

# Provinces' poor response spoils drive against benami properties

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ISLAMABAD: The Pakistan Tehreek-i-Insaf government's much trumpeted drive against benami asset holders has received a setback in the first three months of the current year due to lacklustre response from the provinces, *Dawn* has learnt from reliable sources.

The deadline for getting the information from the provinces was set at Sept 30, which was largely missed by all the four provinces.

Prime Minister Imran Khan has directed the provincial governments in a letter sent on Aug 28 to provide the data.

The government also established a dedicated Directorate General of Anti-Benami Initiative (ABI) on July 1 to deal with benami assets.

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In compliance to the prime minister order, the provincial governments are supposed to ask deputy commissioners (DCs) for identification of benami properties in their jurisdiction. In Khyber Pakhtunkhwa, only two DCs have identified 29 properties — 27 in Peshawar and two in Tank.

Interestingly, the remaining DCs have submitted 'nil' reports. From Punjab, the response is even more pathetic as the province has sought extension in the deadline. The only DC from Punjab who has identified 25 benami properties is from Multan.

Similarly from Sindh, only three of the 29 DCs have provided 'partial' data while no response has been received from Balochistan.

In the case of Punjab, a new deadline of Oct 31 has been given to DCs.

PM Khan has directed the chief ministers of the provinces and chief commissioner of Islamabad Capital Territory to provide information on benami assets by Sept 30 but till date information is awaited from some quarters and the information received is also incomplete.

Moreover, the information received include the word "suspected benami property" which has been used by the authorities without providing grounds of suspicion, evidence and above all names of beneficial owners, which is the most critical information in benami cases.

To make the data relevant, these authorities have been requested to provide information on prescribed format.

It is feared that the lack of cooperation from the provinces may hamper the drive against benami assets holders.

Data seen by Dawn shows that in the first three months of the establishment of the DG ABI, only one reference has been filed before the adjudicating authority.

When contacted, DG ABI Dr Bashirullah Khan said that the directorate will make its own efforts to identify benami assets. He said that the Financial Monitoring Unit of State Bank of Pakistan has been approached to provide the records of the suspicious financial transactions from Feb 2017 onwards so that the beneficial owners of benami assets are investigated and taken to task.

According to an official source, there is some resistance against ABI establishment within NAB. The finance division has yet to release the required funds for strengthening the office to initiate with full swing crackdown against benami assets.

However, 15 new references are going to be filed by the end of the current month. These references involve mega cases like Omni group's and benami land involving 7000 kanals, the source said, adding the worth of assets named in the proposed references is around Rs20 billion.

In Omni group case, there are 34 benamidars, but only one reference has been filed so far. Three to four references are expected to be filed by the end of this month, the source said.

According to the source, references against some politicians have also become mature after receiving information about their benami assets. Moreover, 7000 -8000 kanals land will be attached by the end of the current month.

The source said another 40,000 kanal of benami land is under investigation.

The Benami law provides the right of appeal at the level of adjudicating authorities, federal tribunals, high courts and Supreme Court of Pakistan.

According to a tax expert, the benami law is a new law and the most difficult aspect is the detection of benami property, names of benamidars, beneficial owners and evidence on linkage of property with beneficial owners. Such cases can only be built by following due process of law which involves a great deal of time, he said.

But the new DG Dr Bashirullah said he has a plan to make the project a success. "We will look into every aspect of the cases before filing any reference and with full evidences", he said.

He said this initiative has been spotted across the board without any element of political victimisation or targeted approach as promised by the prime minister to the nation. He

said his department has started showing results and in the case this continues, ABI may require more officers to carry on the function.

The DG said that due care has been taken to file the references so that to stand the test of appeal in appellate fora.

As part of the ABI, the FBR has also set up three benami zones. The Lahore zone is responsible for the entire Punjab except the Civil Rawalpindi division. The Karachi zone is responsible for Sindh and Balochistan and the Islamabad zone has been given the responsibilities of Islamabad, KP civil division of Rawalpindi. Role of these zones are to file references in the adjudicating authority.

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