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SRB draws fire for giving officials extra powers

KARACHI: Karachi Tax Bar Association (KTBA) on Tuesday blasted Sindh Revenue Board (SRB) for giving its Commissioners the additional powers of Commissioner Appeals, arguing it would create a conflict of interest and shake taxpayers' trust in the institution.

“No one can be the judge of his own cause,” wrote Zeeshan Merchant, President KTBA, in a letter to Wasif Ali Memon, SRB Chairman.

According to circular No. SRB 3-4/34/2021 dated December 20, 2021 issued by Member (Operations) Sindh Revenue Board (SRB), Zamir A Khalid, Commissioner (Legal), has been given the additional charge of Commissioner (Appeals-I) and Muhammad Iqbal Lakho, Commissioner-III, the powers of Commissioner (Appeals-II), till the posting of a regular incumbent.

“Let me start by referring to the Constitution of Islamic Republic of Pakistan ("Constitution") which is coined on the trichotomy of power. The Article 175 of the Constitution envisages separation of powers between legislature, executive and judiciary ostensibly to prevent the concentration of power and to check transgression,” Merchant said in the letter.

“The Honourable Supreme Court of Pakistan in the case of Government of Baluchistan Vs Azizullah Memon reported as PLD 1993 SC 31 has seconded the above analogy,” the KTBA president argued.

According to the letter, the SRB notification infringes upon the structure of trichotomy and separation of power since Commissioner (Legal) is also given the additional charge of the Commissioner (Appeals-I) and Commissioner-III is also given the additional charge of the Commissioner (Appeals-II). “The tax bar association was very surprised to see such a belligerent offensive on the constitutional methodology by a distinguished institution like SRB,” Merchant added.

He wrote that this would likely shake the confidence of litigants (taxpayers) on the SRB as an independent appellate forum and a dedicated Commissioner (Appeals) was the only way to restore taxpayers' trust in the board.

“We trust you will correct the anomaly at the earliest,” Merchant stressed.

The letter was also sent to Sindh Law Department and Abdul Hameed Memon, Senior Member (Audit, IT and Operations (Commissionerate-I), SRB.