

President's Secretariat (Public)
 Aiwan-e-Sadr
 ISLAMABAD

Mr. Naseem Ur Rehman, Murree
Versus
Federal Board of Revenue

REPRESENTATION PREFERRED BY MR. NASEEM UR REHMAN, MURREE AGAINST FINDINGS / RECOMMENDATIONS DATED 17.04.2019 PASSED BY THE FTO IN COMPLAINT NO. 306 & 308/ISB/IT/2019

Kindly refer to your representation dated 24.05.2019 on the above subject addressed to the President in the background mentioned below:-

1. This Representation dated 24.05.2019 has been filed by the Complainant namely Mr. Naseem-Ur-Rehman, Rawalpindi against the findings of the FTO dated 17.04.2019, whereby it has been held that:

“Evidently, the Complainant has alleged in the complaints that the above persons has been failed to disclose correct volume of income and assets in their tax returns and requested audit of their tax affairs. It is observed that the department has already initiated investigation in the cases of complainees. The Complainant is, therefore, advised to coordinate with the department and furnish information required to substantiate his allegations / claims. Thus, at this stage no maladministration can be attributed to the department.”

2. The background of the matter is that both the above mentioned complaints were filed under Section 10(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance) against Dr. Aurangzeb Abbasi and Dr. Kulsoom Aurangzeb Abbasi for concealment of income / assets. The complaints having identical issues were disposed of through a single order by the learned FTO.

3. The Complainant, an individual had alleged that Dr. Aurangzeb Abbasi and his wife Dr. Kulsoom Aurangzeb Abbasi had failed to disclose their properties and other assets in their wealth statements filed before the department.

4. The complaint was referred by the learned FTO to the Secretary Revenue Division for comments. In response thereto, the Commissioner-IR, District Zone, RTO, Rawalpindi submitted parawise comments dated 05.03.2019. Referring to the allegations of the Complainant it was averred that the Complainant may be directed to submit complete information with documentary evidence in respect of the assets attributed by him, in the complaint so that investigation could be completed, as per law.

5. The instant representation has been filed by the Complainant. Abdur Rehman, Assistant Commissioner-IR RTO Rawalpindi has represented the FBR. On the other hand, Mr. Adil Rehman Advocate (Complainant's son) and Mr. Mahmood Subhani Advocate have appeared on behalf of the complainant. Both sides have been afforded opportunity of hearing.

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6. The Departmental Representative (DR) has intimated that the department has already initiated investigation in the cases. The Complainant is, therefore, directed to coordinate and cooperate with the department and furnish information required to substantiate his allegations/claims. Thus, the observations of learned FTO have weightage that at this stage no maladministration can be attributed to the department.

7. In the circumstances, no justification has been made out to upset the order of the learned FTO. Thus, the representation is devoid of any merit and is liable to be disposed off in the above terms.

8. Accordingly, Hon'ble President has been pleased to (a) dispose off the instant Representation of the Complainant and to (b) uphold the impugned findings/recommendations of the learned FTO.

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

Mr. Naseem Ur Rehman,
S/o Muhammad Sadiq,
R/o Village Khani Taq, Post Office,
Jhika Gali, Tehsil: Murree, District: Rawalpindi
(0300-9754700)

No.35/FTO/2019 dated 16.10.2019

Copy for information to:

1. The Chairman, Federal Board of Revenue, Islamabad.
2. The Registrar, Federal Tax Ombudsman's, Islamabad
- ✓3. The Chief (Legal-I), Federal Board of Revenue, Islamabad.
4. The Commissioner Inland Revenue, Office of the Commissioner Inland Revenue, District Zone, Regional Tax Office, Income Tax Building, 12-Mayo Road, Rawalpindi.
5. Master file.

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