

Government of Pakistan  
Directorate General of Intelligence and Investigation-FBR  
Plot No.1, Mauve Area, G-10/4,  
Islamabad

C.No. 9(101)DGCI/Cus/07/ 2972

Dated: 21 May, 2010

To

The Chairman,  
Federal Board of Revenue,  
Islamabad.

Subject: SEIZURE OF LIQUOR FROM CONTAINER UNDER AFGHAN  
TRANSIT TRADE.

Reference: Board's letter C.No.5 (1) AS&C/2002 dated 18.5.2010 (copy enclosed).

1. Seizure of Containers fraudulently booked for Transit to Afghanistan for supply to ISAF/NATO forces, by Directorate General Intelligence and Investigation -FBR was a landmark initiative which if investigated properly will have very significant & positive impact on our National Revenue and Security situation. Detection of liquor in the guise of beverages is an eye opener as similar containers already cleared fraudulently might not have contained liquor and *other probabilities* can be dreadful if visualized in the backdrop of our current hazardous security scenario.

2. Though appreciating this positive initiative Board has very kindly formed a fact finding committee (vide Board's letter referred above) yet the *formation* and *constitution* of this committee needs *immediate review* on account of following pressing legal and technical grounds:-

- I. Directorate General Intelligence and Investigation vide its letter dated 26.4.2010 (copy enclosed) had proposed formation of a fact finding committee; *but only after the completion of investigation of this case.* Investigation in this vital case is currently in hand, therefore, formation of fact finding committee at this stage is not only premature, it will consume the precious time of our field officers at this crucial stage of the financial year.

- II. As the clearance of fraudulent containers in the garb of supplies to ISAF/NATO forces relates to three collectorates i.e. MCC Appraisement, Karachi. MCC Peshawar and MCC Quetta, therefore inclusion of any officer who is/has been working in the said collectorates, in the fact finding committee tantamount to *conflict of interest*.
- III. Criminal proceedings always take precedence over administrative/technical proceedings due to the gravity of the crime. In this case mere fact finding at such an initial stage of criminal investigation may mitigate the real impact of the criminal proceedings because 3 customs officials and 5 private individuals have already been arrested and proceedings before the Special Judge Customs, Peshawar are underway.
- IV. Directorate General Intelligence and Investigation being the detecting and investigating agency in the instant case deserves to be consulted as far as the nomination of officer from this organization is concerned.
- V. As the instant case involves more than one collectorates and also keeping in view the quantum of revenue involved and above all sensitivity of the whole case, composition of the fact finding committee needs to be upgraded. A BS-21 officer of the department having no direct/indirect links with the whole phenomenon of clearance of ISAF goods may be appointed as the Chairman of the committee and its membership be confined to BS-20 officers, qualifying the same criterion.

3. The Directorate General assures timely completion of investigation in this case so that fact finding committee may be in full picture while fixing the responsibility of concerned officials/Officers of the department.

4. Immediate review is requested please.

  
(LUTFULLAH VIRK)  
Director General