

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
RAJYA SABHA
QUESTION NO 09.11.2010
ANSWERED ON
ION CASES PENDING FOR ADJUDICATION .

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Dr. Anil Kumar Sahani

Will the Minister of COALCOALCOALCOALFINANCE be pleased to state :-

- (a) the number of cases lying pending adjudication with departmental officers in Central Excise, Customs and Service Tax, as on date;
- (b) the number of cases lying pending with them for more than over one year, two years and more than three years;;
- (c) the quantum of money locked in these cases;
- (d) whether there is any time limit for the disposal of such cases;
- (e) if so, the reasons for not adhering to the said time limit; and
- (f) whether there is any proposal to initiate departmental proceedings against these officers for not disposing off the cases within the time limit?

ANSWER

FINANCE MINISTER

(SHRI PRANAB MUKHERJEE)

(a) to,(f): A statement is laid on the table of the House.

Statement referred to in reply to Rajya Sabha Starred Question No. 20 for 9.11.2010 regarding Taxation cases pending; for adjudication by Prof. Anil Kumar Sahani (a) The numbers of central excise and custom cases (as on 31.8.2010), and service tax cases (as on 30.6.2010) pending adjudication with the departmental officers are as under:-

Type of cases	Total Number
Central Excise	17165
Customs	7789
Service Tax	30929

(b)

Type of cases	1-2 years	2-3 years	More than 3 years
Central excise	1036	102	17
Customs	437	165	115
Service Tax	5442	7810	3626

(c)

(in Rs. Crores)

Central excise	3552.90
Customs	1985.55
Service Tax	6456.21

(d) and (e): As per provisions contained in sub-section (2A) of Section 28 of the Customs Act, 1962 and sub-section (2A) of Section IIA of the Central Excise Act, 1944, wherever it is possible to do so, the cases involving fraud, collusion, suppression etc. are to be adjudicated within a period of one year and other cases within a period of six months. Departmental instructions have also been issued to adjudicate such cases within a period of one year. Delay in adjudicating these cases within the prescribed time limit is due to procedural requirements necessitated to meet the principles of natural justice. (1) No, Sir. The progress made in disposal of cases is monitored at different stages, and so far no specific case has come to notice requiring initiation of the departmental proceedings against any officer causing undue delay in disposal of such cases.