BEFORE
THE FEDERAL TAX OMBUDSMAN
ISLAMABAD

COMPLAINT NO. 0489/MLN/IT/2022
Dated: 15.02.2022* R.O. Multan

M/s. Car Mates,
Rasheed Abad Chowk,
Khanewal Raod Multan. ... Complainant

Versus

The Secretary,
Revenue Division,
Islamabad. ... Respondent

Dealing Officer	:	Dr. Khalil Ahmad, Advisor
Appraisal by	:	Mr. Muhammad Tanvir Akhtar, Advisor
Authorized Representative	:	Mr. Riaz Ahmad Raja, ITP
Departmental Representative	:	Syed Nadeem Akhtar, IRAO RTO, Multan

FINDINGS

The complaint was filed under Section 10(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance) against un-due delay in issuance of refund for Tax Year 2020.

2. Precisely, the Complainant, an AOP, e-filed return of income for Tax Year 2020under Section 114(1) of the Income Tax Ordinance, 2001 (the Ordinance), claiming refund amounting to Rs.0.251million. The refund arose on account of tax deducted on payment for services under Section 153(1)(b),on motor vehicle sale under Section 231B(3), on passenger transport public vehicle under Section 234 and on electricity bills under Section 235 of the Ordinance. According to the Complainant, refund application for Tax Year 2020 was e-filed on 24.12.2020. However, despite repeated efforts of the Complainant, the Deptt failed to pass order under Section 170(4) of the Ordinance, within the stipulated time.

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* Date of registration in FTO Sectt.

3. The Complainant has also prayed for additional payment for delayed refund in terms of Section 171(1) of the Ordinance.

4. The complaint was referred to the Secretary Revenue Division, for comments, in terms of Section 10(4) of the FTO Ordinance read with Section 9(1) of the Federal Ombudsmen Institutional Reforms Act, 2013. In response thereto, the Chief Commissioner-IR, RTO, Multan forwarded Para-wise comments of the Commissioner-IR, Multan Zone dated 26.02.2022 vide letter dated 28.02.2022. It was contended that verification letter for tax deduction under Section 231B(3) and 234 of the Ordinance has been issued to Manager PRAL vide letter dated 24.02.2022. The verification is under process and refund application will be disposed of accordingly after necessary verification.

5. During hearing, the DR produced a copy of the order dated 15.03.2022 passed under 170(4) of the Ordinance for Tax Year 2021. Further stated that the refund will be credited into Complainant's bank account directly. The AR acknowledged its receipt.

6. Arguments heard and record perused.

7. The Complainant's request for additional payment for delayed refund for Tax Year 2020 is, however, premature at this stage in terms of Explanation to Section 171(2)(c) of the Ordinance.

8. As the grievance of the Complainant for Tax Year 2020 stand addressed consequent upon intervention of this forum, the investigation is closed. File be consigned to record.

(Dr. Asif Mahmood Jah)
(Hilal-i-Imtiaz) (Sitara-i-Imtiaz)
Federal Tax Ombudsman

Certified to be True Copy
Deputy Registrar
FTO Secretariat
Islamabad

Dated: 06/04/2022
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