

F. No.390/Misc./41/2017-JC
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs
(Judicial Cell)

New Delhi, Dated 09.10.2017

To,

1. All Chief Commissioners of Central Excise & Service Tax;
2. All Chief Commissioners of Customs
3. webmaster.cbec@nic.in

Sir/Madam,

Sub: Member (CX, ST & L) DO dated 08-09-2017 and 22.08.2017 regarding Mismatch, Bunching, Updation of departmental appeals pending in CESTAT/HC/Supreme Court – regd.

Kindly refer to Member (Legal)'s DO dated 22.08.2017 and 08.09.2017 on the subject mentioned above. As stated in these letters, following issues pertaining to the departmental appeals require urgent attention:

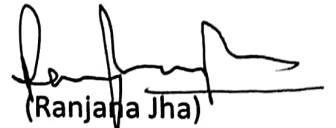
- i. Mismatch between CESTAT and Zonal figures related to withdrawal of appeals. As per the DO, the action required was *"The nodal Chief Commissioners are directed to kindly ensure that correct figures are generated with regard to the CESTAT registry figures, and in case of continuing discrepancy, the mismatch may be pleased looked into."*
- ii. Bunching of matters in CESTAT on priority basis so that the pendency is reduced. As per the DO, the action required was, *"All the Zonal Chief Commissioners are requested to positively set up the mechanism immediately so that the bunching and coordinated decision work could proceed further. The matter also forms part of the litigation management suggestions of the TPRU that is directly monitored by the Revenue Secretary."*
- iii. Updation of withdrawal figures as per the re-organised jurisdictions post GST. As per the DO, the action required was *"recasting of figures as per the revised GST formations"*

Vide these letters, the CC's were required to set up a system whereby the Nodal Chief Commissioners were nominated as per the jurisdiction of CESTAT benches. Vide CC(AR) letter from F. No. 07/CCU/Bunching of cases/2017 dated 14.08.2017, nodal Authorized Representatives for the purpose have also been appointed. A report in this regard was required to be sent by them by 30.09.2017. Despite this, no response has been received as yet.

2. You may please recall the telephonic discussions held in this regard on 06.10.017. You may also appreciate that the earlier zonal figures regarding withdrawal of appeals below monetary limits were based upon the pre-GST jurisdictions. Therefore, after the reorganization of field formations after introduction of GST on 01.07.2017, the current zonal figures do not reflect the existing CGST Zones.

3. Accordingly, you are requested to urgently appoint an officer to represent you and be in touch with the Nodal Officers at CC(AR)'s office so that the work can be initiated. The Revenue Secretary is likely to take a review meeting very shortly for which the information is required urgently. Please do send your report in this matter by 12.10.2017 at sojc-bec@nic.in.

Yours faithfully,



(Ranjana Jha)

Joint Secretary (Review)