

MODI VENTURES

5-4-187/3 & 4, II Floor, M.G. Road, Secunderabad - 500 003.

☎ : 66335551 (4 Lines) Fax : 040-27544058

E-mail : info@modiproperties.com Website : www.modiproperties.com

Date: 24.12.2012

To,
The Commissioner of
Customs, Central Excise and Service Tax,
1st Floor, Kendriya Shulk Bhavan,
L.B. Stadium Road, Basheerbagh,
Hyderabad- 500 004



Dear Sir,

Sub: Extension of time period for submission of the documents
Ref: Personal hearing conducted on 18.12.2012 at your office

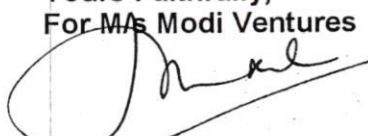
With reference to the above personal hearing, wherein you had granted two days time for submission of additional documents, we are herewith enclosing statement showing material consumption on monthly basis certified by the cost auditor with regards to our plea with regards to Rule 2A of Service Tax (Determination of Valuation Rules), 2006

We wish to inform you that we are in process of assimilating other data related to computation and for giving the final computation we request you to kindly extend the time period by one more week.

Kindly acknowledge the receipt of the above.

Thanking You,

Yours Faithfully,
For M/s Modi Ventures


Soham Modi
(Managing Partner)

- Encl: 1. Statement of the material consumed certified by the Cost auditor.
2. Statement of the Receipts
3. CENVAT Statement
4. Statement of Payment made upto 31st December 2010



सीमा शुल्क, केन्द्रीय उत्पाद शुल्क एवं सेवा कर के आयुक्त का कार्यालय
OFFICE OF THE COMMISSIONER OF CUSTOMS, CENTRAL EXCISE & SERVICE TAX

हैदराबाद - I आयुक्तालय HYDERABAD - I COMMISSIONERATE
एल बी स्टेडियम रोड, बशीरबाग, हैदराबाद - 500 004. L.B. Stadium Road, Basheerbagh, Hyderabad - 500 004.

ACKNOWLEDGEMENT

Date: 24/12/12

No. 445

Receipt of letter No. _____

Dated 24/12/12

from M/s. M. G. & Co.

address Sh-187/384, 1st Floor M. G. & Co. and Bunkhara.

is hereby acknowledged duly which has been entered at SI. No. 894

Dated 24/12/12 in the Centralised receipt register of this





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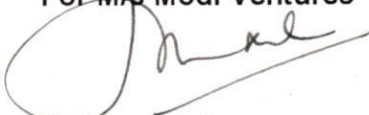
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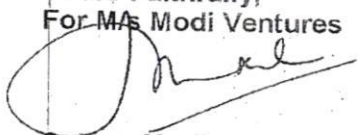
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हैदराबाद-I आयुक्तालय

HYDERABAD -I COMMISSIONERATE

एल.बी. स्टेडियम रोड, बशीरबाग, हैदराबाद 500 004

L.B.STADIUM ROAD:: BASHEERBAGH:: HYDERABAD 500 004

O.R.No. 53/2012-Hyd-I Adjn (S.T.)

Dated: 07.12.2012 /

To

M/s. Modi Ventures,

5-4-187/3 & 4, IInd Floor,

MG Road,

Secunderabad - 500 003

(By RPAD)

Sir,

Sub:-Service Tax – Non payment of Service Tax on Works Contract Service by
M/s. Modi Ventures – Show cause notice issued – Intimation of personal
hearing – Reg.

Ref:- (i) Show cause notice issued vide O.R.No. 125/2011-ST(Adjn)
(Commr.)(C. No. IV/16/169/2011-Adjn (ST)(Commr.)) dated 24.10.2011

(ii) Corrigendum vide O.R.No. 125/2011-Adjn-(ST)(Commr.)
dated 29.06.2012 issued by Commissioner, Hyd-II Comm'te
making the noticee answerable to Commissioner of Customs,
Central Excise & Service Tax, Hyd-I Comm'te.

(iii) Your reply to SCN vide letter dated .02.2012 (received in this office on
22.02.2012)

Please refer to this office letter of even number dated 06.11.2012 intimating the date of
personal hearing fixed on 06.12.2012 and your letter dated 06.12.2012 requesting
postponement of hearing.

2. In this regard, I am directed to inform you that Personal hearing in this case is
re-fixed on 18.12.2012 at 12:30 Hours.

3. You may, therefore, appear before the Commissioner, Customs, Central Excise and
Service Tax, Hyderabad-I Commissionerate, 1st Floor, Kendriya Shulk Bhavan, Basheerbagh,
L.B.Stadium Road, Hyderabad-500 004 to represent your case in person and or through
Counsel (with duly executed Vakalat) on the above stipulated date and time.

4. In this regard, I am directed to inform that in case you fail to appear on the date of
personal hearing, the case will be decided ex-parte basing on the merits of the case.

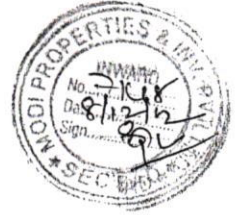
Yours sincerely,

(N. Sivakumar)

Superintendent (Adjn)

Phone No. 23210763

Copy to Hiregange & Associates, "Basheer Villa", H.No. 8-2-268/1/16/B, 2nd Floor, Sriniketan
Colony, Rd. No. 3, Banjara Hills, Hyderabad- 500 034 (By RPAD)



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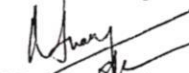
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Yours sincerely,


(N. Sivakumar)
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To,
The Superintendent,
Office of the Commissioner of Customs,
Central Excise & Service Tax,
Hyderabad – II, Commissionerate, Group X,
Opp: Singareni Bhavan,
Sitaram Bagh, Red Hills,
Hyderabad.

Date 22nd July 2012

Dear Sir,

Subject : Intimation of payment - Service Tax.

Reference : 1. SCN No.12511-ST(Asdjn)(Commr.) - Dated 24.10.11 – Period: Jun'07 to Dec'10
2. SCN No.95012-Adjn(Additional Commr.) dated 24.04.12 – Period: Jan'11 to Dec'11
3. STC No. AAJFM0646DST001

1. We have had extensive correspondence with the department regarding the applicability of service tax to our firm. We have received several notices, show cause notices and demand notices from the department given in reference 1 to 2. Some matters are pending before CESTAT, Bangalore. In our replies given in reference 1 to 2 we have made our stand clear regarding payment of service tax. For brevity they are not being enumerated here.
2. We have computed service tax liability for the period Jan 12 to Mar 12 under works contract services, composition scheme. Details of receipts during the said period and computation of service tax liability is attached herein. Receipts were first appropriated towards
 - a. Sale deed,
 - b. Then towards the agreement of construction,
 - c. Towards additions and alternations and
 - d. Finally towards VAT, service tax, stamp duty, registration charges, excess consideration received, etc.
3. The receipts under the following heads were excluded for computation of taxable amount under work contract services:
 - a. Receipts towards value of sale deed.
 - b. Receipts towards payment of VAT, service tax, stamp duty and registration charges that were remitted to the government either in advance or on a later date.
 - c. Receipts that are in excess of the agreed sale consideration which were refunded or liable to refunded to the purchaser.

W

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5-4-187/3 & 4, II Floor, M.G. Road, Secunderabad - 500 003.

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- d. Receipts towards the other charges like corpus fund, maintenance charges, electricity charges, etc. received on behalf of the Owners Association or the electricity department which were paid to them in advance or on a later date.
4. Accordingly, the taxable amount under works contract services was computed to be Rs. 2,48,00,944.00 and tax liability there on @ 4.12% is Rs. 10,21,799.00.
5. CENVAT credit of Rs.3,309.00 has been adjusted against the tax liability and the balance amount of Rs. 10,18,490.00 has been paid under protest by:
- Challan No. 01100841306201200016 of Rs. 2,04,360.00
 - Challan No. 01100841206201200008 of Rs. 2,04,360.00
 - Challan No. 01100841906201200012 of Rs. 2,04,360.00
 - Challan No. 01100840307201200040 of Rs. 2,04,360.00
 - Challan No. 01100840907201200019 of Rs. 2,01,051.00
6. We hope that our understanding is correct and we would be glad to provide you with any further information that may be required in this regard. We request you to kindly confirm the same.

Thank You.

Yours faithfully,
For Modi Ventures

Authorized Signatory

- Encl.: 1. Statement of receipts from Jan '12 to Mar'12 and details of ST computation.
2. Copy of Challans referred to above.

- CC To: 1. Assistant Commissioner.
2. Deputy Commissioner.
3. Additional Commissioner.



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0/c 133

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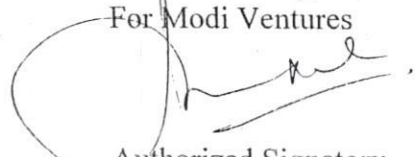
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 - b. Receipts towards payment of VAT, service tax, stamp duty and registration charges that were remitted to the government either in advance or on a later date.
 - c. Receipts that are in excess of the agreed sale consideration which were refunded or liable to refunded to the purchaser.

W

MODI VENTURES

5-4-187/3 & 4, II Floor, M.G. Road, Secunderabad - 500 003.

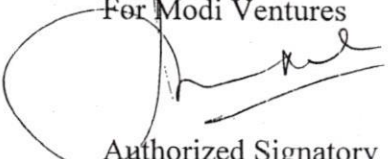
☎ : 66335551 (4 Lines) Fax : 040-27544058

E-mail : info@modiproperties.com Website : www.modiproperties.com

- d. Receipts towards the other charges like corpus fund, maintenance charges, electricity charges, etc. received on behalf of the Owners Association or the electricity department which were paid to them in advance or on a later date.
4. Accordingly, the taxable amount under works contract services was computed to be Rs. 2,48,00,944.00 and tax liability there on @ 4.12% is Rs. 10,21,799.00.
5. CENVAT credit of Rs.3,309.00 has been adjusted against the tax liability and the balance amount of Rs. 10,18,490.00 has been paid under protest by:
- Challan No. 01100841306201200016 of Rs. 2,04,360.00
 - Challan No. 01100841206201200008 of Rs. 2,04,360.00
 - Challan No. 01100841906201200012 of Rs. 2,04,360.00
 - Challan No. 01100840307201200010 of Rs. 2,04,360.00
 - Challan No. 01100840907201200019 of Rs. 2,01,051.00
6. We hope that our understanding is correct and we would be glad to provide you with any further information that may be required in this regard. We request you to kindly confirm the same.

Thank You.

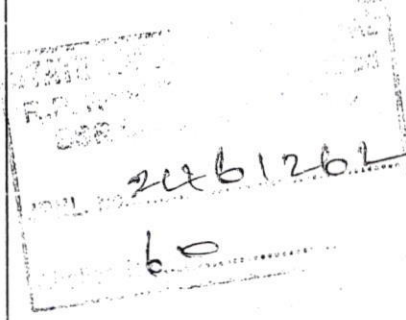
Yours faithfully,
For Modi Ventures


Authorized Signatory

- Encl.: 1. Statement of receipts from Jan '12 to Mar'12 and details of ST computation.
2. Copy of Challans referred to above.

- CC To: 1. Assistant Commissioner.
2. Deputy Commissioner.
3. Additional Commissioner.



Accounting Code of the Service										Amount Tendered in Rupees										TAX PAYER'S COUNTERFOIL
0	0	4	4	0	4	1	0			0	0	0	0	2	0	4	3	6	0	RECEIVING BANK BRANCH STAMP 
0	0	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
Total										0	0	0	0	2	0	4	3	6	0	

Received from Assessee Code No. A A J F M 0 6 4 6 D S T 0 0 1

(In words) Rupees Two Lakhs four thousand three hundred and sixty only Only)

By Cash/Cheque/Draft/Pay Order No. 685917 Dated 22.06.12 Drawn on Hdfc Bank Ltd

on account of Union Service Tax as detailed in this taxpayer's counterfoil and on stamp affixed and signed therein

Modi Ventures



**OFFICE OF THE COMMISSIONER OF CUSTOMS, CENTRAL EXCISE &
SERVICE TAX : HYDERABAD - II COMMISSIONERATE, 7th FLOOR,
KENDRIYA SHULK BHAVAN, BASHEERBAGH : HYDERABAD-500004.**

OR No. 125/2011-Adjn-(ST)(Commr)

C. No. IV/16/169/2011-Adjn-(ST)(Commr)

29/06/2012.

CORRIGENDUM

Please refer to the **Show Cause Notice** dated **24/10/2011** issued by the Commissioner of Customs, Central Excise & Service Tax, Hyderabad-II Commissionerate, vide **OR No. 125/2011-Adjn-(ST)(Commr)** to **M/s Modi Ventures, 5-4-187/3 & 4, II Floor, MG Road, Secunderabad-500 003.**

2. In para-12 of the Show Cause Notice, the words / phrases

**"Commissioner of Customs, Central excise & Service tax,
Hyderabad-II Commissionerate"**

may be read as

**"Commissioner of Customs, Central Excise & Service Tax,
Hyderabad-I Commissionerate"**


29.06.2012
(P.N.RAO)
COMMISSIONER

To,
M/s Modi Ventures,
5-4-187/3 & 4, II Floor,
MG Road,
Secunderabad-500 003.

// Regd. Post A.D.//

Copy to

- 1) The Commissioner of Customs, Central Excise & Service Tax, Hyderabad-I Commissionerate, Kendriya Shulk Bhavan, Basheerbagh, Hyderabad.(Adjudicating Authority) w.r.t Order No. 01/2012(Service Tax) dated 12/06/2012 in C. No.

**IV/16/167/2011-CC(HZ)ST of the Chief Commissioner, Customs,
Central Excise & Service Tax, Hyderabad Zone.**

- 2) The Assistant Commissioner, Service Tax, Assessment Groups,
Hyderabad-II Commissionerate.**
- 3) The Superintendent of Service Tax, Gr.-III Hyderabad-II
Commissionerate.**
- 4) The Superintendent of Service Tax, AE-Gr.-II Hyderabad-II
Commissionerate**
- 5) Master Copy/Office Copy**



OFFICE OF THE COMMISSIONER OF CUSTOMS, CENTRAL EXCISE & SERVICE TAX : HYDERABAD - II COMMISSIONERATE, 7th FLOOR, KENDRIYA SHULK BHAVAN, BASHEERBAGH : HYDERABAD-500004.

**OR No. 125/2011-Adjn-(ST)(Commr)
C. No. IV/16/169/2011-Adjn-(ST)(Commr)**

29/06/2012.

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29.06.2012
(P.N.RAO)
COMMISSIONER

To,
M/s Modi Ventures,
5-4-187/3 & 4, II Floor,
MG Road,
Secunderabad-500 003.

// Regd. Post A.D.//

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- 1) The Commissioner of Customs, Central Excise & Service Tax, Hyderabad-I Commissionerate, Kendriya Shulk Bhavan, Basheerbagh, Hyderabad.(Adjudicating Authority) w.r.t Order No. 01/2012(Service Tax) dated 12/06/2012 in C. No.

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Commissionerate**
- 5) Master Copy/Office Copy**

MODI VENTURES

5-4-187/3 & 4, II Floor, M.G. Road, Secunderabad - 500 003.

☎ : 66335551 (4 Lines) Fax : 040-27544058

E-mail : info@modiproperties.com Website : www.modiproperties.com

Date: 25th May 2012

To,
Mr. P.N. Rao
Commissioner
Office of the Commissioner of Customs,
Central Excise & Service Tax
Room No.713, Hyderabad-II
Commissioner-ate, Basheerbagh
Hyderabad

Dear Sir,

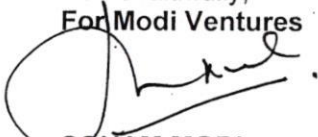
Sub: Service Tax – Modi Ventures, Secunderabad – Show cause notice for the period from Jan'11 to Dec'11 – Objections called for – Reply Submitted – Hearing date communicated – Adjournment – Requested – Reg.

Ref: O.R. No.95/2012 – Adjn (ST)(Commr.) – C.No.IV/16/63/2012 – ST (Gr-X) dated 24.04.2012.

With reference to the show cause notice dated 24.04.2011 we were given 30 days time to send our reply. Our Service Tax Consultant is presently at Bangalore on some urgent work. We request you to kindly grant us an other 15 days time to send our reply.

Thank you,

Yours faithfully,
For Modi Ventures


SOHAM MODI
(PARTNER)

Copy To: The Superintendent of Service Tax
Group – X, Hyderabad – II
Commissioner ate



MODI VENTURES

5-4-187/3 & 4, II Floor, M.G. Road, Secunderabad - 500 003.

☎ : 66335551 (4 Lines) Fax : 040-27544058

E-mail : info@modiproperties.com Website : www.modiproperties.com

Date: 25th May 2012

To,
Mr. P.N. Rao
Commissioner
Office of the Commissioner of Customs,
Central Excise & Service Tax
Room No.713, Hyderabad-II
Commissioner-ate, Basheerbagh
Hyderabad

Dear Sir,

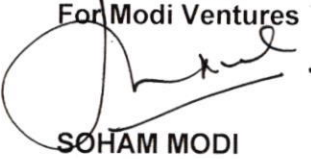
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Thank you,

Yours faithfully,
For Modi Ventures


SOHAM MODI
(PARTNER)

Copy To: The Superintendent of Service Tax
Group – X, Hyderabad – II
Commissioner ate



MODI VENTURES

5-4-187/3&4, III Floor, M.G. Road, Secunderabad - 500 003.

☎ : 66335551 (4 lines) Fax : 040-27544058

E-mail : info@modiproperties.com Website : www.modiproperties.com

To,
The Superintendent of Service Tax (Group-III & X),
Hyderabad – II, Commissionerate,
Opposite Singareni Bhavan,
Sitaram Bagh, Red Hills,
Hyderabad.

Date 17.2.12

Subject:- Payment of service tax under protest for the period January 2011 to December 2011.

Reference:- 1. Our letter dated 7.2.12.

2. Your letter dated 24.10.11, Vide No. O.R. No. 125/2011-ST(Adjn) (Commr.)

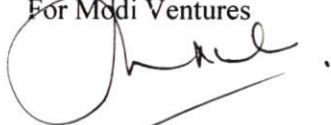
3. STC. NO AAJFM 0646 D ST001

Sir / Madam,

For the reasons stated in reference 1 above we have paid service tax of Rs. 9,75,049/- (vide challan no. Nil, dated 18.2.2012, SBH R.P. Road) under protest.

Thank You.

Yours sincerely,
For Modi Ventures



Managing Partner.

Enclosed : Copy of challan.



MODI VENTURES

5-4-187/3 & 4, IInd Floor, Soham Mansion, M.G. Road, Secunderabad - 500003
Phone: +91-40-66335551, Fax: 040-27544058

Date: 07.02.2012

To
The
Superintendent of Service Tax (Group-III & X)
Hyderabad - II, Commissionerate,
Opposite Singareni Bhavan,
Sitaram Bagh, Red Hills,
Hyderabad.

Dear Sir

**Sub: Intimation regarding payment of service tax for projects undertaken by
Modi Ventures.**

Ref: 1. STC No. AAJF0646DST001
2. O.R. No. 125/2011-Adjn (ST) (Commr.) dated.24.10.11
3. C.No.IV/16/169/2011-Adjn. (ST)(Commr.)

1. With reference to above, we would like inform that we are Builders/Developers of Residential Apartments. We wish to recall our letter No. Nil dates 12.03.2009, 02.07.09, 18.11.2009 & 20.01.2010 where in, we had informed that we would not be liable for service tax and accordingly we had stopped remitting the payment of service tax also. The reason for termination of payment of service was clearly given in our earlier referred letters.
2. However since Show Cause Notice has been issued and we are pursuing the matter and the outcome has not reach finality in the meantime, we would like to take the following stands
 - a. We have computed the service tax liability for the period Jan 11 to Dec 11 under works contract services, composition scheme on the amount realized in excess of the Sale Deed value at the rate of 4.12%, which has resulted to a total liability of Rs. 20,61,135/-. Details of receipts and computation of tax liability for the period Jan-11 to Dec-11 is enclosed
 - b. We have voluntarily remitted Rs.10, 40,000/- in cash by way of protest (vide 1st Challan No. 01100840402201100033 dated 04.02.11, IInd Challan No. Nil dated 12.02.2011, IIIrd Challan No. 01100842802201100029 dated 28.02.2011, IVth Challan No. 01100840403201100028 dated 04.03.2011, Vth Challan No. 01100841209201100018 dated 12.09.2011, VIth Challan No.

MODI VENTURES

5-4-187/3 & 4, IInd Floor, Soham Mansion, M.G. Road, Secunderabad – 500003
Phone: +91-40-66335551, Fax: 040-27544058

01100842309201100027 dated 23.09.20011 enclosed) and Rs.46, 086/- by CENVAT credit for discharging the above computed service tax liability under protest. **The balance of Rs. 9,75,049/- would also be remitted under protest at the earliest.**

c. A Show cause notice has been issued for period July 07 to Dec 10 demanding payment of service tax, for which a suitable reply would be made and would go which the process of the adjudication.

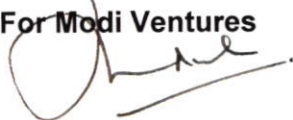
3. We hope all our understanding is correct and we would be glad to provide you with any further information that may be required in this regard. We request you to kindly confirm the same.

Kindly acknowledge the receipt of the same.

Thanking You

Yours Truly

For Modi Ventures



Authorised signatory



Enclosures:

1. Annexure – 1 Statement of receipts from Jan 11 to Dec 11 and details of service tax computation
2. Annexure – 2 Copy of Chalans of tax paid in 2011.
3. Annexure – 3 CENVAT statement for 2011

CC to:

1. Assistant Commissioner
2. Deputy Commissioner
3. Additional Commissioner

MODI VENTURES

5-4-187/3 & 4, IInd Floor, Soham Mansion, M.G. Road, Secunderabad – 500003
Phone: +91-40-66335551, Fax: 040-27544058

Date: 04.01.2012

To,
The Commissioner, Service Tax
Office of the Commissioner of Custom,
Central Excise & Service Tax,
Hyderabad –II, Commissionerate,
Shakar Bhavan, Basheerbagh,
Hyderabad – 500 004

Dear Sir,

Sub: Request to grant us an other 30 days to reply show cause notice dated 24.10.2011– reg.

- Ref.: 1. **Our STC No. AAJFM0646DST001.**
2. Show cause notice no. **O.R.No.125/2011-ST (Adjn) (Commr.)**
3. **C.No. IV/16/169/2011/Adjn. (ST) (Commr.) Dated 24.10.11**

With reference to the above, we request you to grant us an other (30) thirty days time from 06.01.2012 to reply to the show cause notice mentioned above as we have engaged consultant who is working on this issue.

Thank You.

Yours sincerely,
For **Modi Ventures,**



Soham Modi,
Managing Partner



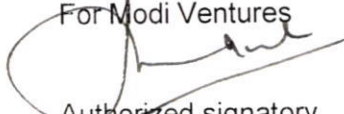
MODI VENTURES

5-4-187/3&4, III Floor, M.G. Road, Secunderabad - 500 003.
☎ : 66335551 (4 lines) Fax : 040-27544058
E-mail : info@modiproperties.com Website : www.modiproperties.com

5. We understand for the service rendered after 1-7-2010 for which payment was made prior to 1-7-2010, service tax has been exempted by Government, based on documentary evidence vide notification no. 36/2010- ST dated 28-6-2010 as amended.
6. We shall make the payment of service tax at the rate of 2.575% as per notification 1/2006-ST, dated 01.03.2006. Tax on sale made after receiving Completion Certificate shall be exempt so we shall ignore all collection for the flats book after receipt of such certificate.

We assume the above understand is in accordance with the law, in case the same is otherwise please let us known for our future course of action. We shall be glad to provide any further information of explanation in this regard. Kindly acknowledge the receipt of the same.

Thanking you,
Yours sincerely,
For Modi Ventures


Authorized signatory

