

Resolution

No. 15 ~~Date~~ - 15-7-2015

Date / /

Subject: - To constitute Secret Service (Reward Scheme) for Commercial Taxes Department, Jharkhand for the purpose of Additional Resource Mobilization.

The Department of Commercial Taxes is the major Tax Collecting Department contributing more than 70% of tax revenue of the State. In the year 2000-01, total collection of the Department was Rs. 1060.41 crore which increased to Rs. 6585.00 crore in the year 2012-13 registering growth of six times. Still, there are loopholes which are resulting in tax-avoidance and tax-evasion of different taxes administered by the Commercial Taxes Department.

The Department constitutes a **Secret Service (Reward Scheme)** to curb the cases of tax-avoidance and tax-evasion. In case of detection of suppressed sales and accordingly additional deposited tax amount, a fixed percentage of money will be awarded to the informer and team of officers concerned for converting the information into actual recovered tax amount. On the pattern of Reward Scheme Income Tax and Central Excise Act the following conditions may be laid for the above mentioned reward scheme:-

1. **Definition of Tax recovered -**
The definition of "Tax recovered" may be connoted to "Final Recovery" upon payment of tax into Government exchequer and after conclusion of adjudication / appeal / revision / legal proceedings.
2. **The minimum "Tax recovered" criterion -**
The minimum "Tax recovered" criteria would be fixed 10 lakhs.
3. **Reward for Search Team, Assessing Team and Representing Officer in the Tribunal-**
The ratio of reward among Officers would be 60% to the Search Team, 30% to the Assessing Team / Officer and 10% to the Officer representing the case before Appellate Court and Tribunal.
4. **Quantum and ceiling of Reward -**

Tax Recovered (Excluding Penalty etc.)	Reward (in rupees)	
	Informer	Officers
10 Lakh – 25Lakh	Upto maximum limit of Rs. 1,00,000.	Upto maximum limit of 20,000.
25 Lakh – 50Lakh	Upto maximum limit of Rs. 2,00,000.	Upto maximum limit of 75,000.
More than 50 Lakh	Upto maximum limit of Rs. 3,00,000.	Upto Maximum limit of 1,00,000 .

- 4.2 The maximum limit of reward for informer would be fixed Rs. 3 lakh in one case.
- 4.3 The maximum limit of reward would be fixed Rs. 1 lakh for Officers in one case.
- 4.4 The maximum amount of reward for an officer would be fixed Rs. 3 lakh singularly in his/her whole service period.

5. **Eligibility for Reward to Government Servant –**

Officer upto rank of Dy. Commissioner, Commercial Taxes will be eligible for reward on the basis of tax recovered.

6. **Reward should not be granted as a matter of Routine –**

Reward is purely ex-gratia payment which may be granted on the absolute discretion of competent authority, i.e. the committee constituted for sanctioned/payment of reward as provided in para-8 herein below, on the basis of tax recovered, the accuracy of the information, the risk and trouble undertaken. It cannot be claimed by any one as a matter of right.

7. **Undertaking by the informer –**

At the time when an informer furnishes any information and documents, an undertaking should be taken from the informer that he/she is aware that extent of the reward depends on the precision of the information furnished by him/her; that the provisions of Section 82 of the Indian Penal Code have been read by and/ or explained to him/her, that he/she is aware that if the information furnished by him/her is found to be false, he/she would be liable to prosecution; that he/she accepts that the Govt. is under no obligation to enter into any correspondence regarding the details of seizures made etc., if any, and that the payment of reward is ex-gratia in the absolute discretion of the authority competent to grant reward. It may also be made specifically clear to the informer that the Govt. is under no obligation to grant/sanction the maximum admissible reward.

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8. **Constitution of committee for sanction / Payment of Reward -**

8.1 A committee comprising following Officers may be constituted for deciding the reward for Informer and Officers:-

- (i) Secretary-cum-Commissioner, Commercial Taxes.
- (ii) Additional Commissioner/Senior Joint Commissioner (Headquarter), Commercial Taxes.
- (iii) Joint Commissioner of concerned Division.

In the case of disagreement majority decision will prevail.

8.2 The reward upto 1 lakh would be sanctioned by committee comprising Secretary-cum-Commissioner, Additional Commission and Joint Commissioner concerned.

8.3 The reward upto 2 lakh would be sanctioned by committee comprising Secretary-cum-Commissioner, Additional Commission, Senior Joint Commissioner (Headquarter), and Joint Commissioner concerned.

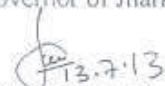
8.4 The reward upto 3 lakh would be sanctioned by committee comprising Secretary-cum-Commissioner, Additional Commission, Senior Joint Commissioner (Headquarter), and Joint Commissioner concerned on the condition of approval of Finance Department and Minister concerned.

9 **Helpdesk -**

A Helpdesk or Specific Mobile No. is setup / made operational to gather or collect secret information for this purpose at the Headquarter level.

(File No. Ba-1/04/2013)

By the order of the Governor of Jharkhand,



(Mast Ram Meena)

Secretary-cum-Commissioner,
Commercial Taxes Department,
Jharkhand, Ranchi.