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Inquiry against taxmen, FBR inaction annoys SC

ISLAMABAD: The Supreme Court Wednesday expressed annoyance over the Federal Board of Revenue (FBR) for its failure to implement its order regarding initiation of regular inquiry against its officials allegedly involved in issuance of refund vouchers to some companies illegally. A three-member bench, headed by Chief Justice Gulzar Ahmed, heard the FBR appeal against the Federal Service Tribunal verdict, which had acquitted its official allegedly involved in allowing refund vouchers worth of Rs87 million to three companies in Karachi.

In September 2019, the top court had directed FBR to file the report about inquiry being conducted against its officials involved in refunding of vouchers within three months. It had also directed Chairman FBR Shabbar Raza Zaidi to submit report regarding the approval from the Prime Minister for taking action against such officials.

During the proceeding, acting Chairperson FBR Nosheen Javed Amjad, Dr Tariq Ghani, Chief Legal FBR, and Hafiz SA Rehman, FBR counsel, appeared before the court.

The Chief Justice inquired about the action taken against the officials and about the inquiry report. The acting chairman informed that after the Prime Minister's approval charge-sheet has been issued to Ashfaq Ali Tuneuo, an officer of BPS-21 of Inland Revenue Service (IRS), with statement of allegations leveled against him. She further told the court that an inquiry officer has been appointed regarding the matter, besides deputing a departmental representative to appear before the inquiry officer and soon the inquiry will be completed.

The Chief Justice remarked that they are not sitting for listening to stories. He questioned why the investigation was not completed within three months time given by the court.

"Billions of rupees of the national exchequer were looted while the FBR has no concern for it," the CJP observed." If you have no concerns then leave your job," he added.

Justice Gulzar stated if the said money was drawn from FBR officials' pocket then they would have not sit in their houses for a minute. He said the Chairman FBR (Shabbar Raza Zaidi) has gone on leave. The acting chairperson told that Shabbar Raza Zaidi is on sick leave. "Since how long Shabbar Raza Rizvi has been ill, we know all," the CJP remarked.

The court directed FBR to complete within 15 days the inquiry in the instant matter, and adjourned further hearing for two weeks.

The FBR had removed Abdul Hameed Anjum, its official, allegedly involved in allowing refund of vouchers worth of Rs 87 million to three companies in Karachi. He had challenged his removal before the Federal Service Tribunal (FST) which acquitted him from the alleged charges with the ruling that no evidence was found against the petitioner to support the allegations.

Similarly, two other officials including Ashfaq Ali Tuneuo, Officer Inland Revenue Service (IRS), FBR, Karachi and Ameerul Haq, Senior Auditor, allegedly also involved in the matter, had also moved the Federal Service Tribunal, which the tribunal had remanded their cases to the FBR with the direction to decide departmental appeal of both the officials.

On last hearing on September 26, 2019, FBR counsel Hafiz SA Rehman had informed the court that in pursuance of its last order the FBR had constituted a fact-finding committee to probe the matter against two officials. He had further submitted that after investigating the matter in detail, the Fact Finding Committee had recommended for initiating a regular inquiry against Ashfaq Ali Tanueo.

FBR Chairman Shabbar Raza Zaidi had informed the court that they have sent a summary to the Prime Minister for getting his approval for initiating a regular inquiry against the accused.