

**GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE**

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**LOK SABHA
UNSTARRED QUESTION No.1282
TO BE ANSWERED ON FRIDAY, FEBRUARY 09, 2018
MAGHA 20, 1939 (SAKA)**

ROLE OF NAA UNDER GST

1282. SHRI P.V. MIDHUNREDDY:

SHRI ANURAG SINGHTHAKUR:

SHRI JAYADEV GALLA:

Will the Minister of FINANCE be pleased to state:

- (a) the details of aims and objectives of the National Anti-profiteering Authority (NAA) and the time by which the NAA will start functioning ;
- (b) whether the NAA mandated to investigate the broad market abuse of power to tweak prices and if so, the details thereof ;
- (c) whether the Government is faced with increasing number of complaints under anti-profiteering rules and if so, the details thereof ;
- (d) whether the benefit of tax rate reduction has not been passed on to consumers since the roll out of Goods and Services Tax (GST) and if so, the details thereof ;
- (e) the details of mechanism under NAA to implement the GST benefits passed on to consumers; and
- (f) whether the NAA has cancelled registration of any entity or business which fails to pass on GST benefits to consumer and if so, the details thereof.

**MINISTER OF STATE FOR FINANCE
(SHRI SHIV PRATAP SHUKLA)**

- (a) The National Anti-profiteering Authority has been functioning since 01.12.2017. The aims and objectives of the National Anti-profiteering Authority are as under:

- (i) to determine whether any reduction in the rate of tax on any supply of goods or services or the benefit of input tax credit has been passed on to the recipient by way of commensurate reduction in prices;
- (ii) to identify the registered person who has not passed on the benefit of reduction in the rate of tax on supply of goods or services or the benefit of input tax credit to the recipient by way of commensurate reduction in prices; and
- (iii) to order,
 - (a) reduction in prices;
 - (b) return to the recipient, an amount equivalent to the amount not passed on by way of commensurate reduction in prices along with interest at the rate of eighteen percent from the date of collection of the higher amount till the date of the return of such amount or recovery of the amount not returned, as the case may be, in case the eligible person does not claim return of the amount or is not identifiable, and depositing the same in the Consumer Welfare Fund referred to in section 57 of the CGST Act, 2017;
 - (c) imposition of penalty as specified in the CGST Act, 2017; and
 - (d) cancellation of registration under the CGST Act, 2017.
- (iv) To furnish a performance report to the Council by the tenth of the close of each quarter.

- (b) The National Anti-profiteering Authority is not mandated to investigate cases of profiteering under GST. Such investigation is conducted by the Directorate General of Safeguards under the Central Board of Excise and Customs.
- (c) & (d) 221 applications have been received as on 31.01.2018 alleging the benefit has not been passed on. Notices of initiation of investigation have been issued in respect of 9 cases involving 52 applications.
- (e) On receipt of the investigation report from the Director General of Safeguards confirming profiteering, National Anti-profiteering Authority may order reduction in price and return of amount to the recipient with interest. It may also impose penalty on the person who has not passed on the benefit and cancel his registration.
- (f) No Sir.
