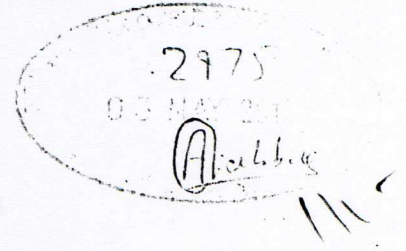


No.04/2009- Law-I (FTO)
Government of Pakistan
Ministry of Law, Justice and Parliamentary Affairs



Islamabad, the 7th April, 2010

From :- Gulzar Hussain Raja
Section Officer.

To:- The Second Secretary (TO-I)
Federal Board of Revenue
Islamabad.

Sub: REPRESENTATION UNDER SECTION 32 OF THE ESTABLISHMENT OF THE OFFICE OF THE FEDERAL TAX OMBUDSMAN ORDINANCE (XXXV OF 2000) IN COMPLAINT NO. 1173-I/08 (FBR VS M/S MALIK FERTILIZER TRADERS NAROWAL)

I am directed to refer to your representation No.4(1173)S(TO-I)/08, dated 15.01.2008 on the subject noted above and to say that the President has been pleased to pass the following orders:-

2. The grievance of the complainant was against his selection for detailed audit under the Income Tax Ordinance. The objection was based on the fact that the complainant had filed representation against the same before the Member FBR who was sitting over the case and was not deciding it. In the mean while the Agency (FBR) proceeded with the audit of his income tax affairs. The FTO stopped the Agency from proceeding with the audit before the Member gives his decision on the representation of the complainant. This has given a cause to the Agency to file the present representation.

3. The findings of the FTO are brief and are reproduced below:

"In these cases, mal-administration has been alleged against selection of cases for detailed audit. Learned counsel for the complainants during the hearing of the cases pointed out that representations were made before the FBR against the act of selection of the cases for detailed audit but upto today, no decision has been made and the audit proceedings are intended to be commenced which will prejudice these complainants. The DR says that the said representations are pending before the FBR and have not yet been decided.

The FBR shall decide the said representations as early as possible and till the said representations are decided, audit proceedings would not be commenced".

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