

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

GOVERNMENT OF PAKISTAN
(REVENUE DIVISION)
FEDERAL BOARD OF REVENUE

Islamabad 20-02-2014

NOTIFICATION

(Major Penalty)

No.0366-IR-II/2014:- Whereas disciplinary proceedings were initiated against Mr. Tariq Shamsheer Junejo (IRS/BS-18), Deputy Commissioner, Regional Tax Office, Karachi on the charge of "Misconduct" under the Government Servants (Efficiency & Discipline) Rules, 1973 vide Show Cause Notice No. 103(97)98-MIR-II/1086 dated 22.10.2013.

2. Mr. Tariq Shamsheer Junejo (IRS/BS-18) was granted Extraordinary Leave ex-Pakistan (without pay) w.e.f. 25.08.2011 to 24.08.2013. His leave expired on 25.08.2013 but it was reported by the Chief Commissioner, Regional Tax Office, Karachi that he did not join duty. Mr. Tariq Shamsheer Junejo was afforded one more opportunity to join office by 07.10.2013 failing which he was informed that disciplinary proceedings will be initiated against him. But he neither joined duty nor responded to the notice. Accordingly, a Show Cause Notice No. 103(97)98-MIR-II/1086, dated 22.10.2013 was issued, in which the Authorized Officer concluded that since the unauthorized absence from duty on the part of Mr. Tariq Shamsheer Junejo (IRS/BS-18), was established as per report of the concerned Chief Commissioner (IR) therefore, the requirement of Inquiry, under Rule 5(1)(iii) of the Government Servants (Efficiency & Discipline) Rules, 1973 was dispensed with. Since no response was received from the accused officer, a final Show Cause Notice No.103(97)98-MIR-II/1086 dated 31.12.2013 was issued by the Authorized Officer, which was dispatched at all the known addresses of the accused officer available in the office record through courier and email, affording him 14 days to respond to the same. In response, an email titled "Reply to the Show Cause Notice" was received from Mr. Tariq Shamsheer Junejo.

3. Service record of the officer reveals that a major penalty of compulsory retirement under Section 3 of Removal from Service(Special Powers) Ordinance, 2000 was previously imposed upon the accused officer, Mr. Tariq Shamsheer Junejo by the Competent Authority vide FBR's Notification No. 0521-M-IIA/2009 dated 34.04.2009 on the charges of "Inefficiency" & "Misconduct". However, he was reinstated into service by the Appellate Authority i.e. the Prime Minister vide FBR's Notification No. 1592-M-IIA/2010 dated 13.07.2010 whereby his unauthorized absence from duty w.e.f 23.06.2010 to 22.06.2010 was converted into EOL ex-Pakistan (without pay) and further, he was granted EOL ex-Pakistan (without pay) w.e.f 23.06.2010 to 24.08.2011. On expiry of the said leave, the accused officer did not join duty on 25.08.2011. He was issued Charge Sheet and Statement of Allegations under Government Servants (E&D) Rules, 1973 on account of absence from duty. Mrs. Lubna Farrukh Mirza, Commissioner (IR) was appointed as Inquiry Officer who recommended imposition of major penalty of "Removal from Service" may be imposed upon the officer since the charges of unauthorized absence leveled against him were established. In the meanwhile, Mr. Tariq Shamsheer Junejo submitted an application to grant

him six months time, upto 31.12.2012 and he committed in writing that he will join duty in December, 2012. His request was accepted conditionally that if he fails to fulfill his commitment, disciplinary proceeding will be restored and penalty be imposed. Accordingly, disciplinary proceedings were withdrawn. In the meanwhile, the Competent Authority granted him two years further extension in EOL ex-Pakistan (without pay) w.e.f 25.08.2011 to 24.08.2013. The accused officer has not resumed charge till date.

4. Keeping in view the service record, history of the case including failure on the part of the accused officer to join duty despite repeated commitments to do so and the fact that he has already availed the maximum number of Extraordinary Leave admissible to an officer i.e. five years (w.e.f. 25.08.2008 to 24.08.2013) under Revised Leave Rules, 1980 the Authorized Officer, came to the conclusion that the accused officer is guilty of "Misconduct" as defined under Government Servants E&D Rules, 1973 and recommended to the Authority, the imposition of major penalty of "Dismissal from Service" upon Mr. Tariq Shamsheer Junejo (IRS/BS-18) under Rule 4(1)(b)(iv) of the said Rules.

5. The Secretary Revenue Division/Chairman FBR, being the Authority in this case, after having considered all the aspects and material relating to the case and the recommendation of Authorized Officer has been pleased to impose Major Penalty of "Dismissal from Service" upon Mr. Tariq Shamsheer Junejo (IRS/BS-18) under Rule 4(1)(b)(iv) of Government Servants (Efficiency & Discipline) Rules, 1973 with immediate effect. The period of his unauthorized absence from duty will be treated as Leave ex-Pakistan (without pay).

6. Mr. Tariq Shamsheer Junejo (IRS/BS-18) shall have a right to appeal to the appellate authority as provided under the relevant Rules.



Uzma Munir
0366-IR-II/2014

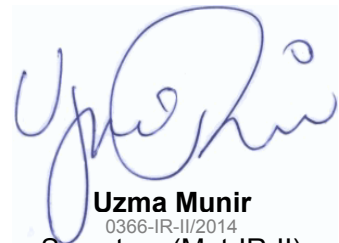
Secretary (Mgt-IR-II)

The Manager,
Printing Corporation of Pakistan Press,
Karachi.

103(97)/98-MIR-II/1086

Copy to:-

1. SA to Secretary, Revenue Division/Chairman, FBR
2. Members (Admn/IR), FBR, Islamabad
3. Chief Commissioner-IR, RTO, Karachi.
4. Secretary (PR), FBR, Islamabad
5. Second Secretary (SSM/ERM/Automation), FBR, Islamabad
6. The AGPR Sub Office, Karachi
7. Officer Concerned
8. Personal File / Notification folder



Uzma Munir
0366-IR-II/2014
Secretary (Mgt-IR-II)

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