

FORM GST DRC – 06

[See rule 142(4)]

Reply to the Show Cause Notice

|                                |                                      |                              |
|--------------------------------|--------------------------------------|------------------------------|
| 1.GSTIN                        | 36AABCM4761E1ZM                      |                              |
| 2.Name                         | M/s. Modi Properties Private Limited |                              |
| 3.Details of Show Cause Notice | ZD360524064504E                      | Date of issue:<br>30-05-2024 |
| 4.Financial Year               | 2019-2020                            |                              |
| 5.Reply                        | Given as Annexure A                  |                              |
| 6. Documents uploaded          | I. Reply to Notice.                  |                              |
| 7.Option for personal hearing  | Yes- Required                        | No <input type="checkbox"/>  |

8.Verification –

I hereby solemnly affirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

For Modi Properties Private Limited

Authorized Signatory



**Reply to the Notice:**

M/s. Modi Properties Private Limited (hereinafter referred as "noticee") is engaged in provision of construction and administrative services. They are registered with goods and services tax department vide GSTIN NO: 36AABCM4761E1ZM. Noticee herein makes the below submissions

**Submissions**

1. Noticee submits that they deny all the allegations made in Show Cause Notice (SCN) as they are not factually/legally correct.
2. Noticee submits that the provisions (including Rules, Notifications & Circulars issued thereunder) of both the CGST Act, 2017 and the Telangana GST Act, 2017 are the same except for certain provisions. Therefore, unless a mention is specifically made to any dissimilar provisions, a reference to the CGST Act, 2017 would also mean a reference to the same provision under the TGST Act, 2017. Similarly, the provisions of CGST Act, 2017 are adopted by IGST Act, 2017 thereby the reference to CGST provisions be considered for IGST purpose also, wherever arises.
3. Noticee submits that the Show cause Notice dated 22-05-2024 points out to difference in turnover as per audited financials and turnover as per GSTR 9 as reported in GSTR 9C Statement of the financial year 2019-20.

| Para No. | Particulars                                                                                                                                                                                                                        | Amount           |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 1        | Interest on delayed payment of tax.                                                                                                                                                                                                | Rs.31,200/-      |
| 2        | Late fee payable on Late filing of GSTR 1 returns                                                                                                                                                                                  | Rs.8,400/-       |
| 3        | RCM liability on other income reported in financials as per section 9 (4) of CGST Act,2017 and Reversal of ITC for non-payment to supplier within 180 days from date of supply as per provision of Section 16(2) of CGST Act,2017. | Rs.2,16,09,946/- |

**Para 1 - Interest on delayed payment of tax amounting to Rs.31,200/-**

4. This para alleges that the noticee has not paid Interest under section 50(1) of CGST Act,2017 on the taxes paid through DRC-03.

| Delay payment of tax under (Rs.) |        | Due date  | Paid on.   | ARN             | No of days Delay | Interest @ 18% per Annum. |           |
|----------------------------------|--------|-----------|------------|-----------------|------------------|---------------------------|-----------|
| CGST                             | SGST   |           |            |                 |                  | CGST                      | SGST      |
| 53,697                           | 53,697 | 20-4-2020 | 30-11-2021 | AD361121036030Z | 589              | 15,597.14                 | 15,597.14 |
| 5                                | 5      | 20-4-2020 | 02-11-2023 | AD361123001118Q | 1291             | 3.18                      | 3.18      |
| 53,702                           | 53,702 |           |            |                 |                  | 15,600.32                 | 15,600.32 |



5. Notice in this regard, submits that they have discharged their RCM liability amounting to Rs.1,07,394/- (CGST-Rs. 53,697/- & CGST-RS. 53,697/-) of March, 2020 through form DRC-03 dated 30-11-2021 vide ARN: AD361121036030Z and also paid difference of tax liability declared in GSTR 1 and tax paid in GSTR 3B amounting to Rs.10/- (CGST- Rs.5/- and SGST-Rs.5/-) through DRC-03 dated 02-11-2023 vide ARN: AD361123001118Q. Such DRC-03 forms are attached as **Annexure 1 & 2**.
6. It is submitted that, GST Council in its 53rd meeting has recommended to waive off interest or penalty or both, relating to demands raised under Section 73 of CGST Act,2017 by insertion of Section 128A to CGST Act,2017, for period FY 2017-18 to FY 2019-20, considering the difficulties faced by the taxpayers, during the initial years of implementation of GST, if such tax demanded in the notice is paid before 31-03-2025. Such press release dated 22-6-2024 of recommendation of 53rd GST Council meeting is attached as **Annexure 3**.
7. In our case, the taxes demanded are voluntarily paid before recommended date of 31-03-2025. Hence, in consideration of such recommendation made by the GST council in its 53rd meeting, it is requested to set aside such demand for interest under section 50(1) of CGST Act,2017 read with section 73 of CGST Act,2017 for F.Y.2019-20.

**Para 2. Late fees payable on Late filing of GSTR 1 returns**

8. This para of the notice points out that noticee has not discharged their late fee liability for late filing of GSTR 1 returns during the period April,2019 to March,2020.

| Month  | Due date for filing | Actual date of filing | No. of days delayed | Late fee to be paid    |                        |
|--------|---------------------|-----------------------|---------------------|------------------------|------------------------|
|        |                     |                       |                     | CGST @ Rs.25/- per day | SGST @ Rs.25/- per day |
| Apr-19 | 11-05-2019          | 15-05-2019            | 4                   | 100                    | 100                    |
| Aug-19 | 11-09-2019          | 26-09-2019            | 15                  | 375                    | 375                    |
| Sep-19 | 11-10-2019          | 17-10-2019            | 6                   | 150                    | 150                    |
| Jan-20 | 11-02-2020          | 12-02-2020            | 1                   | 25                     | 25                     |
| Feb-20 | 11-03-2020          | 09-05-2020            | 59                  | 1475                   | 1475                   |
| Mar-20 | 11-04-2020          | 03-07-2020            | 83                  | 2075                   | 2075                   |
|        |                     |                       |                     | 4200                   | 4200                   |

9. It is submitted that, late for late filing of GSTR 1 of March,2020 has been waived off vide Notification No. 53/2020 - Central Tax, dated 24-6-2020, if such GSTR 1 return was filed before 10th July, 2020. In our case, GSTR 1 return of March 2020 was filed on 03-07-2020 hence, late fee for the month of March, 2020 stands waived off. Extract of such notification is provided hereunder and such notification is attached as **Annexure 4**.



**Extract of Notification No. 53/2020 - Central Tax**

*“Provided also that the amount of late fee payable under section 47 of the said Act shall stand waived for the registered persons who fail to furnish the details of outward supplies for the months or quarter mentioned in column (2) of the Table below in FORM GSTR-1 by the due date, but furnishes the said details on or before the dates mentioned in column (3) of the said Table:-“*

**Table**

| Sl. No. (1) | Month/ Quarter (2) | Dates (3)              |
|-------------|--------------------|------------------------|
| 1           | March, 2020        | 10th day of July, 2020 |

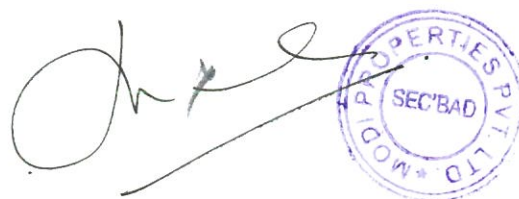
10. In consideration of above submissions, the actual late fee liability under the current notice is arrived at Rs.4,250/- (CGST-Rs.2,125/- & SGST-Rs. 2,125/-). Computation of such late fee liability is provided in Table 1 hereunder.

**Table 1**

**Amount in rupees.**

| Month                | Due date for filing | Actual date of filing | No. of days delayed                                   | Late fee to be paid   |                       |
|----------------------|---------------------|-----------------------|-------------------------------------------------------|-----------------------|-----------------------|
|                      |                     |                       |                                                       | CGST @Rs.25/- per day | SGST @Rs.25/- per day |
| Apr-19               | 11-05-2019          | 15-05-2019            | 4                                                     | 100                   | 100                   |
| Aug-19               | 11-09-2019          | 26-09-2019            | 15                                                    | 375                   | 375                   |
| Sep-19               | 11-10-2019          | 17-10-2019            | 6                                                     | 150                   | 150                   |
| Jan-20               | 11-02-2020          | 12-02-2020            | 1                                                     | 25                    | 25                    |
| Feb-20               | 11-03-2020          | 09-05-2020            | 59                                                    | 1475                  | 1475                  |
| Mar-20               | 11-04-2020          | 03-07-2020            | Waived of vide Notification No. 53/2020 - Central Tax |                       |                       |
| Total Late Liability |                     |                       |                                                       | 2125                  | 2125                  |

11. Noticee has discharged such late fee liability as arrived in the Table 1 given above has been paid through Form DRC-03 vide ARN: AD3607240064554 Dated: 16-07-2024. Hence, all such late fee liability for the F.Y.2019-20 stands paid and it is requested to drop all further proceedings in this regard. Such DRC-03 is attached as **Annexure 5**.



**Para 3. RCM liability on other income reported in financials as per section 9 (4) of CGST Act,2017 and Reversal of ITC for non-payment to supplier within 180 days from date of supply as per provision of Section 16(2) of CGST Act,2017.**

12. This para proposes to levy tax on following items.

| NO. | Particular                                                                                                                          | Amount            | Tax Rate | Tax              |
|-----|-------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------|------------------|
| A   | RCM liability on other income reported in financials as per section 9 (4) of CGST Act,2017                                          | Rs.8,05,08,076/-  | 18%      | Rs.1,44,91,454/- |
| B   | Reversal of ITC for non-payment to supplier within 180 days from date of supply as per provision of Section 16(2) of CGST Act,2017. | Rs.3,93,27,180/-  | 18%      | Rs.70,78,892/-   |
|     |                                                                                                                                     | Rs.11,98,35,256/- |          | Rs.2,15,70,346/- |

**A. RCM liability on other income amounting to Rs.8,05,08,076/- reported in financials as per section 9 (4) of CGST Act,2017.**

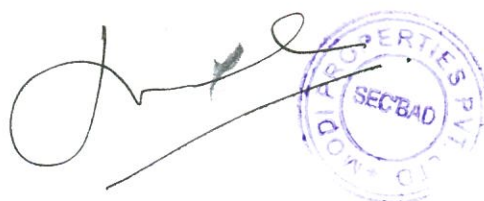
13. The breakup of other income as reported in financials is provided below.

**Table 2**

**Amount in Rupees.**

| S. No. | Other Income                            | As on 31 <sup>st</sup> March,2020 |
|--------|-----------------------------------------|-----------------------------------|
| 1      | Rent receipts from residential property | 19,500                            |
| 2      | Interest on FD                          | 5,86,366                          |
| 3      | Interest from IT refund                 | 1,16,046                          |
| 4      | Miscellaneous receipts                  | 30,000                            |
| 5      | Rounded off                             | -15                               |
| 6      | Share of income tax refund              | 800                               |
| 7      | Share of profit from partnership firms  | 7,97,31,172                       |
| 8      | Forfeit income                          | 23,810                            |
| 9      | Sundry balance written off              | 396                               |
|        | <b>Total</b>                            | <b>8,05,08,076</b>                |

14. In this regard, it is submitted that liability under reverse charge under section 9(4) of CGST Act,2017 arises on the categories of supply of services as notified by the government vide Notification No. 13/2017-Central Tax (Rate) dated 28-06-2017 as amended from time to time. Further, it is submitted that such incomes received by the noticee as specified in the table above does not fall under the purview of such notification. Hence, noticee is not liable to pay taxes on reverse charge basis on such incomes. Such notification is attached as **Annexure 6** and extract of Section 9(4) of CGST Act,2017 is provided hereunder.



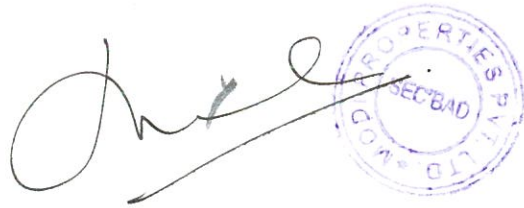
*"Section 9(4) The Government may, on the recommendations of the Council, by notification, specify a class of registered persons who shall, in respect of supply of specified categories of goods or services or both received from an unregistered supplier, pay the tax on reverse charge basis as the recipient of such supply of goods or services or both, and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to such supply of goods or services or both."*

15. And, all such incomes are either non-GST supplies as per Section 7(2) of CGST Act, 2017 or Exempt supplies as notified under section 11 of CGST Act, 2017 read with Notification No. 12/2017-Central Tax (Rate), Dated 28-6-2017, as amended time to time. Such notification is attached as **Annexure 7**.

16. For Share of profit from partnership firms mentioned in Serial No.7 of Table 2 given above, para 7.7 advance ruling pronounced by AAR Karnataka in a matter of Anil Kumar Agarwal dated 04-05-2020 clarifies that such income does not fall under the ambit of GST since it is mere application of funds. Extract of such advance ruling is provided hereunder and such advance ruling is attached as **Annexure 8**.

***Extract Of Authority for Advance Rulings, Karnataka, Anil Kumar Agrawal, In Re***

*"7.7 Partner's salary, received as partner, from applicant's partnership firm: The applicant is in receipt of certain amount termed as partner's salary from the firm where the applicant is also a partner. The applicant has not furnished any documents relevant to the issue, such as copy of agreement, appointment order etc., so as to decide whether the applicant is an employee of the partnership firm or not. In case, if the applicant is a working partner and is getting salary then the said salary is neither supply of goods nor supply of service in terms of clause 1 of Schedule III of CGST Act, 2017. Further, in case if the applicant is in receipt of the amount towards his share of profit from the said partnership firm, then also the said income is not under the purview of GST as the share of profit is nothing but application of money and hence the said salary is not required to be included in the aggregate turnover for registration under the provisions of GST Act."*



17. Therefore, no ITC can be collected nor paid under RCM on such supplies. Nature of such incomes under GST is provided in table 1 given below.

**Table 1**

**Amount in Rupees.**

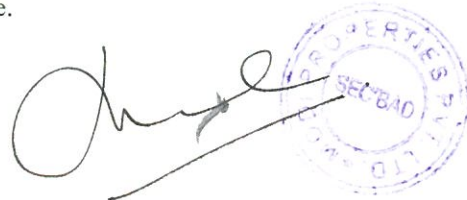
| No. | Income                                 | Amount      | Nature of supply | Supporting                                                                                                       |
|-----|----------------------------------------|-------------|------------------|------------------------------------------------------------------------------------------------------------------|
| 1   | Rent Receipts from Residential Prop    | 19,500      | Exempt           | Serial No.12 of with Notification No. 12/2017-Central Tax                                                        |
| 2   | Interest on FD                         | 5,86,366    | Exempt           | Serial No.27 of with Notification No. 12/2017-Central Tax                                                        |
| 3   | Interest from IT refund                | 1,16,046    | Exempt           | Serial No.27 of with Notification No. 12/2017-Central Tax                                                        |
| 4   | Misc Receipts                          | 30,000      | Non-GST          |                                                                                                                  |
| 5   | Rounded off                            | -15         | Non-GST          |                                                                                                                  |
| 6   | Share of IT refund                     | 800         | Non-GST          |                                                                                                                  |
| 7   | Share of profit from partnership firms | 7,97,31,172 | Non-GST          | With reference to advance ruling pronounced by AAR Karnataka in a matter of Anil Kumar Agarwal dated 04-05-2020. |
| 8   | Forfeit                                | 23,810      | Taxable          | Paid through GSTR-3B returns                                                                                     |
| 9   | Sundry balances                        | 396         | Non-GST          |                                                                                                                  |

18. Hence, it is clearly established that noticee has no reverse charge liability under section 9(4) of CGST Act,2017, as pointed out in the notice and it is therefore requested to all further proceedings in this regard.

**B. Reversal of ITC for non-payment to supplier within 180 days from date of supply as per provision of Section 16(2) of CGST Act,2017.**

19. This para points out to the non-compliance of provision to Section 16 (2) of CGST Act,2017 which mandates payment to creditors (trade payables) within 180days from the date of supply. Extract of such provisio is provided below. and break up of such trade payables is provided in financials of A.Y.2020-21 attached as Annexure 9.

20. The allegations made under this para are prejudicial and are made based on sundry creditors reported in financials (Trade payables). Such pre-determined conclusions arrived at without actually attempting verifying the facts is against the principles of natural justice.



21. Section 16 of CGST Act, 2017 prescribes provisions relating to eligibility and conditions for taking input tax credit. In our case, being in business of rendering construction services, noticee is not eligible to claim or utilise any ITC to discharge their GST liability according to Notification No. 11/2017-Central Tax (Rate), Dated 28-6-2017 (**Annexure 10**) as amended by Notification No. 3/2019-Central Tax (Rate), Dated 29-3-2019 (**Annexure 11**). Compliance of provisions of section 16 of CGST Act, 2017 can only be examined if noticee is claiming or utilising such ITC, where there is no question of availment or utilisation of ITC, compliance of Section 16 of CGST Act, 2017 does not arise.

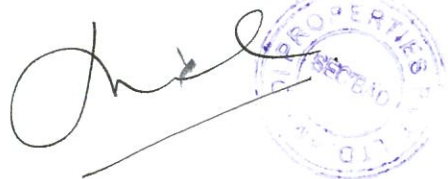
22. In pursuant to Section 16(2) of the CGST Act, 2017, noticee is required to reverse the Input Tax Credit availed in respect of supplies for which payment has not been made within a period of 180 days from the date of invoice. However, in the instant case, since no Input Tax Credit has been availed or utilized, the said provision is inapplicable and cannot be invoked. Hence, law without any enforceability is no law and is not applicable in our case. Extract of provision to Section 16(2) of the CGST Act, 2017 is provided hereunder.

**Extract of provision to Section 16(2) of the CGST Act, 2017.**

*"Provided further that where a recipient fails to pay to the supplier of goods or services or both, other than the supplies on which tax is payable on reverse charge basis, the amount towards the value of supply along with tax payable thereon within a period of one hundred and eighty days from the date of issue of invoice by the supplier, an amount equal to the input tax credit availed by the recipient shall be 77[paid by him along with interest payable under section 50], in such manner as may be prescribed:"*

**Notice is vague and is issued on pre-determined and pre-meditated conclusions**

23. Noticee submits that the impugned notice is vague and lack details and it is settled law that once there is no specific allegation in the Show Cause Notice based on which the demand is proposed then the demand cannot be sustained as SCN is the basis/foundation for raising any demand. And also impugned SCN was issued with pre-determined and premeditated conclusions on various issues raised in the notice. The proposals made in the notice are concluded before even extracting the statutory provisions which shows that the conclusions have been arrived with pre-determined mind and pre-meditated conclusions. In quasi-judicial proceedings the Justice is not only to do it but should appear as well. The appearance of justice is not available for the given set of facts of the proceedings. That being the case, issuance of SCN in this manner is bad in law and requires to be dropped. In this regard, reliance is placed on **Oryx Fisheries Pvt. Ltd. v. Union of India — 2011 (266) E.L.T. 422 (S.C.)**. In **CCE v. Brindavan Beverages (2007) 213 ELT 487(SC)** the Hon'ble Supreme Court held that *"The show cause notice is the foundation on which the department has to build up its case. If the allegations in the show cause notice are not specific and are on the contrary vague, lack details and/or unintelligible that is sufficient to hold that the noticee was not given proper opportunity to meet the allegations indicated in the show cause notice."*



**The impugned order is time barred and Notification No. 56/2023-CT dated 28.12.2023. is bad in law for the FY 2019-20:**

24. Noticee submits that the impugned SCN was issued under section 73 of CGST Act, 2017 which provides for adjudication of demand within 3 years from the due date of the annual return of the corresponding FY. For FY 2019-20, the annual return due date falls on 31.03.2021 and the 3-year time limit expires by 31.03.2024 however citing the difficulties caused due to Covid-19, the Government has extended the time limit from 31.03.2024 to 30.06.2024 by exercising the powers u/s. 168A by the Notification No. 09/2023 dated 31.03.2023. However, again exercising the powers u/s. 168A, ibid the time limit was further extended to 31.08.2024 by the Notification No. 56/2023-C.T dated 28.12.2023 (second extension). In this regard, it is submitted that an extension of the period prescribed for issuance of show cause notice under Section 73 (10) of the Goods and Service Tax Act, 2017 is not sustainable in law, in as much as COVID restrictions were uplifted long back in the year 2022 and the revenue had sufficient time to complete the scrutiny and audit process. Further, the 'force majeure' is as defined u/s. 168A, ibid was never occurred from 2022 till the expiry of the extended due date of 30.06.2024. Hence, the second extension of time runs beyond the mandate of Section 168A and is not sustained in the law. Accordingly, the demand for FY 2019-20 deserves to be dropped as the Show Cause Notice in the instant case is not issued prior to 31.12.2023 (i.e original due date to issue notice without considering extensions) as envisaged under Section 73 of CGST Act, 2017.

25. Since, there is no short payment of taxes to the revenue as alleged in the notice, it is requested that all such further proceedings under the current notice be dropped.

26. The noticee reserves the right to add, to withdraw, to correct, to change, to delete, to modify any submissions at the time of Personal Hearing in the Principal of Natural Justice.

For Modi Properties Private Limited

Authorized Signatory



**GOVERNMENT OF TELANGANA**  
**STATE TAXES DEPARTMENT**  
**Attachment to Show Cause Notice in Form DRC-01**

|                                                                 |                                                            |
|-----------------------------------------------------------------|------------------------------------------------------------|
| DIN:                                                            | GST/36AABCM4761E1ZM/19-20,dt:30.05.2024                    |
| Officer details<br>Designation of the Assessing officer<br>Unit | Asst. Commissioner (ST),<br>Ramgopalpet-Ranigunj-1 Circle. |
| Division                                                        | Begumpet                                                   |
| Details of the Taxpayer Name                                    | MODI PROPERTIES PRIVATE LIMITED                            |
| GSTIN                                                           | 36AABCM4761E1ZM                                            |
| Financial Year                                                  | 2019-20                                                    |

Ref: 1. Authorization issued vide no. RR01/AC(ST)/Audit-N/29/  
36AABCM4761E1ZM/24-25 Dt: 22-05-2024 by Joint Commissioner (ST),  
Begumpet Division.

\*\*\*\*\*

M/s. MODI PROPERTIES PRIVATE LIMITED, is a Registered Tax Payer on the  
Rolls of Assistant Commissioner (ST), Ramgopalpet-Ranigunj-1 Circle, Begumpet  
Division bearing GSTIN: 36AABCM4761E1ZM.

As Per the Registration Details Obtained from the GSTN Portal, Their  
services in WORKS CONTRACT, REAL ESTATE AGENTS, CONSTRUCTION OF RES.  
COMPLEX, RENTING OF IMMOVABLE PROPERTY SERVICES.

**Discrepancies Identified:**

On verification of monthly GSTR- 3B, GSTR1, GSTR-09, GSTR-9C filed by  
them and GSTR2A tax under RCM payable, the following discrepancies are  
noticed for the FY 2019-20.

**1. Interest not Paid on Delay payment of Tax:**

| Delay payment of<br>Tax under (Rs.) |                 | Due Date   | Paid on    | ARN No.         | No.<br>of<br>Days<br>Delay | Interest @18% per<br>annual |                 |
|-------------------------------------|-----------------|------------|------------|-----------------|----------------------------|-----------------------------|-----------------|
| CGST                                | SGST            |            |            |                 |                            | CGST                        | SGST            |
| 53697.00                            | 53697.00        | 20-04-2020 | 30-11-2021 | AD361121036030Z | 589                        | 15597.14                    | 15597.14        |
| 5.00                                | 5.00            | 20-04-2020 | 02-11-2023 | AD361123001118Q | 1291                       | 3.18                        | 3.18            |
| <b>53702.00</b>                     | <b>53702.00</b> |            |            |                 | <b>Total</b>               | <b>15600.32</b>             | <b>15600.32</b> |

## **2. Late fee payable for Late Filing of GSTR-1 Returns:**

### **Section 39 of the Central Goods and Services Act, 2017 (CGST Act)**

#### **Furnishing of returns.**

*Every registered person, other than an Input Service Distributor or a non-resident taxable person or a person paying tax under the provisions of section 10 or section 51 or section 52 shall, for every calendar month or part thereof, furnish, in such form and manner as may be prescribed, a return, electronically, of inward and outward supplies of goods or services or both, input tax credit availed, tax payable, tax paid and such other particulars as may be prescribed, on or before the eleventh day of the month succeeding such calendar month or part thereof.*

On examination of records, it was observed that the Taxpayer had filed the returns belatedly. The taxpayer has to pay late fee on delayed filing of GSTR-1 returns as per Notification No. 04/2018 Dt. 23.01.2018 issued under Section 47 of said Act.

The details of delayed filing of GSTR-1 returns and non-payment of late fees are given below.

| Month  | Due date for filing | Actual date of filing | No. of days delayed | Late fee to be paid    |                        |
|--------|---------------------|-----------------------|---------------------|------------------------|------------------------|
|        |                     |                       |                     | CGST @ Rs.25/- per day | SGST @ Rs.25/- per day |
| Apr-19 | 11-05-2019          | 15-05-2019            | 4                   | 100                    | 100                    |
| Aug-19 | 11-09-2019          | 26-09-2019            | 15                  | 375                    | 375                    |
| Sep-19 | 11-10-2019          | 17-10-2019            | 6                   | 150                    | 150                    |
| Jan-20 | 11-02-2020          | 12-02-2020            | 1                   | 25                     | 25                     |
| Feb-20 | 11-03-2020          | 09-05-2020            | 59                  | 1475                   | 1475                   |
| Mar-20 | 11-04-2020          | 03-07-2020            | 83                  | 2075                   | 2075                   |
|        |                     |                       | <b>Total</b>        | <b>4200</b>            | <b>4200</b>            |

## **3. P&L Account:**

Apart from the above, the Taxpayer submitted P&L Account where in they have expensed amounts for other income and Trade Payables which are liable to tax under Section 9(4) & section 16(2) (d) of TGST Act'17 being other income for Rs.8,08,08,076.00&Trade Payables for Rs.3,93,27,180.00 which are liable to tax and which was not paid by them.

The total liability for tax is proposed as under:

- (i) Other Income for Rs.8,05,08,076.00@ 18% the tax is Rs.1,44,91,454.00  
(ii) Trade Payables for Rs.3,93,27,180.00 @ 18% the tax is Rs.70,78,892.00

The total tax liability is detailed as under:

| Description                                        | IGST       | CGST               | SGST               | Total              |
|----------------------------------------------------|------------|--------------------|--------------------|--------------------|
| Interest not Paid on Delay payment of Tax          | 0.00       | 15600.32           | 15600.32           | 31200.64           |
| Late fee payable for Late Filing of GSTR-1 Returns | 0          | 4200               | 4200               | 8400.00            |
| Other income                                       | 0          | 7245727            | 7245727            | 14491454           |
| Trade Payables                                     | 0          | 3539446            | 3539446            | 7078892            |
| <b>TOTAL</b>                                       | <b>0.0</b> | <b>10804973.32</b> | <b>10804973.32</b> | <b>21609946.64</b> |

Therefore, it is proposed to assess the registered tax payer for the net tax payable indicated above under Section 73 of the SGST/CGST/IGST Act.

The registered tax payer may therefore pay the tax along with interest within 30 days of the show cause notice.

If payment of the proposed tax is made within one month of the receipt of this show cause notice, no penalty will be leviable and any payment made after one month would attract a penalty @10% of the tax determined or Rs.10000/-, whichever is higher, under Sec.122 of the CGST/SGST Act.

However, If the registered taxpayer is not agreeing with the proposals in this notice, they may file their objections in DRC-06 within (30) days from the date of receipt of this notice. If the tax payer wants to attend for the personal hearing, he may appear before the under signed during the office hours within the aforesaid time of 30 days on any working day.

  
Assistant Commissioner (ST),  
Ramgopalpet-Ranigunj1 Circle  
Assistant Commissioner (ST)  
Ramgopalpet-Ranigunj-1 Circle,  
Begumpet Division, Hyderabad.

To  
M/s MODI PROPERTIES PRIVATE LIMITED  
2ND FLOOR, 5-4-187/3 AND 4, SOHAM MANSION, M.G  
ROAD, SECUNDERABAD, Rangareddy, Telangana, 500003