



# HYDERABAD ELECTRIC SUPPLY COMPANY HYDERABAD

## OFFICE OF THE COMPANY SECRETARY HESCO

3<sup>RD</sup> FLOOR ROOM NO.301 WAPDA OFFICES COMPLEX HUSSAINABAD HYDERABAD

Phone No.022-9260017

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No.HESCO/BOD/CSI 1840-58

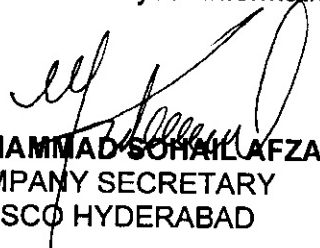
Date 29.06.2021

1. **Engr. Shaikh Jamil Gul**, Chairman BOD, Plot # 2-C 9<sup>th</sup> Zamzama Commercial Lane, Phase-5, DHA, Karachi (Cell # 03008208676).
2. **Syed Zahir Hassan Rizvi**, Director BOD, 88/II/II 10<sup>th</sup> Lane Kh-e-Sehar Phase-VII DHA Karachi (Cell # 03082225027).
3. **Mr. Mohammad Rashid Hussain** Director BOD, Flat No.203, Plot No.222-H, Block-2, PECHS, Karachi (Cell # 03228187192)
4. **Mr. Ali Ahmed Palh**, Director BOD, Palh House 76-A/II/I 32<sup>nd</sup> Street Khayaban-e-Sehar Defence Karachi (Cell # 03042650047).
5. **Mr. Shahid Zaki**, Director BOD, 7/1 Khayaban-e-Hafiz DHA Phase-V Karachi (Cell # 03028228753).
6. **Engr. Irfan Ahmad**, Director BOD, 133/1, 12<sup>th</sup> Street, Khayaban-e-Bokhai, DHA Ph-6 Karachi (Cell # 03453377750)
7. **Mr. Akbar Azam Rajar**, Director BOD, Deputy Secretary (E&D) Power Division GoP Islamabad (051-9221964).
8. **Ms. Shahnaz Akhtar**, Director BOD / Deputy Secretary (CF-II) ministry of Finance Q-Block Room No.123 GoP Islamabad (051-9202063)
9. **Mr. Imtiaz Ali Shah**, Director BoD, Director Alternative Energy, Energy Department Govt. of Sindh, 3<sup>rd</sup> Floor State Life Insurance Corporation of Pakistan Building No.3, Dr. Ziauddin Ahmed Road, Opposite C.M. House, Karachi (Cell #03333533344)
10. **Mr. Rehan Hamid**, Director BOD/CEO HESCO, (022-9260023).
11. **Mr. Zulfiqar Ahmad Farooqui** Director BoD Living Icon, Plot No.C/25, Block-B, Unit No.5 Latifabad Hyderabad (03203581596).
12. **Mr. Muhammad Rashid Khan**, Director BoD, House No.F66\_1153/3 Tulsi Dass Road Gari Khata Hyderabad (03003019872)
13. **Mir Janullah Khan Talpur**, Director BoD, PO Box Kotmirs Landhi via Mirwah Gourchani, District Mirpurkhas Sindh (03337655557)

**Subject: MINUTES OF 190<sup>th</sup> BOD OF HYDERABAD ELECTRIC SUPPLY COMPANY LIMITED.**

The minutes of 190<sup>th</sup> BOD meeting of Hyderabad Electric Supply Company Limited held on 18.06.2021 at Committee Room, HESCO Power Wing Colony, Hussainabad Hyderabad, duly signed by the Chairman BOD HESCO, are sent herewith for your information please.

DA : As above

  
(MIAN MUHAMMAD SOHAIL AFZAL)  
COMPANY SECRETARY  
HESCO HYDERABAD

Copy to:

1. General Manager (Operation) HESCO Hyderabad.
2. Chief Engineers HESCO \_\_\_\_\_(all)
3. Chief Commercial Officer HESCO Hyderabad.
4. Chief Financial Officer HESCO Hyderabad.
5. DG/ Admn & HR Director HESCO Hyderabad.
6. Chief Internal Audit HESCO Hyderabad.
7. Master file.



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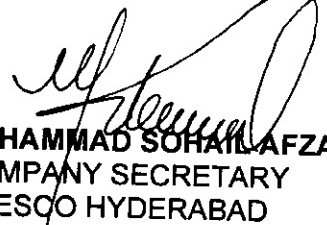
Date 22-06-2021

1. **Engr. Shaikh Jamil Gul**, Chairman BOD, Plot # 2-C 9<sup>th</sup> Zamzama Commercial Lane, Phase-5, DHA, Karachi (Cell # 03008208676).
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## **MINUTES OF MEETING**

Meeting : 190<sup>th</sup> BOD MEETING

Date : 18.06.2021 (Monday)

Time : 10.00 a.m.

Venue : COMMITTEE ROOM HESCO POWER WING COLONY  
HYDERABAD.

### **ATTENDEES.**

1. Engr. Shaikh Jamil Gul.	Chairman BoD (On line)
2. Mr. Mohammad Rashid Hussain	Director BoD. (On line)
3. Mr. Shahid Zaki	Director BOD (On line)
4. Syed Zahir Hassan Rizvi.	Director BOD (On line)
5. Engr. Irfan Ahmed.	Director BOD (On line)
6. Ms. Shahnaz Akhtar.	Director BOD (On line)
7. Mr. Akbar Azam Rajar.	Director BOD (On line)
8. Mr. Ali Ahmed Palh.	Director BoD (On line)
9. Mr. Zulfiqar Ahmad Farooqui	Director BoD
10. Mr. Muhammad Rashid Khan	Director BoD
11. Mir Janullah Khan Talpur	Director BoD
12. Mr. Rehan Hamid	Director BoD/CEO
13. Mian Muhammad Sohail Afzal	Company Secretary.

### **ON LEAVE**

1. Mr. Imtiaz Ali Shah	Director BoD
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### **ATTENDEE OFFICERS OF HESCO**

1. Mr. Muzaffar Nizam	HR & Admn Director
2. Ms. Hina Talpur	Chief Financial Officer
3. Mian Muhammad Sohail Afzal	Director (HRM)
4. Mr. Ali Khan Jamali	Deputy Manager (L&L)



The proceedings of 190<sup>th</sup> BOD meeting were started with the recitation of the verses from the Holy Quran. Engr. Shaikh Jamil Gul, Chairman of the BOD presided over the meeting. The Chairman welcomed all the BOD Members and the Management. He appreciated the hard work of the Management and advised to work day and night for progress of the company. The Company Secretary apprised the Honorable Chairman and the Board that Mr. Imtiaz Ali Shah BoD Member was unable to attend the BoD meeting due to his official engagements and the Board agreed to grant him leave. Mr. Akbar Azam Rajar showed concern that the working paper for the agenda has been received to him after start of the meeting. The Member said exercising the independent judgment is not possible if the material/working paper of the meeting is received so late. The Honorable Chairman and Members agreed and asked the Company Secretary to advise the Management for the needful in future. The Session was formally started and the following agenda was discussed: -

**Agenda # 01. CONFIRMATION OF MINUTES OF THE 189<sup>th</sup> BoD Meeting**

The agenda was deferred for the next BoD Meeting due to some observation on the Minutes circulated for confirmation.

**ACTION POINTS:**

Point of Action	Responsibility	Time line	Status
Confirmation of Minutes Of 189 BoD meeting	Company Secretary	Next BoD meeting	Open

**Agenda # 02. REGULARIZATION OF DAILY WAGERS**

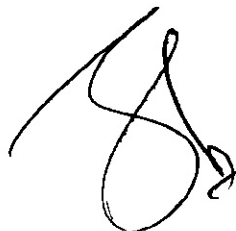
**POINTS OF DISCUSSION:**

1. Initially, the Management briefed all the points and contents of the item note to the worthy Board Members. It was apprised that against the HESCO's Board's approval of 428 numbers, the Management, during 2012-13, appointed 511 No. Daily Wagers against various categories of posts through a 07 members Selection Committee. Thereafter, appointed 102 No. deceased employees' children and then finally, appointed 24 No. candidates during 2015-16 without Board's approval. This irregularity attracted



enquiries on different forums leading to fines & imprisonment to various officers of HESCO management who were later on acquitted of the charges from the Competent Courts of law including NAB & Hon'able Sindh High Court Bench at Karachi due to non-provision of sufficient record and giving benefit doubt.

2. The Management also apprised that, presently, 551 No. Daily Wagers are working in HESCO, against posts of various categories, who have more than 03 years' service at their credit and so, are entitled for consideration of Regularization, if otherwise eligible, subject of fulfillment of all codal formalities including Qualification, Age, Domicile etc as per WAPDA/PEPCO/Ministry's instructions issued from time to time in this regard.
3. Members of the HR Committee also apprised the Board, that they have undertaken deliberations upon the case in the 51 & 52 HR Committee meetings held on 09.06.21 and 15.06.21 respectively and had even referred the case to Nomination & Legal Committee held on 14.06.21 for deliberations on the specific point regarding legal repercussion in case court's decision's compliance was not done/made on 23 of June 2021. The Members of the Nomination and Legal Committee requested the Company Secretary to place the minutes of the Nomination and Legal Committee before all the Members as the recommendations of the said committee were not in item note. The recommendations of the Nomination and Legal Committee were also placed before all members and discussed at length. However, the Convener of HR Committee reinforced that Nomination & Legal Committee was required to present its view in the 52<sup>nd</sup> HRC meeting which was presented and the same is mentioned in the 52<sup>nd</sup> HRC meeting minutes. Keeping in view the facts of the case, orders of the Honorable Sindh High Court, Hyderabad, and various other legal points involved in the matter, the HR committee has recommended the case to BOD for Policy Decision to avoid non-compliance of the Court orders without going into the details of Numbers of Daily Wagers with recommendation to follow the policy and procedures of regularization taking into consideration the instructions of WAPDA/PEPCO. N& LC unanimously agreed that the fitness, age factor, qualification of the candidates should be rechecked & assessed and remove any legal lacuna left into the recruitment and should be done according to the law.
4. A few Board members raised their concerns about availability of budget in case of regularization of these Daily Wagers. However, the Chief Financial Officer HESCO



apprised the Board that this budget belongs to Financial Year 2021-22 and will be arranged as budget exercise for the next Financial Year is under process in her office.

5. Since no definite number was provided in the item note, some Members of the Board suggested that regularization may be done in phases; initially against the approved 428 Nos. in 1<sup>st</sup> phase on which everybody has confidence, and then of the remaining numbers in 2<sup>nd</sup> phase. A commitment may be provided to the court that all eligible daily wagers will be regularized. However, the majority of the members disagreed to the proposal as this may attract adverse orders for the Board as well as for the Management from the Hon'able Sindh High Court, Hyderabad as all the Daily Wagers have completed basic criteria of 03 years length of service.
6. The Shortage of the staff and time expected to be taken for recruitment against these posts from market were also discussed in detail by the Board. The importance of these employees with respect to experience held by them was also discussed and deliberated upon thoroughly. Majority of the members showed their resolve to ask the management to consider their cases of regularization subject to the condition that no rule/law/regulation/policy/instructions from PEPCO/Ministry issued from time to time may be deviated in any case.
7. A Member from Ministry apprised to the BoD that the relevant file and the letters mentioned in item note regarding permission from the Ministry to HESCO for appointment are not traceable on possible scrutiny of the record in the Ministry and also that one Inquiry is underway on such letter issued in case of SEPCO on active pursuance of the FIA in the said matter. Thus, the Member said that the authenticity whether the said letter is issued or not cannot be determined at this point in time. The Member on request from the Chairman observed that process may be started in phases through Selection Committees meant for each cadre as per Service Rules. The Member also mentioned the conditions laid down by the former Board (Publication of the advertisement and competition of these employees with other fresh candidates through tests by the Testing Agency and the test may be conducted by HESCO for BS- 1 to 5). The Member apprised that written/screening tests through Testing Agencies has been banned). The Member also raised apprehension regarding ghost employees and adjustment of employees in back dates for regularization of their services. The Member referring to the suggestion of Mr. Ali



Ahmed Palh also emphasized that referring the matter to the committees refines such cases and avoids any administrative and legal complications at later stages. The member said that if the regularization has to be done, the following must be ensured while processing the regularization by the management: -

- I. The process may be carried out in phases. In the first phase the process may be started for the employees in BS 1 to 5 with the approval of the Appointing Authorities.
- II. The Process may be carried out through conduct of the meetings of the various relevant Departmental Selection Committees (DSCs)
- III. Interview and written tests must be conducted (While preparing written test papers, functional areas may be focused and it may be kept in mind that these employees have been working for a long period of time away from their studies so while taking written test these factors may be kept in mind so far as level of difficulty of the said test is concerned subject to further consideration by the Appointing Authorities. For the appointment of the ALM the Ministry has also shared the Model Policy for recruitment through Public Sector University. The written test for that cadre may be arranged or taken in the appropriate manner.
- IV. All the relevant rules/policies/instructions issued from time to time meant for regularization and conditions for regularization mentioned therein must be followed and adhered in letter and spirit after completing all codal formalities as per WAPDA/PEPCO/Ministry's instructions keeping in view the previous decision of 138th BoD meeting held on 02.01.2018.
- V. The process for regularization must be started for the number of employees, whatever their number may be but in any case, not more than, 551 who have the required service as per the relevant rules without any break and also that it must be ensured that all the employees are eligible for the regularization in all fairness and number must not be deviated in any case for favoring or in the disadvantage of any employee. The Element of Ghost employees must be kept while carrying out the process.



8. A Member from Ministry of Finance division opined that her responsibility is to check the correctness of financial implications of Rs 39 million approx. Since, there is no working sheet along with the item note that how figure has been arrived, she has indifferent/no comments towards agenda under discussion.
9. However, the Board, finally, drew its attention towards the Order of the Hon'able High Court and Advice of the Legal Counsel Mr. Arshad Pathan, Advocate Supreme Court of Pakistan and deliberated that the "Course" adopted for Regularization of Daily Wagers must exactly be in "Conformance" of WAPDA/PEPCO rules and instructions and the Management will abide by the rules following due process of law, leaving no lacunas.
10. The Management again stressed and insisted for approval of 551 No. working Daily Wagers to consider them for Regularization in compliance of Honorable Sindh High Court, Hyderabad orders dated: 26.05.21 and on the Advice of Legal counsel Mr. Arshad Pathan Advocate Supreme Court of Pakistan. However, the Management affirmed the Board that due diligence will be made to complete the process of Regularization through Selection Committees as per Service Rules and in conformance of criteria prescribed in the WAPDA/PEPCO instructions/rules issued from time to time in this regard.

#### **DECISION:**

The Board agreed and resolved to accord policy clearance for consideration of 551 Nos. Daily Wagers for Regularization of their services against the sanctioned posts they have already been working continuously on 89 days spell basis in the light of prevailing rules/ instructions on merit through concerned Selection Committees as per Service Rules keeping in view the following criteria without any exception and relaxation: -

1. Qualification as per Service Rules of the post.
2. Age as per Service Rules of the post and PEPCO / WAPDA instructions regarding Daily Wagers.
3. Domicile must be of HESCO region except employees' children.
4. Continuous service on 89 days spell basis (03 years or above)

#### **ACTION POINTS:**

Point of Action	Responsibility	Time line	Status
Issuance of Resolution	Company Secretary	Next BoD meeting	Open



**Agenda# 09 ESTABLISHMENT OF MARKET IMPLEMENTATION AND REGULATORY AFFAIRS DEPARTMENT (MIRAD) IN HESCO**

**DECISION:** Not discussed and deferred to be discussed in the next BoD meeting.

**ACTION POINTS:**

Point of Action	Responsibility	Time line	Status
Item will be placed before BOD	DG(HR)	Next BOD Meeting	Open

There being no further business to transact, the meeting ended with a vote of thanks to and from the Chair.

  
(ENGR. JAMIL GUL SHAIKH)  
Chairman BOD HESCO