

GOVERNMENT OF PAKISTAN
(REVENUE DIVISION)
FEDERAL BOARD OF REVENUE

Islamabad 24-07-2024

NOTIFICATION
(Major Penalty)

No.1923-C-IV/2024: Whereas disciplinary proceedings were initiated against Mr. Asghar Kamal, Inspector Customs (under suspension), Collectorate of Customs (Appraisement), Kohat, on account of "**Inefficiency & Misconduct**".

2. Accordingly, the accused officer was placed under suspension vide Board's Notification dated 19.01.2024 and Order of Inquiry dated 12.02.2024 along with Charge Sheet and Statement of Allegations on the charges of "Inefficiency & Misconduct" under Civil Servants (Efficiency & Discipline Rules), 2020 were served upon the accused officer. Mr. Afnan Khan (PCS/BS-19) was appointed as Inquiry Officer to conduct the inquiry against the accused officer.

3. The Inquiry Officer submitted Inquiry Report vide letter dated 20.05.2024 and established the charge of "Inefficiency" against the accused officer and recommended for imposition of minor penalty of "Withholding of one increment for a period of one year" as enumerated in Rule 4(2)(b) of the Civil Servants (Efficiency & Discipline Rules), 2020.

4. On the basis of Inquiry Report, Show Cause Notice dated 29.05.2024 was served upon the accused Inspector on the charge of "Inefficiency". The accused Inspector furnished his defence reply to the Show Cause Notice and denied the charge levelled against him and requested for grant of personal hearing. Accordingly, the accused was granted an opportunity of personal hearing on 10.07.2024 in terms of Rule-17 of Civil Servants, (Efficiency & Discipline) Rules, 2020.

5. The accused officer and Departmental Representative (DR) (Mr. Wahaj Saghir, Deputy Collector, Collectorate of Customs Appraisement, Kohat) attended the hearing. During the course of personal hearing, the accused reiterated the arguments put forth in his written reply to the Show Cause Notice and as was submitted before the inquiry officer and did not produce any cogent reason / proof/ evidence in his support which could prove his innocence in the case. Moreover, earlier to this, disciplinary proceedings were also initiated against him vide Order of Inquiry dated 11.05.2022 and a major penalty of "Reduction to a lower post and pay scale from Inspector Customs (BS-16) to a post in BS-15 for a period of one year" was imposed upon him which was converted by the Appellate Authority into minor penalty of "Reduction to a lower stage by three stages in pay scale for period of three years without cumulative effect". Hence, keeping in view the instant proceedings and his previous record, minor penalty as

recommended by the Inquiry Officer in the instant case is not adequate and he deserves a Major/harsh penalty.

6. Whereas, the Member (Admn/HR), FBR, being the Authority under Rule-2(1)(c) of the Civil Servants, (Efficiency & Discipline) Rules, 2020, in this case, having gone through the available record/facts of the case, inquiry report, Show Cause Notice, reply to the Show Cause Notice, his previous disciplinary proceedings and verbal submissions made by the accused, contentions of the DR during the course of personal hearing, did not agree with the recommendation of the Inquiry Officer and has decided to impose major penalty of **"Reduction to a lower post and pay scale from the substantive or regular post i.e. Assistant (BS-15) for a period of one year"** upon Mr. Asghar Kamal, Inspector Customs (under suspension), Collectorate of Customs (Appraisalment), Kohat under Rule-4(3)(b) of the Civil Servants (Efficiency & Discipline) Rules, 2020.

7. Moreover, he is reinstated into Government Service with immediate effect and period of his suspension i.e. from 19.01.2024 till his reinstatement is treated as leave of kind due as admissible under the Revised Leave Rules, 1980.

8. In the light of Sr.No.7(ii) of FBR's policy "Guidelines for Performance Allowance 2015" circulated (Circular No.1/2015) vide C.No.6(96)S(BIC)/2013-2014, dated 06.03.2015, performance allowance of aforesaid officer, is hereby stopped for one year from the date of award of this penalty and he shall have to appear afresh for restoration of the same under the policy.

9. He will have a right to appeal against this Order to the Appellate Authority under Civil Servants (Appeals) Rules, 1977 within a period of 30 days from the date of communication of this notification.


Munir Ahmad
1923-C-IV/2024

Second Secretary (M/HR.C-IV)

The Manager,
Printing Corporation of Pakistan Press,
Karachi.

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Copy to:-

1. Member (Admn/HR), FBR.
2. Collector, Collectorate of Customs (Appraisalment), Kohat.
3. Second Secretary (SSM)/(ERM)/(IJP), FBR.
4. AGPR Sub-Office, Peshawar.
5. District Accounts Office, Kohat
6. Officer Concerned.
7. Personal File / Notification folder /Library.



Munir Ahmad

1923-C-IV/2024

Second Secretary (M/HR.C-IV)

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