

GREEN WOOD ESTATES

5-4-187/3&4, II floor, MG Road,
Secunderabad – 500 003.
Phone: +91-40-66335551

Date : 18.03.2020

The Assistant Commissioner (ST),
Commercial Tax Department,
M.G. Road - S.D. Road Circle,
4th Floor, Pavani Prestige,
Ameerpet,
Hyderabad – 500 016.

Sub : Your Arrear Notice dated 12th March 2020

Ref : 1. Notice issued for payment of Arrear of Tax dated 12th March 2020.
2. Assessment Order No.18268 Dt.29.02.2020 for the period Apr 2013 to May 2014
3. Assessment Order No.18279 dt.29.02.2020 for the period June 2014 to June 2017

We have received the above referred notice. In that connection please note that assessment for the period 2012-14 and 2014-17 was completed by way of assessment orders given in reference 2 and 3 above. Demands were raised in the two assessment orders and we are in the process of filing an appeal against the said orders.

The amounts mentioned in your arrears notice (reference 1 above) are not in line with the said assessment orders. There cannot be two separate demands pertaining to the same period. Accordingly, you are requested to withdraw the said notice.

In case, you wish to proceed further in the matter, you are requested to provide the details of arrears claimed by you. Thereafter, we will be able to provide you the details of payments made pertaining to returns of that period.

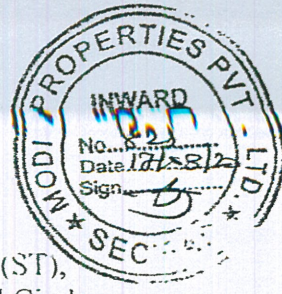
Thanking you,

Yours faithfully,
For GREEN WOOD ESTATES

Soham Modi



GOVERNMENT OF TELANGANA
COMMERCIAL TAX DEPARTMENT



Office of the
Asst. Commissioner (ST),
M.G. Road - S.D. Road Circle,
4th floor, Pavani Prestige,
Ameerpet, Hyderabad - 500 016.

Re. No. 36389317452

Date: 12-03-2020.

ARREAR NOTICE

Sub:- APGST/CST/VAT Acts- M.G. Road - S.D. Road Circle - M/s. GREEN WOOD
ESTATES - Arrears of Sales Tax due - Notice issued for payment of Tax - Reg.

M/s. GREEN WOOD ESTATES, are hereby informed that they are in arrears of Sales
Tax as noted below.

Year/Tax period	Act	Demand
09/2012 to 05/14 28 Return balance	VAT	11,76,905-00
06/2014 to 06/17 36 Return balance	VAT	5,54,151-00
TOTAL		17,31,056-00

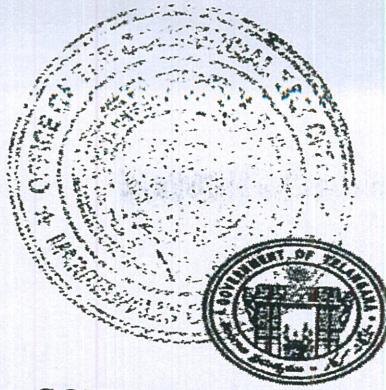
The above Sales Tax arrears are not covered by any Stay Order of the Competent
Authority. Therefore the dealer is hereby requested to pay the above Sales Tax arrears within (3)
days from the date of receipt of this Notice failing which action will be initiated under the
provisions of VAT Act 2005 and Revenue Recovery Act 1864.

In case if any of the amount of the Sales Tax arrears as mentioned above, has already
been paid, proof of payment may be furnished to this Office immediately.

To,
M/s. GREEN WOOD ESTATES,
5/4/187/3 & 4, 2nd Floor, Soham Mansion,
M G Road, Secunderabad-500003

Ph: 9502288200 Email ID: info@modiproperties.com

Asst. Commissioner (ST),
M.G. Road - S.D. Road Circle,
Begumpet Division, Hyderabad.



**GOVERNMENT OF TELANGANA
COMMERCIAL TAXES DEPARTMENT
FORM VAT 305
ASSESSMENT OF VALUE ADDED TAX
[See Rule 25 (5)]**

**PROCEEDINGS OF THE DEPUTY COMMERCIAL TAX OFFICER-II, MAREDPALLY CIRCLE,
BEGUMPET DIVISION, HYDERABAD**

AAO No: 18279

Date: 29-02-2020

01. TAX OFFICE ADDRESS :

Deputy Commercial Tax Officer-II
O/o Commercial Tax Officer,
Marredpally Circle, Begumpet Division,
6th Floor, Pavani Prestige Building,
Ameerpet, Hyderabad.

02. TIN: 36389317452

03. Name: M/s. GREEN WOOD ESTATES

**Address : 5/4/187/344,2ND FLOOR M G ROAD, MG ROAD,
SECUNDERABAD - 500003**

Circle: MG ROAD - SD ROAD

Sub:TVAT Act, 2005 - M/s **GREEN WOOD ESTATES** - VAT Audit conducted
On authorization issued by the Deputy Commissioner (CT), Begumpet
Division - Show cause notice issued - Objections called for - Reply not
filed - Personal Hearing provided - Orders passed - Regarding.

- Ref-1. DC (CT) Begumpet Division authorization for conducting VAT Audit
in ADM 1 B No:2019112301864175250801, Dt:23-11-2019
2. This office notification of audit in Form VAT 304, dt.25.11.2019
 3. DC(CT), Begumpet Divn., Authorization authorization for completion
of assessment vide ADM 1C No:2020012101864175250802, Dt:21-
01-2020.
 4. This office show cause notice in VAT Form 305A dt:21-01-2020.
 5. Dealers letter dated:18-02-2020
 6. This office of notice for Personal Hearing dated:18-02-2020.
 7. Dealers letter dated:24-02-2020.
 8. This office endorsement dated 25-02-2020 for personal hearing.

M/s **GREEN WOOD ESTATES.**, TIN **36389317452**, are registered dealers under TVAT Act, 2005 & CST Act, 1956 and they are on the rolls of the Commercial Tax Officer, MG Road- SD Road Circle. They are into construction of residential flats. The Deputy Commissioner (CT), Begumt Division, Hyderabad has authorized to conducted VAT audit in the instant case. Accordingly, the business premises of the dealers has been notified to the dealers in Form VAT 304, dated: 25-11-2019 for production of their books of accounts. In response to the notices, the dealers have submitted the Statements of Sales, Purchases and P & L Account statements, Development agreement, copy of Form 250 for the period June,2014 to June,2017.

The dealers have reported turnovers of output / input in the monthly returns in Form VAT 200 for the period June,2014 to June,2017 are as under:

PURCHASES:

Particulars	2014-15 (June,14 to March,15)		2015-16		2016-17		2017-18 (Upto June,2017)	
	Turnover (Rs.)	Tax	Turnover (Rs.)	Tax	Turnover (Rs.)	Tax	Turnover (Rs.)	Tax
A)Non-creditable purchases	-	-	-	-	-	-	-	-
B)Creditable purchases	-	-	-	-	-	-	-	-
5% Rate	-	-	-	-	-	-	-	-
14.5% Rate	-	-	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-	-	-

SALES:

Particulars	2014-15 (June,14 to March,15)		2015-16		2016-17		2017-18 (Upto June,2017)	
	Turnover (Rs.)	Tax	Turnover (Rs.)	Tax	Turnover (Rs.)	Tax	Turnover (Rs.)	Tax
B)Interstate Sales	-	-	-	-	-	-	-	-
C) Exports	-	-	-	-	-	-	-	-
D) VAT Sales	-	-	-	-	-	-	-	-
Exempt Sales	56716500	-	53606258	-	35722000	-	-	-

5% Rate	18905500	945275	17868753	893437	11995153	599757	-	
14.5% Rate	-	-	-	-	-	-	-	-
TOTAL	75622000	945275	71475011	893437	47717153	599757	0	0

The correctness and completeness of the turnovers reported in the monthly VAT 200 returns filed for the audit period have been verified with reference to their books of accounts and annual Statement / P & L Accounts and made the following observations:

The assesses have entered an agreement with Sri K.Bhasker & Other 4 partners for development of property admeasuring Ac 6.05 Gts at Kowkur (V) Malkajgiri (M) Ranga Reddy Dist. As seen from development agreement the developers share is 284 flats out of 345 flat (i.e. around 82%)

The dealers have opted to pay tax under section 4(7)(d) of TVAT Act, 2005 duly filing Form VAT 250 as required under Rule17(4)(b) of TVAT Act,2005. The section 4(7)(d) reads as "any dealer engaged in construction and selling of Residential Apartments, Houses, buildings and commercial complexes may opt to pay tax by way of composition at the rate of 5% of Twenty five percent (25%) of the consideration received or receivable or the market value fixed for the purpose of stamp duty whichever is higher subject to such conditions as may be prescribed".

On verification of Annual statements / P&L account statement noticed that, the sale consideration is more than the reported sales in the monthly VAT 200 returns except for the year 2015-16. As such, sales as in P & L account statement is adopted for the purpose of assessment.

Further, as seen from trial balance for the period 04/2017 to 06/2017, the dealers have received advances of Rs.10,08,120-00, the same is proposed to tax U/s 4(7)(d) of TVAT Act,2005 as the Rule 17(1)(c) and (i) have been omitted.

Thus, the dealers VAT liability is computed for the period June,2014 to June,2017 is as under:

Particulars	2014-15 (6/14 to 03/15)	2015-16	2016-17	2017-18 (Upto June,2017)
Total sale consideration received towards sale of Flats	118375000	53430000	50057000	1008120
(-)Being assessed separately under APVAT for 04/14 & 05/14.	(-)29264000	0	0	0

	89111000			
25% of taxable turnover	22277750	13357500	12514250	252030
Tax @ 5%	1113888	667875	625713	12602
Tax Paid	954475	948279	130046	0
Balance tax payable	159413	(+)280404	495667	12602

Year wise tax liability is abstracted as below:

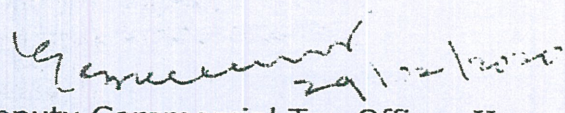
2014-15 (06/2014 to 03/2015) Rs.1,59,413-00
2015-16 (+) Rs.2,80,404-00
2016-17 Rs.4,95,667-00
2017-18 (Upto June,17) Rs. 12,602-00
Total tax payable **Rs.3,87,278-00**

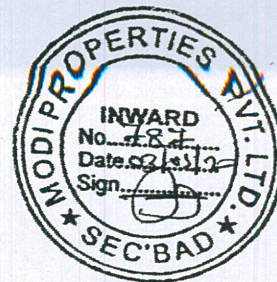
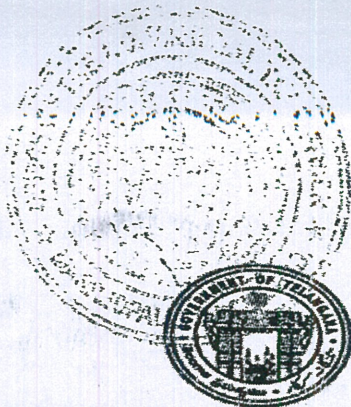
Accordingly a show cause notice in FORM VAT 305A dated:21-01-2020 was issued calling their objections on the above proposed tax in writing if any. Having received the show cause notice the dealers did not file reply. However, in the interest of natural justice, the dealers have been granted personal hearing on 24-02-2020 vide this office reference 6th cited and again on 28-02-2020 vide this office endorsement dated 25-02-2020. Since, the dealers have failed to attend personal hearing, the tax as proposed in the Show-cause notice is hereby confirmed as below:

2014-15 (06/2014 to 03/2015) Rs.1,59,413-00
2015-16 (+) Rs.2,80,404-00
2016-17 Rs.4,95,667-00
2017-18 (Upto June,17) Rs. 12,602-00
Total tax payable **Rs.3,87,278-00**

The amount of **Rs.3,87,278-00** shall be paid within 30 days of the receipt of this order. Failure to make the payment will result in recovery proceedings under the T VAT Act, 2005.

An appeal against these orders can be filed before ADC (CT), Punjagutta, Office of the Commissioner of Commercial Taxes, Opp: Gandhi Bhavan, Nampally, Hyderabad within (30) days.


Deputy Commercial Tax Officer-II,
Maredpally Circle, Begumpet Division



**GOVERNMENT OF TELANGANA
COMMERCIAL TAXES DEPARTMENT
FORM VAT 305
ASSESSMENT OF VALUE ADDED TAX
[See Rule 25 (5)]**

**PROCEEDINGS OF THE DEPUTY COMMERCIAL TAX OFFICER-II, MAREDPALLY CIRCLE,
BEGUMPET DIVISION, HYDERABAD**

AAO No:18268

Date: 29-02-2020

01. TAX OFFICE ADDRESS :

Deputy Commercial Tax Officer-II
O/o Commercial Tax Officer,
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02. TIN: 28389317452

03. Name: M/s. GREEN WOOD ESTATES

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The dealers have reported turnovers of output / input in the monthly returns in Form VAT 200 for the years 2013-14 and 2014-15 (upto May, 2014) are as under:

PURCHASES:

Particulars	2013-14		2014-15 (upto May, 2014)	
	Turnover (Rs.)	Tax (Rs.)	Turnover (Rs.)	Tax (Rs.)
A) Non-creditable purchases	-	-	-	-
B) Creditable purchases	-	-	-	-
5% Rate	-	-	-	-
14.5% Rate	-	-	-	-
TOTAL	-	-	-	-

SALES:

Particulars	2013-14		2014-15 (upto May, 2014)	
	Turnover (Rs.)	Tax (Rs.)	Turnover (Rs.)	Tax (Rs.)
A) Exempted Sales	84576750	-	21948000	-
B) Interstate Sales	-	-	-	-
C) Exports	-	-	-	-
D) VAT Sales	-	-	-	-
5% Rate	28192250	1409612	7316000	365800
14.5% Rate	-	-	-	-
TOTAL	112769000	1409612	2926400	365800

The correctness and completeness of the turnovers reported in the monthly VAT 200 returns filed for the audit period have been verified with

reference to their books of accounts and annual Statement / P & L Accounts and made the following observations:

The assesses have entered an agreement with Sri K.Bhasker & Other 4 partners for development of property admeasuring Ac 6.05 Gts at Kowkur (V) Malkajgiri (M) Ranga Reddy Dist. As seen from development agreement the developers share is 284 flats out of 345 flat (i.e. around 82%)

The dealers have opted to pay tax under section 4(7)(d) of APVAT Act, 2005 duly filing Form VAT 250 as required under Rule17(4)(b) of APVAT Act,2005. The section 4(7)(d) reads as "any dealer engaged in construction and selling of Residential Apartments, Houses, buildings and commercial complexes may opt to pay tax by way of composition at the rate of 5% of Twenty five percent (25%) of the consideration received or receivable or the market value fixed for the purpose of stamp duty whichever is higher subject to such conditions as may be prescribed".

On verification of Annual statements / P&L account statement observed the sale consideration (net of discount) is more than the reported sales in their monthly VAT 200returns. As such the sales as in P & L account statement is adopted for the propose of levying VAT.

Thus, the dealers VAT liability is computed for the year 2013-14 and 2014-15 (upto May,2014) is as under:

Particulars	2013-14	2014-15 (upto May,2014)
Total consideration received towards sale of flats	146898863	29264000
25% of taxable turnover	36724716	7316000
Tax @ 5%	1836236	365800
Tax Paid	1175056	148475
Balance	661180	217325

Accordingly a show cause notice in FORM VAT 305A dated:21-01-2020 was issued calling their objections on the above proposed tax in writing if any. Having received the show cause notice the dealers did not file reply. However, in the interest of natural justice, the dealers have been granted personal hearing on 24-02-2020 vide this office reference 6th cited and again on 28-02-2020 vide this office endorsement dated 25-02-2020. Since, the dealers have failed to attend personal hearing, the tax as proposed in the Show-cause notice is hereby confirmed as below:

2013-14

Rs.661180-00

2014-15 (Upto May,2014)

Rs.217325-00

Total tax payable **Rs.878505-00**

The amount of **Rs.8,78,505-00** shall be paid within 30 days of the receipt of this order. Failure to make the payment will result in recovery proceedings under the T VAT Act, 2005.

An appeal against these orders can be filed before ADC (CT), Punjagutta, Office of the Commissioner of Commercial Taxes, Opp: Gandhi Bhavan, Nampally, Hyderabad within (30) days.


29/02/2020
Deputy Commercial Tax Officer-II,
Maredpally Circle, Begumpet Division.