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GOVERNMENT OF PAKISTAN
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

Islamabad, May 11th, 2023

NOTIFICATION

- No. 1/(5)/Discipline/2022(P&D). Mr. Shaiq Zafar Sheikh, a BS-18 Officer of Mechanical Engineering Department of Pakistan Railways while working as DD/Admn-V, Ministry of Railways and Dy.Staff Officer to SR/CM, Railways was taken up under Government Servant (Efficiency & Discipline) Rules, 2020 in connection with absence from duty..
2. The accused officer was granted two (02) years ex-Pakistan Leave on Half Average Pay (LHAP) w.e.f 08.03.2022 and No Objection Certificate (NOC) was also granted for study leave vide notification dated 10.03.2022. He was asked vide this Ministry's letter dated 02.08.2022 to submit documents of his admission and title of study program i.e University admission letter, field of study and duration of course etc which was required in line with Study leave rules prescribed by the President (F.R.84) extract from Esta Code (Edition 2021).
3. The accused officer did not bother to respond to the above letter despite contacting him through his Mobile Nos. He was also directed through his email address on 25.08.2022 to submit documents related to his admission and title of study program within 03 working days but no response received from the accused officer. A final reminder was also issued to him vide this Ministry's letter dated 08.09.2022 with the direction to submit the requisite documents within a week otherwise his leave will be cancelled and disciplinary action under Civil Servants (Efficiency & Discipline) Rules, 2020 will be initiated against him.
4. Because of non-compliance to the directives of this Ministry, the Competent Authority (Secretary/Chairman Railways) cancelled his ex-Pakistan leave vide this Ministry's letter dated 26.09.2022 and directed him to join duty within a week time positively but the accused officer did not join his duty within a week time. Thus, disciplinary proceedings were initiated against him under Civil Servants (Efficiency & Discipline) Rules, 2020.. He was served with a Show Cause Notice dated 14.10.2022, while dispensing with inquiry under Rule 7 of Civil Servants (Efficiency and Discipline) Rules 2020 with the direction to submit defense reply to the show cause notice within fourteen (14) days of receipt of that notice as to why the penalty of dismissal from service as provided in Rule 4(3) of the Civil Servants (Efficiency and Discipline) Rules 2020 should not be imposed upon him, whereas the accused officer did not bother to submit his defense to the show cause notice despite intimation to him through different available means i.e (Whatsapp, Email.

Registered Post, Newspapers etc) which shows his carelessness and lethargic attitude towards his duties and committed misconduct in terms of Rule 2(k) of Civil Servants (Efficiency & Discipline) Rules, 2020.

5. The accused officer was given opportunity of personal hearing on 03.05.2023 in connection to his disciplinary proceedings under rule 7(d) of Civil Servants (Efficiency and Discipline) Rules 2020. However, the accused officer did not bother to attend the office of the Secretary/ Chairman Railways for personal hearing on due date despite intimation to him by J/O Confidl vide letter dated 28.04.2023 which was sent to him at his residential address through TCS.

6. Therefore, after considering the available record, facts of the case and following all codal formalities, the Competent Authority (Secretary/Chairman Railways) convinced that he has committed misconduct in terms of rule 2(k) of civil servants (Efficiency & Discipline) Rules, 2020, whereby his conduct is prejudicial to service discipline. His willful absence from duty w.e.f 26.09.2022 has been proved beyond reasonable doubt. Hence, his further retention in service is detrimental to service delivery. Therefore, the Competent Authority (Secretary/Chairman Railways) imposed upon Mr. Shaiq Zafar Sheikh, a major penalty of "Dismissal from Service" in accordance with Rule 4 read with para (3) (e) of Civil Servants (Efficiency and Discipline) Rules 2020 with immediate effect. His unauthorized absence period from duty will be treated as Leave without pay.

7. Mr. Shaiq Zafar Sheikh, DD/Admn-V, Ministry of Railways and Dy. Staff Officer to SR/CM, Railways has right to prefer an appeal to the Appellate Authority against the said penalty within 30 days (thirty days) from the communication of this order.

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The Manager,