

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

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**LOK SABHA**

**UNSTARRED QUESTION No. 978**

**TO BE ANSWERED**

**On Friday, the 8<sup>th</sup> February, 2019/Magha 19, 1940(SAKA)**

**“Complaints against e-bay Company”**

**978. DR. RAVINDRA KUMAR RAY**

**Will the Minister of FINANCE be pleased to state:**

- (a) whether a complaint had been registered in his Ministry against e-bay company in January 2018 for selling unbilled imported Apple mobile phones in India;
- (b) If so, the details thereof and reasons for not taking action in this regard even after lapse of one year; and
- (c) the time by which enquiry is likely to be completed in this regard?

**ANSWER**

**MINISTER OF STATE IN MINISTRY OF FINANCE  
(SHRI SHIV PRATAP SHUKLA)**

- (a) No investigation has been initiated against M/s E-bay India Pvt Ltd (presently known as M/s Mintkart India Pvt. Ltd) in January, 2018. However, an investigation was started against M/s E-bay India Pvt Ltd which is essentially about sale of an apple phone purportedly sold to one Sh. Sachin Kumar on 07.08.2016. This investigation was initiated on the basis of a reference received in the office of Minister of State (Finance) on 08.06.2018 from DR. Ravindra Kumar Ray, Hon’ble Member of Parliament (Lok Sabha) in respect of an alleged sale of Apple i-Phone without bill by the online company e-bay. Data of sale of mobile phones through E-bay India Pvt Ltd in proximate to the date of sale of mobile phone to Mr. Sachin Kumar on 07.08.2016 were obtained and investigated. It emerges from investigation that on 07-08-2016 only one ‘Sony’ mobile phone has been sold to one buyer named Mr. Sachin Kumar. No apple phone has been sold to any person named as Sachin Kumar, as per the records. Attempts were made by the investigation team to contact Mr. Sachin Kumar, the purchaser of ‘Sony’ mobile phone. However, he could neither be contacted through phone nor was he available at his known address. The referred transaction of ‘Sony’ phone was made by a vendor of Tamil Nadu, and the matter has been referred to VAT Department of Tamil Nadu.

It is observed that M/s E-bay Pvt. Ltd themselves do not sell any goods but provide their network/platform to different vendors/sellers who use the network/platform of E-bay to sell their products. The Apple iPhones are not manufactured in India. Further investigation regarding any suspected service tax liability by M/s E-bay India Pvt. Ltd is underway and their records of payment and liability of service tax are being examined for reconciliation of any service tax liability.

- (b) Reply covered in answer (a) above.
- (c) The investigation regarding any service tax liability is being done and records are being examined and reconciled for the purpose.