

**Government of India
Ministry of Finance
Department of Revenue**

**LOK SABHA
UNSTARRED QUESTION NO. 4072
TO BE ANSWERED ON FRIDAY, DECEMBER 9, 2016
AGRAHAYANA 18, 1938 (SAKA)**

PENDING TAX CASES

**4072: SHRI HARISHCHANDRA CHAVAN:
SHRI LAXMI NARAYAN YADAV:
SHRI LAXMAN GILUWA:
SHRI PRATAPRAO JADHAV:**

Will the Minister of FINANCE be pleased to state:

- (a) the number of cases related to direct and indirect taxes and the amount involved pending prosecution along with the reasons for their pendency during the last three years and the current year;
- (b) whether Government has taken any concrete steps taken to speed up the disposal of such cases; and
- (c) If so, the details thereof and action taken thereon?

**ANSWER
MINISTER OF STATE IN THE MINISTRY OF FINANCE
(SANTOSH KUMAR GANGWAR)**

- (a) The total number of cases related to direct and indirect taxes in which Criminal Prosecution complaints are filed and pending before the Courts during the last 3 years and current year are as under:

Financial Year	No. of Direct Tax Case	No. of Indirect Tax Cas
2013-14	3775	5551
2014-15	4156	5094
2015-16	4585	5165
2016-17 up to October, 2016	4853	5106

Specific details, including amounts involved in cases, under prosecution are not maintained centrally.

After charge sheet is filed in the designated court the matters are taken up by the Court as per the provisions of Criminal Procedure Code.

- (b) & (c): Several steps have been taken to ensure speedy disposal in pending prosecution cases. The steps include, capacity building of officers, engaging quality counsels and ensuring timely representation of cases before courts and pursuing the cases pending with courts vigorously.

In addition to above Central Board of Excise & Customs has also taken up following steps to speed up the disposal of such cases:

- (i) The limit for arrest and prosecution was raised to Rs. 1 Crore from Rs. 25 lakhs.

- (ii) It has been instructed that in all cases where the quasi-judicial proceedings on the identical facts have failed prosecution should be withdrawn.
- (ii) Field formations have been directed to withdraw all cases of prosecution involving duty of less than Rs. 5 lakhs, and which are pending for over more than 15 years.
