

(TO BE PUBLISHED IN THE GAZETTE OF PAKISTAN PART.I)

GOVERNMENT OF PAKISTAN
REVENUE DIVISION
FEDERAL BOARD OF REVENUE

Islamabad, the 25th October, 2024.

NOTIFICATION
(Major Penalty)

No. 2704-C-III/2024: - Whereas, disciplinary proceedings were initiated under the Civil Servants (Efficiency & Discipline) Rules, 2020 against Mr. Shahid Naseem Joiya, Superintendent (BS-16/under suspension) Collectorate of Customs Enforcement, Sargodha on account of his involvement in illegal removal of goods from Customs Warehouse, D.G. Khan Division on the night between 01.02.2024 and 02.02.2024 and replacement of goods from truck worth of Rs. 76 million in connivance with smugglers.

2. Accordingly, the accused officer was placed under suspension and an Order of Inquiry along with Charge Sheet and Statement of Allegations dated 16.04.2024 on the charges of "inefficiency", "misconduct" & "corruption" under Rule-3(a)(b)&(c) of the Civil Servants (Efficiency & Discipline) Rules, 2020, were served upon the accused officer. Syed Ali Akbar Zaidi (PCS/BS-19) was appointed as Inquiry officer to scrutinize conduct of the accused officer.

3. The Inquiry Officer had furnished inquiry report vide letter dated 14.06.2024 and concluded that the grave violation on part of the accused which has caused considerable loss to Government exchequer as only a portion of the goods were recovered later on. Therefore, the accused officer is found guilty of "inefficiency", "misconduct" & "corruption" and recommended imposition of major penalty of "Removal from Service" under Rule-4(3)(d) of the Civil Servants (E&D) Rules, 2020.

4. Accordingly, a Show Cause Notice dated 28.06.2024 under Rule-16(6) of the Civil Servants (E&D) Rules, 2020 was served upon the accused officer. The accused officer had furnished his reply to the Show Cause Notice and denied the charges levelled against him and also requested that an opportunity of personal hearing may be granted. In terms of Rule-17 of the Civil Servants (Efficiency & Discipline) Rules, 2020, an opportunity of personal hearing was provided to the accused officer on 20.08.2024.

5. The accused officer appeared (in person) in the hearing proceedings and DR appeared via video link. The accused officer prayed that no documentary evidences were provided to him by the Collectorate and raised some other issues pertaining to inquiry proceedings. Therefore, the Authority had directed the DR to provide relevant documents to the accused within a period of one month positively. In compliance, the Collectorate provided the requisite relevant documents to the accused officer.

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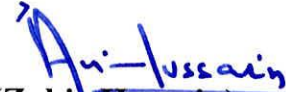
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6. Accordingly, another opportunity of personal hearing was provided to the accused officer on 23.10.2024. Hearing was attended by two Officers of Collectorate i.e. M/s Muhammad Zohaib, Deputy Collector and Naeem Raza, Assistant Collector along with the accused officer.

7. During course of personal hearing, the Departmental Representatives narrated the detail of the case and played audio recording conversations of the accused with the subordinate officer and smugglers. These audio recording had already been verified by the Forensic Lab to be authentic. All documentary evidences establish without any shadow of doubt involvement of the accused in illegal removal of goods from Customs Warehouse D.G. Khan Division. The accused officer reiterated the points already raised in his reply to Show Cause Notice and could not offer anything new or any plausible grounds in his defense that was not already on record.

8. The Member (Admn/HR), FBR, being the Authority under Rule-2(1)(c) of the Civil Servants (E&D) Rules, 2020, in this case, had gone through the available record, facts of the case, findings/recommendations of the Inquiry Officer, arguments put forth by the representatives of the Collectorate and accused officer during the course of personal hearing, is of the considered opinion that the accused officer has miserably failed to prove his innocence. Hence, the accused officer is found to be guilty of "inefficiency", "misconduct" & "corruption" therefore, the Authority, has decided to impose a major penalty of "Removal from service" upon Mr. Shahid Naseem Joiya, Superintended (BS-16/under suspension) under Rule-4(3)(d) of the Civil Servants (E&D) Rules, 2020. Moreover, the intervening period of suspension from 06.02.2024 till date is treated as extra ordinary leave without pay (EOL) under the Revised Leave Rules, 1980.

9. The official 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.



(Zakir Hussain) 25/10/24
Second Secretary (M/HR.C-III)

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Copy to:-

1. SA to Secretary Revenue Division/ Chairman, FBR.
2. Members (Admn/HR), FBR, Islamabad.
3. Collector, Collectorate of Customs Enforcement, Sargodha
4. Second Secretary (SSM)/(ERM), FBR, Islamabad.
5. The AGPR Sub Office, Lahore
6. Officer Concerned/Personal File/Notification folder


(Zakir Hussain) 25/10/24
Second Secretary (M/HR.C-III)