

No.46/2011-Law (FTO)
Government of Pakistan
Ministry of Law ,Justice and Human Rights

Islamabad, the 10th October, 2013

From :- Arshad Ali Siddiqui
Section Officer (Law-I)

To:- The Second Secretary (TO-II),
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. 71/KHI/CUSTOMS (26)/162/2011 (M/S ARIF INDUSTRIES KARACHI VS FBR)**

I am directed to refer to your representation No.1(162)S(TO-II)/2011 dated 30.04.2011 on the subject noted above and to say that the President has been pleased to pass the following orders.

2. Complainant approached FTO with the grievance that Agency (Revenue Division) is not implementing order dated 30.07.2010 passed by Customs Excise and Sales Tax Appellate Tribunal Karachi setting aside O-in-O No. 35/2007 dated 08.08.2007. Agency replied that a reference has been filed against the appellate order which is pending in the High Court. FTO conducted hearing during the course whereof it was stated on behalf of Agency that an application will be filed for stay order and if such an order is not granted by the High Court the order of the Appellate Tribunal would be implemented. Refusal to implement Tribunal orders was found to be maladministration and following recommendations were made:

“FBR to direct the Chief Collector Customs to –
implement the Appellate Tribunal’s orders dated 30.07.2010 in accordance with law.”

3. This representation has been filed by Agency which is completely silent as to whether any stay application was filed and if so whether any stay order has been granted by the High Court. No ground stands made out for interference with findings and recommendations of FTO.

4. Accordingly, the President has been pleased to reject representation Agency. Compliance to be reported to FTO’s Secretariat within 30 days of the receipt of copy of this order.


(ARSHAD ALI SIDDIQUI)
Section Officer (Law-I)

Copy to:-

- 1 The Registrar, Federal Tax Ombudsman, Secretariat, Islamabad,
- 2 Director (Legal Affairs-II), President’s Secretariat (Public), Islamabad with reference to their No.411/FTO/2013,dated 9th September, 2013.
3. M/S /o Arif Industries through Nadeem & Company B-3, 2nd Floor, Pak Chambers, West Wharf Road, KARACHI.

(ARSHAD ALI SIDDIQUI)
Section Officer (Law-I)

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