

**GOVERNMENT OF INDIA  
FINANCE  
LOK SABHA**

UNSTARRED QUESTION NO:705  
ANSWERED ON:25.02.2011  
OUT OF COURT SETTLEMENT OF TAX CASES  
Biju Shri P. K.

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

- (a) the total amount of taxes outstanding against the corporates and persons due to cases pending in courts as on date;
- (b) whether there is any non-judicial system for out of court settlement of such cases;and
- (c) if so, the details thereof?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALAN1MANICKAM)

a) The total amount of direct taxes outstanding in the cases pending in the Income Tax Appellate Tribunal(ITAT), High Court and Supreme Court as on 30.9.2010 is as follows:

Name of court/ Tribunal    Amount (in Rs Crores)

ITAT            96,876.43

High Court    12,498.14

Supreme Court    997.23

Total            110,371.80

The breakup between corporate and non-corporate dues is not maintained.

b&c) Yes, Sir. The mechanisms for out of court settlement within Income Tax Act, 1961 (the Act) is as follows:

- i) As per Chapter XIX-A of the Act, the Settlement Commission is competent to settle those cases for which application is filed by the assessee in terms of the statutory provisions.
- ii) As per Chapter XIX B of the Act, advance rulings on issues can be given by the Authority for Advance Rulings in terms of the statutory provisions.
- iii) As per Chapter XIV of the Act, Dispute Resolution Panels (DRPs) have been constituted for resolving disputes pertaining to Transfer Pricing Cases following insertion of section 144C in the Act by the Finance Act, 2009 w.e.f 1.4.2009.