

**GOVERNMENT OF INDIA
FINANCE
LOK SABHA**

UNSTARRED QUESTION NO:3966
ANSWERED ON:05.09.2012
INDIRECT TAX LOCKED UP IN LITIGATION
Roy Shri Mahendra Kumar

Will the Minister of FINANCE be pleased to state:

- (a) Whether an amount of Rs. 86,000 Crores indirect tax revenue of Central Board of Excise and Customs has been locked up in litigation;
- (b) If so, the success rate of departmental litigation in the last four years; and
- (c) The steps taken to ensure speedy recovery?

Answer

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

(a) Yes, Sir

(b) Success rate of departmental litigation in Courts and Tribunal during the last four years are as follows:-

Year	Supreme Court	High Court	CESTAT
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2008-09	9.81%	29.6%	10.0%
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2009-10	7.85%	35.10%	18.2%
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2010-11	5.5%	27.8%	17.2%
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2011-12	10.64%	29.85%	19.7%
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(c) The steps taken to ensure speedy recovery are as follows:

- (i) Legal action under statutory provisions to recover arrears of revenue from defaulters.
- (ii) Bunching of all cases involving same issue for expediting decision.
- (iii) Filing of early hearing applications in all such cases.
- (iv) Continuous monitoring of recovery of tax arrears by the Board.