

S-31013/1/2019-ST-1 DOR
Government of India
Ministry of Finance
Department of Revenue
(State Taxes-I Section)

North Block, New Delhi
Dated – November , 2019

To,

All the Chief Commissioners of CGST/Commissioners of SGST

Subject: Appointment of Members of State-level Screening Committees on Anti-profiteering by Designation - reg.

Sir,

As per Rule 123(2) of the CGST Rules, 2017, a State level Screening Committee on Anti-profiteering shall be constituted in each State by the State Governments, which shall consist of –

- (a) One officer of the State Government, to be nominated by the Commissioner, and
- (b) One officer of the Central Government, to be nominated by the Chief Commissioner.

In accordance with the above provision, such State level Screening Committees have been constituted in each state.

2. Further, as per Rule 128(2) of the CGST Rules, 2017, as amended on 28.06.2019, all applications from interested parties on issues of local nature, or those forwarded by the Standing Committee, shall first be examined by the State level Screening Committee and the Screening Committee shall, within two months from the date of receipt of a written application, or within such extended period not exceeding a further period of one month for reasons to be recorded in writing as may be allowed by the Authority, upon being satisfied that the supplier has contravened the provisions of section 171, forward the application with its recommendations to the Standing Committee for further action.

3. At present, the Members of the State level Screening Committees are being appointed by name and not by designation. It is observed that such appointment of Members by name is hampering the smooth functioning of Screening Committees, as every time an officer is transferred, a new Member has to be nominated, and a notification in such regard has to be issued by the State Government, which leads to delays. It has also been observed in some cases that the anti-profiteering complaints pending or received during the transition period could not be examined by the Screening Committee within the statutory prescribed time limit of two months. Further, many Screening Committee Members had provided their personal e-mail IDs to receive the anti-profiteering complaints and it is not possible to ensure proper action on such complaints after the transfer of the concerned Member.

4. In order to avoid such issues, the Chief Commissioners of CGST/Commissioners of SGST are advised to nominate the Members (Preferably Addl. Commissioner level) of the Screening Committee by designation instead of by name, which will obviate the need of nominating a new officer every time the incumbent officer is transferred and ensure continuity in the functioning of the Screening Committees. Also, the official e-mail IDs of Screening Committees Members may be provided so that continuity is there and e-mail IDs do not change on transfer of officer.

5. This issue with the approval of the Revenue Secretary.

Sunil
22/11/2019

(Sunil Kumar)
Under Secretary (ST-1)
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o/c