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NEWSLETTER
FEDERAL TAX OMBUDSMAN

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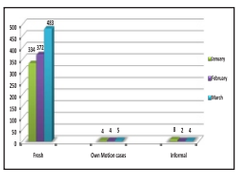

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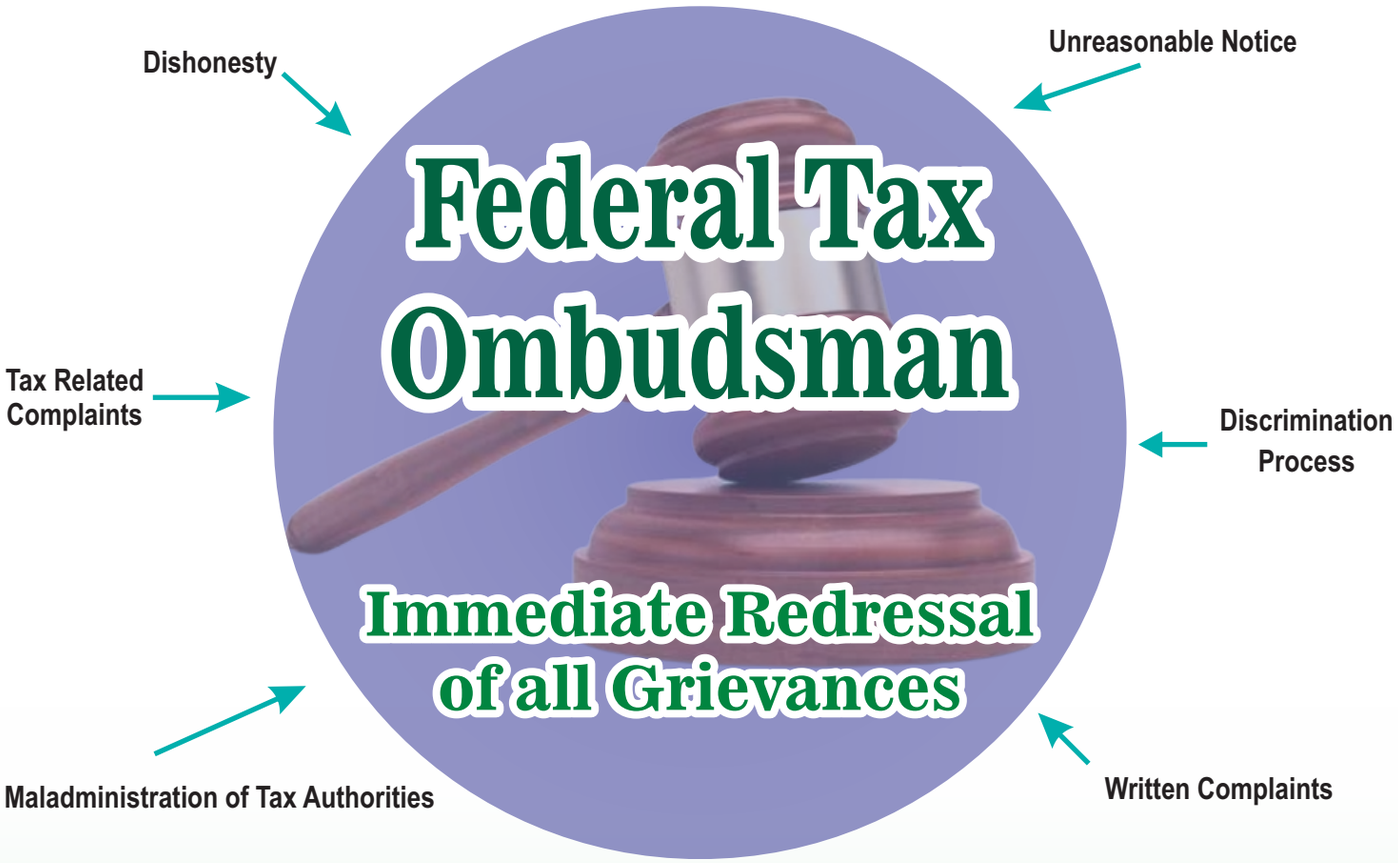
Prompt and Speedy Redressal of Complaints Against Federal Tax Authorities, Justice at Your Door Step



Written Complaints **FTO Portal** **Mobile App** **WhatsApp**

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FTO'S MESSAGE

First quarterly Newsletter of Federal Tax Ombudsman during the current year is in your hands. In this issue, an account of performance of three months during the year 2022 has been given.

After taking oath as Federal Tax Ombudsman last year on 29th September, 2021, I started concerted efforts to transform this institution into a functional, stable and effective body. During last three months of 2021, a vigorous campaign to create awareness about FTO among masses was launched under which several sessions with Chambers of Commerce and Industry, Tax Officers, Bodies of Lawyers and trade representatives were held. During these meetings, the tax payers were apprised in detail about the importance and purpose of this institution.

I personally along with my Advisors arranged Awareness Seminars in different cities of the country. The office bearers of trade bodies and the representatives of Chambers of Commerce participated in these sessions with great interest. FTO, Advisory Committee was reconstituted by including experienced Lawyers, senior retired Tax Officers and eminent representatives from all sections of Business Community. Regular meetings of Advisory Committee has been held during which many suggestions were presented in order to augment the performance and efficiency of the institution. Consequently, most of the proposals were implemented.

Honorary Advisors were appointed in the Central and Regional Offices of FTO which has enabled this Office to contact more and more the taxpayers convenient. On the direction of President of Pakistan Dr. Arif Alvi the institution has been fully digitalized. New FTO portal, new mobile app and 9386 code have been introduced. On account of these measures, common citizen's awareness and access to this office has shown tangible results. For prompt redressal of complaints and provision of justice at the doorstep of the masses, four regional offices have been established at Sargodha, Sialkot, Sukkur and Abbottabad. Facilitation Desks have been set up at all International Airports and two Border Stations. During the current year, prominent traders, tax payers and leading personalities from other sections of society participated in Awareness Seminars under the chairmanship of the President. In order to create more awareness about FTO, monthly Newsletter is being published. Quarterly newsletter for January, February and March 2022 with update on the achievements is before you. FTO YouTube Channel (FTO TV)

has become an important part of awareness campaign under the supervision of Legal Advisor Almas Ali Jovindah. Through this Channel, interviews of Advisors and several other concerned persons are being telecast. The opinion and views of the Complainants, whose grievances have been redressed, are communicated to the public through FTO TV. This Channel is rapidly gaining popularity among masses. Rising number of viewers is the cause of its success.

In order to provide immediate relief to tax payers, Section 33 of FTO Ordinance 2000 is being invoked in view of exigency of situation. As a result, the problems of tax payers are resolved within a few days, rather in a few hours, instead of two months. Under the guidance of President of Pakistan Dr. Arif Alvi, the institution is playing its vigorous role for resolving tax payers' problems as well as creating conducive tax culture. Inshallah, the institution of FTO would continue to perform its active role by easing out hardships of tax payers as well as prompt redressal of their grievances.

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

"انصاف آپ کی دہلیز پر"

President Arif Alvi Presides Over Public Awareness Seminar Arranged by Federal Tax Ombudsman at Aiwan-e-sadar

A public Awareness Seminar was held by the Federal Tax Ombudsman at Aiwan-e –Sadar Islamabad on 28th of February 2022. President Dr Arif Alvi, while lauding the Federal Tax Ombudsman's role in promoting ease of doing business and addressing the taxpayers trust deficit, emphasised the institution to enhance its outreach and adopt digitalisation to crub corruption, delays in disposal of cases, and bring about transparency.

The Seminar was attended by the Ombudsperson against Harassment, Ms. Kashmala Tariq, the Office Holders and Members of FPCCI Islamabad, Rawalpindi Chamber of Commerce and Industry, Officers of FBR and eminent Taxpayers. Hailing the role of FTO for providing Rs 8.5 Billion relief to the taxpayers during the year 2021, the President stressed the need for better relation between the people and the Government Institutions. He viewed that cordial working relations between the FTO and tax institutions would also pave way for a conducive environment for the taxpayers.

The President Dr. Arif Alvi said the early adoption of technology was inevitable as in some cases, the delays were intentionally made to mint money and gave the example of the impediments in the procedures of Customs clearance of products exported by the business community. Calling for the reduction of human factor, the President cited the introduction of information technology in the Auditor General of Pakistan's offices requiring the auditors to frame the charge sheet within a day to minimize the chances of corruption. He also asked the FTO to enhance its outreach to make the maximum number of taxpayers know the role of the organization who should consider it their own task. He said through various measures, the FTO was also promoting the ease of doing business and also advised the business community to seek reduction in taxes instead of avoiding documentation of the economy. President Dr. Arif Alvi also appreciated the provision of relief worth Rs 8.5 Billion to the taxpayers within a year and advised the FTO officers to equip themselves with the knowledge of law for accelerating the resolution of tax-related issues.

He said if the nation showed its commitment to 'Say No to Corruption', no force in the world would be able to deter it from progress.

In his address, Federal Tax Ombudsman Dr. Asif Mahmood Jah said since his assuming the office on September 29 last year, 1,500 cases had been disposed of, with relief granted to the business community in almost 95% of them.

He apprised the audience that being a business-friendly institution, the FTO Office aimed at creating an environment of trust for the business community and giving due respect to the tax payers. He said during the last five years, the FTO ensured payment of tax refund amounting to Rs 27 Billion to the taxpayers.

He informed the audience that, as more and more people were getting acquainted with the FTO's performance, the number of complaints had increased to 340 in February, of which 304 were disposed of Dr. Asif Mahmood Jah said the office of the FTO was just a phone call away from the taxpayers, who could register complaints online, mobile application or even a phone call. On this occasion, the President inaugurated FTO PORTAL and Mobile App and gave away Certificates for outstanding performance to the best employees of FTO offices who performed extra ordinarily during the year 2021.

OIC Ombudsmen Association:
Board of Directors Meeting at Rabat Vows to Further Coordination and Sharing of Work Experience

The meeting Board of Directors of OIC Ombudsmen Association (OICOA) was held on 29th and 30th March 2022 in Rabat, Morocco which was attended by Hon'ble Dr. Asif Mahmood Jah, Federal Tax Ombudsman Pakistan and Secretary General of OICOA and Mr. Khaldun-ul-Haq Director General of Federal Tax Ombudsman.

Mr. Mohamed Benalilou, Mediator of the Kingdom of Morocco, while welcoming the Board of Directors and Members, thanked them for their kind response to the invitation for this event and showed his confidence that their presence would enormously contribute to the cause of Ombudsmenship in the Muslim World and the meeting will remain a memorable event in many ways. The Chief Ombudsman of Turkey and President of OICOA, Mr. Şeref Malkoç welcomed the Members and delivered his opening remarks.

In this meeting, all the participating members unanimously supported the idea to initiate training program for the promotion of Ombudsmenship in the OIC Community. All the members of the Association have been requested for their participation in holding training sessions.

All the members of BOD were apprised that the website of OICOA should be developed in order to make people aware of services and latest devolvements of Ombudsmen Association.

To strengthen the communication network among the Ombudsmen Association, Secretary General of OICOA, Dr. Asif Mahmood Jah gave brief presentation on the Role of Federal Tax Ombudsman Secretariat. He informed the audience about the latest initiatives taken by FTO office to resolve taxpayer's issues promptly, minimize investigation time and to become a bridge between the taxpayers and Federal Board of Revenue. The Members of OICOA appreciated the performance of Federal Tax Ombudsman and shared their working experiences as well. The meeting was concluded with a vote of thanks to the Mr. Mohamed Benalilou, Mediator of the Kingdom of Morocco.

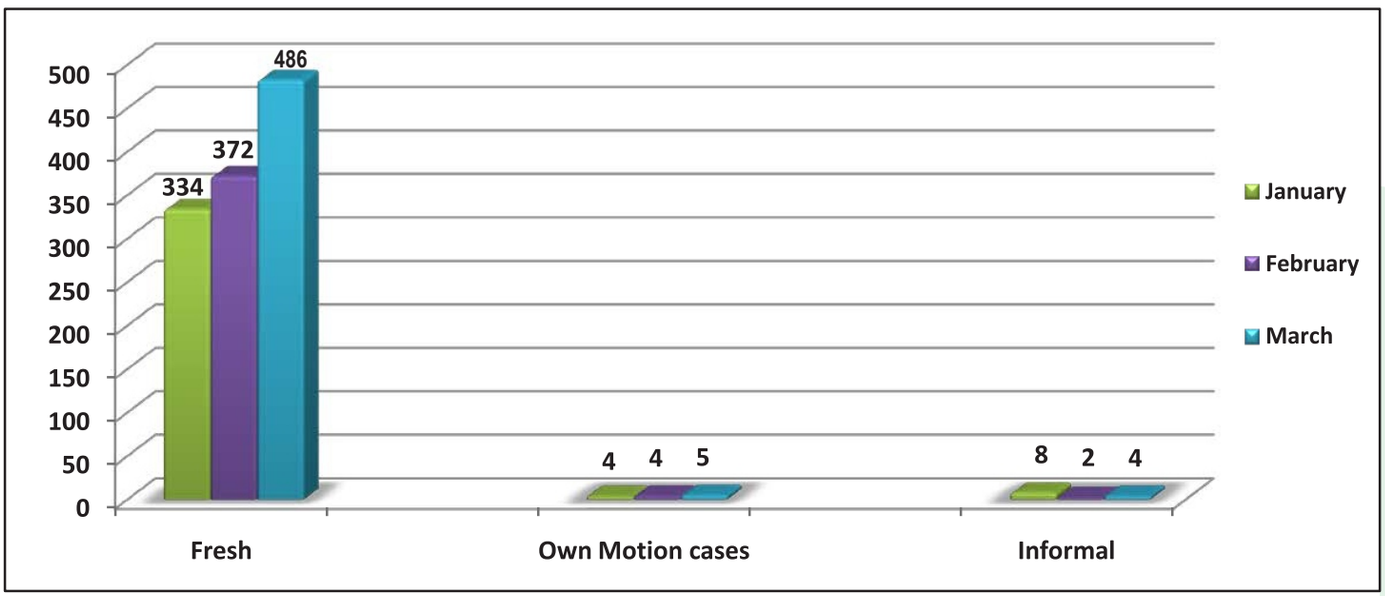
Federal Tax Ombudsman Decides 899 Complaints in Three Months

FTO has played a pivotal role in redressal of complaints and grievances in a short span of time. Hon'ble Federal Tax Ombudsman Dr. Asif Mahmood Jah has decided 899 complaints of malpractices by FBR officials during January, February and March 2022.

During this period, 1192 fresh complaints have been filed by the taxpayers with FTO Secretariat and 899 complaints were disposed of. Furthermore, 13 fresh Own Motion cases have been registered with the disposal of 63 Own Motions in the said period. In these various complaints, 517 were accepted, 261 were rejected and 102 were withdrawn. An overview of the performance is given in the tables below:

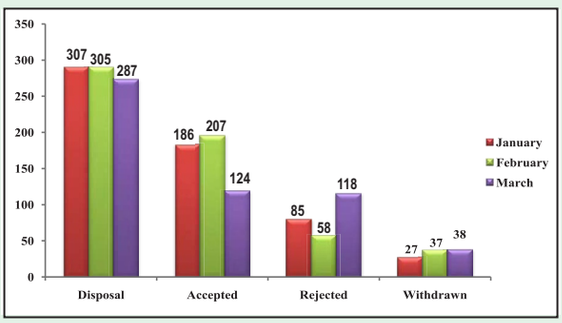
Overview of the Period (Jan-Mar 2022)

Months (2022)	Fresh Complaints	Own Motion cases	Informal	Total Complaints + OM+Informal
January	**334**	**4**	**8**	**346**
February	**372**	**4**	**2**	**378**
March	**486**	**5**	**4**	**495**



Complaints Accepted, Rejected, Withdrawn

Months (2022)	Disposal	Accepted(Recommendations made)	Rejected	Withdrawn
January	**307**	**186**	**85**	**27**
February	**305**	**207**	**58**	**37**
March	**287**	**124**	**118**	**38**



The FTO Office has revived the trust of taxpayers by attending to the issues of delay in refunds/ pending of cases, illegal, unnecessary actions and harassment of business community on account of violation of rules and took up matter with the relevant departments and authorities for resolving them amicably.

The main purpose of the FTO is to facilitate taxpayers and ensure speedy justice and relief. Thus during the last three months, 899 cases/ complaints of taxpayers were disposed of, while reforms process has also been expedited in FTO Office for the complainants review.

Dr. Asif Mahmood Jah (FTO) Seeks FBR to Fix Minimum Income Limit for Tax Cut From Daily Wagers

A temporary employee of Pakistan Broadcasting Corporation had filed a complaint with the FTO against deduction of income tax @ 17.5 % being made on the gross amount without any basic exemption like the one available to the salaried Govt servants (annual salary less than Rs.6 lakh per year is exempt from Income Tax).

While responding to the FTO, FBR IR-Policy wing had informed the FTO that the daily wagers do not fall in the category of salaried persons. Thus, cannot be categorized as exempt employees. The rate of tax for such contract-services employees has to be deducted u/s 153(1)(b) of the Ordinance that is 10% and for non-filers it is 20%.

In his recommendations Dr. Asif Mahmood Jah (FTO) noted that Regular/ Adhoc/ Temporary/ Daily Wages, all are the different shades and forms of employment and law doesn't create any distinction among all the above forms, and daily wagers cannot be excluded from the ambit of employment.

In the findings he held that FBR's treatment of the instant case u/s 153(1)(b) is against the dictates of law and excessive tax deductions from the pay/wages of a low paid temporary employee of PBC tantamounts to maladministration in terms of FTO Ordinance, 2000.

In view of the above, the FTO recommended to Chairman FBR to ensure that low paid employees of PBC and other such organizations are not burdened with excessive tax deductions at withholding stage. While Taxpayers facilitation constitutes the core function of FBR, its implementation on ground should also be visible. He further directed the concerned RTO to process the instant case on priority basis and under relevant legal provisions, so as to save the complainant from grave hardships, he is suffering since 2017. He desired that FBR should issue necessary clarification for all and sundry so as to safeguard the low paid employees against excessive Income Tax deductions. The purpose of the above recommendation is that low income daily wagers be treated at par with salaried persons who avail exemption for income upto Rs.600,000 under the present law.

Nomination of Honorary Business Coordinators to the FTO

To provide maximum facilitation to the business community, the Federal Tax Ombudsman constituted honorary positions of Coordinator (Business Liaison) in the Federal Tax Ombudsman Offices at Islamabad, Karachi, Lahore, Peshawar, Quetta, Gujranwala, Multan, Faisalabad, Sialkot, Abbottabad, Sargodha and Sukkur with immediate effect. These positions will be honorary without entailing any official financial expenditure. The honorary coordinators will maintain a close liaison with local Chambers of Commerce & Industry, Trade Associations, Market Associations, General Trade Bodies and other business related organizations, taxpayers individually or collectively. They would present taxpayers problems, issues, conflicts and concerns to the respective Advisors in FTO Office and act proactively for immediate redressal of the same. This would be instrumental in resolving key tax issues of business community and will act as bridge between traders, trade bodies and FTO for quick redressal of the genuine problems faced by the traders across the country.

So far following eminent businessmen and lawyers belonging to various Chambers of Commerce & Industry have been appointed as business coordinators.

Mr. Sohail Altaf
Honorary Chief Advisor
HQ Islamabad

Dr. Muhammad Shakil Munir
Honorary Business
Coordinator, Islamabad

Mr. Amir Atta Bajwa
Honorary Business
Coordinator, Sargodha

Ms. Shamim Aftab
Honorary Women Business
Coordinator, Sargodha

Miss Sam Ali Dada
Honorary Women Business
Coordinator, Lahore

Mr. Nawaz Ahmad Bajwa
Honorary Business
Coordinator, Gujranwala

Ch. Ahmed Zulfiqar Hayat
Honorary Business
Coordinator, Sargodha

Mian Rehman Aziz Chan
Honorary Business
Coordinator, Lahore

Engr. M. Abdul Jabbar
Honorary Business
Coordinator, Karachi

President Dr. Arif Alvi Confirms FTO's Findings; Apologize to 82 Years Old Taxpayer

The President of Pakistan Dr. Arif Alvi upheld the decision of FTO in case of a senior citizen who was being dragged in litigation and unending tale of misery of FBR. Abdul Hamid Khan, an 82 years old complainant filed Return of Income for Tax Year 2020 under Section 114(1), claiming refund amounting to just Rs. 2333/. The refund arose on account of Advance Tax collected under Section 236 of the Ordinance on landline telephone and cell phone. The Complainant e-filed refund application for Tax Year 2020 followed by representation addressed to the Chairman, FBR Islamabad.

The complainant e-filed refund application on 19th October, 2020 followed by representation to FBR Chairman on 24th December, 2020. The Unit Officer of FBR rejected his refund claim, on 29.01.2021, on the ground that the applicant had failed to furnish the original certificates required for authentication. The complainant then took up the matter with the Federal Tax Ombudsman (FTO) to seek redressal of his complaint. As per FTO's observations, it appeared that unlawful treatment meted out in the instant case with a view to irritate and humiliate an aging pensioner of 82 years of age clearly indicates maladministration.

The President Dr. Arif Alvi has now directed FBR to revisit the impugned Order dated 29.01.2021 in terms of Section 122A and pass fresh Order under Section 170(4) of the Ordinance, after providing the Complainant opportunity of hearing, as per law also identify and initiate disciplinary proceedings against the official who passed the impugned order in defiance of law and dragged an aging taxpayer of 82 years of age into unnecessary litigation. However, amazingly, FBR instead of implementing the findings of FTO, filed a representation against the findings of FTO before the president. President Dr. Arif Alvi apologized to the pensioner on long wait and litigation.

President Dr. Alvi has not only dismissed FBR's representation but has also ordered the punitive action against entire chain of FBR's decision makers.

President Decides in Favor of Aggrieved Taxpayers;

Rejects 11 FBR Representations Against FTO's Orders for Redressal of Grievances

Hon'ble President Dr. Arif Alvi has rejected eleven representations filed by Federal Board of Revenue (FBR) against the recommendations made by Federal Tax Ombudsman (FTO). On 20th of January 2022, the President of Pakistan has rejected 11 representations filed by the apex revenue body FBR against the relief orders of Federal Tax Ombudsman in various complaints. These complaints related to unfair behavior by the tax employees, Attachment of a unit without serving an O-IN-O, delay in processing of refunds, rejection of tax refund without providing an opportunity of hearing and Implementation of Orders in cases there was no stay by the Appellate Tribunal. The President reprimanded the FBR officials to stop behaving unfairly and unreasonably and directed fair processing of all such cases.

In a Customs case M/S Abdullah & Co., the President ordered refund of duty/ taxes and fine of Rs 1.732 Million to the complainant.

In an Income Tax matter, a trading company made supplies of tiles and used clothing to the end consumer during the period from 2013-14 to 2016-17 and adjudged an amount of Rs. 11.331 Million as further Tax along with penalty to be recoverable from the complainant. The Dept. without serving the O–in-O recovered an amount of Rs. 8.994 Million through attachment of the complainant's Bank account. The Complainant preferred an appeal under Section 45-B of the Act before the Commissioner I-R, Karachi which was allowed and the O-IN-O was annulled. The complainant approached the RTO-III, Karachi for refund of the amount recovered illegally but failed to evoke any response. who ordered to the department to process the case but FBR filed a review petition with the President.

The President of Pakistan Dr. Arif Alvi in his concluding remarks clearly said that there is thus no valid justification to interfere with the orders of Federal Tax Ombudsman and the President is pleased to reject these representations.

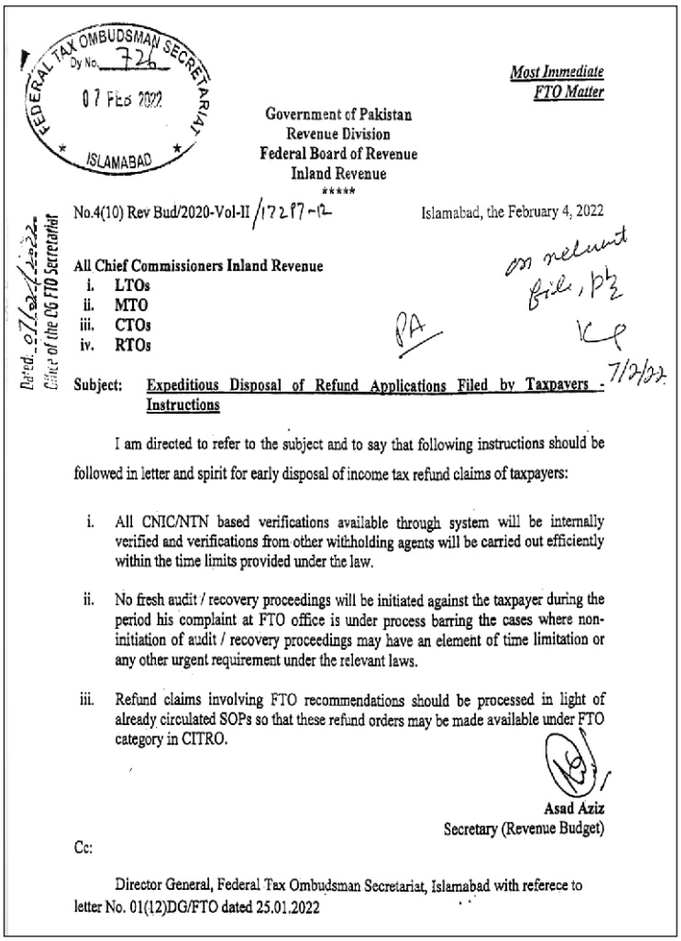
The President also observed that the Federal Board of Revenue must act fairly in dealing with taxpayers and to abide by the law governing it. If any benefit accrues to the taxpayers under the law, time must not be needlessly wasted. He warned that frivolous litigation also wasted the time of tribunal, the High Court and the FTO and Presidency and this should be avoided. He finally directed that time should be spent in resolving legitimate disputes between the taxpayers and tax collectors providing a fair chance to the aggrieved taxpayers and ease of doing business to the citizens.

Upon FTO's Intervention, FBR Issues Instruction for Expeditious Disposal of Refund Cases

Consequent upon the intervention of Federal Tax Ombudsman (FTO) Dr. Asif Mahmood Jah, Federal Board of Revenue (FBR) has issued instructions to field offices to stop unnecessary audit/ recovery notices and quick disposal of refund cases of income tax. The issue of unnecessary delay in processing of thes ecases was taken up by the FTO with Member (IR) Operations, FBR. The instructions issued by FBR to its field formations vide letter dated 04.02.2022 for early processing of income tax refund claims are as under:-

i. All CNIC/ NTN based verifications available through system will be internally verified and verifications from other withholding agents will be carried out efficiently within the time limits provided under the law.
ii. No fresh audit / recovery proceedings will be initiated against the taxpayer during the period his complaint at FTO office is under process barring the cases where non-initiation of audit / recovery proceedings may have an element of time limitation or any other urgent requirement under the relevant laws.
iii. Refund claims involving FTO recommendations should be processed in light of already circulated SOPs so that these refund orders may be made available under FTO category in CITRO.

The above instructions will not only facilitate the taxpayers by doing away with the inordinate delays in refund claims in the name of lengthy verification procedures but will also be safe guarding the taxpayers against exploitation by way of unnecessary audit/ recovery notices.



FEDERAL TAX OMBUDSMAN SECRETARIAT Dy No. 726 07 Feb 2022 ISLAMABAD

Most Immediate
FTO Matter

Government of Pakistan
Revenue Division
Federal Board of Revenue
Inland Revenue
*****

No.4(10) Rev Bud/2020-Vol-II/172177-12 Islamabad, the February 4, 2022

Dated 07/2/2022 Office of the DG FTO Secretariat

All Chief Commissioners Inland Revenue
i. LTOs
ii. MTO
iii. CTOs
iv. RTOs

on relevant file, pls
PA
7/2/22

Subject: Expeditious Disposal of Refund Applications Filed by Taxpayers - Instructions

I am directed to refer to the subject and to say that following instructions should be followed in letter and spirit for early disposal of income tax refund claims of taxpayers:

i. All CNIC/NTN based verifications available through system will be internally verified and verifications from other withholding agents will be carried out efficiently within the time limits provided under the law.

ii. No fresh audit / recovery proceedings will be initiated against the taxpayer during the period his complaint at FTO office is under process barring the cases where non-initiation of audit / recovery proceedings may have an element of time limitation or any other urgent requirement under the relevant laws.

iii. Refund claims involving FTO recommendations should be processed in light of already circulated SOPs so that these refund orders may be made available under FTO category in CITRO.

Asad Aziz
Secretary (Revenue Budget)

Cc:

Director General, Federal Tax Ombudsman Secretariat, Islamabad with referece to letter No. 01(12)DG/FTO dated 25.01.2022

FBR has issued order in this connection

FTO Dr. Asif Mahmood Jah Rescues a Lady Unduly Registered as Tier-1:
Resolves The Complaint Within Two Days

Petition was filed with the Federal Tax Ombudsman under Section 10(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance), seeking exclusion of the complainants case from "Tier-1-Retailers", under Sales Tax Act, 1990. The complainant protested against the decision to include her in the said tier despite the fact that she had not conducted any business ever since her registration and that she has already notified it to the FBR. It was observed by the FTO that the issue raised revolved around small technical hiccups. Therefore, instead of resorting to formal investigation proceedings under FTO Ordinance, the Advisor, Regional Office, Lahore invoked Section 33 of the FTO Ordinance for instant resolution. This section provides an alternate mode for redressal of the problems faced by the taxpayers. Thus a genuine complaint was addressed with in two days of initiation of the case.

"Thousands of Buyers have Got Relief of 5% Sales Tax"
Dr. Asif Mahmood Jah addressing Meeting of the Advisory Committee

The meeting of the Advisory Committee Secretariat (Central) was held in the office of Federal Tax Ombudsman Office on 14-03-2021. The Hon'ble FTO, Dr. Asif Mahmood Jah highlighted major decisions taken by him which have been upheld by the President of Pakistan. In this regard, he mentioned a case where a car company charged 17% Sales Tax at the time of booking, but at the time of delivery rate of Sales Tax was 12%. As a result of this decision thousands of buyers have got relief of 5% Sales Tax. Honorable FTO has also declared the deduction of 17% withholding tax on salary of contract/wage employees treating it as services rendered by them as in valid. In a case of bogus refund of Rs.123 Million, disciplinary proceedings against four senior IRS officers have been recommended. He further added that the aggrieved persons can lodge their complaints through FTO portal as well as SMS. Moreover, Section 33 of FTO Ordinance envisages prompt and informal resolution of the problems and hardships of tax payers. After Address of Hon'ble Federal Tax Ombudsman Dr. Asif Mahmood Jah (Hilal-i-Imtiaz) (Sitar-i-Imtiaz) the participants were invited to put forth their suggestions/ recommendations. Participants included Mian Rehman Aziz Chan, Ms. Shamim MPA, Mr. Asif Sarwar, Hamid Zaman, Mr. Aftab Ahmad, Mr. Ashraf Qamar, Advocate, Ch. Khalid Iqbal, Mr. Manzoor-ul-Haq, Dr. Fiaz Ranjha, Abdur Rehman Dogar, Dr. Sarfraz Ahmad Waraich, Mr. Mansoor Bajwa, Zulfiqar Hayyat, Muhammad Hussain, Dr. Akram Khan,Dr. Khalil Ahmad, Ms Sarwat Habib Tahira, Mr. Majid Qureshi, Dr. Arslan Subuctageen and Sohaib Marghub. They put forth proposals/ suggestions for removal of anomalies, distortions and hardships in procedures, rules and laws. The main issues of the taxpayers/ members were as under:

- Rationalization of Sales Tax collection system and issuance of refunds within 72 hours, as this negatively impacts exports process.
- Deliberate delay in implementation of FTO recommendations should be dealt with strictly in accordance with prevalent laws and coercive methods of tax recovery without following legal procedure should be stopped.
- An easy, transparent and hassle free Tax Collection System which ensures public welfare should be introduced. Single page return needs to be implemented in letter and spirit.
- FBR functionaries should desist from irrational exercise of discretionary powers. In this regard, a fair and transparent mechanism should be devised.
- Corruption and malpractices in the field formations and taxation machinery should be curbed, so that business community/taxpayers feel ease in doing their business.
- FBR should be advised to avoid multiple taxation system especially in the shape of sales tax at the Provincial, inter Provincial and Federal level.
- Protection to taxpayers should be provided in case they lodge complaints with the Hon'ble FTO.
- Income Tax, Sales Tax, Excise Duty and Customs procedures should be simplified, understandable and credible for building the confidence of business community.
- FBR should release refunds of the business community where recommendations are made by the Hon'ble FTO. FBR Chairman should be asked/directed by the FTO to issue refund/compensation under the law within due course of time.
- FBR officials' non-compliance should be dealt with in accordance with the provisions of relevant laws.
- Suo Moto powers of the Hon'ble FTO should be exercised for strengthening the taxation system.
- Retaliatory actions taken by FBR functionaries with regard to refund complaints filed with FTO should be addressed.
- There should be regular meetings of business coordinators of FTO office after certain intervals.
- Retailers' issues about POS should also be dealt with from a pragmatic and rational standpoint.
- Audit mechanism should be devised in a better and transparent way.

Customs Ordered to Clear 8,522 Auctionable Lots Within Two Months

In a landmark finding, the Federal Tax Ombudsman (FTO) in pursuance of an own motion investigation has ordered the Customs authorities to clear 8,522 pending auctionable lots within two months.

Member Customs (Operations) was further directed to personally monitor the compliance of above directions and initiate disciplinary proceedings against other Collectors/ Directors who fail to comply with the above directions.

The own motion investigations were initiated by the FTO on the reports regarding large number of confiscated or otherwise uncleared vehicles and goods laying un-disposed at Customs formations all over the country, involving stuckup revenue of billions of rupees. The Customs Laws, Rules, Customs General Orders (CGOs) and instructions provide for expeditious disposal and auctions of such goods and vehicles. However, the Customs authorities are not disposing these goods and vehicle having tampered and non-tampered chassis numbers as required under the law.

The data pertaining to the un-disposed lots ripe for auction was collected for the analysis purposes by FTO which revealed that a total of 8,522 lots are un-disposed and still pending in auction.

The reason intimated by the FBR, was that satisfactory bids have not been received against the reserve price fixed for these lots. So much so that at certain Customs Collectorates, the goods/vehicles have been offered for auction upto 40 times

but still not disposed of. In addition to this alarming pendency in case of auctionable lots, other non-auctionable goods and cut/ weld/ tampered vehicles are also not being disposed of.

The above has resulted into non-realisation of huge government revenue and piling up of un-disposed goods ripe for auction at various Customs Warehouses across the country.

The FTO has directed the FBR to do away with the huge pendency of auctionable goods/vehicles within 60 days.

Furthermore, Member Customs (Operations) is to personally monitor the above activity and disciplinary action to be initiated under E&D rules 2020 against the Collectors/Directors who fail to comply with this direction.

Awareness Session About Role and Functions of the Office of FTO for Office Bearers of Pakistan Tea Association

In order to update and apprise the functions and role of the office of Federal Tax Ombudsman, another outreach session was held in Karachi on 17.03.2022. The session was attended by Ms. Seema Shakil (Advsior Incharge) Mr. Manzoor Hussain Memon (Advisor Sales Tax) ,Mr. Badruddin Ahmad Qureshi (Advisor Income Tax) and Mr. Syed Tahir Raza Zaidi (Advisor Customs). The Chairman Pakistan Tea Association, Mr. Jawaid Iqbal Paracha, Senior Vice Chairman, Mr. Zeeshan Maqsood, Ex-Chairman, Mr. Hamid S. Khawaja, Mr. Shokib Paracha, Mr. Naeem and Mr. Adnan Paracha Members of Pakistan Tea Association attended the event.

The participants were briefed about the role/functions and recent efforts made by the FTO office to dispose of the complaints expeditiously within shortest possible time and timely implementation of the findings/ recommendations. The members were also apprised regarding country –wide campaign launched by the FTO secretariat with the core objective to spread awareness of the grievance redressal mechanism so as to instill confidence amongst the taxpayers in the office of the FTO for speedy and efficacious justice against any maladministration by the officers of the Tax Department.

The participants shared some of their grievances against the FBR and its field offices.

The participants were assured with regard to redressal of their grievances after filing complaints. The delegation thanked the Regional Office, Karachi and appreciated the exercise of launching awareness sessions throughout the country. They further affirmed that Pakistan Tea Association will suggest their members to approach the forum of FTO in the case of any maladministration caused by the tax authorities. Full co-operation by the Pakistan Tea Association in the discharge of the functions of the FTO office was assured.

The session was concluded with a vote of thanks by the Advisor (Incharge) to the respected chairman and other office bearers.

"Every Decision of Federal Tax Ombudsman is a Step Towards a Better Pakistan"

President Dr. Arif Alvi Addressing an Awareness Seminar Organized by FTO

An Awareness Seminar was organized by the Federal Tax Ombudsman at Governor House, Lahore on February 03, 2022, President Dr. Arif Alvi, was the Chief Guest. While talking about providing facilities to the Taxpayers through Awareness Seminar, he emphasized on increasing the Tax to GDP Ratio and said that we have been trying for the last 70 years to increase the tax net but no tangible progress has been made so fall. The President Dr. Arif Alvi urged the business and industrial community to come up with their own proposals for increasing the tax net instead of presenting their demands to the government, as this is the most effective way to get the country out of financial problems. "Let the people work together to increase the national income." The event was attended by a large number of Businessmen, Lawyers and Journalists from all over the province. Seminar coordinator Mr Almas Ali Jovindah, legal advisor to FTO said the Prime Minister has for the first time in the history of the country has appointed an officer from FBR, who understands all the nuances and difficulties in tax procedures. That is why, timely decisions are being issued according to which, FTO office has issued decisions on about 14,000 applications since its inception 2000.

Federal Tax Ombudsman Dr. Asif Mahmood Jah said that, we also guarded our decisions through monitoring of implementation and facilitated payment of Refunds of Rs. 27 Billion to the Taxpayers trapped in FBR. This improved the atmosphere of harmony between the Taxpayers and the FBR. Federal Tax Ombudsman Dr. Asif Mahmood Jah, while welcoming the President Dr. Arif Alvi, said that he had assured the President and the Prime Minister of Pakistan that, "we will do our best to provide Justice in the country in accordance with the laws and rules of the country." He cited an example of tractor imports case during the sowing season, As a large consignment of tractors was stopped by the Customs Officials despite all the payments and paperwork being completed, FTO spoke to the concerned Officers and the consignment was released within a few hours. He said that timely supply of tractors would have a positive impact on agricultural production. Federal Tax Ombudsman Dr. Asif Mahmood Jah said that this institution has been set up to solve the problems of the people. We are acting as taxpayer's Advocate. And under Section 33 of the Federal Tax Ombudsman Ordinance 2000, disputes are being resolved in a matter of hours through mutual negotiations. He said that in order to promote tax culture in the country, we are developing an environment of friendship with the taxpayers. Taxpayers are being given confidence to believe that incase of any difficulty, there is an institution which can be approached free of cost. FTO Dr. Asif Mahmood Jah said four more Regional Offices have been opened, and facilitation desks have also been set up at border check posts of Baluchistan and Khyber Pakhtunkhwa. "I have also instructed my advisors to increase the liaison with the taxpayers". For the first time, a Public- Private Partnership has been launched with the intention of improving the tax system. "We are appointing honorary advisors from industrialists and investors."

In his final comment, President Dr. Arif Alvi stated that he has expectation with the Federal Tax Ombudsman that he would resolve problems of the taxpayers in minimum time and keep them in the loop through awareness campaign. He expressed the hope that the FTO Offices will also try to reach out to as many people as possible through its awareness campaign.

Addressing the Federal Tax Ombudsman, Dr. Asif Mahmood Jah, and the President said that you are also earning here after Accountability to your Lord is the greatest accountability. Man does not steal because of 5 elements, first faith, second law and third being caught. The law is useless if someone is caught, the fourth is that those arrested should be punished. We say let society decide that the thief is the thief. When you start for giving thieves, my child will learn that money must come and no one will ask the source. But there will be no forgiveness before the Lord. Maybe Allah Almighty forgives in return for a good deed but the real grip will be there. You should make this institution more popular, use electronic system, every Taxpayer should be aware that if there is any abuse with it then there is a Forum of Federal Tax Ombudsman for redressal. I would like to call the Chairman FBR and FTO on how we can solve the problems of as many people as possible.

President Dr. Alvi Upholds Federal Tax Ombudsman's Decision FBR Shall Refund Excessive Tax to Buyers of Suzuki Vehicles

Twenty four Complaints were filed against FBR Islamabad and Pak Suzuki Motor Company Limited, in terms of Section 10(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance) for charging Sales Tax @ 17% on purchase of Suzuki Cultus vehicle 998 CC in August, 2021 as against 12.5%, which was the actual rate at the time of final payment/ supply. In this way the taxpayers were constrained to pay in excess of what was actually due. FTO had recommended that collection of the Sales Tax in excess of that envisaged under the Finance Act 2021 and delay in setting the tax refund tentamounts to maladministration. President of Pakistan Dr. Arif Alvi upheld the decision and rejected FBR's pleas against recommendation for refund.

Precisely, the Complainants booked Suzuki Cultus cars 998 CC, prior June 2021 at 100% advance payment of Rs. 2.145 Million, with tentative date of delivery after July 2021. Meanwhile, the rate of Sales Tax on such cars was revised downwards, from erstwhile 17% to 12.5% and the FED chargeable @ 2.5% was waived off altogether through the Finance Act, 2021 with effect from 01.07.2021. Further, the term "time of supply" defined in Section 2(44) of the Sales Tax Act, 1990 was also amended from "time of sale" to the "time of delivery".

The vehicles were delivered to the Complainants, alongwith invoice of Rs. 2.069 Million as per the new rate applicable after July, 2021, and not the one, at the time of booking of the car in June 2021. However, M/s Pak Suzuki Company Limited charged Sales Tax on old rates rather than invoice date i.e., "the time of sale" and refused to refund the difference, hence depriving middle Income Complainants of due effect of the reduced tax burden.

The Complainant contacted FBR as well, on its helpline through email dated 17.08.2021, requesting for refund of the differential amount of Sales Tax. In response thereof, the FBR communicated through email dated 20.08.2021 that Sales Tax had been reduced to 12.5% on cars up to 1000cc. However, the FBR restricted its response to this e-mail and did not resolve the issue by arranging for refund of the differential amount of Sales Tax. The Complainants made complaint to the FTO praying that the department may be directed to refund the over charged Sales Tax and FED. FBR admitted, "there was lack of clarity with regard to the definition of "time of supply" at the time of booking of the vehicle in June 2021 and that at the time of its delivery in August 2021. As per the definition in June 2021, the relevant time for determining the rate of taxation was the time when payment was received by the supplier, wherein Sales Tax was @ 17% and FED @ 2.5%. However, both the definition and the applicable rates of taxes had been changed in the budget 2022-2023 and now "supply of goods, other than under hire purchase agreement, means the time at which the goods are delivered or made available to the recipient of the supply". This despite the fact that amendment in the act was intended to favour the tax payers benefit was denied to the Complaints.

After hearing the point of view of the Complainants and the FBR, FTO thrashed out the subject as under:

"In the Finance Act, 2021, after amendments in Sales Tax Act, 1990, Section 2(44)(a) was enforced w.e.f. 01.07.2021 and it is clear that:

The time of receipt of payment by supplier becomes irrelevant, if the supply is made on or after 01.07.2021. In accordance with Section 5 of the said Act.

Thus "If there is a change in the rate of tax, a taxable supply made by a registered person shall be charged to tax at such rate as is in force at the time of supply" which in the subject case was July to August 2021. He also held that "Collection of Sales Tax in excess of being legislated in Finance Act, 2021 and delay in settling the refund, tantamounts to maladministration, in terms of Section 2(3)(i)(a) of the FTO Ordinance 2000 and made recommendation to FBR to refund the amount of Sales Tax collected in excess of 12.5% from the Complainants as per law".

Instead of resolving the issue and allowing refund to middle income buyers FBR took refuge under non clarity of law and filed representations to the President of Pakistan. While concluding the subject proceedings, the President of Pakistan Dr. Arif Alvi confirmed the grant of refund by the Federal Tax Ombudsman as under:

"the approach adopted by the FTO in deciding the complaints that collection of Sales Tax in excess of due tax is contrary to the law and direction to refund the amount of Sales Tax collected in excess of 12.5% from the complainants is absolutely lawful and in accordance with law. He further held that representations by FBR were bereft of any merits or justifications and are liable to be rejected.

Federal Tax Ombudsman has issued instructions to all Advisors to decide all similar cases in accordance with the decision of the President of Pakistan and hopes that FBR would ensure prompt compliance of the Presidents directives, as the decision is of far reaching impact by providing relief to not only the Complanints but many others who may not have so far opted for such relief.

FTO's Recommendation: FBR's IT-wing to Conduct Security Audit of the Data Centers

In line with the recommendations of the Federal Tax Ombudsman (FTO) Dr Asif Mahmood Jah, the Federal Board of Revenue's (FBR's) Information Technology Wing (IT-Wing) shall be audited by a security firm to conduct a security audit of data centres.

This has been concluded in an investigation conducted by the systematic FTO who has unearthed flaws in security of confidential/ classified data of taxpayers, and directed the FBR to develop security policies/ infrastructure and implement international standards for protection against future cyber attacks on FBR website.

It is learnt that the FTO, in a landmark investigation, found that the confidential/ classified data of FBR Web portal was hacked, as the PRAL has not properly discharged its duties. According to details, a tax lawyer had filed a public interest complaint against the FBR/ PRAL key position holders, wherein after a comprehensive investigation, FTO Dr. Asif Mahmood Jah concluded that FBR/ PRAL is not using any software to manage its Network Security policies and FBR has filed a false/ wrong statement regarding the system disrupted period and is using expired certificationthe statement is also contrary to the Finance Minister's stance.

FTO order stated that the said analysis clearly reflects maladministration of FBR & PRAL's functionaries, in the administration and discharge of assigned duties and responsibilities. PRAL data centre is not equipped with any prevention/ intrusion detection system, hence a material systematic flaw exposing security of its database. PRAL data centre does not conform to some credible International Standard and its certification had also expired in December 2020. Cyber attack on key data Websites, data and data centres of FBR/ PRAL poses a threat that can undermine the security capabilities of the state. Upon the recommendations, FBR has submitted a compliance report to FTO which stated that the "PRAL has reinforced 'ISMS' policies and procedures in lieu of the ISO framework". However, they are awaiting security infrastructure, for which procurement has already been initiated. The process of procurement of security infrastructure is already under way, which also consists of SIEM. Once the procurement is completed, PRAL will deploy SIEM at the data centres which enhanced security features. The FBR (IT Wing) has recently awarded a three years contract to a reputable security firm to conduct a security audit of data centres. After the completion of the audit, FBR Data Centres will be ISO-27001 certified".

Suo-Moto Action Taken By FTO Against FBR Officials

An own motion investigation was initiated by Federal Tax Ombudsman in terms of Section 9(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance), as FTO Secretariat has evidence based information that some of the most meaningful and innovative initiatives of FBR's own individual officers and field formations stands diluted due to follow up failure, frequent posting transfers of officers and massive changes of jurisdictions.

Moreover; In-House Analysis FTO Secretariat has also identified that though FBR and its dozens of field formations maintain an organized web portal, rich data center, exhaustive Data Bases, elaborate and comprehensive operational soft wares and houses a full-fledged & home grown IT support system i.e. Pakistan Automation (PVT) LTD (PRAL), yet neither FBR HQs nor its any single field formation maintains any IT based tracking system, any exhaustive ,fool proof and IT enabled handing over module and any institutionalized internal follow up system.

During In-House Analysis FTO (Federal Tax Ombudsman Secretariat) it was averred that a list of potential cases of tax evasion, including M/s. Hope 87 Pakistan along with detailed Investigation Report & Case Study was prepared & shared by Directorate General (DG), BTB FBR. This valuable information was duly shared in December, 2018 with the concerned field formations for taking action against said entities for not declaring true particulars of their receipts/income and not discharging their responsibilities as withholding agents. However; in 2019, FBR management suddenly shelved this whole BTB regime overnight disbanding BTB Zones Islamabad, Lahore and Karachi. Office of DG BTB was relegated to a ceremonial entity assigned as additional charge. Thus in addition to losing an effective organization, the repository of the whole above data/information was suddenly rendered extinct.

FTO's investigation clearly established that information passed by DG BTB in December, 2018 had neither been utilized before the intervention made by the office nor analyzed vis-a-vis ground position of the entity in question. None of the field officers of FBR holding jurisdiction over the instant case during December, 2018 and November, 2021 was vigilant enough to initiate the action which has been started after 03 years and that too after the intervention of FTO Secretariat.

Thus, negligence and inefficiency on the part of FBR officials in enforcing various provisions of law in major revenue potential cases is tantamount to maladministration.

Federal Tax Ombudsman directed FBR to direct the Chief Commissioner-IR, CTO, Islamabad to ensure that action initiated in the instant case, after three years delay is expedited and finalized on priority basis.

FTO's Awareness & Outreach Drive

Awareness Session Conducted in Jhelum

An awareness session was organized by the Federal Tax Ombudsman Dr. Asif Mahmood Jah at Jhelum on the invitation of Muhammad Arif Chaudhry President Anjuman-e-Tajran District Jhelum on 18.03.2022. A large number of traders attended the session including President Jhelum Chamber of Commerce & Industry, President Jhelum Tax Bar Association. Dr Major Salahuddin Member Jhelum Cantonment Board/ Pakistan Medical Association, Commissioner-IR and his team and media representative.

Hon'ble FTO Dr. Asif Mahmood Jah and Advisor (Income Tax), HQs informed the audience about working of the office of FTO. He narrated a few success stories and motivated the taxpayers to approach the office of Federal Tax Ombudsman in case of any maladministration by the tax authorities.

Awareness Session Conducted in Chakwal

Advisor (Income Tax), HQs arrange an awareness session at Chakwal on 22.03.2022. A large number of taxpayers attended the session including Qazi Muhammad Akbar Vice President FPCCI, Skeikh Haroon President Chakwal Chamber of Commerce & Industry, officers of Inland Revenue and Tax Bar Association and Members of the media. The Advisor (Income Tax) informs the audience about the role of Federal Tax Ombudsman in mitigating taxpayer's grievances.

Awareness Session Conducted in Gujranwala

Hon'ble Federal Tax Ombudsman Dr. Asif Mahmood Jah visited Gujranwala on 21.03.2022 to inaugurate Coordinator, Business Liaison's Office and FTO Help Desk established in Gujranwala Chamber & Commerce besides awareness campaign.

Hon'ble FTO Dr. Asif Mahmood Jah was welcomed by the President, Gujranwala Chamber of Commerce, Honorary Coordinator and other members of the chamber. He first inaugurated the above mentioned office and then was escorted to the Conference Hall where a large gathering of the members of chamber participated in the proceedings. After Tilawat, the President of Chamber welcomed the esteemed guests and also apprised him about issues faced by the business community from tax authorities. The Coordinator also assisted him in explaining certain issues.

Advisor (Legal), Mr. Almas Ali Jovindah addressed the participants and gave brief overview of the importance of FTO organization and the procedures adopted for investigation of the complaints.

Hon'ble FTO, while replying to the President's address, assured the participants that the law provided complete protection to the complainant against any reaction by the tax authorities or reopening of their cases. He gave detailed account of some of the major cases like reduction of sales tax on booking of cars from Suzuki, cases of Telenor, Shahkam Industry and Ajwa Foods. He was assisted by the Advisor Gujranwala during Q&A session. The event ended with a vote of thanks by the Senior Vice President of the Chamber.

Dr. Asif Mahmood Jah Federal Tax Ombudsman Visit to Nimir Industrial Chemicals in Sheikhupura

Dr. Asif Mahmood Jah, Federal Tax Ombudsman of Pakistan visited the facility of Nimir Industrial Chemicals Limited on 22nd March 2022 and inaugurated the Soap Noodles Expansion plant. Nimir Industrial Chemicals Limited is a listed company and is a large chemicals complex situated near Sheikhupura on more than 100 acres of land. The company produces a diversified range of chemicals as well as personal and home care products. The company has a state of the art infrastructure duly approved by multinational companies. The company fully complies with international standards on GMP, HSE and social compliances. The honourable FTO visited various sections of the manufacturing complex and praised the setup, and the professionalism of the management and sponsors. He also praised Nimir group's contribution in import substitution, contribution to exchequer and recent start of exports to Middle East and Central Asian Republics. Mr. Zafar Mahmood, CEO of the group, welcomed Mr. Asif Mahmood Jah upon his arrival along with his senior management.

Maladministration in FBR: FTO has Authority to Conduct Inspection

ISLAMABAD: The powers of Federal Tax Ombudsman (FTO) for conducting inspections of the Commissioners Appeals or the Federal Board of Revenue's (FBR) field formations, is an effective tool to check maladministration in the tax machinery.

Sources told Business Recorder here on Saturday that the FTO office is empowered under section 17 of the FTO Ordinance to conduct an inspection to check maladministration in the FBR while administrating tax laws. The term maladministration has been clearly defined in section 2(3) of the FTO Ordinance, 2000.

The FTO has unearthed serious loopholes and maladministration in the past cases where inspections of the FBR field formations have been carried out. So far, no court has issued any order to suspend or hold in abeyance section 17 of the FTO Ordinance to conduct inspections of the FBR field formations.

The court has also not stopped the FTO office from exercising powers under section 17 of the FTO Ordinance.

Under section 17 (Inspection Team), the FTO may constitute an inspection team for the performance of any of the functions of the FTO. The inspection team shall consist of one or more staff members and shall be assisted by such other person or persons as the FTO may consider necessary.

The inspection team shall exercise such of the powers of the FTO as he may specify by order in writing and every report of the Inspection Team shall first be submitted to the FTO with its recommendations for appropriate action, it added.

The FTO office has three ways to investigate maladministration in the tax machinery. First, is investigation being conducted under section 10 (Procedure for redressal of grievances), second, inspection under section 17 and third, informal resolution of the problem under section 33 of the FTO Ordinance.

From 2000 to 2019, the FTO office was functioning under section 10 for the investigation of complaints.

In 2019, for the first time the FTO office invoked section 17 for conducting inspections under section 17 of the FTO ordinance against a Commissioner Appeals Faisalabad. As a result of the inspection, it transpired that the Commissioner Appeals Faisalabad has shown disposal of 945 cases that were actually not disposed of.

Over Rs11 billion revenue was involved in these 945 cases not disposed of by the concerned commissioner. Through inspection, the FTO office has unearthed a big loophole and massive maladministration in the appellate system of the FBR.

The inspection team also had a representative of the FBR. Commissioner Appeal went to the President against the order of the FTO, but his appeal was turned down. In 2021, the FTO office again decided to use the instrument with regard to inspection.

The FTO office started inspections at four stations i.e. Karachi, Lahore, Islamabad and Peshawar. The FTO carried out inspections in these offices of FBR. The FTO inspections were challenged in High Courts. The IHC has yet to issue a judgment in the said case.

The court has set aside the FTO letter dated 14-04-2021 to carry out an inspection of the office of the Commissioner Inland Revenue, Islamabad. In Karachi, the matter is still subjudice.

The Lahore High Court (LHC) has disposed of the petition with the direction to the FTO to decide the matter strictly in accordance with the law. The Peshawar High Court (PHC) has dismissed the petition filed against the FTO inspection.

The FTO office conducted an inspection in Peshawar in 2021 and shared it with the FBR and the FBR agreed with the findings of the inspection. The inspection led to detection of massive irregularities in the system and loopholes in the enforcement and monitoring of the cigarette sector. The FBR did not challenge the findings of the inspection, thereby the FBR agreed to the findings of the FTO inspection of Commissioner Corporate Zone, Peshawar.

(Sohail Sarfraz)

Advisor's Outreach Session At Quetta

An outreach session was held at Pakistan Dry Fruit Importers and Exporters Association, Quetta on 10.03.2022. The Advisor Incharge Federal Tax Ombudsman RO, Quetta (Muhammad Nadir Khan) highlighted salient features of the FTO Ordinance. The participants though knew existence of the office of FTO but most of them were found to be ignorant of mode of filing of complaint .The participants were informed about the jurisdiction of the FTO and mode of filing of complaint, procedure for its disposal and implementation of recommendation. The participants were delighted on being informed that complaint can be filed at FTO Regional Office where the complaint is residing or doing business point's raisedin the meeting included the fallowings:-

- In the light of orders passed by the Hon'ble High Court of Balochistan in CP No. 789/2016 dated 07th September 2016 that the traders of Balochistan who imports from Iran and Afghanistan are exempted from Electronic import from (EIF). But despite this customs authorities in other provinces ask from the genuine importer that how the payment has been transferred for the imported goods.
- FBR not issuing the manufacturing license in Quetta –Balochistan.

Keeping in view that, traders of Balochistan import several different commodities likewise dry fruits which require un-shelling and need to undergo through other necessary processes, manufacturing registration may be issued to these importers.

True Pakistanis !!

This particular picture was taken at 02:20 PM on 28th February, 2022, at the Residence of the President of Pakistan in Islamabad, Honourable Dr. Arif Alvi, before I deposed my cell phone for security reasons and was unable to take other pictures.

Once Iminside the Presidency Main Hall , or the seminar on tax awareness well attended by businessmen, FBR Officers and people from almost every walk of life, a man limped assisted by his Personal Staff Officer to the Rostrum to formally commence the proceedings "My father said," before Pakistan we had nothing but Pakistan gave us whatever we have house, education and position".

The man was Dr. Asif Mahmood Jah, the Federal Tax Ombudsman, a true Pakistani to the marrow of his bone, who despite bad health ensured to attend the seminar and bridge the gap and distrust between FBR and the business community by offering them instant relief in their tax related complaints and encumbrances.

Social mingling is what makes such events worth attendance as I came across a seasoned information group officer, Honourable Akhtar Munir, who presently serves as Press Secretary to the President over and above meeting Honourable Khurshid Barlas, one man army aided by his son Fahad Barlas who has not left a single International destination, where they have not show cased Pakistani products and introduced Pakistani businessmen and Honourable Khalid Sahib the Chairman of Ittehad Steel Islamabad, a personal family friend of our Islamabad based family physician Honourable Dr Adalat Khan, a man with exceptional mannerism that serves as half cure to those who consult him.

Dr. Asif Mahmood Jah as Federal Tax Ombudsman, was thoughtful enough to confer certificate of appreciation to his office staff through the President, who is the administrative Head of the Ombudsman, to boost up their morale as Dr. Asif Mahmood Jah, himself is a famed workaholic that made him faint in office due to over-work last week as was shared with me by his personal friend Dr. Kiwan Malazai, who traveled all the way from Abbottabad to attend the seminar. .

It is these humble, honest and hard working Pakistanies, in whatever field, who can not only save Pakistan, but serve it selflessly, the rest is all vanities through galore of expensive dresses, luxury cars and high security.

Long Live Pakistan And Its Resilient Nation, who deserve all respect to be withstanding all crises be it economy or the poor governance yet they are proud to be Pakistanies

(By: Asim Effendi)

No Injustice to be Tolerated Against any Taxpayer: FTO

Islamabad: Federal Tax Ombudsman, Dr Asif Mahmood Jah categorically announced that "no injustice will be tolerated at any cost against any tax payer across the country". The FTO always attached great importance to business community especially all tax payers and fully committed by law to address the genuine grievances being confronted by them due to any mal-administration by any functionaries of Federal Board of Revenue (FBR) or inland revenue services or customs, he said, while talking to a delegation of businessmen who called on him.

He said all advisors/consultants of regional offices of FTO spread all over the country have been directed to expedite the lawful disposal of pending complaints on top priority and be decided on merit within stipulated period of time frame.

He said private sector always plays significant role in economic development of the country and state is bound to provide business friendly environment to them by fully ensuring the ease of doing business.

Dr Asif Mahmood Jah said tax payers contribute a major role towards national development by paying taxes timely.

On the other hand he said FBR is apex tax body in Pakistan which collects taxes and revenue from tax payers strictly in accordance with law.

He urged the business community to file only lawful genuine complaints supported with documentary evidence for seeking justice or remedy of grievances.

He said special awareness seminars are being organised at all regional offices and big cities to educate the business community about the role and function of FTO while business coordinators have also been appointed at chambers of Commerce and Industries for effective and better liaison with FTO for prompt action.

Earlier he also called on President SAARC Chamber of Commerce Iftikhar Ali Malik and exchanged views for further improvement in FTO offices with a view to overcoming tax payer's complaints.

Iftikhar Ali Malik appreciated immense services being rendered by Dr Asif Mahmood Jah and announced to extend whole hearted support to him to make his tenure as landmark in the successful result oriented relationship with business community.

Dr Asif Mahmood Jah on the recommendation of Iftikhar Ali Malik, has taken Meher Kashif Younis on FTO advisory committee for better coordination with all categories of taxpayers.

Informal Resolution of Taxpayers Complaints

In order to facilitate the taxpayers and expeditiously resolve the complaints, the Federal Tax Ombudsman (FTO) has opted for informal resolution of complaints in many cases.

The FTO officials that the same has started to provide relief to the taxpayers in hours. In one such case, a petition was filed before the FTO, seeking appointment for redressal of a systemic hardship, whereby, uploading of "Credit Notes", in terms of section 9 of the Sales Tax Act, 1990, read with Rules 19-22 of the Sales Tax Rules, 2006 have reportedly been denied through generic messages generated by the FBR's portal.

Precisely, the petitioner had agitated that while aforesaid legal and regulatory provisions categorically allow uploading of debit/credit notes, "illegal and unlawful check placed on FBR web portal, the registered persons are not able to reverse the effect of sales tax on sales returned by their unregistered buyers while they pay back the component of sales tax to such buyers."

During preliminary investigation, the FTO office observed that the issue raised revolves around some technical hiccups therefore instead of resorting to formal investigation proceedings under the FTO Ordinance, 2000, provisions of Section 33 relating to informal resolution have been invoked for instant resolution relief.

The FTO Secretariat immediately contacted both the petitioner and the concerned DBAs at Karachi and through telephonic discussions the matter was resolved before the closing of office hours.

The petitioner, Chartered Accountant Company confirmed that the issue stands resolved and appreciated the quick informal mechanism adopted by the FTO Secretariat, which by-passes lengthy investigation proceedings.

Economic Strangulation !!

This picture was taken on 17th March, 2022 at the Pak Afghan border of Dr. Asif Mahmood Jah, in discourse with Honourable Abid Ullah, the Pakistani Counsel General stationed at Jalal Abad, for handing over of the relief goods collected through personal efforts of the former to be handed over for the Afghan destitutes, elderly, women and children, who are subjected by the international imbargo to be systematically starved to death as reprisal of their humiliating defeat on the Afghan soil.

The looming human catastrophe of epic proportion is triggered by the two super powers over a span of 4 decades who now as divine retribution are locked into a deadly conflict and would have to pay for their sins of punishing Afghans for no sin.

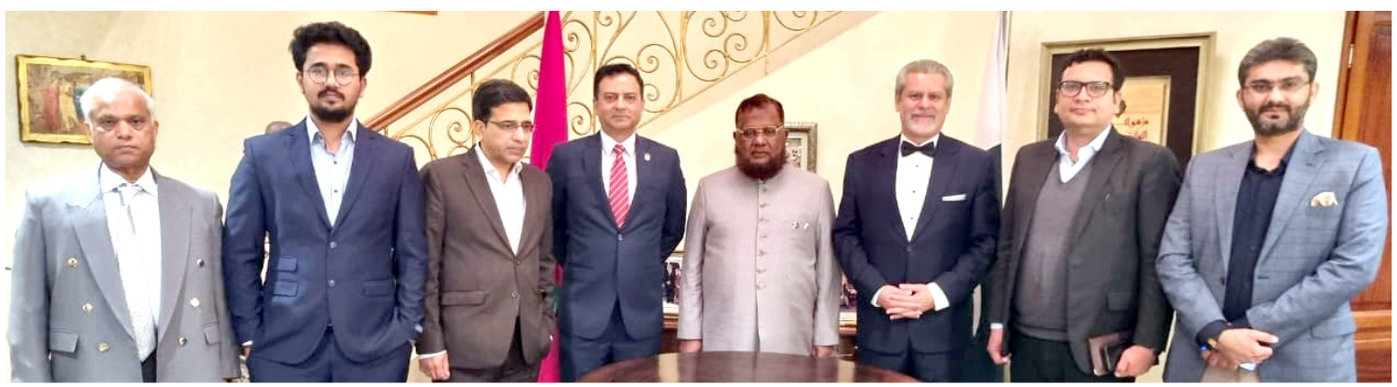
It is the humble effort of Dr. Asif Mahmood Jah, the Federal Tax Ombudsman, who in his personal capacity asks for donations and ensures that it goes across to Afghanistan through the Pakistani official channels. One wonders if one man can makes so much difference in the lives of the downtrodden and under privileged that puts the developed world to shame who are responsible for the miseries and sufferings of the Afghans who by design are facing economic strangulation.

(By: Asim Effendi)

Pakistan's Federal Tax Ombudsman Dr. Asif Mahmood Jah, meets Chief Ombudsman of Turkey & OICOA President Mr. Seref Malkoc, Mediator of the Kingdom of Morocco Mr. Mohamed Benalilou and Azerbaijani Ombudsperson Sabina Aliyev

Ambassador of Pakistan to Morocco Hamid Asghar Khan receiving shield from Federal Tax Ombudsman Dr. Asif Mahmood Jah

Federal Tax Ombudsman of Pakistan Dr. Asif Mahmood Jah accompanied by Chief Ombudsman of Turkey and President of OICOA Mr. Seref Malkoc and Moroccan Mediator Mr. Mohamed Benalilou



Group photo of Hamid Asghar Khan and his staff with the delegation of FTO Dr. Asif Mahmood Jah