

THE FEDERAL TAX OMBUDSMAN ISLAMABAD

Complaint No.17360/HYD/Cust/2026

Dated: 01.10.2026 *R.O. Hyderabad

Mr. Nisar Ahmed S/o Safar Muhammad,
Pishin.

...Complainant

Versus

The Secretary,
Revenue Division,
Islamabad.

...Respondent

Dealing Officer
Authorized Representative
Departmental Representative

: Mr. Gul Rehman, Advisor
: Complainant in person
: Mr. Usama Dastagir, DC Customs
CoC, Enforcement, Hyderabad
: 13.10.2026

Date of hearing(s)

FINDINGS

The above mentioned complaint was filed on 01.10.2026 against the Collector, Collectorate of Customs, Enforcement, Hyderabad under Section 10(1) of the Federal Tax Ombudsman Ordinance, 2000 (FTO Ordinance) regarding implementation of Order-in-Original No.34246 of 2026 dated 16.03.2026 passed by the Deputy Collector of Customs, Adjudication, Quetta Camp Office, Hyderabad.

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 Collectorate of Customs, Enforcement, Hyderabad submitted comments through letter dated 14.10.2026, wherein it was stated that the goods in question (Pumpkin Seeds, Raisins, Black Raisins, Chickpeas) were perishable in nature and, therefore, the Department auctioned the same in accordance with Rule 70 of the Auction Rules, 2001, prior

* Date of Registration with FTO Secretariat

to the issuance of the Order-in-Original (ONO). The auction was conducted on 29.01.2026, whereas the Order-in-Original was subsequently issued on 16.03.2026. Thus, the auction had already taken place before the adjudication order was passed. It was further submitted that, as per the Order-in-Original dated 16.03.2026, the amount payable on account of redemption fine at 20% along with applicable duties and taxes was Rs.112,915/-. In contrast, the Department had already auctioned the goods on 29.01.2026 for Rs.300,000/-. The auction proceeds were, therefore, substantially higher than the amount subsequently determined under the Order-in-Original. In view of the above, the auction was undertaken in the interest of preserving the value of perishable goods and avoiding their deterioration or loss while awaiting adjudication. The amount in excess will be refunded to the applicant as per provisions under Section 201 of the Customs Act, 1969. Nevertheless, the claimant has not submitted any written application for implementation.

3. During the hearing on 13.10.2026, Mr. Nisar Ahmed (Complainant) pressed for implementation of the Order-in-Original No.34246 of 2026 dated 16.03.2026 passed by the Deputy Collector of Customs (Adjudication) Quetta camp office at Hyderabad. Mr. Usama Dastagir, Deputy Collector (DR), on the other hand argued that the Department has already auctioned the goods on 29.01.2026 for Rs.300,000/- and the Deptt. is willing to refund the sales proceeds to the Complainant in terms of Section 201 of the Customs Act, 1969 in accordance with law provided the Complainant files refund claim for the sales proceeds of the auctioned goods. The complainant is accordingly advised to approach the department for settlement of his issue pertaining to the refund of sale proceeds. The department is also advised to dispose of the issue of refund of the



sale proceeds strictly in accordance with Customs Act, 1969 and Rules/CGOs made thereunder.

4. The complaint stands disposed of in the above terms. File be consigned to record.

Dated: 22 OCT 2026

(M. Zafar ul Haq Hijazi)
Federal Tax Ombudsman

