

F.No.A.32022/61/2019-Ad.III.A
Government of India
Ministry of Finance
Department of Revenue
Central Board of Indirect Taxes & Customs

4th Floor, HudcoVishala Building,
Bhikaji Cama Place, R.K. Puram,
New Delhi, dated 5 September, 2019

To

All Cadre Controlling Authorities
Under Central Board of Indirect Taxes & Customs.

Subject:- Instructions regarding handling of Court cases filed across the Board, in respect of Board's letter F.No.A.32018/37/2017-Ad.III.(A) dated 01.07.2019- reg

Sir,

I am directed to refer to this office letter F.No.A.32018/37/2017-Ad.III.(A) dated 01.07.2019, wherein all CCAs were intimated regarding the withdrawal of unauthorised letters, and to say that it has been observed various court cases are being filled with various benches of CAT.

2. In this regard, also please refer to Ministry's letter of even no dated 09.08.2019 on the above cited subject under which it was requested to file petition before the Principal bench, CAT, Delhi to transfer all the cases before them so that correct factual position regarding the issue is placed before the appropriate judicial forum i.e. CAT.

3. In this regard, it is informed that a meeting was held with the CCA, Delhi in the Ministry on 29.8.2019 to discuss the above case and following decisions have been made:-

- (i) All the CCAs to send a copy of the OAs and interim orders of CAT (if any) to the Legal Cell, CCA, Delhi for filling transfer petition at CAT, PB, Delhi.
- (ii) Legal Cell, CCA, Delhi will file transfer petitions at CAT PB, Delhi bench.
- (iii) Concerned CCAs should submit para wise comments/Draft reply in respect of the cases filed for vetting by the Board.
- (iv) Dates of hearing in Delhi for all these cases will be intimated to the concerned CCA directly by CCA, Delhi under intimation to Ministry.
- (v) The concerned CCA will depute concerned Officer to attend the hearing on the stipulated date, as intimated by CCA, Delhi.

Yours faithfully,

(S.K. Gupta)

Deputy Secretary to the Govt. of India
011-26162675

Copy to :-

1. The CCA, Delhi zone - along with the details/copies of the OAs filed at various CAT benches in respect of the above. With a request to file transfer petition immediately.
2. Webmaster, to upload this letter on CBIC website