

FORM GST DRC - 06*[See rule 142(4)]***Reply to the Show Cause Notice**

1.GSTIN	36ADBFS3288A2Z7	
2.Name	M/s. Silver Oak Villas LLP	
3.Details of Show Cause Notice	SCN Sl.No.01/2024	Date of issue: 01.04.2024
4.Financial Year	April 2019 to March 2022	
5.Reply -		
6.Documents uploaded	I. Reply to Notice.	
7.Option for personal hearing	Yes- Required	No ☐

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.

M/s. Silver Oak Villas LLP
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SOHAM SATISH MODI
Date: 2024.04.30
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Authorised Signature



Reply to the Notice:

M/s. Silver Oak Villas LLP (hereinafter referred as “noticee”) is engaged in Construction of Residential Complex and Works Contract Services. They are registered with goods and services tax department vide GSTIN NO: 36ADBFS3288A2Z7. Noticee herein makes the below submissions

Introduction

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 allegations made by the Show cause Notice dated 01-04-2024 are:

Para Number	Description	Amount
1	Excess availment of ITC in GSTR 3B compared to GSTR2A	7,70,690
2	Non reversal of Input Tax Credit against Credit Notes reflected under GSTR 2A	27,428
3	Non-Reversal of Ineligible input tax credit availed on goods or services not used in or in relation to the furtherance of business blocked credit in terms of Section 17(5) read with Section 16 of CGST Act, 2017	1,78,950
4	Short payment of GST - Sales Ledger / Trail Balance Vs. GSTR-3B	1,27,40,239
		1,37,17,307

Factual Backdrop

4. On 28-11-2022, Noticee was issued notice for conducting audit for years 2017-18 to 2020-21 as per the provisions of Section 65 of CGST Act,2017 and appointing 31st December 2022 as date of audit. Such notice is attached as **Annexure 1**.
5. On 02-01-2023, Noticee has submitted all such documents requested by the revenue through Notice for conducting audit. Such acknowledgement for submission is attached as **Annexure 2**.

6. On 19-12-2023, Spot Memo was issued, communicating, and seeking clarification for 6 alleged discrepancies. Spot memo is attached as **Annexure 3**. Such Discrepancies as pointed out in Spot memo are enumerated in Table 1 Below.

Table 1

Para No.	Discrepancies pointed out
1	Excess availment of ITC in GSTR3B compared to GSTR 2A for the period April 2019 to March 2022. Amount Rs.15,53,304/-
2	Non reversal of Input tax Credit against Credit Notes reflected under GSTR 2A – GST involved Rs.3,28,322/-
3	Non-Reversal of Ineligible input tax credit availed on goods or services not used in or in relation to the furtherance of business blocked credit in terms of section 17(5) read with section 16 of CGST Act,2017. Amount involved of Rs.1,78,950/-
4	Non- payment of Late fee due to delayed filing of GSTR 1: Amount involved Rs.71,050/-
5	Short payment of GST- Sales P&L Vs GSTR-3B. Amount involved Rs.1,27,49,239/-.
6	Non-payment of GST amount received for provision of amenities: Amount involved Rs.1,00,54,589/-

7. On 30-01-2024, noticee has in person appeared before audit party and provided clarification to the discrepancies pointed out in the notice. (Such Reply to Spot memo is attached as **Annexure 4**.)
8. On 30-01-2024, Revenue has issued DRC-01A. In consideration of such submissions made in reply to Spot memo, Para 6 of the Spot memo was dropped. (Such DRC-01A is attached as **Annexure 5**.)
9. On 01-04-2024, Revenue has issued Show Cause Notice, further dropping Para 4 of Spot memo in pursuance of payment made by the noticee through DRC-03 vide ARN: AD360124022481L dated 29-01-204 discharging their liability. Such Show Cause Notice and DRC-03 are attached as **Annexure 6 & 7**.

Averments made Under Show Cause Notice

10. Averments made in the DRC-01 show cause notice are enumerated below in the Table 2 below.

Table 2

Para No.	Discrepancies pointed out
1	Excess availment of ITC in GSTR3B compared to GSTR 2A for the period April 2019 to March 2022. Amount Rs.15,53,304/-
2	Non reversal of Input tax Credit against Credit Notes reflected under GSTR 2A – GST involved Rs.3,28,322/-
3	Non-Reversal of Ineligible input tax credit availed on goods or services not used in or in relation to the furtherance of business blocked credit in terms of section 17(5) read with section 16 of CGST Act,2017. Amount involved of Rs.1,78,950/-
4	Short payment of GST- Sales P&L Vs GSTR-3B. Amount involved Rs.1,27,49,239/-.

Statutory provisions

"Section 65 - Audit by tax authorities."

(1) The Commissioner or any officer authorised by him, by way of a general or a specific order, may undertake audit of any registered person for such period, at such frequency and in such manner as may be prescribed.

(2) The officers referred to in sub-section (1) may conduct audit at the place of business of the registered person or in their office.

(3) The registered person shall be informed by way of a notice not less than fifteen working days prior to the conduct of audit in such manner as may be prescribed.

(4) The audit under sub-section (1) shall be completed within a period of three months from the date of commencement of the audit:

Provided that where the Commissioner is satisfied that audit in respect of such registered person cannot be completed within three months, he may, for the reasons to be recorded in writing, extend the period by a further period not exceeding six months.

Explanation. — For the purposes of this sub-section, the expression "commencement of audit" shall mean the date on which the records and other documents, called for by the tax authorities, are made available by the registered person or the actual institution of audit at the place of business, whichever is later.

(5) During the course of audit, the authorised officer may require the registered person, —

(i) to afford him the necessary facility to verify the books of account or other documents as he may require;

(ii) to furnish such information as he may require and render assistance for timely completion of the audit.

(6) On conclusion of audit, the proper officer shall, within thirty days, inform the registered person, whose records are audited, about the findings, his rights and obligations and the reasons for such findings.

(7) Where the audit conducted under sub-section (1) results in detection of tax not paid or short paid or erroneously refunded, or input tax credit wrongly availed or utilised, the proper officer may initiate action under section 73 or section 74."

"Rule 101- Audit of CGST Rules, 2017"

101. (1) The period of audit to be conducted under sub-section (1) of section 65 shall be a financial year or part thereof or multiples thereof.

(2) Where it is decided to undertake the audit of a registered person in accordance with the provisions of section 65, the proper officer shall issue a notice in FORM GST ADT-01 in accordance with the provisions of sub-section (3) of the said section.

(3) The proper officer authorised to conduct audit of the records and the books of account of the registered person shall, with the assistance of the team of officers and officials accompanying him, verify the documents on the basis of which the books of account are maintained and the returns and statements furnished under the provisions of the Act and the rules made thereunder, the correctness of the turnover, exemptions and deductions claimed, the rate of tax applied in respect of the supply of goods or services or both, the input tax credit availed and utilised, refund claimed, and other relevant issues and record the observations in his audit notes.

(4) The proper officer may inform the registered person of the discrepancies noticed, if any, as observed in the audit and the said person may file his reply and the proper officer shall finalise the findings of the audit after due consideration of the reply furnished.

(5) On conclusion of the audit, the proper officer shall inform the findings of audit to the registered person in accordance with the provisions of sub-section (6) of section 65 in FORM GST ADT-02."

Submissions

Audit proceedings are Void-ab-initio since proceedings are conducted in contravention to provisions of Section 65 of CGST Act,2017 read with Rule 101 of CGST Rules,2017.

11. Noticee submits that revenue did not adhere to the audit procedure prescribed in Section 65 of CGST Act,2017 read with Rule 101 of CGST Rules,2017.

12. In our case revenue has issued notice for intimation of audit dated 28-11-2022 under Sub-Section 3 of Section 65 of CGST Act,2017 read with Rule 101(2) of CGST Rules,2017 for the financial years 2017-18(July-March), 2018-19, 2019-20 and 2020-21 and noticee had submitted documents only for such audit period. On the contrary, the audit party went on to audit the books of accounts of financial year 2021-22. Since, the audit period intimated by notice dated 28-11-2022 under section 65 (3) of CGST Act,2017 is different from the audit period for which Spot memo and final audit report are issued the audit proceedings are Void- Ab-Initio and it is requested to quash all such further proceeding in this regard.

Non- Communication of Final Audit Report.

13. According Section 65(6) of CGST Act,2017 read with Rule 5 of CGST Rules,2017, it is mandatory for the revenue to communicate all such findings on conclusion of audit to the noticee within 30 days in Form GST-ADT-02.

14. Revenue failed to communicate the final audit report as mandated under section 65(6) of CGST Act,2017 read with Rule 101(5) of CGST Rules,2017 before initiation of proceedings under Section 73 or 74 of CGST Act,2017.

15. It is submitted that all the dialogue with revenue post issuance of spot memo took place through E-mails. Noticee has received DRC-01A and Show Cause notice from official email address i.e. cgst-hyda2cr1gr4@gov.in except the Final Audit Report. such emails received from the revenue with the date of receipt are enumerated in the table 3 below. And all such emails are attached as annexures.

Table 3

Serial No.	Notice	Date of Email	Email Annexure No.
1	DRC-01A Dated 30-01-2024	30-01-2024	8
2	Show Cause Notice Dated 01-04-2024	03-04-2024	9

16. Para 4 of the DRC-01 Show Cause Notice dated 01-04-2024 Vide SCN Sl.No.01/2024 explicitly mentions communication of only such spot memo and DRC-01A to the noticee and not Final Audit Report. Since, the revenue has disregarded the mandatory commination of finding of audit as per provisions of section 65(6) of CGST Act,2017 and Rule 101(5) of CGST Rules,2017, further proceedings under section 73/74 are bad in law and all further proceeding under this DRC-01 are to be quashed.

Reply to Spot memo was not referred to nor discussed in Show Cause Notice dated: 01-04-2024.

17. Sub Rule (4) of Rule 101, provides that the proper officer may inform the registered person of the discrepancies noticed, if any, as observed in the audit and the said person may file his reply. The proper officer shall finalise the findings of the audit after due consideration of the reply furnished.

18. In view of Rule 101(4), it is evident that after informing about the discrepancies noticed, if the person files the reply, the same is to be considered and on such consideration, the findings of the Final Audit Report are to be furnished. Now, in our case, on 30-01-2024, reply to Spot memo was submitted and in consideration of such reply Para 6 of spot memo "Non-payment of GST amount received for provision of amenities: Amount involved Rs.1,00,54,589/" was dropped.

19. The revenue, arbitrarily, neither considered the reply submitted by the noticee for the rest of the paras of spot memo nor discussed such reply or recorded any findings in show cause notice. The Show Cause Notice is therefore in violation of the principles of natural justice as also Rule 101(4) of CGST Rules,2017.

20. In matter of Bhagyam Exports v. Assistant Commissioner W.P.NO.6619 OF 2024, Hon'ble High Court of Madras held that "Impugned assessment order did not discuss reply made by assessee or record any findings in relation thereto -Contention of assessee that audit report that was issued was beyond period of limitation prescribed under section 65(4) was completely disregarded in said assessment order -Therefore assessment order was to be quashed and matter was remanded for reconsideration"

21. In matter of PBL Transport Corporation (P.) Ltd v. Assistant Commissioner (ST) WRIT PETITION NO.33477 OF 2023, Hon'ble High Court of Andhara Pradesh has held that "Sub-rule (4) of rule 101, provides that proper officer may inform registered person of discrepancies noticed, if any, as observed in audit and said person may file his reply - After that proper officer shall finalize findings of audit after due consideration of reply furnished and in view of rule 101(4), it is evident that after informing about discrepancies noticed, if person files reply, same ought to be considered and on such consideration, findings of Final Audit Report are to be furnished - In instant case, since petitioner filed reply and same was not considered while finalizing findings of audit, final Audit Report was therefore in violation of principles of natural justice - Therefore, impugned audit report was to be quashed and revenue should consider said reply and should finalize audit report"

22. In the light of statutory provisions and precedents discussed above the Show Cause Notice issued without considering the reply to spot memo submitted by the noticee is bad in law and is to be set aside.

Submissions for Averments made in Show Cause Notice.

In reply to Para 1: Excess availment of ITC in GSTR3B compared to GSTR 2A

23. it is pointed out that for the period April 2019 to March 2022, there is a mismatch between ITC claimed and ITC available in GSTR 2A to the extent of IGST Rs.7,70,690/-.

Tax Period	ITC Claimed in GSTR – 3B			ITC auto-drafted in GSTR-2A			Excess (+) in ITC (GSTR-3B-GSTR-2A)		
	IGST	CGST	SGST	IGST	CGST	SGST	IGST	CGST	SGST
2019-2020	16,09,795	72,93,152	72,93,152	8,39,105	76,53,629	76,53,629	7,70,690	0	0
Total ITC to be reversed							7,70,690	0	0

24. Noticee has utilized IGST Credit amounting to Rs.11,16,496/- which is pertaining to F.Y. 2018-19 and claimed in GSTR 3B of 2019-20. As a result, on comparison of ITC as per GSTR 3B and GSTR 2A for the period FY 2019-20, there appears to be excess claim of ITC. The table 4 given below provides comparative summary of IGST credit claimed in GSTR 3B and available in GSTR 2A for F.Y. 2018-19 and F.Y. 2019-20 and month-wise summary showing excess the IGST Credit available as per to GSTR 2A for F.Y.2018-19 is attached as **Annexure 10**.

Table 4**Amount in Rupees.**

Year	IGST Credit Utilized in GSTR 3B	IGST Credit Availed in GSTR 2A	Balance Credit
2018-19	27,300	11,43,796	-11,16,496
2019-20	16,09,795	8,39,105	7,70,690
			3,73,106

On examination of the table 4 provided it can be clearly established that noticee has only claimed available credit in GSTR 2A from previous financial year 2018-19 to discharge their tax liability of financial year 2019-20 as per the provisions of Section 16(4) of CGST Act,2017. Hence, there is no such excess claim of IGST credit over and above Credit available in GSTR 2A and it is therefore requested to drop all further proceedings in this regard.

"Section 16- Eligibility and conditions for taking input tax credit

16(4) A registered person shall not be entitled to take input tax credit in respect of any invoice or debit note for supply of goods or services or both after the thirtieth day of November following the end of financial year to which such invoice or debit note pertains or furnishing of the relevant annual return, whichever is earlier."

25. As there is no such excess availment of ITC in GSTR3B compared to GSTR 2A, Interest under section 50 and penalty as per section 73 read with Section 122(2)(a) of CGST Act,2017 is not leviable

In reply to Para 2: Non reversal of Input tax Credit against Credit Notes reflected under GSTR 2A

26. it is pointed out that the credit notes issued by the suppliers for the FY 2019-20 were not reversed by the noticee as required under Section 43 of CGST Act,2017.

Period	Value	IGST	CGST	SGST	Cess
2019-20	1,52,377	0	13,714	13,714	0
Total	1,52,377	0	13,714	13,714	0

It is submitted that Impugned notice vaguely alleges, non-reversal of ITC against Credit notes reflecting in GSTR 2A, without mentioning the details of such credit notes. Nevertheless, Noticee, in GSTR 3B of September 2020 have reversed all such ITC on the account of credit notes issued by the suppliers. Such GSTR 3B of September 2020 is attached as **Annexure 11**. Therefore, there is no such non-reversal of ITC against Credit notes and it is therefore requested to drop all further proceedings in this regard.

27. Since there is no such non-reversal of ITC against Credit notes, Interest under section 50 and penalty as per section 73 read with Section 122(2)(a) of CGST Act, 2017 is not leviable.

In Reply to Para 3 - Non-Reversal of Ineligible input tax credit availed on goods or services not used in or in relation to the furtherance of business blocked credit in terms of section 17(5) read with section 16 of CGST Act, 2017.

28. This para points out that the noticee has claimed blocked credits as per Section 17(5) of CGST Act, 2017 of Rs.1,78,950/- (CGST- Rs.89,475/- and SGST- Rs.89,475/- and are required to reverse the ITC involved along with applicable interest and penalty.

Year	Supplier Name	Taxable Value	CGST	SGST	Remarks
2019-20	Fortune Multibranc Body Shop	4300	387	387	Para 30
2019-20	Otis Elevator Company(India) Ltd	7,29,000	65,610	65,610	Para 29
2020-21	SUP-Otis Elivator India Pvt. Ltd	81,000	7,290	7,290	Para 29
2021-22	360 Degree Wheels	1,15,625	16,188	16,188	Para 30
Total			89,475	89,475	

29. It is submitted that the credit amounting to Rs.1,45,800/- (CGST- Rs.72,900/- and SGST – Rs. 72,900/-) availed on purchases from Otis Elevator Company (India) Ltd and SUP-Otis Elivator India Pvt. Ltd are inputs unutilised in rendering construction services and are not blocked credits under Section 17(5)(c) of CGST Act, 2017.

“(c) works contract services when supplied for construction of an immovable property (other than plant and machinery) except where it is an input service for further supply of works contract service;”

30. Further, Noticee did not utilize any of such credit pointed out as ineligible in the impugned notice. The Cumulative ITC as per GSTR 2A is in excess of ITC availed in GSTR -3B for F.Y 2019-20, F.Y 2020-21, F.Y 2021-22. Therefore, since noticee did not utilize any of such ineligible ITC, noticee is not liable for such amount. The table 5 below provides a summary of ITC availed in GSTR 3B (net of reversals) vs. ITC available as per GSTR 2A (net of credit notes).

Table 5**Amount in Rupees.**

Year	ITC claimed As per GSTR 3B		Reversals		Net ITC claimed in GSTR 3B		ITC As per GSTR 2A		Difference 3B-2A	
	CGST	SGST	CGST	SGST	CGST	SGST	CGST	SGST	CGST	SGST
2019-20	72,70,321	72,70,321			72,70,321	72,70,321	76,56,909	76,56,909	-3,86,588	-3,86,588
2020-21	59,25,364	59,25,364	4,61,683	4,61,683	54,63,681	54,63,681	55,21,881	55,21,881	-58,200	-58,200
2021-22	83,71,990	83,71,990	1,27,664	1,27,664	82,44,326	82,44,326	91,34,980	91,34,980	-8,90,654	-8,90,654
									-13,35,442	-13,35,442

31. From the above summary, it can be clearly established that ITC availed in GSTR 3B is less than ITC available as per GSTR 2A. This difference is on account of ineligible ITC reflecting in GSTR-2A, but not availed by the noticee. Therefore, Noticee Requests you to drop all the proceedings in this behalf.

32. Since there is no utilization of such blocked credit, Interest under section 50 and penalty as per section 74 read with Section 122(2)(b) of CGST Act, 2017 is not leviable.

In reply to Para 4: Short payment of GST- Sales P&L Vs GSTR-3B.

33. In this para it is pointed out that there is short payment of GST in noticee's GSTR 3B returns when compared with GST liability payable on receipts for construction services as per profit and loss account statement for the audit period, requiring noticee to pay short-paid GST amount of Rs. 1,27,40,239/- (CGST – Rs.63,70,120/- and SGST – Rs.63,70,120/-).

Financial Year	P&L Account	GSTR 3B	Differential Taxable Value	GST @18%
2021-22	11,62,00,069	10,07,62,528	1,54,37,541	27,78,757
2020-21	8,47,25,834	7,96,98,225	50,27,609	9,04,970
2019-20	11,35,58,481	6,32,44,525	5,03,13,956	90,56,512
Total			7,07,79,106	1,27,40,239

34. Noticee's principal business activity is Construction and development of real estate projects, each of such projects takes typically 3-5 years for completion.

35. For revenue recognition in financial statements on account of construction, they follow Percentage completion method in accordance with accounting standard 7.

“Recognition of Contract Revenue and Expenses

21. When the outcome of a construction contract can be estimated reliably, contract revenue and contract costs associated with the construction contract should be recognised as revenue and expenses respectively by reference to the stage of completion of the contract activity at the reporting date. An expected loss on the construction contract should be recognised as an expense immediately in accordance with paragraph 35.”

36. In the context of Goods and Services Tax (GST) Returns, the taxable value is determined based on the demands raised on the customer for the progress in works as per the contract.

37. This inherent distinction in the methodology of revenue recognition between Goods and Service Tax Act, 2017 and the Income Tax Act, 1961, results in a difference of turnover of the project during its course. However, at the time of completion, the sum of turnover from the beginning of the project to the completion shall be equal as per GST and IT.

38. Noticee has under taken two projects i.e. Silver Oak Villas and Silver Oak Villas Phase III. Following are the duration of each of these projects.

Project Name	Nature of the Project	Project Duration	Project Status
Silver Oak Villas.	Sale of Land and Construction Service.	F.Y.2017-18 to F.Y.2021-22	Completed.
Silver Oak Villas (Phase III).	Supply of Construction Services.	F.Y.2020-21	Work – In – Progress.

Table 6

Amount In Rupees.

Silver Oak Villas				
Financial Year	Turnover As per GST			Turnover As per Financials
	Construction Services	Land	Total	Revenue Recognized
F.Y.2017-18	54,29,833	10,93,07,666	11,47,37,499	13,38,75,717
F.Y.2018-19	7,92,09,543	9,03,56,084	16,95,65,627	9,91,67,468
F.Y.2019-20	6,27,16,252	10,00,000	6,37,16,252	11,35,58,481
F.Y.2020-21	5,00,90,940	-	5,00,90,940	8,47,25,834
F.Y.2021-22	1,72,17,186	1,40,00,000	3,12,17,186	-19,99,997
F.Y.2022-23	-	-	-	-
Total	21,46,63,754	21,46,63,750	42,93,27,504	42,93,27,504

Table 7**Amount In Rupees.**

Silver Oak Villas Phase 3				
Financial Year	Turnover As per GST			Turnover As per Financials
	Construction Services	Land	Total	Revenue Recognized
F.Y.2017-18		-	-	
F.Y.2018-19		-	-	
F.Y.2019-20		-	-	
F.Y.2020-21	2,85,65,100	-	2,85,65,100	
F.Y.2021-22	8,05,17,200	-	8,05,17,200	11,61,21,380
F.Y.2022-23	12,24,15,300	-	12,24,15,300	10,27,47,616
Total	23,14,97,600	-	23,14,97,600	21,88,68,996

39. Noticee submits a break up of its revenue from construction and other sources as recognized in financial statements in **Annexure 12** and Noticee submits a breakup of its revenue from construction and other sources as reported in GST returns in **Annexure 13** for F.Y. 2017-18 to F.Y. 2022-23.

40. Noticee submits that such difference in turnover as per Income tax and as per Goods and Services Tax is because of Following Reasons.

Reason 1: Timing difference in recognition of revenue receipts as per Income tax and Goods and Services Tax.

Explanation for Reason 1: It is submitted that during the initial stages of a project, when the majority of bookings are made, the turnover reported in the GSTR 3B exceeds the revenue recognized as per the Percentage of Completion method for Income Tax purposes. Contrarily, in subsequent years, as the project approaches completion, the revenue recognized according to the Percentage of Completion method surpasses the turnover reported in GSTR 3B. Consequently, the noticee urges for a comprehensive assessment when comparing revenue figures between financial statements and GSTR 3B.

Reason 2: Extra specifications charges collected from customer AND Sale of materials onsite have been reported as taxable supply under GST and the same is transferred to Work-In-Progress accounts in financial statements and not appearing as revenue on the face of the Profit and Loss A/c.

Finally, a comprehensive report spanning six fiscal years (from F.Y. 2017-18 to F.Y. 2022-23) has been presented in Table 8 below. Further, all the Financials for said period are attached as **Annexure 14**.

Table 8

	As per GST							As per Financials						
	Construction							Other						
	Construction Revenue from Phase 1	Construction Revenue from Phase 3	Total Construction Revenue	Revenue towards Land	Extra Specifications	Material Sales	Taxable Income (Intrest from Customers)	Exempt Income	Revenue Recognised for Phase 1	Revenue Recognised for Phase 3	Taxable Income (Intrest from Customers)	Exempt Income	Extra Specs	Others
2017-18	54,29,833	-	54,29,833	10,93,07,666				4,569	13,38,75,717			4,569		
2018-19	7,92,09,543	-	7,92,09,543	9,03,56,084			2,50,000	14,50,924	9,91,67,468		2,50,000	14,50,924		
2019-20	6,27,16,252	-	6,27,16,252	10,00,000	1,25,730		4,02,542	20,12,736	11,35,58,481		4,02,542	20,12,736		
2020-21	5,00,90,940	2,85,65,100	7,86,56,040	-	14,145	2,92,448	7,35,591	43,852	8,47,25,834	-	7,35,591	43,852		
2021-22	1,72,17,186	8,05,17,200	9,77,34,386	1,40,00,000	78,689	24,50,136	7,06,037	95,904	-19,99,997	11,61,21,380	7,06,037	95,904	78,689	
2022-23	-	12,24,15,300	12,24,15,300	-	5,70,564	6,19,053	5,29,661	2,10,056		10,27,47,616	5,29,661	2,10,056		83,196
	21,46,63,754	23,14,97,600	44,61,61,354	21,46,63,750	7,89,128	33,61,636	26,23,831	38,18,041	42,93,27,504	21,88,68,996	26,23,831	38,18,041	78,689	83,196

41. Noticee requests to have a holistic approach while comparing revenue recognized as per financials and GST returns and in reference with all such above submissions noticee pleads to drop all the proceedings on this behalf.

42. It is also submitted that since there is no such short payment of GST- Sales P&L Vs GSTR-3B, Interest under section 50 and penalty as per section 74 read with Section 122(2)(b) of CGST Act, 2017 is not leviable.

43. 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 Silver Oak Villas LLP

Authorized Signatory