

**BEFORE
THE FEDERAL TAX OMBUDSMAN
ISLAMABAD**

0009/OM/2022

Dated 16.03.2022* R.O Karachi

1. The Secretary,
Revenue Division, Islamabad.
2. The Chief Commissioner-IR, ... Respondent
LTO, Karachi

Dealing Officer : Ms. Seema Shakil, Advisor
Appraisal by : Muhammad Tanvir Akhtar, Advisor
Departmental Representative : Mr. Qazi Mohammad Mohuddin, OIR
CTO Karachi.

FINDINGS/RECOMMENDATIONS

This is an Own Motion (OM) investigation initiated while exercising powers conferred under Section 9(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance), against the neglect, inattention, incompetency, inefficiency & inaptitude, in discharge of duties by the FBR functionaries regarding non-assigning of proper jurisdiction in a large number of cases observed while investigating complaints in a large number of cases.

2. The complaint was referred to the Secretary, Revenue Division for comments in terms of the FTO Ordinance read with Section 9(1) of the Federal Ombudsmen Institutional Reforms Act, 2013. In response, to the hearing notice, OIR, SO Technical of CTO Karachi attended the proceedings alongwith the relevant record of IRIS. It is intimated that previously there was only one RTO in Karachi, which is split into three RTOs at present. The relevant identifiable record of the two RTOs was transferred to their portals. However, all infructuous cases & the record of

taxpayers where complete particulars were not available remained in the portal of CTO, Karachi, Additionally, all new registered cases were automatically entered in CTO by PRAL, which are upon verification / request of taxpayers are being continuously transferred to relevant jurisdictions from time to time. At present 65,170 cases are lying in CTO portal which are unassigned. Though a large number of these cases are dead cases, out of above 18591 cases are live active taxpayers. Time was sought by DR to enquire into the details of these cases & reasons of their being unassigned. Compliance was made vide CCIR CTOs letter dated 15.4.2022. It is submitted that proper jurisdiction of 18591 cases has been ascertained and 6828 and 15615 active taxpayers pertain to the jurisdiction of RTO-I & RTO-II, Karachi, respectively. Accordingly letter dated 16.4.2022 has been sent to secretary (IR jurisdiction) FBR Islamabad, alongwith CD containing list of these cases for transfer to proper jurisdiction.

FINDINGS:-

3. An unusually large number of cases were lying without assigning proper jurisdiction, causing not only grievance to taxpayers but also suffering from enforcement inaction, if any by the department. The apathy, inattention, ineptitude in discharge of duties tantamounts to maladministration in terms of Section 2(3)(i)(a)(b)&(ii) of the FTO Ordinance.

RECOMMENDATIONS:-

4. "FBR to-

- i) Streamline the IT process so as to ensure timely assignment of newly registered cases to their proper jurisdiction;
- ii) develop & enforce an efficient system for resolution of jurisdictional issues among various field formations;

iii) direct the Secretary (IR jurisdiction) to assign proper jurisdiction to 18591 cases received from CTO Karachi; and

iv) report compliance within 90 days.”

*Approved for reporting and
press clipping*

Dated: 17/05/2022
U.F/

(Dr. Asif Mahmood Jah)
(Hilal-i-Imtiaz) (Sitara-i-Imtiaz)
Federal Tax Ombudsman

18/5/22
Certified to be True Copy

Registrar
FTO Secretariat
Islamabad