

Ref : KTBA/11.2020/192

Date : November 11, 2020

Dr. Muhammad Ashfaq Ahmed,
Member IR (Operations),
Federal Board of Revenue,
Islamabad.

APPEARANCE OF ARs / TAXPAYERS DURING COVID-9 PANDEMIC

Dear Dr. Muhammad Ashfaq Ahmed Sahib,

This is with reference to above cited subject.

As aware, Corona Virus (Covid-19) pandemic has hindered the mobility of people severely across the World who now largely prefer to work/liase online due to health reasons. Pakistan is no exception and is currently experiencing a second wave of this malaise. Keeping in view of the rising trend Covid-19 cases, Provincial Governments have already issued SOPs to minimize/limit social contact and to stop the spread of Covid-19 cases. It is worth mentioning have that the Government has very recently directed that 50% of the office staff shall work from home as the Covid-19 cases are rising rapidly.

With feedback given to us by our members, it is however noted with great concern that the field formations of FBR are not considering requests from Taxpayers/their ARs for adjournment of hearings/compliance and are adamant to proceed ex-parte/enforce personal hearings. We have also received complaints from our members that in some of the cases, ex-parte orders have already been passed where Taxpayers/ARs were observing self isolation and were quarantined for having contracted Covid-19 and were unable to attend hearing notices.

We believe that such actions of passing ex-parte orders are totally against the spirit of facilitation and will be detrimental to the image of FBR. Additionally, passing of such orders will not achieve any objective but would not also stand test of appeals. Therefore, we at Karachi Tax Bar Association (KTBA) demand equity and fairness and we request you to kindly direct your field formations to refrain from passing orders where ARs / Taxpayers have requested for adjournments and are isolated due to Covid-19 cases and also request you to direct the field formations to recall all such orders passed ex-parte in the absence of Taxpayer/ARs by taking recourse of Section 122A of Income Tax Ordinance, 2001 and Section 45A of Sales Tax Act, 1990 and oblige.

We would also like to inform you that we had already sent letter dated October 12, 2020 (copy enclosed) to all Chief Commissioners Inland Revenue on the subject of Observance of Covid-19 SOPs and we had requested them to ensure compliance of SOPs regarding social distancing between taxmen and Taxpayers.

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KTBA *Karachi Tax Bar Association*

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Here, we would also like to seek your kind indulgence that at present all the members of KTBA fraternity are heavily occupied in their National responsibility i.e. preparation and filing of tax returns for the Tax Year 2020 and we feel that issuance of notices (Audit, Monitoring, Amendments etc.) at present and that too with a very short compliance date is against the principles of natural justice and fair play.

It is also worth mentioning to add that Chief Commissioners Inland Revenue at Karachi had very kindly assured of their fullest cooperation and vowed to take immediate all the remedial action in the event of any mishandling for which we are grateful.

In view of above submissions, we request your goodself to kindly direct the field formations to strictly follow SOPs issued by the Government to combat the spread of Covid-19 and also direct the Officers to suspend issuance of all notices till December 08, 2020 (last date of filing of returns) and where ex-parte orders have been passed (where intimation / adjournments were available) recall such orders for which we shall remain highly grateful to you.

Thanking you,

Yours sincerely,


(Muhammad Zeeshan Merchant)

President

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C.C to :

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|--|---|
| i. Mr. Muhammad Javed Ghani,
Chairman, FBR, Islamabad. | ii. Mr. Badaruddin Ahmed Qureshi,
CCIR, LTO, Karachi. |
| iii. Ch. Muhammad Tarique,
Member-IR (Policy), FBR, Islamabad. | iv. Mr. Abdul Hameed Memon,
CCIR, MTO, Karachi |
| v. Mr. Asim Ahmad,
Member (IT), FBR, Islamabad. | vi. Dr. Aftab Imam, CCIR,
CTO, Karachi. |
| vii. Dr. Bakhtiar Muhammad,
Member (FATE), FBR, Islamabad. | viii. Mr. Nazir Ahmed Shoro,
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| | ix. Mr. Amir Ali Khan Talpur,
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