

DLA-CUS-1

Court cases (Appeal filed by the department)

Commissionerate: Customs Preventive Commissionerate, Vijayawada

Month : MAY, 2017

(Rs. in Lakhs)

Sl. No.	Forum in which pending	Opening balance		Receipts				Disposal				Break up of cases decided during the month								Closing Balance		Age-wise break up of pendency					Issue Involved			
		No.	Amt.	No.		Amount		No.		Amount		Decided in favour of the Department		Decided against the Department		Partly allowed		Remanded		No.	Amt.	Less than 1 year	1-3 yrs	3-5 years	5-10 years	More than 10 years	Valuation	Classification	Rule/ Notfn.	Others
				During the month	Upto the month	During the month	Upto the month	During the month	Upto the month	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.													
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)	(31)
1	Supreme Court	23	5957.68	0	0	0.00	0	0	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0	0.00	23	5957.68	2	3	17	1	0	18	4	1	0
2	High Court	28	3080.42	0	1	0.00	39.32	0	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0	0.00	28	3080.42	5	3	4	16	0	1	3	1	23
3	CESTAT	90	7115.86	0	2	0.00	24.00	4	4	35.11	35.11	0	0.00	2	24.00	2	11.11	0	0.00	86	7080.75	9	10	20	47	0	30	23	1	32
4	Settlement Commission	0	0.00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0	0	0	0	0	0	0	0	0
5	Commissioner (Appeals)*	11	571.46	0	0	0.00	0.00	0	0	0	0	0	0	0	0	0	0	0	0	11	571.46	9	2	0	0	0	2	3	0	6
	Total	152	16725.42	0	3	0	63.32	4	4	35.11	35.11	0	0	2	24.00	2	11.11	0	0	148	16690.31	25	18	41	64	0	51	33	3	61

DLA-CUS-1A

Part II. - Prosecution Cases

Commissionerate: Customs Preventive Commissionerate, Vijayawada

Month : MAY, 2017

Opening Balance	No of Cases where prosecution has been considered		No of Prosecution launched		Disposal				Closing Balance	Age wise breakup of Pending Cases				
					Acquitted		Convicted			<1 year	1-3 yrs	3-5 yrs	5-10 yrs	>10yrs
	During the Month	Upto the month	During the Month	Upto the month	During the Month	Upto the month	During the Month	Upto the month						
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
8	0	0	0	0	0	0	0	0	8	3	0	0	0	5

* In 4 cases the Commissioner vide letter C, No.I/10/35/1990-Legal., dated 23.12.2016 requested the Chief Commissioner for withdrawal of long pending cases in view of the directions Ref Dis no. 1851/Spl. JEOC/Hyd/06 dated 20.09.2006 issued by Hon'ble Economic Offences Court, Hyderabad and CBEC circular No.27/2015-Customs dated 23.10.2015. In another 1 case. Dept. had filed Pre-trial disposal petitions under Section 110 (1B) of Customs Act, 1962 before Hon'ble E.O. Court, Hyderabad. The said court vide orders dated 07.06.2014 certified that correctness of the inventory. Further on 04.12.2014, the department asked for legal opinion from the Senior Standing Council for the disposal of said goods.

Note: During the month of August, 2016, Prosecution was launched against Shri Kishore Kumar Gilda in CC No.155 of 2016 and Summons dated 03.08.2016 issued by the Special Judge for Economic Offences, Hyderabad. During the month of December 2016 Prosecution was launched against Shri Babulal Singhvi in CC No.26 of 2016 and Summons dated 04.11.2016 issued by the Special Judge for Economic Offences, Visakhapatnam. During the month, in 1 case prosecution was launched on Shri T.Vijayaraghavan with CC No.32/2016 by Spl.Judge for EOC, Visakhapatnam.

DLA-CUS-2

Court cases (Appeal filed by the party)

Commissionerate: Customs Preventive Commissionerate, Vijayawada

Month : MAY, 2017

Sl. No.	Forum in which pending	Opening balance		Receipts				Disposal				Break up of cases decided during the month								Closing Balance		Age-wise break up of pendency					Issue Involved			
		No.	Amt.	No.		Amount		No.		Amount		Decided in favour of the Department		Decided against the Department		Partly allowed		Remanded		No.	Amt.	Less than 1 year	1-3 yrs	3-5 years	5-10 years	More than 10 years	Valuation	Classification	Rule/Notfn.	Others
				During the month	Upto the month	During the month	Upto the month	During the month	Upto the month	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.													
				(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)											
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)	(31)
1	Supreme Court	9	10951.47	0	0	0.00	0.00	0	0	0.00	0.00	0	0	0	0	0	0	0	0	9	10951.47	0	7	1	1	0	2	6	0	1
2	High Court	39	15332.61	0	2	0.00	624.00	0	3	0.00	8236.15	0	0	0	0	0	0	0	0	39	15332.61	5	4	14	9	7	0	2	12	25
3	CESTAT	267	129618.60	2	3	3.40	65.15	0	0	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	269	129622.00	65	122	35	47	0	14	196	5	54
4	Settlement Commission	0	0	0	0	0.00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0	0	0	0	0	0	0	0	0
5	Commissioner (Appeals)	117	4014.83	0	0	0.00	0.00	0	0	0.00	0.00	0	0	0	0.00	0	0	0	0	117	4014.83	53	64	0	0	0	0	107	0	10
	Total	432	159917.510	2	5	3.40	689.15	0	3	0	8236.15	0	0	0	0	0	0	0	0	434	159920.910	123	197	50	57	7	16	311	17	90

DLA-CUS-3

Monthly Report on Remands by Supreme Court/ High Court/ CESTAT/ Commr (Appl)

Commissionerate: Customs Preventive Commissionerate, Vijayawada

Month : MAY, 2017

Remanded to	Opening Balance	Receipt	Disposal	Closing Balance	Age Wise Break Up of Pending Cases				
					< 1 month	1-3 month	3-6 month	6 to 12 months	More than 1 year
Cases Remanded By Supreme Court									
High Court	1	0	0	1	0	1	0	0	0
CESTAT	0	0	0	0	0	0	0	0	0
Commissioner	0	0	0	0	0	0	0	0	0
Commissioner (Appeal)	0	0	0	0	0	0	0	0	0
Adjudicating authority other than above	0	0	0	0	0	0	0	0	0
Cases Remanded By High Court									
CESTAT	NIL								
Commissioner									
Commissioner (Appeal)									
Adjudicating authority other than above									
Cases Remanded By CESTAT									
Commissioner	0	0	0	0	0	0	0	0	0
Commissioner (Appeal)	0	0	0	0	0	0	0	0	0
Adjudicating authority other than above	0	0	0	0	0	0	0	0	0
Cases Remanded By Commissioner (Appeal)									
Adjudicating Authority	NIL								

DLA-CUS-4
CESTAT cases reviewed

Commissionerate: Customs Preventive Commissionerate, Vijayawada
Month : MAY, 2017

Opening balance	Receipts	Disposal				Closing balance	Agewise breakup of pending cases			
		Accepted on merits	accepted on account of low revenue	Not accepted	Total		<1 month	1-2 month	2-3 months	> 3 months
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
6	4	0	4	0	4	6	0	2	4	0

PART - A:- List of CESTAT orders accepted on account of low revenue

(Rs. In Lakhs)

S. No.	CESTAT Order No. & date	Appeal no.	Cause Title	Issue involved	Amount Involved	Date of acceptance	Appellate Forum – HC/SC	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
1	A/31132-31135/2016 dated 17.11.2016	C/508 & 509 /2009 (2 appeals)	M/s.Obulapuram Mining Co. Pvt. Ltd. Bellary	Export of Iron Ore in Fines Fe-content in excess of the prescribed limit	24.00	05.05.2017	HC	Accepted on monetary limits
2	A/30271/2017 dated 24.02.2017	C/21222/2015	M/s.Ultratech Cements Ltd. Mumbai	Non-levy of Ed.Cess and Sec.Higher Edn.Cess leviable on Addl.Customs Duty	7.97	19.05.2017	HC	Accepted on monetary limits
3	A/30276/2017 dated 24.02.2017	C/21223/2015	M/s.TPC India Ltd., New Delhi	Non-levy of Ed.Cess and Sec.Higher Edn.Cess leviable on Addl.Customs Duty	3.14	19.05.2017	HC	Accepted on monetary limits

PART - B:- List of CESTAT orders accepted on account of reasons other than low revenue

(Rs.In Lakhs)

S. No.	CESTAT Order No. & date	Appeal no.	Cause Title	Issue involved	Amount Involved	Date of acceptance	Reasons for acceptance	Appellate Forum – HC/SC
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
NIL								

DLA-CUS-5

High Court cases reviewed

Commissionerate: Customs Preventive Commissionerate, Vijayawada

Month : MAY, 2017

Opening balance	Receipts	Disposal				Closing balance	Agewise breakup of pending cases			
		Accepted on merits	accepted on account of low revenue	Not accepted	Total		<1 month	1-2 month	2-3 months	> 3 months
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
NIL										

DLA-CUS-5A

LIST OF HIGH COURT ORDERS ACCEPTED ON ACCOUNT OF LOW REVENUE

(Rs in Lakhs)

All India
MONTH : MAY, 2017

SR.NO	HIGH COURT ORDER NO. & DATE	APPEAL NO	CAUSE TITLE	ISSUES INVOLVED	AMOUNT INVOLVED	DATE OF ACCEPTANCE	APPELLATE FORUM- SC
1	2	3	4	5	6	7	8
-		-	-	-	0	-	-

DLA-CUS-5B

LIST OF HIGH COURT ORDERS ACCEPTED ON ACCOUNT OF REASONS OTHER THAN LOW REVENUE

All India

MONTH : MAY, 2017

SR.NO	HIGH COURT ORDER NO. & DATE	APPEAL NO	CAUSE TITLE	ISSUES INVOLVED	AMOUNT INVOLVED	DATE OF ACCEPTANCE	REASONS FOR ACCEPTANCE	APPELLATE FORUM-SC
1	2	3	4	5	6	7	8	9
-	-	-	-	-	0	-	-	-

DLA-CUS-6

Cases Pending in Supreme Court/ High Court/ CESTAT involving Revenue of Rs Ten Crore or more

Commissionerate: Customs Preventive Commissionerate, Vijayawada

Month : MAY, 2017

(Rs. In Lakhs)

S No	Appellate Forum	Opening Balance		Receipts		Disposal		Closing Balance		Age Wise Breakup of Pending Cases					Remarks
		No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	<1yr	1-3 yrs	3-5 yrs	5-10 yrs	>10yrs	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	Supreme Court (Party)	6	30070.16	0	0.00	0	0.00	6	30070.16	0	6	0	0	0	
2	Supreme Court (Department)	1	3628.96	0	0.00	0	0.00	1	3628.96	1	0	0	0	0	
3	High Court (Party)	4	13241.14	0	0.00	0	0.00	4	13241.14	0	3	0	1	0	
4	High Court (Department)	3	2214.22	0	0.00	0	0.00	3	2214.22	1	2	0	0	0	
5	CESTAT (Party)	27	90861.46	0	0.00	0	0	27	90861.46	0	14	13	0	0	
6	CESTAT (Department)	1	1142.21	0	0	0	0	1	1142.21	0	1	0	0	0	