

THE FEDERAL TAX OMBUDSMAN ISLAMABAD

Complaint No.16268/KHI/CUST/2026

Dated: 08.09.2026* R.O. Karachi

Ms. Yumna Panjwani,

Ap 1 1604, Dany Cantt Residency F95,
Khayaban e Roomi, service In zone, Block 7,
Clifton, Karachi.

...Complainant

Versus

The Secretary,
Revenue Division,
Islamabad.

...Respondent

Dealing Officer

: Mr. Gul Rehman, Advisor

Authorized Representative

: Complainant in person

Departmental Representative

: Ms. Asiya Syed, AC Customs
CoC (Airports), Karachi

Date of hearing(s)

: 29.09.2026

FINDINGS/RECOMMENDATIONS

The above mentioned complaint was filed on 08.09.2026 against the Collector, Collectorate of Customs (Airports), Karachi under Section 10(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance) regarding refusal to honor delay and detention certificate dated 24.07.2026 issued under Section 14A(2) by the Deptt. by M/s Gerry's Dnata.

2. The complaint was forwarded to the Secretary, Revenue Division for comments under Section 10(4) of the FTO Ordinance and Section 9(1) of the Federal Ombudsmen Institutional Reforms Act, 2013. In response thereto, the Collector, Collectorate of Customs (Airports), Karachi submitted comments through letter dated 18.09.2026, wherein it was stated that the subject baggage declaration was duly processed through the Customs clearance



* Date of registration in FTO Secretariat

system and was selected for examination and verification by the designated Customs officer. As reflected from the GD processing history, the declaration was assigned to the Ground Handling Agency on 06.07.2026 and thereafter assigned to the designated Examination Officer. The examination and subsequent verification/assessment stages were completed through the Customs system during the ensuing period. The Collectorate, while placing the factual position on record, acknowledges that there was a delay in processing the declaration during the period 06.07.2026 to 16.07.2026, which was attributable to the unavailability of the concerned Customs officer owing to urgent health-related issues. The delay was, therefore, not being disputed or concealed by the Department. At the same time, it is submitted that the delay was not deliberate or attributable to any mala fide on the part of the Customs authorities. Importantly, the aforesaid period of delay was duly recognized and compensated for by the Collectorate through issuance of a Delay and Detention Certificate in favour of the complainant. The certificate was specifically issued to ensure that the complainant did not suffer demurrage/detention charges for the period during which the delay in clearance was attributable to Customs. In this regard, Section 14A(2) of the Customs Act, 1969 places a statutory obligation upon the agency/person managing or operating a customs airport, port or other specified facility to entertain a Delay and Detention Certificate issued by an officer of Customs not below the rank of Assistant Collector and to refund the demurrage charges received on account of delay where such delay was not attributable to the importer/exporter. This provision was further enforced by orders of the Hon'ble Supreme Court of Pakistan, through Civil Petition No.99 of 2025. Accordingly, upon issuance of the Delay and Detention Certificate by the competent



Customs authority, the statutory requirement stood duly fulfilled by the Department insofar as the period of delay attributable to Customs was concerned. The complainant was thereby provided the prescribed documentary relief for presentation before the concerned Ground Handling Agency for waiver/refund of the corresponding demurrage/detention charges. In view of the foregoing, it is submitted that the Collectorate has acknowledged and duly remedied the period of delay attributable to it by issuance of the Delay and Detention Certificate. The remaining grievance regarding waiver/refund of demurrage charges pursuant to the said certificate pertains to its implementation by the Ground Handling Agency. The complaint, insofar as any further liability is sought to be fastened upon the Collectorate of Customs (Airports), Karachi, may therefore be considered in the light of the above factual and legal position.

3. During the hearing on 29.09.2026, Ms. Yumna Panjwani (Complainant) stated that the Terminal Operator did not honor the Delay and Detention certificate dated 24.07.2026 issued by the Deptt. and to avoid further accumulation of demurrage charges she had no option except to deposit the demurrage charges of Rs.534,078/- on 25.07.2026. Complainant pressed for refund of the demurrage charges not payable in terms of the Delay and Detention Certificate issued by the Deptt. Ms. Asiya Syed, Assistant Collector (DR) on the other hand argued that the Deptt. through letter dated 24.07.2026 has already issued Delay and Detention certificate to the Complainant for the period 02.07.2026 to 24.07.2026 and M/s Gerry's Dnata, the Terminal Operator, is bound to entertain the Delay and Detention certificate issued by the Deptt. in terms of Section 14A(2) of the Customs Act, 1969 and Hon'ble Supreme Court judgment dated 23.10.2025 in CP No.99 of 2025.



FINDINGS:

4. Evidently in terms of provision of Section 14A(2), Terminal Operators and Shipping Lines are to entertain the delay and detention certificates issued by an officer not below the rank of Assistant Collector of Customs. Furthermore, as per decision of the Hon'ble Supreme Court of Pakistan vide CP No.99 of 2025, the terminal operators are bound to entertain the delay and detention certificate.

RECOMMENDATIONS:

5. FBR to direct:

- (i) the Collector, Collectorate of Customs (Airports), Karachi to get the Delay and Detention Certificate issued by the Deptt. under Section 14A(2) of the Customs Act, 1969 implemented as per decision of the Hon'ble Supreme Court of Pakistan in CP No.99 of 2025; and
- (ii) report compliance within thirty (30) days.



Dated: 14 OCT 2026

(M. Zafar ul Haq Hijazi)
Federal Tax Ombudsman