

**BEFORE
THE FEDERAL TAX OMBUDSMAN
ISLAMABAD**

COMPLAINT NO. 0402/SKT/IT/2022

Dated: 04.02.2022* R.O Gujranwala

Mr. Jehanzeb Khan

S/o Shamas Khan,
Dakhana Gadi Sher Dad, Sher Gali,
Tehsil & District Peshawar.

... Complainant

Versus

The Secretary,
Revenue Division,
Islamabad.

... Respondent

Dealing Officer	:	Mr. Mansoor Ahmad Bajwa, Advisor
Appraisal by	:	Mr. Muhammad Tanvir Akhtar, Advisor
Authorized Representative	:	None
Departmental Representatives	:	(i) Mr. Muhammad Ayaz, DCIR (ii) Mr. Ghufraan Syed, DCIR

FINDINGS / RECOMMENDATIONS

The above-mentioned complaint was filed under Section 10(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance) against tax evasion and un-disclosed assets of Dr. Syed Babar Hussain Rizvi, M/s. Al-Muzamil Medical Center, Gujrat.

2. Precisely, the Complainant filed a complaint regarding probe and investigation of tax evasion and un-disclosed assets of Dr. Syed Babar Hussain Rizvi who was running a medical center under the name and style M/s. Al-Muzamil Medical Center, Maragzar Colony, Gujrat.

3. In response to the notices issued under Section 10(4) of the FTO Ordinance, read with Section 9(1) of Federal Ombudsmen Institutional Reforms Act, 2013, the Chief Commissioner-IR, RTO Sialkot submitted reply dated 17.02.2022, wherein it was stated

that the Complainee's registration profile against NTN 3903458-5 showed him registered with RTO Lahore. The CCIR, RTO Sialkot sent letter No.J-225(1501)/2022/4499 dated 24.02.2022 to the Secretary-IR (Jurisdiction) FBR followed by reminders dated 03.03.2022 and 25.03.2022 but to no avail. This office also sent a letter dated 15.03.2022 to the Secretary-IR (Jurisdiction), FBR, but that also remained unattended and the jurisdiction has not been transferred from RTO Lahore to RTO Sialkot as yet.

4. DR attended and none attended for the Complainant. Record perused.

FINDINGS:

5. Inordinate delay on the part of Secretary-IR (Jurisdiction) FBR in changing of jurisdiction from RTO Lahore to RTO Sialkot of the Complainee despite repeated letters, followed by reminders, is tantamount to maladministration in terms of Section 2(3)(ii) of the FTO Ordinance.

RECOMMENDATIONS:

6. FBR to:-

- (i) call for explanation of Secretary-IR (Jurisdiction) FBR for his carelessness and defiance to the FTO's correspondence; and
- (ii) direct the Secretary-IR (Jurisdiction) FBR to transfer the jurisdiction of instant case from RTO Lahore to RTO Sialkot;
- (iii) direct the Chief Commissioner-IR, RTO Sialkot to ensure that complaint is decided on merit after jurisdiction is transferred; and
- (iv) report compliance within 45 days.

Dated: 15/4/ 2022
U.f

Certified to be True Copy

Registrar
FTO Secretariat
Islamabad

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

Approved for
reporting and Press release