

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:1063
ANSWERED ON:29.11.2012
DIRECT AND INDIRECT TAXES
Singh Rajkumari Ratna;Sinh Dr. Sanjay

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government is aware that various tribunals regarding direct tax and indirect tax are taking long time to clear the pending appeals which lead to be huge losses to the revenue of the Government of India;
- (b) if so, the details of pending cases in various tribunals on direct and indirect taxes as on date; and
- (c) the steps taken/being taken by the Government to clear the pendency immediately so as to increase the revenue?

Answer

MINISTER OF LAW & JUSTICE (DR. ASHWANI KUMAR)

(a) & (b) : Yes, Madam. 68568 cases relating to direct taxes are pending with the Income Tax Appellate Tribunal (ITAT) as on 1st November, 2012 and 74264 cases relating to indirect taxes are pending with Customs, Excise & Service Tax Appellate Tribunal (CESTAT) as on date.

(c) : As regards direct taxes cases, the steps taken to clear pendencies include instructions to the benches of ITAT to scrutinize and identify cases which are covered by decisions of ITAT, High Courts and the Supreme Court and post them on priority basis, requesting the Bar to bring to the notice of ITAT all such covered cases for out of turn posting, giving priority to disposal of Search and Seizure and Appeals under Section 263 of the Income Tax Act, 1961, raising of the limit for appeals heard by a Member sitting singly from Rs. 1 lakh to Rs. 5 lakhs, disposal of all Stay Granted and High Demand cases on priority basis and filling up of the vacancies of Members of ITAT. As regard indirect taxes cases, the steps taken to clear pendencies include filling up of the vacancies of Members of CESTAT, setting up of additional benches, grouping of all pending appeals subject-wise and issue-wise for hearing, strict enforcement of norms for disposal of appeals.