

## Delay in posting policy: FTO summons secretary FBR, chief commissioner Sialkot

The Federal Tax Ombudsman (FTO) has summoned Secretary of Federal Board of Revenue (FBR) and Chief Commissioner, RTO Sialkot, due to delay in implementation of a key recommendation to frame a uniform policy regarding the posting of tax officers and period of their tenure at a place, particularly at their native stations.

It is learnt that earlier the FTO ordered that FBR should frame a uniform policy for posting out all those officers and employees whose tenure at a place, particularly at a native station, is more than an adequate period to avoid malpractices and controversies which damage the performance of field formations and bring a bad name to FBR.

When contacted, tax lawyer Waheed Shahzad Butt, who is pursuing the matter of implementation, told this correspondent that when supervisory officers such as Chief Commissioner-IR and Zonal Commissioners Inland Revenue, turn a blind eye to the officers' acts of omissions/commissions during the assessment, such officials cannot justifiably say that their actions are in good faith. In this regard, implementation notice has been issued which states "Whereas the hearing of the complaint has been fixed on 14.12.2017 at 10:00 am. Therefore; you are now required to appear on the aforesaid date and time personally or through duly authorised attorney/advocate with all relevant records and witnesses you wish to produce for examination.

The order passed by FTO states: "It has been claimed in the complaint that complaints were filed by the Complainant (Sajjad Butt) against Shabir Maan, IRO, RTO, Sialkot in individual capacity and as AR of some taxpayers on the ground that Shabir Maan, being a local officer, had become biased and used his influence to transfer some tax cases to his nephews, M/s. Maan and Co, who were also tax practitioners in the jurisdiction of RTO, Sialkot. Some other serious allegations of corruption and ownership of unlawful assets were also levelled by the complainant against IRO, who has been allegedly serving in Sialkot for a long time. The complaints were filed against an IRO, RTO Sialkot, wherein complainant has been insisting that the said IRO had developed likes and dislikes being a local officer who remained posted in Sialkot for a long time and that his brother also remained posted and retired as Administrative Officer in RTO Sialkot. It was also alleged that the said IRO has developed strong connections for getting the cases of taxpayers transferred to his nephew who is also a tax consultant.

It is advisable that the FBR should frame a uniform policy for posting out all those officers and employees whose tenure at a place, particularly at a native station, is more than an adequate period to avoid malpractices and controversies which damage the performance of field formations and give a bad name to FBR. Such recommendations have been made by this office in various identical cases, including a case in complaint No. 419/2004. This decision was upheld in writ

petition by the Lahore High Court, both in original judgement and in the judgement of Division Bench cited as Fareedullah versus FTO. A report in the matter be submitted by FBR within 30 days, FTO ordered.

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