

Office of the Assistant Commissioner
Jurisdiction : M.G.ROAD - S.D.ROAD, Begumpet, Telangana, State/UT : Telangana

Reference No. : ZD360825012851D

Date : 11/08/2025

To

GSTIN/ID : 36ACXFS3783R2ZO

Name : SILVER OAK REALTY

Address : 5-4-187/3 AND 4, 2ND FLOOR, SOHAM MANSION, MG ROAD, SECUNDERABAD, Rangareddy, Telangana, 500003

SCN/Statement Reference No. : ZD3606250258439

Date : 24/06/2025

Tax Period : APR 2021 - MAR 2022

F.Y. : 2021-2022

Act/ Rules Provisions :	
Rule 142 and Sec.73 of GST Act'2017	

Order under section 73

A show cause notice/statement referred to above was issued to you u/s 73 of the Act for reasons stated therein. Show Cause Notice/ Statement referred to above was made available on the common portal on 24/06/2025. On the basis of documents available with the department and information furnished by you, if any, demand is created for the reasons and other details attached in annexure.

Please note that interest, if any, has been levied up to the date of issue of the order. While making payment, interest for the intervening period between date of order and date of payment, shall also be worked out and paid along with the dues stated in the order.

In case any refund is arising as per the above order, please claim the same by filing application in the prescribed form.

Demand Details :-

(Amount in Rs.)

Sr. No.	Tax Rate (%)	Turnover	Tax Period		Act	POS (Place of Supply)	Tax	Interest	Penalty	Fee	Others	Total
			From	To								
1	2	3	4	5	6	7	8	9	10	11	12	13
1	0	0.00	APR 2021	MAR 2022	CGST	NA	0.00	1,795.00	0.00	0.00	0.00	1,795.00
2	0	0.00	APR 2021	MAR 2022	SGST	NA	0.00	1,795.00	0.00	0.00	0.00	1,795.00
Total							0.00	3,590.00	0.00	0.00	0.00	3,590.00

You are hereby directed to make the payment by 11/09/2025 failing which proceedings shall be initiated against you to recover the outstanding dues.

Signature

Name : UPENDER REDDY BOPPIDI

Designation : Assistant Commissioner

Jurisdiction : M.G.ROAD -

S.D.ROAD: Begumpet:Telangana

Copy to -

FORM GST DRC - 07

[See rule 142(5)]

Summary of the order

Reference No. : ZD360825012851D

Date : 11/08/2025

1. Tax Period :- APR 2021 - MAR 2022

2. Issues involved :- Excess ITC claimed

3. Description of goods / services :-

Sr. No	HSN	Description
-	-	-

4. Details of demand :-

Sr. No	Tax Rate (%)	Turnover	Tax Period		Act	POS (Place of Supply)	Tax	Interest	Penalty	Fee	Others	Total
			From	To								
1	2	3	4	5	6	7	8	9	10	11	12	13
1	0	0.00	APR 2021	MAR 2022	CGST	NA	0.00	1,795.00	0.00	0.00	0.00	1,795.00
2	0	0.00	APR 2021	MAR 2022	SGST	NA	0.00	1,795.00	0.00	0.00	0.00	1,795.00
Total							0.00	3,590.00	0.00	0.00	0.00	3,590.00

You are hereby directed to make the payment by 11/09/2025 failing which proceedings shall be initiated against you to recover the outstanding dues.

Signature

Name : UPENDER REDDY BOPPIDI
Designation : Assistant Commissioner
Jurisdiction : M.G.ROAD -
S.D.ROAD:Begumpet:Telangana

Copy to -

GOVERNMENT OF TELANGANA
COMMERCIAL TAXES DEPARTMENT

Office of the ASSISTANT COMMISSIONER OF STATE TAX,
M.G.Road-S.D.Road Circle, Begumpet Division, Hyderabad.
Address : D.No.6-3-789, 4th Floor, Pavani Prestige Complex, Behind Ameerpet Bus Stop,
Above R.S.Brothers, Ameerpet, Hyderabad – 500 016 (Telangana).
e-Mail : ac_mgsd@tgct.gov.in / Mobile No.8897855697

ARN: AD3606250190565

ORDER REF NO: ZD360825012851D

GSTIN : 36ACXFS3783R2ZO

Date : 11.08.2025

Financial Year:-2021-22

FORM GST DRC-07
ATTACHMENT TO SUMMARY OF ASSESSMENT ORDER
for the Financial Year 2021-22 under GST Act, 2017
[See Rule 142 and Sec.73 of GST Act'2017]

SUB:- Goods and Services Tax Act, 2017 - M.G.Road-S.D.Road Circle – Begumpet Division, Hyderabad –**M/s. Silver Oak Realty**, Secunderabad – Conduct of general audit authorized for the financial year 2021-22 under GST Act - Issued a 'Notice for conducting Audit' in 'Form GST ADT-01' duly intimating about 'Audit conduct' and to produce the relevant books of accounts and audited financial statements – Taxpayer failed in producing the books of accounts – Reminder Notices issued – Taxpayer filed books of accounts – Examined / scrutinized appropriately – Certain discrepancies/anomalies were noticed/identified [in subject to such scope and limitations as may be deemed fit to be objectionable as prima facie irrefutable (or) in subject to the limitations of being viewed as prima facie objectionable in a manner which cannot be condemned in a lawful manner] - Proposed to be assessed under /in the light of Section 73, read with Rule 142 of CGST Act and Rules, 2017 – Issue of a 'Summary of Show Cause Notice' in Form GST DRC-01 - Objections called for with adequate corroborative evidence – Reply Filed – Examined - Summary of Assessment Order in Form GST DRC-07 issued – Reg.

- REF:-1.Notice in Form GST ADT-01 vide Ref No. ZD3604240099475, dt 06.04.2024 as required under the provisions of Section 65(3), read with Rule 101(2) of CGST Act and Rules, 2017 duly intimating notifying about the GST Audit authorized to a taxpayer with a direction to attend in person or through an authorized representative with all the books of accounts and records, audited annual financial statements for the financial year 2021-22 on 22.04.2024.
- 2.This tax office's "Reminder-1 for Form ADT-01" issued vide Ref.No. ZD360524012229K, dated:-06.05.2024 with a request to furnish the documents/ reply as mentioned in the "Notice for Conducting Audit" (vide Form GST ADT-01) by the date of 13.05.2024 and as well as afforded an opportunity of being appeared either in person or through an authorized representative before the undersigned on the date of 13.05.2024 and explain their case.
- 3.This tax office's "Reminder-2 for Form ADT-01" issued vide Ref.No. ZD360524023184N, dated:-14.05.2024 with a request to furnish the documents/ reply as mentioned in the "Notice for Conducting Audit" (vide Form GST ADT-01) by the date of 21.05.2024 and as well as afforded an opportunity of being appeared either in person or through an authorized representative before the undersigned on the date of 21.05.2024 and explain their case.
- 4.Taxpayer filed certain documents, dated 21.05.2024.
- 5.This tax office letter to JC(ST), Begumpet Division vide Ref.No. Audit/2025-26, dated 17.05.2025.

- 6.JC(ST), Begumpet Division Rc.No: MG Road-SD Road Audit/2025-2026, dated 26.05.2025.
- 7.CBIC Circular No.249/06/2025-GST, dated 09.06.2025.
- 8.This tax office 'Summary of Show Cause Notice' in Form GST DRC-01 dated 24.06.2025 for the financial year 2021-22 under the provisions of Section 73, read with Rule 142 of CGST Act and Rules, 2017 vide it's Ref. No.ZD3606250258439.
- 9.Reply filed by the taxpayer in Form GST-DRC-06 vide ARN: ZD3607250123797, dated 09.07.2025 and vide ARN: ZD360725012358B dated 09.07.2025.

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M/s. Silver Oak Realty, located at 2nd Floor, 5-4-187/3 and 4, Soham Mansion, MG Road, Secunderabad, Rangareddy, Telangana – 500003 are a registered taxpayer under the provisions of GST Act, 2017 with GSTIN 36ACXFS3783R2ZO w.e.f. 01.07.2017 and assessee on the rolls of the state jurisdictional tax office i.e., the Assistant Commissioner (ST), M.G.Road-S.D.Road Circle of Begumpet Division, Hyderabad and their GST Registration Cancelled suo-moto w.e.f. 20.09.2023. The 'constitution of business' status is a Partnership firm. The 'Legal Name of Business' is Silver Oak Realty and 'Trade Name' is M/s. Silver Oak Realty. They are carrying on business in services only viz., i) Construction of residential complex (vide SAC 00440334) and ii) Works contract services (vide SAC: 00440410).

In consequent to the GST common portal-based General Audit authorized as required under the provisions of Section 65(1), read with Rule 101(1) of CGST Act and Rules, 2017 in respect of the above-mentioned taxpayer for the financial year 2021-22, the audit of the taxpayer is accordingly undertaken/carried-out with a view to checking or examining the returns, records and other GST documents maintained or furnished by the taxpayer and thereby/accordingly in order to ascertain / ensure the appropriateness, correctness, veracity and legality of the "turnovers reported under the various heads, exemptions/deductions claimed, rate of tax applied, taxes paid, Input Tax Credit availed and utilized, refund claimed etc., in the Monthly Returns/ Annual Returns filed from time to time and other relevant subjects/any other matters which may arise out of their various modes of business conduct or various business activities or as the case may be etc., and as well as in order to properly assess/ensure their compliance with the GST law and regulations and the Rules made there-under or under any other law for the time being in force.

In the course of and as a part of processing the Audit undertaken/carried-out in due process of law, the taxpayer vide reference 1st cited, has been issued 'Notice for conducting Audit' via prescribed "Form GST ADT-01" dated 06.04 2024 as required under the provisions of Section 65(3), read with Rule 101(2) of CGST Act and Rules, 2017 duly intimating/notifying the authorized Audit of their books of accounts and records in their case and with a direction to attend either in person or through an authorized representative on 22.04.2024 before the undersigned at aforementioned address and produce the relevant books of accounts and records as may be required for conducting Audit (as mentioned in an Attachment/Annexure so enclosed to the Form GST ADT-01 having contained the list of certain records or documents or statements to be submitted or furnished as the case may be). Further, the taxpayer by the Notice concerned Notice was also sought in the light of prescribed Section 65(5) of CGST Act, 2017 to render /extend their assistance for timely completion of the audit proposed to be conducted for financial year 2021-22.

The Notice was accordingly served on the taxpayer by one or some of the various methods prescribed under the provisions of Section 169 (1)(a) to (f) of CGST Act, 2017 [as to making service in due manner/as a matter of reasonable service] viz., in the form of uploading the Notice electronically in the GST portal in due manner and making it available in the GST portal for them to view or check it in their login and to respond accordingly.

But, the taxpayer having received the "Notice" [so issued in Form GST ADT-01 in accordance with the law and keeping in view the principles of statutory audit and in subject to the scope of assess their tax liabilities in the light of the statutory principles] neither produced any books of

accounts and records nor sought any adjournment of the reasonable time given. Hence, while keeping in view the principles of natural justice to be followed in giving reasonable opportunities without prejudice and breach to the generality of the interpretations of the various principles enshrined in the law from time to time regarding the provisions of reasonable opportunities to be provided as many as possible/or as far as possible [as to/in order to filing written objections / producing books of accounts by the taxpayer and other related), reminder notices vide references 2nd and 3rd cited was issued wherein while mentioning or referring to specific dates viz., 13.05.2024 and 21.05.2024 as due date, the taxpayers were requested to furnish the documents/reply by the date so mentioned or referred to in the respective reminder concerned and alongside with this, they were also afforded an opportunity to appear before the assessing authority for personal hearing either in person or through authorized representative for explain their case on the same dates as mentioned or as referred to in the reminder notice. Reminder notice was served by way of uploading in GST portal in the prescribed manner and making them available for the taxpayer to view or check it in their login and to respond accordingly.

In response to the Audit Notice and Reminders, the taxpayer accordingly filed reply in this tax office on 21.05.2024 wherein while producing the below mentioned documents for the financial year 2021-22.

- i) Purchase Ledger.
- ii) Sales Ledger.
- iii) Copies of Audited Financial Statements.
- iv) Bank Statement.
- v) GSTR-3B and GSTR-1 Returns.

In order to appraise, ascertain/ensure the appropriateness, correctness, veracity and legality of the “turnovers reported under the various heads, exemptions/deductions claimed, rate of tax applied, taxes paid, Input Tax Credit availed and utilized, refund claimed etc., in the Monthly Returns/ Annual Returns filed from time to time and other relevant subjects/any other matters which may arise out of their various modes of business conduct or various business activities or as the case may be etc., and as well as in order to properly assess/ensure their compliance with the GST provisions and regulations and the Rules made there-under or under any other law for the time being in force, it is hereby taken into account the documents submitted by the taxpayer on 21.05.2024. Accordingly, a proper and due examination of the same with the various kinds of information available in the GST common portal and by compiling and codifying all this appropriately, their tax liabilities have been scrutinized and appraised here in appropriate manner and to the extent necessary, as far as lawfully admissible. In the course of, accordingly, it is without prejudice to the generality of the provisions of law and as well as while keeping in view the scope of the prima-facie lawful principles in assessing their discharged liabilities in appropriate manner, the details of observations made and the order in which they have been appraised/evaluated accordingly in the course of properly assessing the tax liabilities of the taxpayer and properly assessing/ensuring their compliance with the provisions of Section 73(1), 73(3), read with Rule 142(1)(a) of CGST Act and Rules, 2017 for the financial year 2021-22 are elucidated as below:

I) In re /with regard to the “Inward Supplies (Purchases)”:-

In so far as the subject matter of the “PURCHASES” is/are concerned, the things/points mentioned below are considered to be things/points that should be taken into account in the first place.

A) Input Tax Credit :-

In imprimis, it is upon a banal verification of claim of Input Tax Credit made by the taxpayer in Form GSTR-3B Returns, it is found that, they have claimed benefits of Input Tax Credit under different parts of GST respectively in the Form GSTR-3B Returns and arrived-at the “Net ITC available” as under :

“Input Tax Credit” as reported/mentioned in Table-4 of Form GSTR-3B :-

Sl. No.	Particulars	Integrated Tax (IGST)	Central Tax (CGST)	State/UT Tax (SGST)
Vide Table 4A	ITC available (whether in Full or Part)	0.00	3,816	3,816
	Amount of ITC reported under various sub-headings as a break-up to the above reported ITC			
(1)	ITC on “Import of Goods”	0.00	0.00	0.00
(2)	ITC on “Import of Services”	0.00	0.00	0.00
(3)	Inward supplies liable to “Reverse Charge” (other than 1 & 2 above)	0.00	0.00	0.00
(4)	Inward supplies from ISD	0.00	0.00	0.00
(5)	All other ITC	0.00	3,816	3,816
Vide Table 4B	ITC Reversed	0.00	0.00	0.00
	Amount of ITC reported under various sub-headings as a break-up to the above reported ITC			
(1)	Amount of “ITC Reversed” as per Rules 42 & 43 of CGST Rules	0.00	00.00	0.00
(2)	Others	0.00	0.00	0.00
Vide Table 4C	Net ITC available (Table 4A - 4B)	0.00	3,816	3,816
Vide Table 4D	Ineligible ITC	0.00	0.00	0.00
	Amount of ITC reported under various sub-headings as a break-up to the above reported ITC			
(1)	As per Section 17(5)	0.00	0.00	0.00
(2)	Others	0.00	0.00	0.00

The aforesaid summary reporting of gross ITC claim and net ITC claim in the Table.4A of System Generated Summary of Form GSTR-3B are examined in common parlance and they are taken into account for the process of further appropriateness assessment (this is in subject to the relevant analysis made in Point ‘B’ below).

B) Reconciliation of ITC between GSTR-3B and Form GSTR-2A/2B and ascertainment of admissibility or otherwise of the ITC claim:-

Upon due reconciliation/codification of the amount of Input Tax Credit claimed / reported in Form GSTR-3B with the amount of ITC found auto-populated in Form GSTR-2A into the login of the taxpayer will be allowed to claim the benefits of Input Tax Credit only if it is reflected in the Form GSTR-2A or in other words, Input Tax Credit is available to the taxpayer when it gets reflected in GSTR-2A of the taxpayer], the following result is noticed.

[[it is pertinent to be mentioned here in common parlance and legal parlance that, Form-2A is a purchase related-cum-system automatically generated read-only electronic document generated in the Recipient’s login which shows or contains the details of all purchases/inward supplies made to him by his different suppliers i.e., covered by all the outward supplies declared by his respective suppliers in their Form GSTR-1 Returns. In other words when a seller (registered person) discloses or uploads their B2B outward supplies in the GSTR-1 Form, the corresponding details of those outward supplies including the GSTIN of the supplier and taxpayer, Invoice Number and date etc., are captured/auto-populated and automatically reflected on GSTR-2A of the Recipient taxpayer]],

But, the taxpayer did not submit any documentary evidence regarding the value of ITC shown to be available to them to adjust it against the output liabilities or utilize it for any other lawful purpose. In this context, the provisions laid down in the law regarding the necessity of presenting the documentary evidence in support of claiming/availing the ITC benefits and as well as the provisions prescribed in the law regarding the conditions to be fulfilled for claiming the ITC benefits are mentioned or cited here under :

**A) Section 16 – Eligibility and conditions for taking input tax credit
CGST ACT 2017**

(1) Every registered person shall, subject to such conditions and restrictions as may be prescribed and in the manner specified in section 49, be entitled to take credit of input tax charged on any supply of goods or services or both to him which are used or intended to be used in the course or furtherance of his business and the said amount shall be credited to the electronic credit ledger of such person.

(2) Notwithstanding anything contained in this section, no registered person shall be entitled to the credit of any input tax in respect of any supply of goods or services or both to him unless,—

(a) he is in possession of a tax invoice or debit note issued by a supplier registered under this Act, or such other tax paying documents as may be prescribed;

[(aa) the details of the invoice or debit note referred to in clause (a) has been furnished by the supplier in the statement of outward supplies and such details have been communicated to the recipient of such invoice or debit note in the manner specified under section 37;

(b) he has received the goods or services or both.

[Explanation.—For the purposes of this clause, it shall be deemed that the registered person has received the goods or, as the case may be, services—

(i) where the goods are delivered by the supplier to a recipient or any other person on the direction of such registered person, whether acting as an agent or otherwise, before or during movement of goods, either by way of transfer of documents of title to goods or otherwise;

(ii) where the services are provided by the supplier to any person on the direction of and on account of such registered person.;

[(ba) the details of input tax credit in respect of the said supply communicated to such registered person under section 38 has not been restricted;]

(c) subject to the provisions of 4[section 41 5[***]], the tax charged in respect of such supply has been actually paid to the Government, either in cash or through utilization of input tax credit admissible in respect of the said supply; and

(d) he has furnished the return under section 39:

Provided that where the goods against an invoice are received in lots or installments, the registered person shall be entitled to take credit upon receipt of the last lot or installment:

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 paid by him along with interest payable under section 50 in such manner as may be prescribed:

Provided also that the recipient shall be entitled to avail of the credit of input tax on payment made by him to the supplier of the amount towards the value of supply of goods or services or both along with tax payable thereon.

(3) Where the registered person has claimed depreciation on the tax component of the cost of capital goods and plant and machinery under the provisions of the Income-tax Act, 1961, (43 of 1961), the input tax credit on the said tax component shall not be allowed.

(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.

[Provided that the registered person shall be entitled to take input tax credit after the due date of furnishing of the return under section 39 for the month of September, 2018 till the due date of furnishing of the return under the said section for the month of March, 2019 in respect of any invoice or invoice relating to such debit note for supply of goods or services or both made during the financial year 2017-18, the details of which have been uploaded by the supplier under sub-section (1) of section 37 till the due date for furnishing the details under sub-section (1) of said section for the month of March, 2019.]

**B) Section 41. 1[Availment of input tax credit
CGST ACT 2017**

(1) Every registered person shall, subject to such conditions and restrictions as may be prescribed, be entitled to avail the credit of eligible input tax, as self-assessed, in his return and such amount shall be credited to his electronic credit ledger.

(2) The credit of input tax availed by a registered person under sub-section (1) in respect of such supplies of goods or services or both, the tax payable whereon has not been paid by the supplier, shall be reversed along with applicable interest, by the said person in such manner as may be prescribed:

Provided that where the said supplier makes payment of the tax payable in respect of the aforesaid supplies, the said registered person may re-avail the amount of credit reversed by him in such manner as may be prescribed.]

C) Rule 36 – Documentary requirements and conditions for claiming input tax credit

(1) The input tax credit shall be availed by a registered person, including the Input Service Distributor, on the basis of any of the following documents, namely, -

(a) an invoice issued by the supplier of goods or services or both in accordance with the provisions of section 31;

(b) an invoice issued in accordance with the provisions of clause (f) of sub-section (3) of section 31, subject to the payment of tax;

(c) a debit note issued by a supplier in accordance with the provisions of section 34;

(d) a bill of entry or any similar document prescribed under the Customs Act, 1962 or rules made thereunder for the assessment of integrated tax on imports;

(e) an Input Service Distributor invoice or Input Service Distributor credit note or any document issued by an Input Service Distributor in accordance with the provisions of sub-rule (1) of rule 54.

(2) Input tax credit shall be availed by a registered person only if all the applicable particulars as specified in the provisions of Chapter VI are contained in the said document.

[**Provided** that if the said document does not contain all the specified particulars but contains the details of the amount of tax charged, description of goods or services, total value of supply of goods or services or both, GSTIN of the supplier and recipient and place of supply in case of inter-State supply, input tax credit may be availed by such registered person.]

(3) No input tax credit shall be availed by a registered person in respect of any tax that has been paid in pursuance of any order where any demand has been confirmed on account of any fraud, willful misstatement or suppression of facts.

[(4) No input tax credit shall be availed by a registered person in respect of invoices or debit notes the details of which are required to be furnished under sub- section (1) of section 37 unless, -

** the details of such invoices or debit notes have been furnished by the supplier in the statement of outward supplies in **FORM GSTR-1** or using the invoice furnishing facility; and

** the details of⁴[input tax credit in respect of] such invoices or debit notes have been communicated to the registered person in **FORM GSTR-2B** under sub-rule (7) of rule 60.

D) Section 155 : Burden of proof

“Where any person claims that he is eligible for input tax credit under this Act, the burden of proving such claim shall lie on such person”.

i) But, however, in this juncture, it observed that, since the taxpayer failed to establish or prove the genuineness, propriety and legality of their claim of Input Tax Credit benefits by producing relevant documents as required to be produced and fulfilled the “eligibility and conditions for taking Input Tax Credit” as laid down under the provisions of Section 16 of the CGST Act and as well as since they failed to meet or fulfill the “documentary requirements and conditions for claiming Input Tax Credit” as laid down under the provisions of Rule 36 of the CGST Rules and in addition there-to of these noticing(s), it is on the other hand for the reason of predominantly noticed that, the taxpayer in order of proving their claim of ITC benefits failed to meet or discharge the statutory requirement/statutory obligation imposed on them in the Act by way of one prescribed Section i.e., at Section 155 [to prove eligibility on ITC claim] which specifies that, “where any person claims that he is eligible for Input Tax Credit under this Act, the burden of proving such claim shall lie on such person”, it is accordingly in the light of the these observations hereby proposed to reject / disallow the entire ITC benefits claimed for by the taxpayer. In this regard or in this context, the taxpayer is therefore requested to submit all the relevant documents and particulars as required to be submitted in terms of the above provisions for the purpose of quantify and ascertain the eligible ITC after due consideration and scrutiny.

II. In re /with regard to the “Outward Supplies (Sales)”:-

In so far as the subject matter of the “OUTWARD SUPPLIES“ (SALES) is/are concerned, the points/things mentioned below are considered to be points/things that should be taken into account in the first place.

A) Sales as per GSTR-3B, GSTR-1, and audited Financials:-

In imprimis, in result of the banal examination of the sales reported /declared in the monthly returns of Form GSTR-1 and GSTR-3B and as well as in the audited annual financial statements, it is found the following sales as reported/declared in the above respective Returns / Annual Financial Statements :

Outward supplies (sales) as per GSTR-3B	Rs. ---Nil---
Outward supplies (sales) as per GSTR-1	Rs. ---Nil---
Outward supplies (sales) as per financials	Rs. ---Nil---

The turnovers disclosed in the above various statutory reference Forms have been examined in common parlance and taken for further necessary course of assessment.

B) Output taxes (based on different statutorily prescribed forms) :-

During the scrutiny made of the monthly returns Form GSTR-3B and Form GSTR-1), it is hereby noticed that, the following are the output taxes reported/declared under the different parts of GST respectively.

Particulars	Integrated Tax (IGST)	Central Tax (CGST)	State/UT Tax (SGST)
Output tax reported as per Form GSTR-3B	0.00	0.00	0.00
Output tax reported as per form GSTR-1	0.00	0.00	0.00

As a result of a general examination of the output taxes reported in the various statutory forms as mentioned above, it is while keeping in view the wide scope of applicability and enforcement of the principles of legitimate assessment of tax hereby taken into account the output taxes so reported in the Form GSTR-3B for the purpose of further course of computation of taxes.

III) **In re /with regard to “Others”:-**

As a part of/or in addition to the various forms or various aspects of observational procedures and corresponding assessment or evaluative procedures made on the one hand as detailed above as a result of due scrutiny/general examination made of the “records submitted by the taxpayer (and/or) information available in the GST portal” in relation to the subjects or things relating to “Inward supplies (Purchases)” and “Outward supplies (Sales)” and to an extent in so far as they are deemed fit to be assessed accordingly as supra, it is now and herein on the other hand, some other things / certain other matters directly or indirectly or otherwise relevant or related to the Inward supplies (Purchases) or Outward supplies (Sales) are also duly observed / identified as eligible to be considered suitable for being brought under the ambit of tax assessment directly.

In this context, while keeping in view the relevance and implied order of tax assessment canons to be applied or adopted in re these observed aspects/items [in other words, to put this matter in a little legal jargon, they are; “in order of properly assess one’s tax liabilities, all the relevant and appropriate factors shown/recorded in the various statutory returns and books of accounts need to be/must be taken into account as far as possible without prejudice to the generality of the provisions of law and its validity] and accordingly considering them as suitable to be taken provisionally for inclusion in the ambit of tax assessment directly (by primarily rejecting the claims of exemptions/concessions or others so made by them in the monthly returns/annual returns / financial statements and other aspects etc., while assuming that they are competent to claim such reliefs) in the absence of any proper explanation and sufficient documentary evidence and in the course of which, they are accordingly presented /exemplified here below:-

Point No.1:- Bank Credits:-

Upon due scrutiny of the Bank Statements, it is noticed that, there are Credits to a tune of Rs.1,81,26,989-00 whereas no sales have been declared in GST Returns. While keeping in view the relevance and implied order of tax assessment canons i.e., in order of properly assess one’s tax liabilities, all the relevant and appropriate factors shown/recorded in the various statutory returns and books of accounts need to be/must be taken into account as far as possible without prejudice to the generality of the provisions of law and its validity and based on this, it is while bringing this declaration to the attention of the taxpayer, hereby proposed to be provisionally brought under the

ambit of tax assessment by levying tax @ 18% which amounts to **Rs.16,31,429-00 (CGST) and Rs.16,31,429-00 (SGST)** respectively. In the course of/in this context, the taxpayer is hereby requested to submit their explanatory statements detailing the contextual antecedents of this point proposed to be included under tax assessment with appropriate corroborative evidence; in case of failure, the proposal of tax would be confirmed without any further notice or reminder.

Point No.2:- Deductions:-

Upon due scrutiny of the Profit and Loss Account, it is noticed that, there are deletions to a tune of Rs.4,31,000-00 whereas no sales have been declared in GST Returns. While keeping in view the relevance and implied order of tax assessment canons i.e., in order of properly assess one’s tax liabilities, all the relevant and appropriate factors shown/recorded in the various statutory returns and books of accounts need to be/must be taken into account as far as possible without prejudice to the generality of the provisions of law and its validity and based on this, it is while bringing this declaration to the attention of the taxpayer, hereby proposed to be provisionally brought under the ambit of tax assessment by levying tax @ 18% which amounts to **Rs.38,790-00 (CGST) and Rs.38,790-00 (SGST)** respectively. In the course of/in this context, the taxpayer is hereby requested to submit their explanatory statements detailing the contextual antecedents of this point proposed to be included under tax assessment with appropriate corroborative evidence; in case of failure, the proposal of tax would be confirmed without any further notice or reminder.

While concluding this current subjected-to “Summary of Show Cause Notice” with certain prima-facie noticed findings/ discrepancies as detailed above for the financial year 2021-22 under GST Act, 2017 [as a part and parcel of conducting and executing the authorized GST Audit-cum-Assessment in due process of law] by invoking or in the light of the implied scope of applicability of Section 73, read with Rule 142 of CGST Act and Rules, 2017 and in the course of, it is in order to make the details of the proposals easy to understand, the short abstracts/compendium of basis of all the foregoing evaluations and reckonings are hereby briefly detailed in the form of tabulated statement as under :-

(Amount in Rs.)				
Sl.No.	Particulars/ Subject	Integrated Tax (IGST)	Central Tax (CGST)	State/UT Tax (SGST)
1	Claim of ITC without documentary evidences	0.00	3,816	3,816

Levy of Penalty and Penal Interest:

For the tax proposals made in due process of law as detailed above upon/as the cause of noticing of certain inaccuracies and anomalies in respect of certain things or else in discharging of their tax obligations (while considering them prima facie eligible to be brought within the ambit of tax assessment / while deeming them prima facie worthy of being brought under the ambit of tax assessment accordingly), in this contextual scenario, it is as a part of punitive measures /penal action to be taken in pursuance thereof or in consequence thereof/ in accordance with the above proposed tax determinations within the ambit of the law, the necessary impositions / punishments /penalties are made as under :

- i) Penalty equivalent to ten percent (10%) of tax or ten thousand rupees whichever is higher will be imposed accordingly as required under the provisions of Section 73(1), 73(8), 73(9) and Section 122(2)(a) of CGST Act, 2017 after the proposed tax assessment is completed and the assessed portion of tax is determined.
- ii) Further, for the lapses/anomalies noticed in claiming the benefits of Input Tax Credit in accordance with the law and/or else in respect of short-paid of output tax or non-payment of any output tax or anything else, in other words, to put it in a little more detail, they are i) for claiming of

benefits of Input Tax Credit on ineligible items which would have no such nexus in course of their business or in the furtherance of their business, ii) for claiming of Input Tax Credit benefits in contrary in respect of certain inward supply of goods or services as provided in and as per Section 17(5) of the CGST Act, 2017 though they were exempt from the availability of Input Tax Credits on the goods or services listed as Blocked Credits under Section 17(5) or and like-wise iii) on account of underpayment of tax made in respect of output tax liability, iv) and on account of non-payment of any output tax so payable etc., the taxpayer is entitled to appropriate punitive action as prescribed under the provisions of Section 73(1), 73(8), 73(9) read with Section 50(1) and 50(3) and Rule 88B of CGST Act and Rules, 2017 @ 18% per Annum. However and whatever, the amount of Penal Interest will be calculated in due process of law after the proposed tax assessment is completed and the assessed portion of tax is determined.

Accordingly, a “Summary of Show Cause Notice” in Form GST DRC-01 dated 24.06.2025 with an abbreviated glossary and numerical figures of the deficiencies or anomalies intended to be proposed in the course of making scrutiny of the records to the notice of the taxpayer along with an Attachment or Annexure to Show Cause Notice with detailed analyses of the aforesaid abbreviated propositions for the year 2021-22 under Sec.73 read with Rule 142 CGST Act and Rules, 2017 was issued to the taxpayer vide reference 8th cited duly bringing the same to their attention with a request to make payment of all the proposals in the form of generating Form GST DRC-03 or otherwise in case of disagreement with the proposals, inviting their attention as to file written objections on such proposals with corroborative evidence within (15) days of receipt of this Notice. The Notice was accordingly served on the taxpayer by one or some of the various methods prescribed under the provisions of Section 169 (1)(a) to (f) of CGST Act, 2017 [as to making service in due manner/as a matter of reasonable service] viz., in the form of uploading the Notice electronically in the GST portal in due manner and making it available in the GST portal for them to view or check it in their login and to respond accordingly.

In response to the Show Cause Notice issued, the taxpayer filed reply in Form GST DRC-06 vide reference 9th cited, wherein the taxpayer while raising certain objections and adducing certain explanations in support thereof, requested to consider the same favourably and allow necessary reliefs and complete the proposed assessment proceedings.

Accordingly, all the ventilated submissions of the taxpayer in the different replies are properly examined and scrutinized in due process of law and the admissibility/plausibility or otherwise of the same are accordingly ascertained and concluded without prejudice to the generality of the statutory provisions and their validity and without breach of rules and completed the proposed assessment proceedings allowing appropriate and reasonable relief(s) to an extent of the same found to be worthy or capable of being granted and as well as to an extent as necessary and completed the proposed assessment proceedings for the financial year 2021-22 on the following lines :-

I. In re /with regard to the Inward Supplies (Purchases):

Response of tax payer:

- This para disallows credit to the tune of Rs.7,632/- (CGST-Rs. 3,816/- & SGST-Rs.3,816/-)
- Noticee admits to demand pointed out under this para and it is submitted that amount of Rs.7,632/- will be discharged through payment against demand in electronic liability ledger.

Observations and conclusion of the assessing authority:

Agreed with the taxpayer. The above ventilated expressions of the taxpayer are examined with reference to the enclosed evidence and keeping in view the meritorious facts which may be deemed suitable of consideration in a favourable light, hereby taken into account the clarification of the taxpayer and considered the point at issue.

II) In re /with regard to “Others”:-

Response of tax payer:

- This para raises demand to the tune of Rs.32,62,858/- against total credits in the bank account to the tune of Rs.1,81,26,989/- as no sales were reported during the financial year in GST returns.
- Noticee herewith submits the bank statement for the financial year 2021-22 as **Annexure-1**.
- Noticee in this regard submits that the credits in the bank account pertains to previous year’s receivables and Capital introduced by the Partners in the current financial year 2021-22. To support of such submissions, financials of F.Y. 2020-21 & 2021-22 are attached as **Annexure 2** and **Annexure 3** respectively. Further, a table enumerating a detailed explanation for the credits supported by the said financials is provided below

Date	Particulars	Voucher No.	Amount	Schedule	Sub-Group	Explanation
16-Apr-21	TDS Receivable 18-19	REC/100 04	94,890.00	Schedule-I of F.Y.2020-21 Financials	Loans & Advances	TDS receivable pertaining to F.Y. 2018-19 received in the current financial year, along with interest.
14-Oct-21	TDS Receivable 18-19	REC/100 24	2,750.00			
10-May-21	OTHLOAN-Mody Motors	REC/100 13	20,00,000.00			Bank transaction failed and such amount has been Debited
11-May-21	OTHLOAN-Mody Motors	REC/100 14	20,00,000.00			
11-May-21	OTHLOAN-Mody Motors	REC/100 15	20,00,000.00			
18-May-21	OTHLOAN-Mody Motors	REC/100 16	40,00,000.00	Schedule-I of F.Y.2020-21 Financials	Loans & Advances	Out of Rs. 11,79,09,933 loan receivable from Mody Motors Rs. 80,00,000 received in the current year
04-Jun-21	OTHLOAN-Mody Motors	REC/100 18	40,00,000.00			
28-May-21	SUP-Summit Sales LLP	REC/100 17	1,06,900.00	Schedule-I of F.Y.2020-21 Financials	Advances-Suppliers	Advance pertaining to the previous F.Y. 2020-21 received during the current year
14-Jun-21	CUST-SOB 393 DVNLS Madhavi	REC/100 19	25,50,000.00	Schedule-J of F.Y.2020-21 Financials	Sundry Debtors	Amount received from Sundry debtor pertaining to previous year received in current year.
16-Jun-21	Partner-Modi Properties Pvt Ltd	REC/100 20	5,50,000.00	Schedule-A of F.Y.2021-22 Financials	Partners' Capital Account	Additional Capital introduced in the F.Y. 2021-22 by Modi Properties Pvt. Ltd Rs. 6,55,000 (5,50,000+30,000+75,000)
21-Jul-21	Partner-Modi Properties Pvt Ltd	REC/100 21	30,000.00			
05-Oct-21	Partner-Modi Properties Pvt Ltd	REC/100 23	75,000.00			
05-Aug-21	Partner-Soham Satish Modi	REC/100 22	6,67,449.00			Additional capital introduced in FY 2021-22 by partner Mr.

						Soham Satish Modi.
21-Oct-21	Happy Card Deposit-MPPL	REC/100 25	50,000.00	Schedule-I of F.Y.2020-21 Financials	Deposits	Deposit from F.Y. 2020-21 received in current year
04-Jan-22	GST Payable	REC/100 26	2,000.00			Adjustment made towards GST
	Total		1,81,28,989.00			

In the light of submissions made above, it is therefore requested that all further proceedings in this regard be dropped.

Observations and conclusion of the assessing authority:

Agreed with the taxpayer. The above ventilated expressions of the taxpayer are examined with reference to the enclosed evidence and keeping in view the meritorious facts which may be deemed suitable of consideration in a favourable light, hereby taken into account the clarification of the taxpayer and considered the point at issue.

III) In re /with regard to “Fixed Assets”:-

- This para raises demand to the tune of Rs. 4,31,000/- against sale of fixed assets as no sales were reported during the financial year in GST returns.
- The Noticee submits that the sale of fixed assets was carried out at a loss. As per the applicable GST provisions and Circulars—specifically under Rule 32(5) of the CGST Rules, 2017 read with **Notification No. 8/2018 -Central Tax (Rate) dated: 25-01-2018** GST is leviable only on the Profit, i.e., if the difference between the selling price is more than the depreciated value. In support for this submission, such Notification is attached as **Annexure 4** and an extract of Fixed Assets Schedule from the Financials of F.Y. 2021-22 is provided in balance sheet. Since the assets were disposed of at a loss, with no positive margin, no GST is payable on such transactions. Therefore, the demand of Rs. 4,31,000/- shall be dropped.

Observations and conclusion of the assessing authority:

Agreed with the taxpayer. The above ventilated expressions of the taxpayer are examined with reference to the enclosed evidence and keeping in view the meritorious facts which may be deemed suitable of consideration in a favourable light, hereby taken into account the clarification of the taxpayer and considered the point at issue.

Accordingly, on or after duly considering the claims of the taxpayer and allowing such relief(s) as may be necessary as detailed supra, the tax assessment of the taxpayer for the financial year 2021-22 so proposed to be processed or so being undertaken [in consequence to or in result of the general audit conducted of their business records and other records] in due process of law by invoking the relevant or applicable provisions of Section 73, read with Rule 142 of GST Act and Rules, 2017 is completed and the amount of tax payable is re-casted/re-evaluated as under:-

(Amount in Rs.)				
Sl.No.	Particulars/ Subject	Integrated Tax (IGST)	Central Tax (CGST)	State/UT Tax (SGST)
1	Claim of ITC without documentary evidences	0.00	3,816	3,816

2	Less: Paid through DRC-03 vide ARN: AD360725003955V dated 09.07.2025.	0.00	3,816	3,816
3	Net tax payable due to the department	0.00	0.00	0.00
4	Interest calculated / consider from the due date of GSTR-9 {(i.e.,31.12.2022 to 11.08.2025 (954 days))} as prescribed under the provisions of Section 73(1), 73(8), 73(9) read with Section 50(1) and 50(3) and Rule 88B of CGST Act and Rules, 2017 @18% per Annum	0.00	1,795	1,795

The taxpayer is hereby directed to pay the above determined demand within (30) days of receipt of this Assessment Order / Summary Assessment Order in Form GST DRC-07.

NOTE: An appeal under Section 107, read with Rule 108 and Rule 109 of CGST Act and Rules, 2017 against this order lies before the Appellate Joint Commissioner (ST), Punjagutta Division, Hyderabad within (90) days from the date on which the order is communicated to them.

Proper Officer
Signature :
Name :
Designation :

**BOPPIDI
UPENDER
REDDY**
: B.Upender Reddy
: Assistant Commissioner (ST),
M.G.Road-S.D.Road Circle,
Begumpet Division, Hyderabad.

Digitally signed by
BOPPIDI UPENDER
REDDY
Date: 2025.08.11
15:58:41 +05'30'

To,
Name: - **M/s. Silver Oak Realty,**
Address:- 2nd Floor, 5-4-187/3 and 4, Soham Mansion,
MG Road, Secunderabad, Rangareddy, Telangana – 500003

Contact No. 9959556450 / 9100253761

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