



सेवा कर आयुक्त कार्यालय

OFFICE OF THE PRINCIPAL COMMISSIONER OF SERVICE TAX-1

न्यूरी टावर्स, प्लॉट संख्या २०५४, खण्ड - १,

NEWRY TOWERS, PLOT NO. 2054, 1ST BLOCK,

२रा एवेन्यू, १२वां मुख्य मार्ग, अण्णा नगर, चेन्नई - ६०० ०४०.

2ND AVENUE, 12TH MAIN ROAD, ANNA NAGAR, CHENNAI-600 040.

C.No. IV/ 3 / 14 / 2016-R&T

दिनांक/Date: 05.08.2016

सेवा में / To

The Chief Commissioner,
Service Tax zone
Chennai - 40.

महोदय / Sir,

विषय / Sub: - Service Tax - Action plan to reduce litigations -
Instructions from Board - Withdrawal of cases below the threshold
limit by the department before CESTAT- Report submitted -
Regarding.

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Please refer to the letter C.No.IV/16/01/2016-CCO ST Tech.V dated 02.08.2016 of the Chief Commissioner, Chennai enclosing copy of letter FTS No. 228130/2016 dated 26.07.2016 of the Board and this office letter even number dated 13.06.2016 and 27.07.2016 on the above subject.

With reference to the above, it is submitted that out of **FIVE** cases filed for withdrawal as per the parameters prescribed by the Board's circular F.No.390/Misc./163/2010-JC dt.17-8-2011 and F.No.390/Misc./163/2010-JC dt. 17-12-2015, and all the **five cases** have been withdrawn by the CESTAT. The details of five cases where CESTAT passed its final order are submitted below:

| Sr. No | Appeal No.    | Name of the respondent        | Amount involved | Order of the CESTAT by which the case was withdrawn |
|--------|---------------|-------------------------------|-----------------|-----------------------------------------------------|
| 1      | ST/41024/2015 | Creation Interior Contractors | Rs.8,62,811/-   | Final Order No. 40984/2016 dt. 16.6.16              |
| 2      | ST/41330/2013 | National Guardian             | Rs. 8,10,400/-  | Final Order No. 40962/2016 dt. 17.6.16              |
| 3      | S/46/2010     | Royal Enfield                 | Rs. 2,07,308/-  | Final Order No.40978/2016 dt. 16.6.16               |
| 4      | S/276/2008    | Bhagyam Exports               | Rs. 5,83,057/-  | Final Order No.40988/2016 dt.16.6.16                |
| 5      | ST/380/2010   | Schafer Leathers              | Rs. 9,26,558/-  | Final Order No.40982/2016 dt. 16.6.16               |

This is for Chief Commissioner's kind information.

भवदीय / Yours faithfully,

Joint Commissioner (R&T)  
Service Tax Commissionerate

copy to:  
computer section  
(for putting in service tax website)





सेवा कर आयुक्त कार्यालय  
**OFFICE OF THE PRINCIPAL COMMISSIONER OF SERVICE TAX-1**  
न्यूरी टावर्स, प्लॉट संख्या २०५४, खण्ड - १,  
**NEWRY TOWERS, PLOT NO. 2054, 1<sup>ST</sup> BLOCK,**  
२रा एवेन्यू, १२वां मुख्य मार्ग, अण्णा नगर, चेन्नई - ६०० ०४०.  
**2<sup>ND</sup> AVENUE, 12<sup>TH</sup> MAIN ROAD, ANNA NAGAR, CHENNAI-600 040.**

C.No. IV/ 3 /75 / 2015-R&T

दिनांक/Date: 23.06.2016

सेवा में / To,

The Deputy/Assistant Registrar  
Customs, Central Excise & Service Tax Appellate Tribunal,  
(Southern Bench)26,Shastri Bhavan Annexe Building,  
Haddows Road,  
Chennai – 600 006.

महोदय / Sir,

विषय / Sub: - Service Tax –,Reduction of Government Litigation - Withdrawal of  
appeals by the Department before CESTAT - Regarding.

Please refer to Board's letter F.No.390/Misc./163/2010-JC dated 10.06.2016 received in this  
office on 23.06.2016 on the above subject.

With reference to the above and as directed, a consolidated list of departmental appeals, where  
application of withdrawal have been filed, in the prescribed proforma is given below for **early listing**.

| Sr. No | Appeal No. | Name of the respondent | Amount involved | Date of Withdrawal application filed in CESTAT |
|--------|------------|------------------------|-----------------|------------------------------------------------|
| 1      | S/251/2008 | ELFORGE LTD            | Rs.4,12,979/-   | 05.05.2016                                     |



भवदीय / Yours faithfully,

डी/ रेड्डी .वी .D.V. REDDY)

अतिरिक्त आयुक्त /Additional Commissioner

Copy to,

The Commissioner (AR),  
CESTAT, South Zonal Bench, Shastri Bhavan Annexe,  
No. 26, Haddows Road,  
Chennai - 600 006

Copy submitted to

The Chief Commissioner

Service Tax Zone, Chennai-40 with reference to the letter C.No.IV/16/1/2016-CCO ST Tech.V dated  
21.06.2016 with copy of applications filed with CESTAT for withdrawal.

.....को प्रेषित  
DESPATCHED ON... 27/6/16

CESTAT CASES WITHDRAWN By ST-II

| Sl. No | Name of the Respondent   | Appeal Number | Amount involved in Rs. Lakhs | Dispute                                                                                                               | Remarks                                                                                |
|--------|--------------------------|---------------|------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1      | M/S.FAST TRACK P LTD     | S/412/2010    | 5.89                         | PENALTY - AGAINST THE WAIVING OF PENALTY UNDER SECTION 80                                                             | Final order passed . Allowed withdrawal filed by Department . Accepted by commissioner |
| 2      | KAL CABLES P LTD.        | S/41543/2013  | 8.51                         | NON-PAYMENT OF SERVICE TAX ON CABLE OPERATOR SERVICE                                                                  | Final order passed . Allowed withdrawal filed by Department . Accepted by commissioner |
| 3      | U.B.XPRESS (SOUTH) P LTD | S/108/2009    | 5.77                         | OTHERS - NON PAYMENT OF SERVICE TAX ON THE DESPATCHES OF PACKAGES OUT OF INDIA DURING THE PERIOD 15.03.05 TO 15.06.05 | Withdrawal application filed in CESTAT                                                 |