

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

**LOK SABHA
UNSTARRED QUESTIONS NO. 2292
TO BE ANSWERED ON FRIDAY, JULY 29, 2016
SRAVANA 7, 1938 (SAKA)**

TAX CASES

**2292: SHRI ABHISHEK SINGH:
SHRI RAJENDRA AGRAWAL:
SHRI MANSUKHBHAI DHANJIBHAI VASAVA:
SHRIMATI RAMA DEVI:
DR. K. GOPAL:
SHRI PRATHAP SIMHA:**

Will the Minister of FINANCE be pleased to state:

- (a) the details of cases of tax evasion and the amount involved therein, cases prosecuted and that convicted during the last three years and the current year;
- (b) the details of cases pending along with the amount involved therein, for one year, three years, five years and more than five years till date along with the reasons for pendency;
- (c) whether his Ministry has taken any action for speedy disposal of such cases; and
- (d) if so, the details thereof and the achievement therefrom?

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

(a): Direct Tax

Appropriate action against tax evasion is an on-going process. Such action under direct taxes laws includes searches, surveys, enquiries, assessment of income, levy of taxes, penalties etc. and filing of prosecution complaints in criminal courts, wherever applicable.

The initial outcome of searches & surveys conducted by the Income Tax authorities during last 3 years & current year are as under:

Search and seizure

Financial Year	Number of groups searched	Total assets seized (in Rs. crore)	Undisclosed income admitted u/s 132(4) of the Income-tax Act, 1961 [in Rs. crore]
2013-14	569	807.84	10791.63
2014-15	545	761.70	10288.05
2015-16	445	712.68	11066.24

2016-17*	125	185.92	1748.51

*Provisional figures up-to 30th June 2016

Surveys

Financial Year.	No. of surveys conducted	Undisclosed income detected (in Rs. crore)
2013-14	5327	90390.71
2014-15	5035	12820.33
2015-16	4422	9654.80
2016-17*	181	324.95

*Provisional figures up-to 31st May 2016

Prosecutions are filed for various offences under the Income-tax Act, 1961 as per provisions contained in Chapter XXII. The following is the data with respect to number of cases where prosecutions were filed under Income-tax Act, 1961 and conviction of persons during the last three years and the current year:

F.Y.	No. of cases where prosecution were filed	No. of persons convicted
2013-14	641	41
2014-15	669	34
2015-16	552	28
2016-17 (upto May 2016)	56	6

Indirect Tax

The Customs, Central Excise and Service Tax authorities investigate the cases of evasion of duty and after completion of the investigations show cause notices are issued to the tax evaders. In cases of offences committed under the Acts, prosecution is sanctioned and complaint is filed in the Court. The details show cause notices issued and the amount involved therein for the last three years and the current year for Customs, Central Excise and Service Tax is as under:-

	Customs (DRI) Cases)		Central Excise		Service Tax	
Year	No. of SCN issued	Amount Involved (Rs Crore)	No. of SCN issued	Amount Involved (Rs Crore)	No. of SCN issued	Amount Involved (Rs Crore)
2013-14	862	2735.87	1789	5170	4288	10705.60

2014-15	629	2370.02	1488	4360.13	3402	10905.42
2015-16	492	2588.96	1614	3915.33	3545	14482.24
Upto June 2016	96	738.19	420	1510.86	1058	1654.69

The number of prosecutions sanctioned and complaints filed in the last three years including the current year is as under:-

	Customs (DRI cases)		Central Excise		Service Tax	
Year	No. of prosecution sanctioned	No. of complaints filed	No. of prosecution sanctioned	No. of complaints filed	No. of prosecution sanctioned	No. of complaints filed
2013-14	4	4	-	-	-	-
2014-15	2	2	31	22	19	12
2015-16	9	8	46	25	5	6
Upto June 2016	5	5	9	1	3	2

(b): Specific details, including amounts involved in cases, under prosecution are not maintained centrally.

Direct Tax

However, as per data gathered from field formations with respect to 3869 prosecution cases pending as on 31.05.2014, it was found that about 80% cases were pending in different criminal courts for more than 5 years, about 3% cases were pending between 3 to 5 years and approximately 17% cases were pending for less than 3 years.

Indirect Tax

The details of pendency of prosecution cases pending as on 30.06.2016 are as under:-

	Total No. of Cases	Less than 1 year	1-3 years.	3-5 years.	More than 5 years
Customs (DRI cases)	116	6	5	1	104
Central Excise & Service Tax	1206	13	151	153	887

(c) & (d): Several steps have been taken to ensure speedy disposal in pending cases. These steps include monitoring of pending cases by senior officers, ensuring timely representation of cases by

appointing suitable counsel, capacity building of officers and pursuing with the courts for speedy disposal.
