

**GOVERNMENT OF TELANGANA
COMMERCIAL TAX DEPARTMENT**

Attachment to ASMT - 10

DIN	GST/36ACQFS2044C1Z7/22
Office details Designation of the assessing officer Unit Division	ASSISTANT COMMISSIONER (ST) M.G.ROAD-S.D.ROAD BEGUMPET
Details of the Tax payer Name Legal Name GSTIN	SUMMIT SALES LLP SUMMIT SALES LLP 36ACQFS2044C1Z7
Financial Year	2021-22

Take notice that you have not filed annual return in GSTR-09 for the financial year 2021-22.

On examination of the information furnished to this office in GSTR-3B TRAN-1, GSTR-01, GSTR-2A, EWB and other records available in this office it is found that you have not declared your correct tax liability while filing GSTR-3B. The summary of under declared tax is as follows:

SGST Rs.2904173.65
CGST Rs.2904173.65
Total Rs.5808347.30

The details of the above tax liability are as follows:

1. Net tax under declared due to non-reconciliation of turnovers in other returns and E-way bill information:

In addition to the above under declared turnovers with respect to GSTR-3B, it is seen that you have under declared turnovers with respect to other information available in this office.

• Reconciliation of GSTR-01 with GSTR-3B:

The outward supplies turnover declared in GSTR-01 is greater than net outward supplies information furnished in GSTR-3B. This amount is therefore proposed to be taxed as under declared outward supplies as follows:

S.No	Issue	SGST	CGST	Total
1	2	3	4	5
1	Tax on Outward supplies declared in GSTR-01 for the FY.	17070448.14	17070448.14	34140896.28
2	Less tax on Outward supplies arrived in GSTR-3B at box 3.1A	15340807.36	15340807.36	30681614.72
3	Difference (1-2)	1729640.78	1729640.78	3459281.56

2. Excess claim of ITC:

- **ITC to be reversed on non-business transactions & exempt supplies**

Under Sec 17(1) & (2) where the goods or services or both are used by the registered person partly for the purpose of business, partly for other purposes or partly used for effecting exempt supply and partly for taxable supply then the amount of credit shall be restricted to so much of the input tax as is attributable to the taxable supplies in the course of business. Therefore the taxable person needs to make an apportionment of available input tax credit under Rule 42 & 43 to arrive at the eligible ITC.

However as seen from the GSTR-3B return filed it is evident that you have not made such apportionment resulting in excess claim of ITC than you are eligible. The details of the working are as under:

S.No	Issue	Table no. in GSTR-3B	Value of outward supply	SGST	CGST	Total
1	2	3	4	5	6	7
1	Total supplies	3.1-3.1(D)	166827155.15	-	-	-
2	Exempt supplies	3.1(c)+3.1(e)	191611.10	-	-	-
3	Proportion of common ITC which has to be reversed to the extent of exempt supply (2/1 above)		0.001148	-	-	-
4	Common input tax credit	4A+Tran 1+ Tran 2	-	11333055.00	11333055.00	22666110.00
5	ITC to be reversed	[S.No.2]/[S. No.1]X[S.No. 4]	-	13010.35	13010.35	26020.70
6	ITC reversed as per GSTR-3B	4B(1)	-	0.00	0.00	0.00
7	Difference/Excess ITC claimed	S.No.5 (-) S. No.6	-	13010.35	13010.35	26020.70

Therefore the excess ITC claimed is proposed to be recovered.

- **Under declaration of Ineligible ITC:**

Under Sec 17(5) of the SGST Act, 2017 input tax credit shall not be available in respect of the list of commodities & services mentioned therein subject to certain conditions.

It is seen from GSTR-3B and other information that they have claimed ITC on these commodities and therefore the ITC claimed on these commodities or services is proposed to be recovered.

S.No	Commodity/Service	HSN code	Table no. in GSTR-3B	SGST	CGST	Total
1	2	3	4	5	6	7
1	Interior designers	99832; 998391;		1156747.69	1156747.69	2313495.38
2	Accident & Health Insurance	997133;		3037.32	3037.32	6074.64
3	Motor Vehicle Insurance	997134;		1737.51	1737.51	3475.02
A	Total ineligible ITC u/s 17(5)	-		1161522.52	1161522.52	2323045.04
B	Ineligible ITC declared in GSTR-3B	-	4D.(1)	0.000	0.000	0.000
C	Difference/excess ITC claimed	-		1161522.52	1161522.52	2323045.04

The total tax payable on account of these deficiencies after giving credit to the payments made in cash and ITC adjusted is arrived as follows:

S.No	Issue	SGST	CGST	Total
1	2	3	4	5
1	Total tax due in (1)+(2) above	2904173.65	2904173.65	5808347.30

(The detailed workings of the above in tabular form are attached as Annexures)

Therefore it is proposed to assess the registered tax payer for the net tax payable indicated above under Section 61 of the SGST/CGST Act. The registered tax payer may therefore pay the tax along with interest in DRC-03. However, If the registered tax payer is not agreeing with the proposals in this notice they may file their objections in ASMT-11 within (15) days from the date of receipt of this notice. A draft standard format is also attached for filing your response along with your detailed reply.

ASSISTANT COMMISSIONER (ST)

To download response pdf [Click Here](#)

GSTIN : 36ACQFS2044C1Z7

Name : SUMMIT SALES LLP

FY : 2021-22

S.No.	Month	GSTR-01			GSTR-3B			Difference		
		SGST	CGST	Total	SGST	CGST	Total	SGST	CGST	Total
1	2	3a	3b	3c	4a	4b	4c	5a	5b	5c
1	Apr, 2021	1556715.63	1556715.63	3113431.26	1556716.00	1556716.00	3113432.00	-0.37	-0.37	-0.74
2	May, 2021	1460487.95	1460487.95	2920975.90	1460488.00	1460488.00	2920976.00	-0.05	-0.05	-0.10
3	Jun, 2021	1569313.76	1569313.76	3138627.52	1569314.00	1569314.00	3138628.00	-0.24	-0.24	-0.48
4	Jul, 2021	2284901.18	2284901.18	4569802.36	2284901.18	2284901.18	4569802.36	0.00	0.00	0.00
5	Aug, 2021	1022667.43	1022667.43	2045334.86	1022667.00	1022667.00	2045334.00	0.43	0.43	0.86
6	Sep, 2021	1175852.69	1175852.69	2351705.38	1175853.00	1175853.00	2351706.00	-0.31	-0.31	-0.62
7	Oct, 2021	1209553.88	1209553.88	2419107.76	1209320.00	1209320.00	2418640.00	233.88	233.88	467.76
8	Nov, 2021	998282.91	998282.91	1996565.82	998282.91	998282.91	1996565.82	0.00	0.00	0.00
9	Dec, 2021	1380993.78	1380993.78	2761987.56	1380993.78	1380993.78	2761987.56	0.00	0.00	0.00
10	Jan, 2022	1230849.19	1230849.19	2461698.38	1230849.19	1230849.19	2461698.38	0.00	0.00	0.00
11	Feb, 2022	1451422.30	1451422.30	2902844.60	1451422.30	1451422.30	2902844.60	0.00	0.00	0.00
12	Mar, 2022	1729407.44	1729407.44	3458814.88	0	0	0	1729407.44	1729407.44	3458814.88
	Total	17070448.14	17070448.14	34140896.28	15340807.36	15340807.36	30681614.72	1729640.78	1729640.78	3459281.56

Note:

SGST Tax = GSTR-01 SGST - GSTR-3B SGST

= 17070448.14 - 15340807.36

= 1729640.78

CGST Tax = GSTR-01 CGST - GSTR-3B CGST

= 17070448.14 - 15340807.36

= 1729640.78

GSTIN : 36ACQFS2044C1Z7 Name : SUMMIT SALES LLP FY : 2021-22

S.No.	Month	Total supplies	Exempt supplies	Common input tax credit			ITC reversed as per GSTR-3B		
				SGST	CGST	Total	SGST	CGST	Total
1	2	3	4	5a	5b	5c	6a	6b	6c
1	Apr, 2021	16926694.00	25100.00	1515339.00	1515339.00	3030678.00	0.00	0.00	0.00
2	May, 2021	15922809.00	0.00	1110344.00	1110344.00	2220688.00	0.00	0.00	0.00
3	Jun, 2021	16619612.12	0.00	1188306.00	1188306.00	2376612.00	0.00	0.00	0.00
4	Jul, 2021	24743998.26	3719.00	1106444.00	1106444.00	2212888.00	0.00	0.00	0.00
5	Aug, 2021	11222463.00	0.00	606985.00	606985.00	1213970.00	0.00	0.00	0.00
6	Sep, 2021	12679110.00	0.00	934423.00	934423.00	1868846.00	0.00	0.00	0.00
7	Oct, 2021	13176964.00	0.00	962506.00	962506.00	1925012.00	0.00	0.00	0.00
8	Nov, 2021	11051511.22	41993.50	819810.00	819810.00	1639620.00	0.00	0.00	0.00
9	Dec, 2021	14936915.04	18995.00	1115774.00	1115774.00	2231548.00	0.00	0.00	0.00
10	Jan, 2022	13374675.78	11203.60	1075482.00	1075482.00	2150964.00	0.00	0.00	0.00
11	Feb, 2022	16172402.73	90600.00	897642.00	897642.00	1795284.00	0.00	0.00	0.00
	Total	166827155.15	191611.10	11333055.00	11333055.00	22666110.00	0.00	0.00	0.00

Note:

Common SGST ITC = Common input tax credit from 4A + Tran 1 + Tran 2 = 11333055.00 + 0.00 + 0.00 = 11333055.00

SGST Tax = SGST ITC to be reversed {Exempt Supplies / Total Supplies X Common SGST ITC } - SGST ITC reversed as per GSTR-3B

= 13010.35 - 0.00

= 13010.35

Common CGST ITC = Common input tax credit from 4A + Tran 1 + Tran 2 = 11333055.00 + 0.00 + 0.00 = 11333055.00

CGST Tax = CGST ITC to be reversed {Exempt Supplies / Total Supplies X Common CGST ITC } - CGST ITC reversed as per GSTR-3B

= 13010.35 - 0.00

= 13010.35

GSTIN : 36ACQFS2044C1Z7

Name : SUMMIT SALES LLP

FY : 2021-22

S.No.	Seller Name	Seller GSTIN	Commodity / Service	HSN code	Month	R1 to this dealer		
						SGST	CGST	Total
1	2	3	4	5	6	7a	7b	7c
1	HESTIA	36AAMFH1012P1Z9	Interior designers	99832; 998391;	Apr, 2021	357414.99	357414.99	714829.98
2	HESTIA	36AAMFH1012P1Z9	Interior designers	99832; 998391;	May, 2021	67447.08	67447.08	134894.16
3	HESTIA	36AAMFH1012P1Z9	Interior designers	99832; 998391;	Jun, 2021	72824.11	72824.11	145648.22
4	ROYAL SUNDARAM GENERAL INSURANCE CO. LIMITED	36AABCR7106G1ZK	Accident & Health Insurance	997133;	Jun, 2021	3037.32	3037.32	6074.64
5	HESTIA	36AAMFH1012P1Z9	Interior designers	99832; 998391;	Jul, 2021	167241.42	167241.42	334482.84
6	HESTIA	36AAMFH1012P1Z9	Interior designers	99832; 998391;	Aug, 2021	51842.88	51842.88	103685.76
7	HESTIA	36AAMFH1012P1Z9	Interior designers	99832; 998391;	Sep, 2021	80680.32	80680.32	161360.64
8	HESTIA	36AAMFH1012P1Z9	Interior designers	99832; 998391;	Oct, 2021	247266.50	247266.50	494533.00
9	Future Generali India Insurance Company Limited	36AABCF0191R1ZA	Motor Vehicle Insurance	997134;	Oct, 2021	1172.73	1172.73	2345.46
10	HESTIA	36AAMFH1012P1Z9	Interior designers	99832; 998391;	Nov, 2021	37112.95	37112.95	74225.90
11	Future Generali India Insurance Company Limited	36AABCF0191R1ZA	Motor Vehicle Insurance	997134;	Dec, 2021	564.78	564.78	1129.56
12	HESTIA	36AAMFH1012P1Z9	Interior designers	99832; 998391;	Jan, 2022	74917.44	74917.44	149834.88
Total						1161522.52	1161522.52	2323045.04

Note:

SGST Ineligible ITC = Lower of {(Total SGST ineligible ITC u/s 17(5) from GSTR-01 to this dealer - 4D(1) SGST of GSTR-3B) or Sum of 4C of all months GSTR 3B in FY}

= Lower of 1161522.52 - 0.000 or 11333055.00

= 1161522.52

CGST Ineligible ITC = Lower of {(Total CGST ineligible ITC u/s 17(5) from GSTR-01 to this dealer - 4D(1) CGST of GSTR-3B) or Sum of 4C of all months GSTR 3B in FY}

= Lower of 1161522.52 - 0.000 or 11333055.00

= 1161522.52

GST ASMT - 10

[See rule 99(1)]

Reference No.: ZD360622008412T

Date: 02/06/2022

To

GSTIN: 36ACQFS2044C1Z7

Name: SUMMIT SALES LLP

Address: 5-4-187 / 3 AND 4, 3RD FLOOR, SOHAM MANSION, M.G ROAD, SECUNDERABAD, Rangareddy, Telangana, 500003

Tax period: APR 2021 - MAR 2022

F.Y.: 2021-2022

Type of Return: GSTR-3B

Act/ Rules Provisions :
Under the Provisions of GST Act and Rules 2017

Notice for intimating discrepancies in the return after scrutiny

This is to inform that during scrutiny of the return for the tax period referred to above, discrepancies noticed have been mentioned in the attached annexure..

You are hereby directed to explain the reasons for the aforesaid discrepancies by the date mentioned in the table below.

If no explanation is received by the said date, it will be presumed that you have nothing to say in the matter and proceedings in accordance with law may be initiated against you without making any further reference to you in this regard.

Sr. No.	Description	Particulars
1	Section under which notice is issued	73 of GST ACT-2017
2	Date by which reply has to be submitted	17/06/2022
3	Date of personal hearing	NA
4	Time of personal hearing	NA
5	Venue where personal hearing will be held	NA

Signature

Name: GUGULOTH VIJAYA LAKSHMI
Designation: Assistant Commissioner
Jurisdiction: M.G.ROAD - S.D.ROAD ,
Begumpet , Telangana