possession (for which he cannot reasonably account) of pecuniary resources or of

property disproportionate to his/her known sources of income; or

(ii) He/she has assumed a style of living beyond his ostensible means.

- d. Engaged or is reasonably suspected of being engaged, in subversive activities or is reasonably suspected of being associated with others engaged in subversive activities or is guilty of disclosure of official secrets to any unauthorised person.

7. PENALTIES

7.1. The authority may, by an order, in writing showing reasons, impose one or more of the penalties, in accordance with Chapter XV, NUST Employees (Efficiency and Discipline) Statutes.

7.2. Minor Penalties

The following shall be various minor penalties, namely:

7.2.1. Censure

7.2.2. Withholding of increment or increments for a specific period, subject to a maximum of three years without cumulative effect: Provided that the penalty of withholding of increment shall not be imposed upon a NUST employee who has reached the maximum of his/her pay scale or will superannuate within the period of penalty.

7.2.3. Reduction to a lower stage or stages, in pay scale, for a specific period, subject to a maximum of three stages without cumulative effect; and

7.2.4. Withholding of promotion for a specific period, subject to a maximum of three years, otherwise than for unfitness for promotion in accordance with the rules or orders pertaining to the service or post:

Provided that this period shall be counted from the date when a person junior to the accused is considered for promotion on regular basis for the first time:

Provided further that penalty under this clause shall not be imposed upon a NUST employee who has no further prospects of promotion or will superannuate during the period of the said penalty.

7.3. Major Penalties

The following shall be various major penalties, namely:

7.3.1. Recovery of embezzled money from NUST employee convicted of embezzlement, recovery as provided under applicable rules, from pay or any other amount payable to the accused, the whole or a part of any pecuniary loss caused to NUST in which he was employed or posted. If the amount due from any such NUST employee cannot be wholly recovered from the pay or any other amount payable to him, such amount shall be recovered under the law for the time being in force

7.3.2. Reduction to a lower post and pay scale from the existing post, for a specific period, subject to a maximum of three years:

Provided that this penalty shall not be imposed upon the accused who is likely to superannuate within the period of the penalty.

7.3.3. Compulsory retirement

7.3.4. Removal from service

7.3.5. Dismissal from service; and

7.3.6. Termination of contract (for Faculty and Support Staff employed on contract).

7.4. The penalty of removal from service shall not but dismissal from service, under these rules, shall disqualify NUST regular employee for future employment of any kind under NUST/Government.

7.5. Subject to any restraining orders, passed by any court of competent jurisdiction, any proceedings under these rules shall not be discontinued merely on the grounds of the matter being sub judice:

Provided that where the holding of departmental inquiry during judicial custody is not possible or side by side with the criminal proceedings may have the effect of impeding the course of

justice or of prejudicing the trial, the inquiry may be deferred by the authority till release on bail or termination of criminal proceedings as the case may be.

7.6. Suspension and leave

7.6.1. The authority may place any NUST employee under suspension or send him/her on leave, against whom proceedings are proposed to be initiated for an initial period not exceeding one hundred and twenty days at one time extendable in writing, by the authority for such period as it may deem appropriate or till conclusion of the proceedings, if in the opinion of the authority, suspension or sending NUST employee on leave is necessary or expedient. If the period of suspension is not extended before the expiry of initial period of suspension, the suspension of such NUST employee shall cease to have effect:

Provided that a NUST employee who has been charged for a criminal offence and is committed to prison shall be considered as under suspension from the date of his/her arrest without formal approval of the authority. In case such a NUST employee is not arrested or is released on bail, the authority may suspend him/her by specific order.

7.6.2. During suspension period, the NUST employee shall be entitled to his/her pay, allowance and other benefits in accordance with applicable rules.

7.6.3. If a NUST employee is sent on leave in pursuance of an order under sub rule (1) (i.e. para 7.6.1), such period shall be treated as on duty.

7.6.4. In case a NUST employee is absent from official duty during the proceedings, such period shall be treated as extra ordinary leave without pay.

8. INQUIRY PROCEDURE

8.1. Initiation of proceedings

Proceedings against the NUST employee, in case where the authority decides that it is not necessary to hold an inquiry, shall be initiated from the date the accused is informed by an order in writing of the grounds of proceedings against him and where the authority decides to hold an inquiry against the accused, from the date of such order.

8.2. Procedure where inquiry is dispensed with If the authority decides that it is not necessary to hold an inquiry against the accused, it shall:

8.2.1. Inform the accused, by an order in writing, of the grounds for proceedings against him, clearly specifying the charges therein, along with apportionment of responsibility and penalty or penalties proposed to be imposed upon him.

8.2.2. Give him a reasonable opportunity of showing cause against the proposed action, which should not be less than ten days and more than fourteen days, from the receipt of the order or within such extended period, as the authority may allow.

8.2.3. On receipt of reply of the accused, within the stipulated period or after the expiry thereof, if no reply is received, on the basis of available record or facts of the case, as the case may be, determine whether the charge or charges have been proved against the accused or not:

Provided that after receipt of reply to the show cause notice from the accused or in case where no reply is received the authority shall, decide the case within a period of thirty days.

8.2.4. Afford an opportunity of personal hearing, before passing any order of penalty under clause (6) (i.e. para 8.2.6) if the charge or charges have been proved against him/her.

8.2.5. Exonerate the accused, by an order in writing, if the charge or charges have not been proved against him/her; and

8.2.6. Impose any one or more penalties, mentioned in rule/ para-7, by an order in writing, if the charge or charges have been proved against the accused.

8.3. Provision of record

After initiation of order of inquiry, the authority shall ensure that relevant record of the case and other related documents should be supplied to the inquiry officer or the inquiry committee, as the case may be, within seven days or within such an extended period which the authority may allow.

8.4. Procedure to be followed by authority where inquiry is necessary

8.4.1. If the authority decides that it is necessary to hold an inquiry against the accused, it shall pass an order of inquiry, in writing. An inquiry order shall include—

8.4.1.1. Subject to sub-para (2) (i.e. 8.4.2) the appointment of an inquiry officer or inquiry committee, provided that the inquiry officer or the convener of the inquiry committee, as the case may, shall as far as possible, be of a rank senior to the accused and where two or more accused are proceeded against jointly, the inquiry officer or the convener of the inquiry committee shall, as far as possible, be of a rank senior to the senior most accused.

8.4.1.2. The grounds for proceedings, clearly specifying the charges along with apportionment of responsibility which shall be communicated to the accused within fourteen days, from the date of initiation of proceedings.

8.4.1.3. Appointment of the departmental representative by designation; and

8.4.1.4. Direction to the accused to submit his/her written defence to the inquiry officer or convener of the inquiry committee, as the case may be, within reasonable time which shall not be less than ten and more than fourteen days from the date of receipt of orders under clause (b) (i.e. 8.4.1.2) or within such an extended period as the authority may allow.

8.4.2. In cases where more than one NUST employee are accused in one case, a single inquiry officer or an inquiry committee shall be appointed and the inquiry officer or convener of the inquiry committee so appointed shall, as far as possible, be of a rank senior to the senior most civil servant accused in the particular case.

8.4.3. The record of the case and the list of witnesses, if any, shall be communicated to the inquiry officer or the inquiry committee, as the case may be, along with the orders of inquiry.

8.4.4. In case where the inquiry officer or any of the members of the inquiry committee is required to be replaced for one reason or the other, the authority shall appoint another inquiry officer or the inquiry committee, as the case may be.

8.5. Procedure to be followed by inquiry officer or inquiry committee

8.5.1. On receipt of reply of the accused or on expiry of the stipulated period (i.e. 7-10 days), if no reply is received from the accused, the inquiry officer or the inquiry committee, as the case may be, shall inquire into the charge or charges and may examine such oral or documentary evidence in support of the charge or charges or in defence of the accused, as may be considered necessary and where any witness is produced by one party, the other party shall be entitled to cross-examine such witness.

8.5.2. If the accused fails to furnish his/her reply within the stipulated period, the inquiry officer or the inquiry committee, as the case may be, shall proceed with the inquiry ex-parte.

8.5.3. The inquiry officer or the inquiry committee, as the case may be, shall hear the case on day-to-day basis and no adjournment shall be given except for reasons to be recorded, in which case the adjournment shall not be of more than seven days.

8.5.4. Statements of witnesses shall be recorded in the presence of accused and departmental representative.

8.5.5. Where the inquiry officer or the inquiry committee, as the case may be, is satisfied that the accused is hampering or attempting to hamper the progress of the inquiry, he/she or it shall administer a warning and if thereafter he/she or it is satisfied that the accused is acting in disregard to the warning, he/she or it shall record a finding to that effect and proceed to complete the inquiry in such a manner as may be deemed expedient in the interest of justice.

8.5.6. If the accused absents himself/herself from the inquiry on medical grounds, he/she shall be deemed to have hampered or attempted to hamper the progress of the inquiry, unless medical leave, applied for by him/her, is sanctioned by the authority on the recommendations of a NUST authorised medical officer.

8.5.7. The inquiry officer or the inquiry committee, as the case may be, shall complete the inquiry within thirty days or within such an extended period which the authority may allow on the request of inquiry officer or Inquiry Committee, as the case may be, for reasons to be recorded and shall submit his/her or its report to the authority within seven days of the date of completion of inquiry. The inquiry report must contain clear findings as to whether the charge or charges have been proved or not proved and specific recommendations regarding exoneration or imposition of minor or major penalty or penalties upon the accused:

Provided that the inquiry shall not be vitiated merely on the grounds of non-observance of the time schedule for completion of the inquiry.

8.6. Revision

8.6.1. Subject to sub-para (2) (i.e. 8.6.2), the authority may call for the record of any case pending before the inquiry officer or inquiry committee, as the case may be, and pass such order in relation thereto as it may deem fit.

8.6.2. No order under sub-para (1) (i.e. 8.6.1) shall be passed in respect of an accused until the authority has informed him in writing of the grounds on which it is proposed to make the order and has been given an opportunity of showing cause against it, including an opportunity of personal hearing if requested by the accused or is otherwise necessary in the interest of justice, in particular, when the authority contemplates to pass an order adverse to the interest of the accused:

Provided that no such opportunity shall be given where the authority, for reasons to be recorded, is satisfied that, in the interest of NUST/security of Pakistan or any part thereof, it is not expedient to give such an opportunity.

8.7. Powers of the inquiry officer or inquiry committee

8.7.1. For the purpose of an inquiry under these rules, the inquiry officer or the inquiry committee, as the case may be, shall have the following powers:-

8.7.1.1. Summoning and enforcing the attendance of any person and examining him/her on oath,

8.7.1.2. Requiring the discovery and production of documents and receiving evidence on affidavits; and

8.7.1.3. Issuing commissions for the examination of witnesses or documents.

8.8. Para 103 (a) i.e. 8.1 and Para 103 (b) i.e. 8.2 not to apply in certain cases

Nothing in Para 103 (a) i.e. 8.1 and Para 103 (b) i.e. 8.2 shall apply to a case:-

8.8.1. Where the accused is dismissed or removed from service, on the ground of conduct which has led to a sentence of fine or of imprisonment; or

8.8.2. Where the authority competent to dismiss or remove a person from service, or to reduce a person in lower post and pay scale, is satisfied that, for reasons to be recorded in writing by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

8.9. Proceedings before or during training, scholarship and leave

8.9.1. In case where a NUST employee who has been nominated for training or scholarship, is required to be proceeded against and he/she has not yet joined the training institute or institution, his/her nomination shall be withdrawn forthwith by the nominating authority under intimation to the training institute or institution concerned.

8.9.2. No NUST employee shall be denied training on account of ongoing proceedings for a period of more than one year.

8.9.3. In case where a NUST employee on leave, is required to be proceeded against, his/her leave shall be cancelled by the authority (depending upon the circumstances of each case) and shall be called back from the leave to join the proceedings.

8.10. Duties of the departmental representative

8.10.1. The departmental representative shall perform the following duties, namely: —

8.10.1.1. Render full assistance to the inquiry officer or the inquiry committee, as the case may be, during the proceedings where he shall be personally present and fully prepared with all relevant record relating to the case, on each date of hearing;

8.10.1.2. Cross-examine the witnesses produced by the accused and with the permission of the inquiry officer or the inquiry committee, as the case may be, may also cross-examine the prosecution witnesses; and

8.10.1.3. Rebut the grounds of defence offered by the accused before the inquiry officer or the inquiry committee, as the case may be.

8.10.2. In case of failure to perform the assigned duties, the departmental representative shall be liable to departmental/disciplinary proceedings.

8.11. Order to be passed on receipt of report from the inquiry officer or inquiry committee:

8.11.1. On receipt of report from the inquiry officer or the inquiry committee, as the case may be, the authority shall examine the report and the relevant case material and determine whether the inquiry has been conducted in accordance with the provisions of these rules.

8.11.2. If the authority is satisfied under sub-para (1) i.e. 8.11.1 that the inquiry has been conducted in accordance with the provisions of these rules, it shall further determine whether the charge or charges have been proved against the accused or not.

8.11.3. Where the authority is satisfied under sub-para (2) i.e. 8.11.2 that the inquiry proceedings have not been conducted in accordance with the provisions of these rules or the facts and merits of the case have been ignored or there are other sufficient grounds, it may, after recording reasons, either remand the inquiry to the inquiry officer or the inquiry committee, as the case may be, with such directions as the authority may like to give, or may order a de novo inquiry through different inquiry officer or inquiry committee.

8.11.4. The authority may in such case specified under sub-para (3) i.e. 8.11.3 also require the inquiry officer or the inquiry committee, as the case may be, to explain as to why the inquiry has not been conducted in accordance with these rules, or as to why the facts or merits of the case have been ignored and on the receipt of reply, may determine that the omission or commission by the inquiry officer or the inquiry committee, as the case may be, was not in good faith and there are grounds to proceed against the inquiry officer or inquiry committee, as the case may be, under these rules.

8.11.5. Where the charge or charges are determined not to have been proved, the authority shall exonerate the accused by an order in writing.

8.11.6. Where the charge or charges are determined to have been proved against the accused, the authority shall issue a show cause notice to the accused providing him therewith a copy of inquiry report by which it shall:-

8.11.6.1. Inform him/her of the charge or charges proved against him/her and the penalty or penalties proposed to be imposed upon him/her

8.11.6.2. Give him/her reasonable opportunity of showing cause against the penalty or penalties proposed to be imposed upon him/her and to submit as to

why one or more of the penalties as provided in para-102 i.e. para-7 including the penalty of dismissal from service may not be imposed upon him/her and to submit additional defence in writing, if any, within a period which shall not be less than ten days and more than fourteen days from the day the charge or charges have been communicated to him/her by affording him/her an opportunity of personal hearing:

Provided that the accused shall in his/her reply to show cause notice, indicate as to whether he/she wants to be heard in person or not; and

8.11.6.3. Direct the departmental representative to appear with all relevant record on the date of personal hearing, if any.

8.11.7. After duly considering the reply of the accused to the show cause notice and affording personal hearing to the accused, as appropriate, the authority shall, keeping in view the findings and recommendations of the inquiry officer or the inquiry committee, as the case may be, facts of the case and defence offered by the accused if requested, by an order in writing—

8.11.7.1. Exonerate the accused if charge or charges are not proved; or

8.11.7.2. Impose any one or more of the penalties specified in para-102 i.e. para-7 if charges are proved:

Provided that

(I) Where charge or charges of grave corruption are proved against an accused, the penalty of dismissal from service or termination of contract shall be imposed, in addition to the penalty of recovery, if any; and

(II) where charge of absence from duty for a period of more than three months is proved against the accused, the penalty of compulsory retirement or removal or dismissal from service or termination of contract shall be imposed upon the accused.

8.11.8. After receipt of reply to the show cause notice and affording opportunity of personal hearing, the authority, shall decide the case within a period of thirty days, excluding the time during which the post held by the authority remained vacant due to certain reasons.

8.12. Personal hearing

Notwithstanding the proviso to clause (ii) of sub para-6 of para 103 (k) i.e. 8.11.6.2, the authority may, by an order in writing, call the accused and the departmental representative, along with relevant record of the case, to appear before him/her, or before a hearing officer, who shall as far as possible be senior in rank to the accused, appointed by the authority for personal hearing on the fixed date and time.

9. COMPETENT AUTHORITY(IES)

Following Officers (for Faculty and Support Staff) have been empowered by the Competent Authority for various employee categories to act on their behalf according to Chapter XV NUST Employee Efficiency and Discipline Statues:-

Sr No	Institution	Faculty	Support Staff (Grade 17-19/ Equiv)	Support Staff (Grade 1-16/ Equiv)
a	H-12 Campus Islamabad	Pro-Rector (A)	Pro-Rector (P & R)	Director HR
b	Constituent Military Colleges	Pro-Rector (A)	Pro-Rector (P & R)	Director HR
c	NBC Quetta Campus	Pro-Rector (A)	Pro-Rector (P & R)	Director HR

10.COMPOSITION OF INQUIRY COMMITTEE (IES)

10.1. For Faculty

Will comprise the following:-

10.1.1.Chairman

Dean/ Associate Dean/equivalent or as detailed by the Competent Authority.

10.1.2. Members

- HoD/equivalent of the concerned Institution.
- Designated Deputy Director/equivalent of the concerned Institution.
- Senior faculty member.

10.2. For Support Staff (Grade-21):

Will comprise the following:-

10.2.1. Chairman

Grade-21/equivalent from NUST Institution/Directorate or as detailed by Rector NUST.

10.2.2. Members

- Grade-21/ equivalent from NUST Inst/ Dte
- Director HR.

10.3. For Head of Institutions/ Directorates

Will comprise the following:-

10.3.1.Chairman

Pro-Rector/ equivalent or as detailed by Rector NUST.

10.3.2. Members

- Grade 20/ equivalent from the Main Office Directorate of NUST.
- Grade 20/ equivalent from the college/school/institute/centre (if required).

10.4. For Support Staff (Grade 17-19)

Will comprise the following:-

10.4.1.Chairman

A Grade-20/ equivalent officer as detailed by the Competent Authority.

10.4.2. Members

- Deputy Director/ equivalent from the Institution/Directorate.
- Designated Assistant Director/ equivalent from the Institution/ Directorate.

10.5. For Support Staff (Grade 1-16)

The Competent Authority will detail an Inquiry Officer for Support Staff (Grade 1-16) as per the requirement. The Inquiry Committee will be constituted on the following lines:-

10.5.1.Chairman

A Grade-18/19/equivalent officer as detailed by the Competent Authority.

10.4.2. Members

- Grade 17/18/equivalent from the concerned Institution/ Directorate
- Faculty member of the concerned Institution.

10.6. In case a disciplinary action has been / is to be taken against one of the members of the Inquiry Committee that member should be replaced by another for that particular case. Such member may be from within or outside the College/School/Centre/Institute/Directorate.

11.PROCEDURE OF INQUIRY AGAINST NUST EMPLOYEE ON DEPUTATION OR WORKING UNDER ANY OTHER GOVERNMENT OR ORGANIZATION ETC

Where an authority determines to proceed against a NUST employee who is on deputation to any other Government, department, corporation, body corporate, autonomous or semi- autonomous body, statutory body or any other organisation or institution, hereinafter referred to as the borrowing organisation, the authority of such NUST employee in his/her parent department may:

11.1. Ask the relevant Government or borrowing organisation, to frame charges against the NUST employee and forward the same to his/her parent department; or

11.2. Initiate Proceedings against him/her on its own under these rules.

12. FORMAT/CONTENT OF INQUIRY REPORT

Inquiry Report proceedings will be completed by the Inquiry Officer/ Board/ Committee after recording statements of the witnesses through personal hearing as well as on receipt of written briefs, findings based on the statements of the witnesses, formulation of opinion and finally recommendations based on the evidences/facts brought out in finding and opinion. Following steps will be taken for inquiry:-

12.1. Notice of Inquiry will be served to the accused by the Competent Authority.

12.2. Inquiry Board/ Committee will be constituted in compliance with newly amended NUST statutes E&D Rules Chapter XV.

12.3. Office Order to conduct inquiry will be issued by the Competent Authority containing following:-

12.3.1. Brief statement of offence committed by the accused.

12.3.2. Composition of Inquiry Board/Committee.

12.3.3. Date of commencement of inquiry proceedings.

12.3.4. Date of submission of proceedings to the Competent Authority.

12.3.5. Any other instructions deemed necessary.

12.4. An Inquiry Report (Format –Annex-D) will invariably have following contents in the sequence as given below:-

Stage 1:- (Steps by the Competent Authority)

12.4.1. Charge Sheet and Statement of Allegation(s)/ Offence(s) to the accused will be served in writing by the concerned Competent Authority (Annex-A & Annex-B respectively).

12.4.2. Written reply will be submitted by the accused in his/her defence against the served charge sheet and statement of allegation. If written reply is not given by the accused, then same will be recorded in inquiry report by the board.

12.4.3. Board/ Inquiry Committee will be constituted by Competent Authority (Annex-C).

Stage 2:- (Steps by the Inquiry Committee) (Specimens attached)

12.4.4. Statements of the accused and witnesses will be recorded.

12.4.5. Questions will be asked from the witnesses and accused. The questions and answers will be made part of the inquiry.

12.4.6. Supporting documents mentioned/referred to as appendices in the statements of the witnesses will be made part of the inquiry after verification/ attestation.

12.4.7. The accused will be given the right of cross examination on the witnesses. The same will also be recorded and made part of the inquiry. In case the accused do not ask cross question then the same should also be written in inquiry.

12.4.8. There must also be signatures/thumb impressions at the end of statement and answers given by the accused.

12.4.9. A brief statement by the Inquiry Officer/Board/Committee will be prepared as "Findings" based on the facts/evidences brought out of the statements of the witnesses and the accused.

12.4.10. A brief statement by the Inquiry Officer/Board/Committee will be prepared as "Opinion" stating the overall actual facts of the offence by the accused.

12.4.11. Recommendations regarding the penalty by the Inquiry Officer/Board/Committee.

12.4.12. Signatures by the President and members of the Inquiry Board/Committee will be at the end of findings, opinions and recommendations.

12.4.13. Submission of Inquiry Report to the Competent Authority.

Stage 3: - (Steps by the Inquiry Officer)

12.4.14. The Inquiry Officer after giving opinion, findings and recommendation and before imposed penalty shall get the inquiry vetted from NUST Legal team before putting up to the Competent Authority.

Stage 4: - (Steps by Legal Team)

12.4.15. Submission of inquiry report duly vetted by Legal team to the Competent Authority for decision (Annex-E).

Stage 5:- (Actions by the Competent Authority) (Specimen attached)

12.4.16. Show Cause Notice (Annex-F) followed by Personal Hearing (Annex-G) is given to the accused.

12.4.17. Recommendation/Decision will be given by the Competent Authority in consultation with Inquiry officer (President).

12.4.18. The decision on the case would be processed for implementation of the penalty (Format – Annex-H).

12.4.19. The Right of Appeal to the accused will be entertained (within 30 days) in front of the NUST Appellant Authority and it will be written in the Letter of Punishment.

13.APPEAL

Any person on whom a penalty is imposed shall have the right to appeal (in 30 days of decision of the authority) to the next higher authority.

14.APPEARANCE OF COUNSEL

No party to any proceedings under these guidelines/ rules/ statutes at any stage of the proceedings before the authority, inquiry officer or any inquiry committee as the case may be, shall be represented by an advocate or counsel.

15.CLASSIFICATION OF DOCUMENTS

Records and documents will be kept by HR Directorate (Main Office NUST) in a confidential file and not disclosed to or discussed with any person who is not directly involved in the investigatory/ disciplinary procedure.

Annex-A



(SPECIMEN)

NATIONAL UNIVERSITY OF SCIENCES AND TECHNOLOGY

(Name of the School/Dte/Institute)

No. ----- Place-----Dated-----

CHARGE SHEET

1. WHEREAS the Authority in your case in terms of NUST Efficiency and Discipline Rules, is of the opinion that sufficient ground exist to proceed against you.

2. WHEREAS I, _____ (*name and designation*) as Competent Authority in your case have decided to proceed against you under NUST Efficiency and Discipline Rules.

3. WHEARES I, consider that in the light of the facts of the case and in the interest of justice, it is necessary to hold an inquiry through an Inquiry Officer/Inquiry Committee; and

4. NOW THEREFORE, you Mr (Name & Designation of the accused) BPS/EBPS _____ and (*name of Service/Cadre*) posted as _____ are hereby charged as under:-

That while posted as _____ you committed the following acts of misconduct :-

- i. { (Material in the
ii. { gist of charges
iii. { can be consulted) }

5. By reason of the above you appear to be:-

** (a) Inefficient or have ceased to be efficient

** (b) guilty of misconduct

** (c) corrupt or reasonably be considered as corrupt

** (d) found involved in subversive activities

* Strike out whichever is not applicable.

** Strike out whichever is not applicable and select the appropriate ground in para 5 after consulting inter alia the material given in the gist of charges.

(SPECIMEN)

6. And Whereas, by reason of the above read with details given in the enclosed statement of allegations, you are liable to disciplinary action under NUST (Efficiency and Discipline) Rules which may involve imposition of the penalty of dismissal from service / termination of contract.

7. Now therefore, you are hereby required to submit your written defence to the above charges within Ten (10) days of the receipt of this charge sheet, explaining as to why disciplinary action, as aforesaid, should not be taken against you, and stating at the same time, whether you also desire to be heard in person.

8. Please take notice that your written defence should reach within the aforesaid period direct to Mr. _____, who has been appointed as Inquiry Officer, failing which it shall be presumed that either you have no defence to offer or you have declined to offer the same and accept the charges and in that case action shall be taken ex-parte.

Competent Authority
Name & Designation

Mr. (the accused)

.....
.....
.....

+ (1) Copy with a copy of Statement of Allegations is forwarded for information and necessary action to the Inquiry officer (Mr. _____). The Inquiry may please be conducted on day to day basis without interruption and your findings and grounds thereof be submitted to the Competent Authority within 10 days of the conclusion of the proceedings.

+ 2. The School/ Institute/Dte is requested to detail a departmental Representative well conversant with the facts of the case alongwith relevant records to assist the Inquiry Officer during inquiry.

Name & Designation
of the **Competent Authority**

Date: _____

+ Note to appear on the original Charge Sheet to be served on the accused officer.

Annex-B



(SPECIMEN)

NATIONAL UNIVERSITY OF SCIENCES AND TECHNOLOGY

(Name of the School/Dte/Institute)

STATEMENT OF ALLEGATIONS

Mr. _____ formerly _____

(Designation, School/Dte/Institute)

posted as _____
(Designation, School/Dte/Institute)

is accused of inefficiency/ corruption/ misconduct/ subversion/ arising out of the
(write whatever is applicable)

following acts of omission and commission.

That while posted as _____

in _____ you:-

- (i) {
(ii) { (Full details of the charges
(iii) { contained briefly in the charge
(iv) { sheet may be given here) }

Competent Authority
(Name & Designation)

Date: _____

Annex-C



(SPECIMEN)

NATIONAL UNIVERSITY OF SCIENCES AND TECHNOLOGY

INQUIRY ORDER

Name of School/Dte/Institute

No. _____

Islamabad

20XX.

INQUIRY ORDER

In pursuance of NUST Efficiency & Discipline Rules, the Competent Authority is pleased to appoint Mr. _____, as Inquiry Officer to conduct inquiry proceedings against Mr. _____ and following are the inquiry members: -

- a. _____
- b. _____
- c. _____

2. The inquiry shall be conducted in accordance with the provisions of the NUST Efficiency & Discipline Rules and the report shall be submitted to the Competent Authority within 30 days of the conclusion of the proceedings.

3. Copies of the charge sheet served upon the accused officer and statement of allegation are enclosed.

Encl. As Above

Competent Authority
(Name & Designation)

Name & Designation/address
of the Inquiry Officer.

Copy to:-

- i) The accused officer
- ii) Departmental Representative (if nominated) in the case.



Annex-D

(SPECIMEN)

NATIONAL UNIVERSITY OF SCIENCES AND TECHNOLOGY

INQUIRY REPORT FORMAT

PREAMBLE

1. On November 28, 2012, Accounts Office (Payment), at Institution / Directorate reported to the Finance Directorate, that Principal / Director (Institution / Directorate name) has suspended the Accounts Officer, Name, and “seized” his office. It was confirmed by the Principal / Director in a meeting held in evening with the Pro-Rector / Chief Financial Officer (CFO) / Advisor. The Principal / Director informed the Pro-Rector / CFO / Advisor that he had constituted a team from School / Directorate to investigate the matter. The team had confirmed “misappropriation” of funds to the tune of PKR (Amount) 3022 by the Accounts Officers and recommended disciplinary action against him and other staff of the concerned Section (Institution / Directorate Name).

2. On the basis of this report, a special audit was ordered vide Office Order No. _____ dated _____ which identified violations of NUST Statutes and rules, including financial irregularities.

3. In view of the recommendations of the Special Audit Team, a Board of Inquiry, composed as under was constituted to establish the factual position, apportion the blame and (Number) five specific recommendations for necessary disciplinary action-Annex-A:

a. President : Mr. _____

b. Members: (1) Mr. _____

(2) Mr. _____

(3) Mr. _____

Date: _____



(SPECIMEN)

NATIONAL UNIVERSITY OF SCIENCES AND TECHNOLOGY

Inquiry Board/Committee proceedings in respect of

Mr _____ Concerning _____, _____,
Charge [No] (Designation) (Institution/Directorate)

The Accused

I _____ S/O _____, CNIC No _____,
Religion _____ Caste _____, Resident of _____
_____ having been duly warned, states:

Questions by the Inquiry Committee

Question 1: _____

Answer 1: _____

Question 2: _____

Answer 2: _____

The above statement has been read over to the witness and he signs it as correct.

(Mr _____ S/O _____)

Date: _____

Witness No 1

Rules For Disciplinary Matters and Inquiry Proceedings / (Guidelines) 2023

I _____ S/O _____, CNIC No _____,
Religion _____ Caste _____, Resident of _____
_____, having been duly warned, states:-

QUESTIONS BY THE INQUIRY COMMITTEE

Question1: _____

Answer 1: _____

Question 2: _____

Answer 2: _____

(Mr _____ S/O _____)

QUESTIONS BY THE ACCUSED

Question1: _____

Answer1: _____

Question 2: _____

Answer 2: _____

The above statement has been read over to the witness in the language he understands and signs it as correct. (In case a witness cannot understand English)

(Mr _____ S/O _____)

*(Advised as per need)

Witness No 2

I _____ S/O _____, _____,

(Designation) (Institution/Directorate)

Resident of _____, Caste _____,
Religion _____, having been duly
warned, states:-

QUESTIONS BY THE INQUIRY COMMITTEE

Question 1: _____

Answer 1: _____

Question 2: _____

Answer 2: _____

(Mr _____ S/O _____)

QUESTIONS BY THE ACCUSED

Question 1: _____

Answer 1: _____

Question 2: _____

Answer 2: _____

The above statement has been read over to the witness in the language he understands
and signs it as correct. (In case a witness cannot understand English)

(Mr _____ S/O _____)

*(Advised as per need)

FINDINGS

After going through the statements of the witnesses and available evidences, the Board/Committee finds following facts:-

1. _____
2. _____
3. _____
4. _____
5. _____

OPINION

After having gone through the statements of the witnesses and findings, the Board/Committee is of the opinion that _____

RECOMMENDATIONS

After having gone through the statements of the witnesses, findings and opinion, it is recommended that _____

SIGNATURES

President: _____
(Name)

Member: _____
(Name)

Member: _____
(Name)

Member: _____
(Name)

Date: _____



Annex-E

(SPECIMEN)

NATIONAL UNIVERSITY OF SCIENCES AND TECHNOLOGY

To: **Competent Authority**

Subject: **Inquiry Report**

Reference:

Inquiry report in respect of Mr. _____, Designation (current status), duly completed in all respects, is submitted herewith as desired, please.

(Inquiry Officer)

(Name and Designation)

Date: _____

Encls: (No of Documents)

Annex-F



(SPECIMEN)

NATIONAL UNIVERSITY OF SCIENCES AND TECHNOLOGY

No _____

Islamabad, _____

SHOW CAUSE NOTICE

1. Whereas you Mr _____ (EBPS/BPS _____) while serving as _____ allegedly committed an act of "Misconduct" and were proceeded against under NUST Efficiency & Discipline Rules, vide Charge Sheet of even number dated _____
2. Whereas Mr _____ was appointed as Inquiry Officer who has submitted the inquiry report in which the charge/allegation stands proved against you (copy of the Inquiry Report is enclosed).
3. And whereas the undersigned in his capacity as the "Competent Authority", on considering the findings of the Inquiry officer/ Committee, has reached the conclusion that the charge/allegation contained in the aforesaid Charge Sheet has been established.
4. Now therefore, you Mr _____ are called upon to show cause in writing within 7 days of the date of receipt of this notice as to why a penalty, including the major penalty of "dismissal from service \ termination of contract" as provided in NUST (Efficiency & Discipline) Rules, may not be imposed upon you. You are also required to indicate in your reply if you want to be heard in person.
5. In case no reply is received within the specified period, it would be presumed that you have no defence to offer or you have declined to offer the same and accept the charges and in that case action against you shall be taken ex-parte.

Competent Authority
(Name & Designation)

Date: _____

Mr _____ (Accused Officer)

Annex-G



(SPECIMEN)

NATIONAL UNIVERSITY OF SCIENCES AND TECHNOLOGY

No _____

Islamabad, _____

NOTICE OF PERSONAL HEARING

1. Whereas you Mr. _____ in (EBPS/BPS _____) while serving as _____ allegedly committed an act of "Misconduct" and were proceeded against under NUST Efficiency & Discipline Rules, vide Charge Sheet and Statement of Allegation of even number dated _____ that,

- (i) { (Full details of the charges
(ii) contained briefly in the charge
(iii) sheet may be given here) }

2. Whereas Mr. _____ was appointed as Inquiry Officer who has submitted the inquiry report in which the charge/allegation stands proved against you (copy of the Inquiry Report is enclosed).

3. And whereas the undersigned in his capacity as the "Competent Authority", on considering the findings of the Inquiry officer/ Committee, has reached the conclusion that the charge/allegation contained in the aforesaid Charge Sheet has been established and show cause was served to you accordingly.

4. "If you want to be heard in person then" / "You indicated in your reply to the show cause that you desired to be heard in person therefore, now" you Mr. _____ is called upon to appear in person for personal hearing at _____ hours on _____ before the undersigned.

5. In case you do not appear on given date/time then it would be assumed that you have no defence to offer or you have declined to offer the same and accepted the charges as it is and in that case action against you shall be taken ex-parte.

Competent Authority
(Name and Designation)

Date: _____

Mr _____ (Accused Officer)

Annex-H



(SPECIMEN)

NATIONAL UNIVERSITY OF SCIENCES AND TECHNOLOGY

DECISION BY THE COMPETENT AUTHORITY

Competent Authority
(Name and Designation)

Date: _____



Human Resource Directorate

Main Office

National University of Sciences & Technology

Tel: 051-90851331 | Fax: 051-90851332 | email: hrm@nust.edu.pk