

PRESIDENT'S SECRETARIAT (PUBLIC)
AIWAN-E-SADR, ISLAMABAD

M/s. M.M Steel, Daska
Versus
Federal Board of Revenue

REPRESENTATIONS PREFERRED BY M/S. MM STEEL, DASKA AGAINST FINDINGS /
RECOMMENDATIONS DATED 13.02.2020 PASSED BY THE FTO IN COMPLAINT NOS.
2337/GWL/ST/2019, 2338/GWL/ST/2019

Kindly refer to your representations received in this Secretariat on 24.02.2020 on the above subject addressed to the President in the background mentioned below:-

Reps. No.31&32/FTO/2020 in C.Nos.2337 & 2338/GWL/ST/2020

Two representations have been filed by M/s M.M. Steel, Daska (the Complainant) on 24.02.2020 against the Order of the learned Federal Tax Ombudsman (FTO) dated 13.02.2020, whereby it has been held that:

"The Honourable Islamabad High Court has held in Writ Petition No. 1238/2013 (Auditor General of Pakistan versus FTO) that challenge to SCN is not different than filing a petition on the basis of an apprehension or a speculation. Such a petition is premature for adjudication. In this view of the matter, mere issuance of notice does not constitute any maladministration.

In view of the foregoing discussion, the Complainant has failed to make out case of maladministration against the Department therefore, the complaint stands rejected. File be consigned to record."

2. This order was assailed by the complainant through these representations which were fixed for hearing on 20.10.2020. The Complainant M/s M.M. Steel, Daska has not appeared despite notice. On the other hand, Mr Muhammad Farooq Anwar, Additional Commissioner-IR, RTO, Sialkot has represented the FBR.
3. There is a written application by the complainant to the effect that the Commissioner Inland Revenue Sialkot Zone has already decided the matter and that an appeal against the order has been filed which is pending and the withdrawal of the representations has been requested (Mark-A). Such an assertion of the complainant is being affirmed by the Departmental Representative Mr. Farooq Anwar, Additional Commissioner Inland Revenue, Regional Tax Office Sialkot.
4. In such view of the matter when the complainant has sought withdrawal of the representations these are liable to be rejected as withdrawn.
5. Accordingly, the Hon'ble President has been pleased to reject these Representations as withdrawn.

(Anwar-ul-Haq)
Director (Legal-II)

Mr. Muhammad Afzal
C/o M/s. M.M Steel,
Small Industrial Estate, Daska (03016698789)

1. No.31/FTO/2020, dated 09.11.2020
2. No.32/FTO/2020, dated 09.11.2020

Copy for information to:

1. The Chairman, Federal Board of Revenue, Islamabad.
2. The Registrar, Federal Tax Ombudsman, Islamabad.
3. The Chief Commissioner, Inland Revenue, Regional Tax Office, Sialkot.
4. Syed Abid Raza Kazmi Advocate High Court (CC No. 17223) Al Abbas Law Chamber, Daska.
5. Mian Muhammad Arshad Iqbal, Advocate High Court (CC No. 73432) Advocate High Court Al Abbas Law Chamber, Daska.
6. Mr. Mansoor Sadiq, Second Secretary (TO-II), Federal Board of Revenue, Islamabad.
7. Master file.

(Anwar-ul-Haq)
Director (Legal-II)