

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

GOVERNMENT OF PAKISTAN
REVENUE DIVISION
FEDERAL BOARD OF REVENUE

Islamabad, the 10th March, 2014

NOTIFICATION
(Minor Penalty)

(Imposition of Minor Penalty of Withholding of 3 increments)

No.0464-IR-V/2014:- Disciplinary proceedings were initiated against Mr. Umar Yar Afridi (ITG/BS-17) Directorate of Intelligence & Investigation (IR), Lahore vide charge sheet No.103(563)/09-M-IIA/1639, dated 01-06-2013 on the charges of “Inefficiency”, “Misconduct” & “Corruption” under Rule 3(a), (b) & (c), of the Government Servants (Efficiency and Discipline) Rule, 1973 on the following grounds:-

- i. Issuance of sales tax refunds amounting to Rs.198,745,807/- in 5 cases where outstanding Income Tax demand existed.
- ii. Loss of record of proceedings u/s 122(9) of the Income Tax Ordinance, 2001 in 21 cases.
- iii. Unauthorized absence from duty w.e.f 10-12-2012 to 18-02-2013 (71 days).


2. The Authorized Officer/Member (Admn) ordered to hold an inquiry through Mr. Manzoor Hussain Shad, Commissioner (IR) LTU, Lahore who submitted inquiry report concluding that Charge No. i above could not be proved while Charge No. ii (to the extent of misplacement of record in 19 cases) & Charge No. iii above were established. Based on the finding of inquiry report a Show Cause Notice vide Board’s No.103(563)/09-M-IIA/1639 dated 08-11-2013 was issued to the accused officer on the charges of “Inefficiency” & “misconduct” for imposition of one or more penalties including the major penalty of Dismissal from Service as prescribed under Rule 4(1)(b) of the Government Servants (Efficiency & Discipline) Rule, 1973. Reply of the accused officer to the show cause notice was received on 06-01-2014 wherein he also requested for personal hearing. The Member (Admn) in the capacity of Authorized Officer granted him personal hearing on 10th February, 2014.

3. The accused officer Mr. Umar Yar Afridi (ITG/BS-17) was heard in person on the date/time mentioned above. From the facts of the case, after having gone through the relevant record, show cause notice, reply of the accused officer, his verbal explanation that he had committed these acts by mistake due to lack of knowledge and experience during his first tenure at RTO, Lahore and his assurance during the personal hearing that no cause of complaint would arise against him in future, the Authorized Officer/Member (Admn) was of the considered opinion that the charges of “Inefficiency & Misconduct” stand established against Mr. Umar Yar Afridi (ITG/BS-17). It has been proved beyond doubt that the accused officer, being custodian of the record, was responsible for misplacement of the files/record on the basis of which notices u/s 122(9) of the Income Tax Ordinance, 2001 in 19 cases were

issued. Similarly, there is no documentary evidence in the shape of attendance/performance of the officer at RTO Lahore to prove that he remained on duty during the period from 10-12-2012 to 18-02-2013. In the absence of any documentary evidence to prove to the contrary, the charge of unauthorized absence w.e.f. 10-12-2012 to 18-02-2013 also stands established.

4. Keeping in view the aforementioned facts of the case and verbal statement of the officer during course of personal hearing, the Authorized Officer/Member (Admn), taking a lenient view, has been pleased to impose a minor penalty of withholding of annual increment of the accused officer, Mr. Umar Yar Afridi (ITG/BS-17) for a period of three years as provided under Rule 4(1)(a)(ii) of the Government Servants (Efficiency and Discipline) Rules, 1973. The period of his unauthorized absence from duty w.e.f. 10-12-2012 to 18-02-2013 (71 days) is regularized to be treated as EOL without pay.

5. Mr. Umar Yar Afridi (ITG/BS-17) shall have a right to appeal to the appellate authority as provided under the relevant Rules.




(Uzma Munir)
Secretary (MIR-V)

**The Manager
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Karachi.**

103(563)/09-MIR-IIA/1639

Copy to :-

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



(Uzma Munir)
Secretary (MIR-V)