

Ref : KTBA/12.2021/275

Date : December 12, 2021

RESOLUTION

The KARACHI TAX BAR ASSOCIATION (KTBA) expresses its deep disapproval and condemnation for recent jibes by the Federal Tax Ombudsman Pakistan (FTO), Dr. Asif Mahmood Jah. The statement made by the FTO lately televised on electronic media / uploaded on social media is an offensive towards the taxpayers and manifests his nepotism and biased approach in discharge of his official duties. The arbitrary and belligerent statement by the FTO is not only contrary to his oath prescribed in Schedule via Section 3(2) of Federal Tax Ombudsman Ordinance, 2000 read with Section 8 of Federal Ombudsmen Institutional Reforms Act, 2013 but also makes him guilty of misconduct that renders him incapable of holding public office anymore.

The entire tax fraternity is in a fix over the rude and offensive remarks of Dr. Asif Mahmood Jah and demands his immediate resignation from the office of FTO. Nonetheless, by way of this resolution, we ask the Hon'ble President of Pakistan to remove him from his office in exercise of his powers vested U/s. 6(2) of FTO Ordinance, 2000 else a reference against him may be sent to Supreme Judicial Council under the recourse of Section 5 of FTO Institutional Reforms Act, 2013 immediately.

We believe the statement has eroded already depleting confidence of the taxpayers and the tax consultants in the office of Federal Tax Ombudsman which had bluntly been submissive towards the Department and have shied away for not (i) allowing stay of recovery/injunctions to the complainants: Section 10 and 11; (ii) avoiding defiance proceeding against tax collectors: Section 12; and (iii) punish tax collectors for contempt: Section 16 and 12 ibid for obvious reasons.

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On a final note, the KTBA urge the Federal Law Ministry that rules may be prescribed to desist induction of the retired FBR officials in the office Federal Tax Ombudsman for the sake of transparency and propriety.



(Muhammad Zeeshan Merchant)

President

Mobile: 0321-8230513

E-mail: zeeshan@mmmerchant.com

C.C. to:

1. **Dr. Arif Alvi**, Hon'ble President of Pakistan, Islamic Republic of Pakistan, Islamabad.
2. **Mr. Imran Khan**, Hon'ble Prime Minister of Pakistan.
3. **Hon'ble Chief Justice Mr. Gulzar Ahmed**, Supreme Court of Pakistan, Islamabad.
4. **Hon'ble Chief Justice Mr. Justice Ahmed Ali M. Shaikh**, High Court of Sindh, Karachi.
5. **The Federal Law Minister**, Ministry of Law and Justice, Islamabad.
6. **Mr. Abdul Lateef Afridi**, President, Supreme Court Bar Association, Islamabad
7. **Mr. Khalid Jawed Khan**, Chairman, Pakistan Bar Council, Islamabad.
8. **Mr. Salahuddin Ahmed**, President, Sindh High Court Bar Association, Karachi.
9. **Press and Media**