

BR100 7,865
-66 (-0.83%)BR30 25,442
-307.3 (-1.19%)KSE100 74,951
-624 (-0.83%)KSE30 24,010
-201.4 (-0.83%)

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Officer's refusal for issuing invalid refund leads to his transfer

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LAHORE: A refusal of issuing invalid refund by an additional commissioner of Corporate Regional Tax Office (CRTO) to his chief commissioner has led to his transfer on Friday.

In a complaint addressed to Commissioner Enforcement-1, Additional Commissioner CRTO Azhar Jehangir pointed out that since he has refused to agree to the illegal demand of the CCIR and not approved the controversial refund keeping in view the applicable law, rules and procedures, therefore, he might land into trouble.

“But I am a servant of the state and not of any specific officer. I cannot indulge into maladministration by issuing an invalid refund only because my Performance Evaluation Report (PER) was due with the CCIR and he might make adverse entry into the same,” he added in his complaint, copy available with Business Recorder.

In his complaint, Jehangir termed the action by the Chief Commissioner as pressure tactic against him for his refusal to process refund matter of Vega Lubricants (Pvt) Ltd. He said Chief Commissioner Inland Revenue, CTO, Lahore Ch Muhammad Tarique called him to his office on 30.06.2022 and asked him to process and get refund of M/s Vega Lubricants (Pvt) Ltd. (NTN 1408628) and issue it by close of office hours.

He informed him that it was June and his Officer was busy in ensuring collection so that budget targets could be achieved, therefore, no deadline should be set for the same day. However, the Chief Commissioner did not listen to him and threatened him that if the refund of M/s Vega Lubricants (Pvt) Ltd. was not issued by evening, he would be transferred/posted out.

According to him, he returned to his office and started scrutinizing record of the case after obtaining it from the concerned deputy commissioner for grant of administrative approval in respect of 03 tax years i.e. 2014, 2015 and 2021.

Jehangir said his DC informed him that he was also called by the CCIR and directed to forward the refund for administrative approval.



On receipt of the request in 03 tax years for approval in Iris, he checked all three tax years' record and returned the matter to the DCIR, in Iris, by conveying rejection of refunds on the ground that the taxpayer has revised its return for tax year 2014 on 13.06.2022 by reducing declared/assessed loss in original return of income by an amount of approx Rs100,000.

The taxpayer has filed application under section 170 of the Income Tax Ordinance, 2001, on the basis of the said revised return of income on 22.06.2022. The refund application cannot be accepted/processed because the taxpayer has failed to fulfil the conditions prescribed for revision of return in section 114(6).

Similar discrepancies were found out by Jehangir so far as tax years 2015 and 2021 are concerned. Therefore, he declined to issue invalid refunds, followed by his transfer on July 1, 2022.

Meanwhile, Tanveer Iqbal, staff officer of chief commissioner CRTO, when contacted, said that the complaint has been followed by transfer of Jehangir. However, when it was pointed out that incident took place a day before his transfer to legal cell, the said officer restricted his response to a narrative that an inquiry committee has been constituted to sort out the issue.

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INCOME TAX ORDINANCE, 2001 CRTO AZHAR JEHANGIR

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