

Grant of reward to informers and Government Servants Scheme, 2017

RAJASTHAN

India

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Rule

GRANT-OF-REWARD-TO-INFORMERS-AND-GOVERNMENT-SERVANTS of 2017

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Grant of reward to informers and Government Servants Scheme, 2017Published vide Notification No. F. 12(140) FD/Tax/2010-Part-26, dated 1.6.2017Last Updated 1st October, 2019

1.

This Scheme shall be called "Grant of reward to informers and Government Servants Scheme, 2017."

2. Scope of Scheme.

- 2.1 The scheme shall apply to the informers and to the Government Servants, in respect of cases of evasion of revenue detected under the relevant Acts and rules made thereto and applicable/ implemented by the commercial Taxes, Transport, Excise, Mines & Geology and Registration & Stamps Departments of Government of Rajasthan. The details of such Acts are at Schedule-"A" of the scheme. Notwithstanding anything contained in the scheme the cases of Excise Department where IMFL/Beer is confiscated/seized and where no additional revenue/excise duty accrues to the State Government then such cases shall be governed by the provisions of the prevailing "Mukhbir Protsahan Yojna" (as amended from time to time) of Excise Department.2.2Subject to such exceptions as provided in this scheme, the provisions of the scheme may be extended to the Government servants of the State if there is evidence to show that extra hard work, exceptional zeal, enthusiasm, initiative has been displayed by such Government servant in detection and/ or his assistance during the investigation of the case has resulted in revenue realization to the Government.2.3The name of the informer will be kept secret.

3. Definitions.

- In this scheme, unless the context otherwise requires:(a)"Competent authority" shall mean an officer authorized to grant / sanction reward under this scheme.(b)"Director General" shall mean any person appointed by the Government in State Directorate of Revenue Intelligence to perform functions of Director General.(c)"Information" shall mean any information regarding revenue evasion received, either in writing, orally, electronically or through any other means of communication by the State Directorate of Revenue Intelligence.(d)"Informer" shall mean a person giving any information to the State Directorate of Revenue Intelligence and shall also include employees of a State Government, Central Government, Union Territories and the employees of Central/ State/ Public Sector Undertakings.(e)"Government Servant of State Directorate of Revenue Intelligence" shall ordinarily mean to be the officials/ employees on rolls of State Directorate of Revenue Intelligence on a permanent basis or on deputation or retired Government servants working on contractual basis or retired government officials employed in State Directorate of Revenue Intelligence on such terms and conditions as may be prescribed by the Government and placed for the period in the State Directorate of Revenue Intelligence for which sanction/ reward is under consideration.(f)"Government" shall mean Government of Rajasthan.(g)"Revenue" shall mean aggregate of all net receipts accruing to the State Government by way of tax, fee, duty, surcharge, royalty, rent, dead rent, penalty, interest, composition money and any other sum.Explanation. - For this purpose Excise Revenue means Excise Revenue as defined in Sec. 3(8) of Rajasthan Excise Act, 1950(h)"Undisputed revenue" shall mean:(i)Revenue received by way of composition of offence(s) in which there is no provisions of filing appeals under the relevant Acts and rules made there under,(ii)Revenue received by way of assessment order(s) /judgment(s) in the case(s) of offences where no appeal has been preferred against those assessment order(s) judgment(s), after one year from the end of the year in which the relevant assessment order(s) /judgment(s) were passed.(iii)Revenue received by way of assessment order(s) /judgment(s) in the case(s) of offences where the assessment order(s)/ judgment(s) are a subject matter of appeal, either after all appeals are finalized or after one year from the end of the year in which the last appellate authority passed the order(s) and no appeal has been preferred against the said order(s).

4. Eligibility for reward to informers.

- 4.1 The informer seeking reward shall be eligible for reward if it is found that information provided by him was of important nature and without help of it, under normal circumstances, the evasion could not have been detected. The informer will have to submit written information either at information providing stage or at the time of claiming the reward to Director General, State Directorate of Revenue Intelligence in prescribed format annexed at schedule "B" of the scheme. The format-may be downloaded from the website www.sdri.rajasthan.gov.in of State Directorate of Revenue Intelligence.4.2The informer shall be eligible for reward only when such formation has resulted in actual realization of undisputed revenue of Rs. 2.00 lacs or more to the Government. The quantum of reward shall be as per the provisions of clause 6 of the scheme. Notwithstanding anything contained in the scheme, the provision shall not apply to the grant of interim reward.4.3If the information is furnished in any manner without disclosing identity, the informer will provide the proof of identity within a reasonable period, as decided by Director General, State Directorate of

Revenue Intelligence so as to establish the identity for reward purposes. The decision of Director General, State Directorate of Revenue Intelligence will be final in this regard.4.4At the time of disbursing the reward the procedure adopted, may be as per the provisions of Rule 218 of General Financial and Accounts Rules.4.5The budget head will be 2047-Other Fiscal Services,800-Other Expenditure(OL) Revenue Intelligence Department, (01)Directorate, 42-Incentive and Honorarium Expenses (Non Plan) for utilization of funds for reward purposes.

5. Eligibility for reward to Government Servant.

- 5.1 Government Servants shall be eligible for reward, only in those cases which are detected by State Directorate of Revenue Intelligence or on the basis of information received from an informant and investigated by the State Directorate of Revenue Intelligence, directly and/or are referred by it to other Government Department/Agency for further investigation, and such investigation/reference has resulted in realization of revenue of Rs. 1.00 crore or more.5.2The following class of Government Servants shall be eligible for reward under the scheme:5.2.1Officials/employees posted in the investigation wing of State Directorate of Revenue Intelligence will be eligible for reward depending on the contribution made by them as a team as well as in their individual capacity with regard to collection of intelligence and surveillance resulting in detection of evasion through investigation etc.Provided that the official/ employees not directly associated or posted with the investigation wing of State Directorate of Revenue Intelligence shall also be eligible for reward, if the Director General, State Directorate of Revenue Intelligence is satisfied and is of the opinion that the contribution / efforts/ special initiative made by such officials / employee were of immense help to State Directorate of Revenue Intelligence.5.2.2. The reward to the Government Servant shall be admissible to the official who has put at least six months of service in the State Directorate of Revenue Intelligence.5.2.3In those cases where on account of preliminary investigation made by State Directorate of Revenue Intelligence, it is established that case of evasion of revenue is made out against the party/person alleged to have been involved in tax/revenue evasion and the case is referred for detailed investigation to the concerned Department of the State Government then the Government servants involved in such detailed investigation work may also be considered for the payment of reward.Explanation. - Where cases have been referred by State Directorate of Revenue Intelligence to other Government Departments/Investigating Agencies for investigating /further necessary action, only those officials of State Directorate of Revenue Intelligence and Government servants will be eligible for reward under the scheme, who have contributed / involved in detection/investigation of evasion, irrespective of their place of posting at the time of decision of reward.5.2.4On account of any investigation made by State Directorate of Revenue Intelligence if the Government orders an audit/special audit to be conducted on specific issues then the Government servants engaged in such .audit may also be considered for grant of lump-sum payment of reward. The quantum and ceiling of the reward shall be as per the provision of this scheme.5.3Implementation of any suggestion given by Government servant resulting in substantial gain in Government revenue may also be considered for grant of lump sum payment of reward, the quantum of which shall be as per the provision of this scheme.5.4No official of any Department other than State Directorate of Revenue Intelligence shall be eligible for reward in the cases covered under sub-clause 5.2.3, if it is established that the evasion could be detected, if the concerned officials had taken all reasonable steps required to be taken by them under the various

relevant statutory laws.

6. Quantum and ceiling of reward.

- 6.1 The reward to the eligible informer shall be granted up to 8% of undisputed revenue directly attributable to the information supplied by the informant, by the competent authority/committee constituted under clause 7 of this scheme. However, the quantum of reward granted may be extended upto 12% of the undisputed revenue in those cases where the committee competent to grant the reward is of the opinion that the leads/documents provided by the informer were of important nature and without the help of those documents/leads under normal circumstances it would not have been possible for the investigating/assessing authorities to unearth the evasion of tax/ revenue. However, the amount of reward granted shall not exceed Rs. 25.00 lac in each case. 6.1.1 Reward will be granted only if the demand created and actually realised or realisable is directly attributable to the information and documents supplied by the informant. Its amount will also depend on the nexus between the information given and the evidence gathered in course of searches/enquiries. No reward is payable to the informant, if such revenue is not directly attributable to the information furnished by him or if the information furnished is vague and is of a general nature. Reward should also not be granted in respect of any incidental revenue, which may arise to revenue in other cases as a result of the information furnished by the informant. Weightage may be given in respect of the quantum of reward to person who has furnished the information in the prescribed Format in schedule-B at the initial stage. 6.2 Reward to Government servants of State Directorate of Revenue Intelligence shall not exceed Rs. 200 lac to the team and Rs. 50,000/- to an individual in each case. Payment of final reward would be as per clause 10.1.6.3 The quantum of amount of reward sanctioned for persons falling under sub-clause 5.2.1, sub-clause 5.2.3 and under provision to clause 5.3 shall be decided by the committee and the maximum amount granted shall not exceed Rs. 25,000/-. Explanation. - The cases of similar nature shall be treated to be a single case. The decision of classification of a case as a single case or different independent case shall be the sole discretion of the reward granting authority/ committee and any decision taken by it, in this regard shall be final. 6.4 Government servant posted in State Directorate of Revenue Intelligence shall be eligible for sanction/payment of total reward not exceeding Rs. 10.00 lac during his career. As regards reward in a single case, an individual Government servant shall not be sanctioned a total amount (advance /interim/ final reward put together) exceeding Rs. 50,000/- per case limited to an amount of Rs. 2.00 lac for the team. However, in exceptional cases, reward in excess of this limit may be sanctioned to an individual Government servant by the competent authority/ committee. 6.5 In those cases where group effort as a team has been recognized the amount sanctioned as reward under clause 6.1.2 shall be distributed among the members of team in such a manner that the amount to each individual shall not exceed Rs. 50,000/-. 6.6 The quantum of reward shall be up to 50% of reward enumerated under clause 6.2 and 6.3 in those case/s are made out on the basis of information given by informer depending on the contribution made by official/s as a team as well as in their individual capacity with regard to collection of intelligence, surveillance and vigilance effecting in detection of evasion through investigation, special initiative and ingenuity displayed etc.

7. Competent Authority to grant reward.

- 7.1 The Director General, State directorate of Revenue Intelligence shall be the competent authority to grant reward under this scheme on the recommendation of the reward Committee as per schedule 'C'. 7.2 The quantum of reward shall be decided within a period of 30 days from the date of communication of revenue receipts after certification of such revenue receipts from the concerned Department.

8. Reward should not be granted as a matter of Routine.

- Reward is purely an ex-gratia payment which is subject to guidelines issued from time to time and may be granted on the absolute discretion of the authority competent to grant rewards and cannot be claimed by any one as a matter of right. In determining the reward which may be granted, the authority competent to grant reward will keep in mind the specificity and accuracy of the information, the risk and trouble undertaken, the extent and nature of help rendered by the informer, the risk involved for the Government servant in working out the case, the difficulty in securing the information, the extent to which the vigilance of the staff led to the detection of evasion, special initiative, efforts and ingenuity displayed etc.

9. Grant of Interim reward to the informers and Government servants.

- 9.1 An informer and/or the Government servant shall be eligible for grant of interim reward by the competent authority, if he is satisfied that the information furnished by him was of important nature and it has led to creation of demand of Rs. 2.00 lac or more in the case of informers and Rs. 1.00 crore or more in the case of Government servants which under normal circumstances could not have been created. 9.2 Interim reward may be paid to the informer/Government servant after the creation of demand by the competent authority concerned. The amount of reward shall be 0.5% of the net revenue shown in the notice of demand order passed by the authority concerned. However, amount of interim reward shall not exceed Rs. 50,000/- for the informer or Government servant for the full team and Rs. 20,000/- to an individual Government servant in each case. 9.3 In exceptional cases, the authority competent to grant reward may have regard to the magnitude of the evasion of tax/infringement detected and special efforts or ingenuity displayed by the officers concerned, sanction, suitable reward on the spot to be adjusted against the interim reward that may be sanctioned subsequently. 9.4 The interim reward once disbursed to the informer / official shall not be recovered even if the demand created is set aside after conclusion of adjudication/ appeal/ revision proceedings.

10. Payment of Final Reward.

- 10.1 Final rewards both to informers as well as officials should be sanctioned and disbursed only after conclusion of adjudication/ appeals/ revision proceedings or after establishment of the fact of undisputed revenue. The final reward shall be determined on the basis of net revenue receipts accrued to the State Government and the reward paid shall not exceed the ceilings as referred to in

clause 6 of the Scheme for the informers and Government servants (as the case may be).10.2The advance/ interim reward sanctioned and disbursed, if any, shall be adjusted against the final reward to be paid to the informer/ officials.

11. Review of final rewards sanctioned by the competent authority.

- Final reward sanctioned by the duly constituted committee shall not be reviewed or reopened. However, in exceptional cases, Chief Secretary, if satisfied that the review of the final reward sanctioned by the competent authority is absolutely necessary to redress any grave injustice meted out to the informer/ Government servant, may review the final reward sanctioned.

12. Mechanism to monitor the reward sanctioned to the Government Servants.

- In order to ensure that the Government servant does not exceed the ceiling of Rs. 10.00 lac of total reward in his/ her career, all rewards sanctioned to the Government servant should be entered in his/ her service book, before the same are disbursed.

13. Undertaking by the Informer.

- An undertaking should be taken from the informer either at information providing stage or at the time of claiming the reward, that he/she is aware that the extent to the reward depends on the precision of the information furnished by him/her, that he/she accepts that the Government is under no obligation to enter into any correspondence regarding the details of revenue evasion etc., and the payment of reward is ex-gratia and in the absolute discretion of the authority competent to grant reward. It may also be made specifically clear to the informer that the Government is under no obligation to grant/sanction the maximum admissible reward up to 12% of the revenue evasion.

14.

Rewards under this scheme would not preclude any official from being recommended for any other awards outside this scheme such as National/State awards.

15. Interpretation.

- In case of any dispute or in case of difference of opinion arising in the implementation of the scheme, the decision/ interpretation of Finance (Revenue) Department shall be final.

16. Power to relax.

- Where State Directorate of Revenue Intelligence is of the opinion that in a specific case reward should be granted to the informer because of the revenue receipt to the Government but reward cannot be granted due to provisions of the scheme. In such cases, Finance (Revenue) Department

may allow reward to informer by relaxing provisions of the Scheme, so that informers may be motivated.

17.

(i) All the pending matters and the matters which arise in future shall be resolved according to this scheme. (ii) Matters already decided, shall not be reopened under this scheme.

18.

The Government reserves the right to review and revise the scheme without assigning any reason thereof.

"A"

- 1. The Rajasthan Value Added Tax Act, 2003**
- 2. The Rajasthan Tax on Entry of Goods into Local Areas Act, 1999**
- 3. The Rajasthan Tax on Entry of Motor Vehicles into Local Areas Act, 1988**
- 4. The Rajasthan Entertainment and Advertisement Tax Act, 1957**
- 5. The Rajasthan Electricity (Duty) Act, 1962**
- 6. The Rajasthan Tax on Luxuries (In Hotels and Lodging Houses) Act, 1990**
- 7. The Rajasthan Tax on Luxuries (Tobacco and its Products) Act, 1994**
- 8. The Central Sales Tax Act, 1956**
- 9. The Rajasthan Stamp Act, 1998**
- 10. The Registration Act, 1908**
- 11. The Motor Vehicles Act, 1988**
- 12. The Rajasthan Motor Vehicles Taxation Act, 1951**

13. The Mines and Minerals (Development and Regulation) Act, 1957

14. The Rajasthan Excise Act, 1956

"B"

To, Director General, State Directorate of Revenue Intelligence, D-Block, Ground Floor, Vitta Bhawan, Jaipur Sir, I, herewith submit information about the tax / revenue evasion being done by (Name of the Govt. Revenue Evader). The detail of which are as follows:-

1. Name of person/persons evading Govt. Revenue.
2. Address of person/persons evading Govt. Revenue.
3. Nature of business
4. TIN/Vehicle/Mining Lease No. etc., if available
5. Estimated Revenue Implication
6. Details of evasion/modus operandi of evasion :-
 - i. Nature, source and extent of evasion.
 - ii. Nature, location and estimated value of evasion.
 - iii. Method of evasion.
 - iv. Period to which evasion relates......
7. Particulars of documents furnished, if any :-
 - i. In original.
 - ii. Copy only......
8. Source of information:-
 - i. Whether the information has been acquired personally in the capacity of an employee, relation of partner etc., of the person mentioned at (1) above.
 - ii. Whether the information has been acquired through some other person, if so, his connection with the person at (1) above.
9. Any other information

Signature of the informant On the basis of above information, I hereby apply for reward admissible to me under your scheme. My particulars are as follows:-

1. Name (In block letters)
2. Complete postal address and Telephone No. with STD Code.
3. Mobile No.
4. E mail address.

Signature / Thumb Impression of the informer Name of informer:- Declaration I declare that i. I am aware that the information of document furnished by me do not ipso facto confer on me a right to any reward, and that I would be bound by any decision the authority competent to grant rewards may take. ii. I am aware that the extent of the reward depends on the precision of the information and usefulness of the documents furnished by me. iii. I am aware that the reward would pertain only to as much of the extra taxes /fee /penalty /composition money levied/realized as are directly attributable to the information supplied by me. iv. The provisions of Sec. 182 of the Indian Penal Code have been read by me or explained to me and I am aware that if the information furnished by me is found to be false, I would be liable to prosecution as per the provisions of Indian Penal Code. v. I accept that the government is under no obligation to enter into any correspondence regarding the details of tax, fee, duty, surcharge, royalty, rent, dead rent, penalty, interest, composition money or any other sum realized as a result of my information. vi. I accept that payment of reward of ex-gratia is the absolute discretion of the authority competent to grant reward and I have no right to dispute the correctness of the decision in any court of law. vii. In the event of my death before the reward is paid to me, it may be paid to..... Signature of the informant Informant's No., if any Signature of the officer before whom the statement is signed Designation of the officer Date: Place: Note. - If the space available here is not found sufficient additional sheet may be attached.

'C'

(i) To Informer

S. No.	Amount of Reward recommended (in Rs.)	Reward Sanctioning Authority
(a)	Upto Rs. 5 lakh	Director General, State Directorate of Revenue Intelligence Secretary, Finance (Revenue), Director General, State Directorate of Revenue Intelligence, Joint Secretary, Finance (Tax) & Financial Adviser/Chief Accounts Officer (State Directorate of Revenue Intelligence)
(b)	Above Rs. 5 lakh & up to Rs. 15 lakh	Additional Chief Secretary (Finance) Z Principal Secretary, Finance, Secretary. Finance (Revenue), Director General, State Directorate of Revenue Intelligence & Joint Secretary, Finance (Tax)
(c)	Above Rs. 15 lakh	

(ii) To Official of State Directorate of Revenue Intelligence /other Government officials

S. No.	Amount of Reward recommended (in Rs.)	Reward Sanctioning Authority
(a)	Upto Rs. 50,000 in individual cases	Director General & Financial Adviser / Chief Accounts Officer (State Directorate of Revenue Intelligence)
(b)	Rs. 2,00,000 for the team	Committee Consisting of Additional Chief Secretary (Finance)/ Principal Secretary, Finance, Secretary, Finance

(Revenue) & Director General, State Directorate of Revenue
Intelligence