

**THE FEDERAL TAX OMBUDSMAN
ISLAMABAD**

Complaint No.2630/KHI/CUST/2024

Dated: 02.04.2024* R.O. Karachi

Mr. Shahan Jamil,
A 41 Malir Cantt. Phase 6,
Karachi.

... *Complainant*

Versus

The Secretary,
Revenue Division,
Islamabad.

... *Respondent*

Dealing Officer	:	Mr. Gul Rehman, Advisor
Appraising Officer	:	Mr. Muhammad Nazim Saleem, Advisor
Authorized Representative	:	Nemo
Departmental Representative	:	Ms. Promela Jacob, DD, Directorate of R&A, Karachi Ms. Rohama Sajid, DC Customs CoC, Appraisalment, PMBQ, Karachi Ms. Saba Ali, AC Customs CoC, Appraisalment (West), Karachi Mr. Jeewan Lal, AC Customs CoC, Appraisalment (East), Karachi

FINDINGS/RECOMMENDATIONS

 The complaint mentioned above was filed against the Chief Collector, Appraisalment (South), Karachi and Director, Directorate of Customs, Reforms & Automation, Karachi under Section 10(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance), regarding delay in clearance of vehicles by overseas Pakistanis and misuse of immigration data.

2. As per the complaint, vehicle clearance is a common facility which is provided to overseas Pakistanis via Baggage, Transfer of Residence and Gift Scheme. The clearance of these vehicles slows down due to passport/travel history and bank PRC verification, which increases the burden of demurrage charges to non-commercial importers. The teasing process in this clearance is verification of

*Date of registration in FTO Sectt:

passport for which individual email is sent to the concerned section of PRAL. It has been requested that Directorate of Reforms & Automation may create an online verification of these passports enabling the assessment officers to check the history of passports online instead of sending individual emails to PRAL. Secondly, the passport data is accessible after GD filing which is openly sold in market by few people in car groups and the original importer suffers badly, a common criminal practice is being done and passport is first checked before GD filing and duplicate PRCs are issued from banks. This precious data of Overseas Pakistanis must be made secure by Directorate of Reforms & Automation.

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3. The complaint was forwarded to the Secretary, Revenue Division, in accordance with Section 10(4) of the FTO Ordinance, in conjunction with Section 9(1) of the Federal Ombudsmen Institutional Reforms Act, 2013. In response, the Respondent Collectorates submitted comments stating that only those overseas Pakistanis are entitled to import vehicles under Personal Baggage, Transfer of Residence or Gift schemes who have not imported, gifted or received a vehicle during last two years in terms of proviso to Para(2) of Appendix-E of Import Policy Order, 2022. Presently, the WeBOC system does not allow filing of GD, if another GD is being filed on the same passport number within two years. However, there is no check if a new GD is filed on a new passport, therefore, verification of the same is carried out through PRAL. The allegation of delay in verification is factually incorrect and vehemently denied as such verification is completed within 24 hours without any delay and no delay occurs in clearance of vehicles on account of this as alleged in the complaint. Secondly, regarding the allegation that immigration data of overseas Pakistanis is commercially available in the market, it is submitted that

this allegation is also misdirected to the extent of Customs. The immigration data is only available with FIA and its link which has been provided in case of import of vehicles in WeBOC through IBMS system, is only visible once GD is filed as the system fetches the data against Passport number entered in the GD. Any leakage of travel data of overseas Pakistanis before filing of GD does not relate to the Collectorate as no such access is available to check data before filing of GD. Lastly, the allegation that duplicate PRCs are issued by the Banks is also misdirected to the extent of Customs being sole domain of the concerned banks. The Collectorate forwards the PRCs provided by the importer / clearing agent to the Head Office of the concerned bank in the light of Office Order No.01/2022-West dated 19.05.2022 for verification so as to ensure compliance with the conditions laid down in the Import Policy Order, 2022, regarding import of vehicles. Thus, the allegations leveled in the complaint are baseless and factually incorrect to the extent of Customs as no specific act of maladministration has been identified by Complainant.

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4. The Director, Directorate of Reforms & Automation, Karachi also submitted comments vide letter dated 15.04.2024 stating therein that the Complainant has pointed out delays in clearance of vehicles due to PRC and passport verification and that the matter pertains to the clearance Collectorates. The online passport verification is also provided in WeBOC System, however, if there is any other issue, an online CRF may be forwarded for taking necessary action by the Directorate.

5. During the course of hearing, the DRs from the Collectorate stated that overseas Pakistanis are entitled to import vehicles under Personnel baggage scheme, Transfer of Residence and Gift scheme

who have not imported, gifted or received a vehicle during last two years in terms of proviso to Para(2) of Appendix-E of Import Policy Order, 2022. It was further stated that the WeBOC system does not allow filing of GDs, if another GD is being filed on the same passport number within two years. However, there is no check if a GD is filed on the new passport. The Collectorate of Customs, Appraisement (West) has already forwarded e-CRF to the Directorate of Reforms & Automation, Karachi to incorporate additional checks in the WeBOC system with regard to new passports. This additionality in the system will enable the assessing officer to ensure that the import of vehicles is in compliance with the provisions of IPO. The Complainant however did not join the hearing.

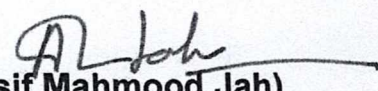
RECOMMENDATIONS:

6. In view of above, FBR to:

- i) direct the Director, Directorate of Reforms & Automation, Karachi to develop and deploy e-CRF sent by the Collectorate of Customs, Appraisement (West), Karachi enabling the assessing officer to ensure that no GD is filed on a new passport by the same importer, who has imported a vehicle on his old passport under Baggage, Transfer of Residence and Gift Scheme within the last two years; and
- ii) report compliance within 60 days.

Dated: 17/5/2024

Approved for reporting


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


Director
FTO Secretariat
Islamabad