

CESTAT Bench for 4 States & UT opens in Sector 17C Chandigarh



AIT News Network

CHANDIGARH. 1st December 2015. It was a historic day for Chandigarh with inauguration of CESTAT Bench which covers the Customs Excise & Service Tax Appeals arising from States of Haryana, Punjab, Himachal, J & K and Union Territory of Chandigarh.

CESTAT President Justice G. Raghuram inaugurated the Bench at SCO 148 in prime Sector 17C of Chandigarh in a ceremony attended by a galaxy of dignitaries. Those present on the occasion included RK Singh Member(Technical) of CESTAT, SS Kang Retired Vice-President of CESTAT, Mohan Kumar Registrar CESTAT, SV Singh CDR CESTAT, AK Jain Commissioner Central Excise Chandigarh, Amrish Jain DR CESTAT, Delhi Lawyers Kamaljeet Singh, RS Sharma, Anil Sood, Abhishek Jajoo, KK Sharma and Chandigarh Lawyers RK Hasija, Sudhir Malhotra, SJ Singh, Vikrant Kakaria, PK Pahwa, Naveen Bindal.

Over 8000 Appeals belonging to 4 States and UT have already been transferred from Delhi Bench to Chandigarh Bench. Member (Judicial) Ashok Jindal has been transferred from Delhi to Chandigarh.

Justice Raghuram highlighted that almost 85 per cent of the Appeals are decided against the Department by CESTAT as the Tribunal is in reality the first point of dispensation of justice. The appeals against CESTAT Rulings directly go to Supreme Court in cases of valuation, classification, rate of tax and taxability of service.

Over 1 Lakh Appeals are pending all-over India in CESTAT. If an Inspector of Service Tax, Excise or Customs Department proposes a draft demand notice; the notices are blindly issued by Commissioners/Additional Commissioners without any application of mind. Once demands are issued dumb Commissioners and Commissioner (Appeal) consider it their solemn duty to confirm the demands brushing aside the Court Rulings relied upon by the parties, which leads to undue harassment by misusing and abusing the powers. In many cases CESTAT has imposed cost on the Commissioners for their illegal actions. Finance Minister has also taken a serious note of this practice by Commissioner level Officers and their performance will be judged on the basis of quality of Orders passed by them and as to how many orders were upheld and how many were set aside by CESTAT in Appeal. Those Officers who are performing their solemn duty by confirming frivolous demands which are set aside by Tribunal; will not be considered for promotion as Chief Commissioner.

Senior Consultant Bhangoo was unanimously elected as President of CESTAT Bar Association of Chandigarh in First meeting of the Bar.