THE FEDERAL TAX OMBUDSMAN
ISLAMABAD

COMPLAINT NO.28527/ISB/IT/2025

Dated:18.11.2025* HQ Islamabad

Mr. Mahmood ul Haq, ...Complainant
(Registration No: 3730281717119)
House No. 723, Near Ace Academy Road-B,
Bahria Town, Phase-II, Rawalpindi.

Versus

The Secretary, ...Respondent
Revenue Division,
Islamabad.

Dealing Officer	:	Mr. Muhammad Naseer Butt, Advisor
Appraised by	:	Mr. Muhammad Tanvir Akhtar, Advisor
Authorized Representative	:	None
Departmental Representative	:	Mr. Naveed Hassan, ADCIR, RTO, Islamabad

FINDINGS/RECOMMENDATIONS

The complaint was filed under Section 10(1) of the Federal Tax Ombudsman Ordinance 2000 (FTO Ordinance). The comments were obtained from the department, which were examined and placed on file. The DR attended. However, the complainant did not join proceedings. Arguments were heard and record perused and complaint is disposed of as under.

2. The complainant stated that he is an 81 years old British Pakistani lawyer. Further, an income tax amount of Rs. 502,692/- is refundable to him for the tax year 2025 as an adjustable tax of Rs. 502,692/- which was deducted from him u/s 236K of the Income Tax Ordinance, 2001 (the Ordinance) when he purchased three immovable properties.

3. The complainant further added that final tax of Rs. 93,804/- was deducted by National Savings, Habib Bank Limited and National Bank of Pakistan from him under sections 151(1)(a) and 151(1)(b) against the profit of Rs. 625,361/-. Moreover, the complainant stated that he entered Pakistan on October 12, 2024 and exited on December 25, 2024 and spent 75 days in Pakistan, therefore, he is a non-resident

person in terms of the sections 81 and 82 of the Ordinance. The complainant further stated that he applied for the said refund on 16.09.2025. However, refund has not been issued to him thus far. Hence, the complainant prayed that the department may be directed to process pending refund application and issue refund.

4. The RTO, Islamabad filed written comments wherein, they stated that the taxpayer did not annex relevant documentary evidence along with his claim, therefore, notice u/s 170(4) of the Ordinance has been issued on 08.12.2025 for compliance by 15.12.2025 for the tax year 2025. During hearing, the DR confirmed that refund application was under process to ascertain if the tax deducted is adjustable, minimum or final.

5. Perusal of record shows that the complainant filed refund application on 16.09.2025 for tax year 2025 claiming refund amounting to Rs. 502,692/- on account of deduction made u/s 236K; purchase/ Transfer of immovable property. It may be mentioned that the refund application has to be decided in accordance with law within 60 days in terms of section 170(4) of the Ordinance. However, in the instant case, the application is still pending despite passage of prescribed time limit. The delay in disposing of the refund application constitutes maladministration in terms of section (2)(3)(ii) of the FTO Ordinance, 2000.

RECOMMENDATIONS:

6. FBR to:-

(i) direct the concerned CIR to dispose of pending refund application of the taxpayer on merits in accordance with law within 30 days; and

(ii) report compliance within 40 days.

(M. Zafar ul Haq Hijazi)
Federal Tax Ombudsman

Dated: 02 JAN 2026

Federal Tax Ombudsman Secretariat HQs FTO Islamabad