

**REPRESENTATION PREFERRED BY FBR AGAINST FINDINGS
/RECOMMENDATIONS DATED 13.06.2018 IN COMPLAINT NO.637/KHI/ST/2018**

The undersigned is directed to refer your application/letter dated 01.04.2019 for reconsideration of the decision of the Honorable President of Pakistan on the subject noted above.

2. The matter has been examined in this Secretariat. It is to inform that the particular representation dated 12.07.2018 was filed by FBR against the findings of FTO dated 13.06.2018 whereby it was recommended that:

"FBR to direct the CC-IR RTO-II Karachi to:

- (i) Re-examine the legal justification of 'Red Alert' dated 21.03.2014 for blocking payment against already issued RPOs in favour of the complainant for refund claims of tax periods of July 2012 to February 2013 and blocking of fresh refund claims of tax periods from April 2014 to November 2015; and
- (ii) Report compliance within 45 days".

On the said representation this forum was pleased to pass the following orders:-

"The President has been pleased to accept the instant Representation of FBR-Agency and to set aside the impugned findings/recommendations of the FTO."

4. Accordingly, President's Secretariat (Public) vide letter dated 06.09.2018 had already communicated the decision of the Hon'ble President of Pakistan to all the stakeholders including the complainant. The complainant has again requested that the appellate forum may reconsider/ review of the President's Order dated 06.09.2018.

5. It may be mentioned that there is no provision under Federal Ombudsmen Institutional Reforms Act, 2013 for review of the President's decision passed on any representation. In absence of any statutory provision for review of the President's order, the instant representation for review of the decision cannot be entertained.

(Dr. Zulfiqar H. Awan)
Director General (Legal)

M/s Naveed Cluf Industry,
Khawaja Centre,
AMB 2/45, Plot 174, Shahrah-e-Liaquat,
Saddar, Karachi.

No.39/FTO/2018 dated 24th April, 2019

Copy for information to:

- ✓ 1. The Chairman, Federal Board of Revenue, Islamabad
2. M/s Kibra Associates, Office No.506, 5th floor, Asia Pacific Trade Centre, Rashid Minhas road, Block-19, Gulistan-e-Johar, Karachi.
3. The Registrar, FTO Secretariat, Islamabad
4. The Chief (Legal-I), FBR, Islamabad.

(Dr. Zulfiqar H. Awan)
Director General (Legal)

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