

From: **Asif Siddiq Kasbati** <asif.s.kasbati@professional-excellence.com>

Date: Sat, Dec 27, 2025 at 5:37 PM

Subject: CDQC299= Inspector Customs penalty converted from Major to Minor

36+ Customs Duty Quick Commentary – CDQC 299

A. Background

1. This refers to the related Important CDQCs **in trail, blue, italic and double Line** (a) 285 of 2.9.25 about Dismissal of Inspector Customs is considered as Major Penalty
2. We also refer to several Other related QC including (a) 265 of 10.10.24 about Crackdown against 4 items' Smuggling continues (b) 261 of 30.7.24 about Crackdown against Smuggling & KCV about Fertilizer (c) TLQC 2744 of 20.5.24 about Curbing tax evasion, smuggling, counterfeiting & illegal trade of Trillions (d) CDQC 175 of 3.11.21 about Alleged smuggled vehicle & Tampered Chassis and SHC held Bonafide

B. Updated Commentary

1. Further to KQU 3715 of 23.12.25, **being an important matter**, we would inform you about [Conversion of Penalty of Mr. Khalid Samad, Inspector Customs, Collectorate of Customs Enforcement, Islamabad](#) (**Attachment 299.1**) in the ensuing paragraph, in *Italic* with emphasis in **bold & Underline**, heading ours for quick reading.
2. Whereas, upon finalization of Disciplinary proceedings under the Civil Servants (Efficiency & Discipline Rules), 2020 on the charges of "Inefficiency" and "Misconduct", major penalty of **"Reduction to a lower post and pay scale from substantive or regular post i.e. UDC (BS-13) for a period of three years"** was imposed under Rule-4(3)(b) of the rules *ibid*, upon Mr. Khalid Samad, the then Inspector Customs, now UDC (BS-13), Collectorate of Customs Enforcement, Islamabad vide [Board's Notification No.1901-C-IV/2025 dated 20.8.25](#) (**Attachment 299.2**).
3. Whereas, being aggrieved against the aforesaid awarded major penalty by the Authority, the above-named official has filed a departmental appeal under Rule-4 of the Civil Servants (Appeals) Rules, 1977 to the Secretary Revenue Division/Appellate Authority. The Appellate Authority provided an opportunity of personal hearing to the appellant on 26.11.25.
4. The accused officer and the Departmental Representative (DR), Mr. Abuhuraria Khan, Assistant Collector, Collectorate of Customs Enforcement, Islamabad, appeared before the Appellate Authority on 26.11.25. During the course of the hearing, the accused contended that, in compliance with the directions of the Deputy Collector to apprehend either the trucks or the offenders, he proceeded to intercept the trucks. However, upon interception, he was suddenly surrounded by unknown individuals, and the situation rapidly escalated into a life-threatening law and order scenario. Taking advantage of the ensuing chaos, the smugglers managed to flee from the scene.
5. Whereas, in the light of available record, facts of the case, inquiry report, Show Cause Notice, reply to the Show Cause Notice, verbal submissions made by the appellant, contentions of the DR during the course of personal hearing, the Appellate Authority has observed that the appellant was confronted with an unforeseen and hostile situation. Given the imminent threat to his life and the safety of his team, his immediate priority was to ensure safety and security.
6. Foregoing, the Secretary Revenue Division/ Chairman FBR being the Appellate Authority in this case is of the considered opinion that the penalty of **"Reduction to a lower post and pay scale from substantive or regular post i.e. UDC (BS-13) for a period of three years"** imposed by the Authority is harsh. Therefore, the Secretary Revenue Division/Chairman, FBR, in his capacity as Appellate Authority, in exercise of powers conferred under Rule-6(c) of the Civil Servants (Appeals) Rules, 1977 has been pleased to convert the **"Major penalty of "Reduction to a lower post and pay scale from substantive or regular post i.e. UDC (BS-13) for a period of three years" into minor penalty of " Withholding of an increment for one year without cumulative effect"** under Rule 4(2)(b) of Civil Servants (Efficiency and Discipline) Rules, 2020 upon Mr. Khalid Samad, Inspector Customs, Collectorate of Customs Enforcement, Islamabad
7. 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 six months from the date of award of this penalty and he shall have to appe afresh for restoration of the same under the policy.

C. Further Details & Services

Should you require any clarification or explanations in respect of the above or otherwise, or require Income Tax, Federal & Provincial Sales Tax or Withholding Tax Statement, Advisory, Return Filing or Review services, please feel free to email Mr Amsal at amsal@kasbati.co with CC to info.kasbati@professional-excellence.com, asif.s.kasbati@professional-excellence.com.

Best regards for Here & Hereafter
Asif S Kasbati (FCA, FCMA & LLB)

Managing Partner

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From: Asif Siddiq Kasbati <asif.s.kasbati@professional-excellence.com>

Date: Tue, Sep 2, 2025 at 6:06 PM

Subject: CDQC285= Dismissal of Inspector Customs is considered as Major Penalty

A. Background

- 1. This refers to the related Important CDQCs **in trail, blue, italic and double Line** (a) 265 of 10.10.24 about Crackdown against 4 items' Smuggling continues (b) 261 of 30.7.24 about Crackdown against Smuggling & KCV about Fertilizer*
- 2. We also refer to several Other related QC including (a) TLQC 2744 of 20.5.24 about Curbing tax evasion, smuggling, counterfeiting & illegal trade of Trillions (b) CDQC 175 of 3.11.21 about Alleged smuggled vehicle & Tampered Chassis and SHC held Bonafide*

B. Updated Commentary

- 1. Further to KQU 3533 of 29.8.25, **being an important matter**, we would inform you about Imposition of Major Penalty of Dismissal from Service upon Malik Zain Ali, Inspector Customs (Attachment 285.1) in the ensuing paragraph, in Italic with emphasis in **bold & Underline**, heading ours for quick reading.*
- 2. Whereas disciplinary proceedings were initiated under the Civil Servants (Efficiency & Discipline Rules), 2020 against Malik Zain Ali, Inspector Customs (under suspension), Collectorate of Customs Enforcement, Quetta on the charges of "**Inefficiency, Misconduct & Corruption**" under Rule 3(a) (b) & (c) of the rules *ibid*. The accused officer was placed under suspension vide Board's Notification No. 2764-C-IV/2024 dated 31.10.24 in terms of Article 194 of CSR with effect from 25.10.24 i.e. the date of his arrest. Accordingly, an Order of Inquiry along with Charge Sheet/Statement of Allegations was served upon the accused officer on 31.1.25. Mr Hameer Khan (PCS/BS-18) was appointed as Inquiry Officer to conduct the inquiry against the accused officer.*
- 3. The Inquiry Officer submitted Inquiry Report dated 23.5.25 in respect of Malik Zain Ali, Inspector Customs (under suspension). The Inquiry Officer, in his report, established the charges of "**Inefficiency and Misconduct**" and recommended imposition of major penalty of "**Reduction to a lower post and pay scale, for period of three Years**" in terms of Rule (4)(3)(b) of the Civil Servants (Efficiency & Discipline Rules), 2020.*
- 4. On the basis of the Inquiry Report, Show Cause Notice dated 24.6.25 was served upon the accused Inspector. The accused Officer furnished his defense/reply to the Show Cause Notice on 15.7.25 and denied the charges levelled against him, also requesting for grant of an opportunity of personal hearing. Accordingly, the accused Officer was granted an opportunity of personal hearing on 6.8.25 in terms of Rule-17 of Civil Servants, (Efficiency & Discipline) Rules, 2020.*

5. The accused Officer and the Departmental Representative (DR), Dr Mustafa Zamir, Deputy Collector Customs, Collectorate of Customs (Enforcement) Quetta, attended hearing proceedings through zoom/video link on 6.8.25. During the course of the hearing proceedings, the DR explained that the accused officer had been responsible for gate-out of three vehicles containing goods without payment of due duty/taxes on the basis of fake GDs and that the charges of "Inefficiency" and "Misconduct" had been proved by the Inquiry Officer. The accused officer admitted to having issued Gate-Passes with the claim that the vehicles gated-out by him were other vehicles containing goods wherein all duty/taxes were paid. He also claimed that the goods in question being charged against him had already been released to the claimant on the directions of Hon'ble High Court Baluchistan, Quetta vide Order dated 6.5.25 in References Nos.36 to 38 of 2025. He further informed that he had joined Government service as Inspector through FPSC on 11.4.22 and was given Gate-out duty on 12.10.24 without any practical training, whereas the untoward incident took place after only one week on 19.10.24.

6. Whereas, the Member (Admn/HR), FBR, being the Authority under Rule-2(1)(c) of the Civil Servants (E&D) Rules, 2020, in this case, after having examined the relevant record, written and oral submissions made by the accused Officer and the DR, has observed that the Iranian/foreign origin goods (Cashew, Almonds, Raisin, Plum) were loaded in 06 Pakistani vehicles on which home consumption GDs were to be filed. The said importer filed GDs for 03 vehicles containing items of lower duty & taxes - Raisins and Plums and paid the duty & taxes after due process. The importer, however, got the other three vehicles (Cashews and Almonds— 1 higher duty & taxes items) cleared without filing GDs or paying duty & taxes, in the garb of the previous three GD-cleared vehicles. The modus operandi was that they presented forged GDs to the accused Officer, who had to ensure that only the duty & taxes-paid goods were gated-out. However, he miserably failed to do so resulting in seizure of three cases by Field Enforcement Units with the market value of Rs. 477 million. The DR provided the detections/interceptions in tabulated form which is reproduced below:-

Sr.#	Vehicles intercepted at FEUs	Actual GDs description in CIM	Remarks
1	Vehicle no. TLX-692 with GD no. TAFT-HC-16136 dated 17.10.24 showing goods description as ' Almonds without shell (US origin) Si Cashew Nuts (Vietnam origin) '	The CIM system showed GD no. TAFT-HC-16136 Dated 17.10.24 having goods description as ' Raisins (Iran origin) '. The vehicle number mentioned in the GD in was TLJ-161	The hard copy of the GD presented by driver had a different vehicle number. The driver also showed the gate pass of NLC Terminal Taftan showing the GD number as TAFT-HC 16136 but the vehicle number as TLX 692.
2	A Trailer (22-Wheeler) having Reg: number TLY- 773 was intercepted at vehicle FEU Nokundi. The driver of the a presented hard copy of GD having number TAFT- HC-16133 Dated 17.10.24 showing goods description as ' Almonds without shell (US origin) ',	Upon checking in the CIM Module, it was revealed that the original GD no. TAFT- HC-16133 dated 17.10.24 was cleared with the description ' Dry Plum (Aloo Bukhara) (Iran origin) ' with vehicles number TLE-606 .	The vehicle number mentioned in the GD in the CIM system was TLE-606 which is different from that mentioned on the hard copy of GD provided by the driver. The driver also showed the gate pass of NLC Terminal Taftan showed the GD number as TAFT-HC-I6133 but the vehicle number as TLY-773.

3	<p>A Trailer (12-Wheeler) having Reg: number TLE- 991 was intercepted at vehicle FEU Nokundi. The driver presented a hard copy of GD having number TAFT-HC-16144 Dated 19.10.24 showing goods description as 'Almonds without shell (US origin) & Cashew Nuts (Vietnam origin)'.</p>	<p>Upon checking (Iran vehicle the particulars of the said GD in CIM Module, no record found against the above- mentioned GD as the actual date of the GD was 17.10.24. The actual GD was no. TAFT-C-16144 dated 17.10.24 had goods description as 'Raisins (Iran origin)'. The vehicle number mentioned in the GD in was TMN-786.</p>	<p>The driver presented a forged copy of GD with different date, description and vehicle no. The NLC Gate pass also showed the GD no. 16144 with vehicle TLE-991.</p>
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7. Whereas, the Member (Admn/HR), FBR, being the Authority, also observed that although the accused Officer had been provided with access in the WeBOC system through the role of AC Facilitation where complete details of the GDs were visible to him, he had failed to protect the interests of the Government. As regards order of Court referred to by him, through which the goods were released against fine in addition to all leviable duties/taxes plus 20% redemption fine of the Customs value of the goods, the same does not absolve him of his responsibility, instead from this order it stands confirmed that the goods were indeed gated-out by the accused officer without payment of any duty/taxes. Keeping in view the gravity of the charges of "**Inefficiency**" and "**Misconduct**", which stood proved against him, the Inquiry Officer's recommendations to impose major penalty of "**Reduction to lower post for a period of three years**" is neither justified (being at a very low level) nor commensurate with the findings of the Inquiry Officer. Thus, the accused Officer deserves imposition of the severest penalty commensurating with the offenses committed by him. Therefore, the Authority has decided to impose major penalty of "**Dismissal from Service**" upon Malik Zain Ali, Inspector Customs (BS-16/under suspension), Collectorate of Customs Enforcement, Quetta under Rule 4(3)(e) read with Rule 16(7)(b) of Civil Servants (E&D) Rules, 2020. The period of his suspension w.e.f. 25.10.24 to date is treated as on leave, whichever is due and admissible to him under Revised Leave Rules, 1980.

8. He will have the 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 s notification.

C. Further Details & Services

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Best regards for Here & Hereafter
Asif S Kasbati (FCA, FCMA & LLB)