



भारत सरकार GOVERNMENT OF INDIA  
वित्त मंत्रालय MINISTRY OF FINANCE  
राजस्व विभाग DEPARTMENT OF REVENUE  
केंद्रीय अप्रत्यक्ष कर और सीमा शुल्क बोर्ड CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS  
अधीक्षक का कार्यालय OFFICE OF THE SUPERINTENDENT  
केंद्रीय कर और केंद्रीय उत्पाद शुल्क CENTRAL TAX AND CENTRAL EXCISE  
परवूर रेंज PARAVUR RANGE  
वाथियाट्टु टावर थोट्टकट्टुकरा VATHIATTU TOWER THOTTAKKATTUKARA  
अलुवा 683108 ALUVA 683108

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Phone: 0484-2608930

OC No: 02

Date: 15/12/2025

**SHOW CAUSE NOTICE No. 01/2023-24/GST-Superintendent**

**FORM GST DRC-01**

[See rule 142(1)]

Show Cause Notice under section 73

1. **ALANGAD GRAMA PANCHAYAT, ALANGAD GRAMA PANCHAYAT, 572/B IN WARD 3,,NEERICODE,ALANGAD,Ernakulam,683511** (hereinafter referred to as 'the taxpayer') is holding GST registration bearing GSTIN:32AAAGA0412M1Z2 in the capacity of a 'registered person' as envisaged under section 2(94) of the Central Goods and Services Tax Act, 2017 (hereinafter referred to as "the Act") is a Registered firm with trade name **M/s. ALANGAD GRAMA PANCHAYAT**.
  
2. All references in this Notice to a Section of the Central Goods and Services Tax Act, 2017 (CGST Act, 2017) implies reference to the corresponding section of the Kerala State Goods and Services Tax Act, 2017 (KSGST Act, 2017). Similarly, all references to a Rule of the Central Goods and Services Tax Rules, 2017 (CGST Rules, 2017) implies reference to the corresponding Rules of the Kerala State Goods and Services Tax Rules, 2017 (KSGST Rules, 2017).

**GROUNDSC OF SCN**

3. **Issue No. 1: GSTR 1 VS 3B**

### **3.1 Brief Facts:**

**3.2** The amount of taxable value & tax declared in GSTR-1 is self-assessed liability as per Sec 59 of CGST Act 2017, read with Rule 59 of CGST Rules, 2017. Accordingly, any tax paid in GSTR-3B/DRC-03 should match with liability declared in GSTR-1. In cases of any difference, the same is liable for recovery under Sec 79 of CGST Act, read with Sec 75(12) of CGST Act 2017. The discrepancy is tabulated below for your reference and you are requested to give clarification or pay the liability along with applicable interest& Penalty.

### **3.3 Grounds:**

### **3.4**

### **3.5 Legal Provisions:**

#### **3.6 Section 10(a) - Composition levy**

one per cent. of the turnover in State or turnover in Union territory in case of a manufacturer,

#### **Section 10(b) - Composition levy**

two and a half per cent. of the turnover in State or turnover in Union territory in case of persons engaged in making supplies referred to in clause (b) of paragraph 6 of Schedule II, and

#### **Section 10(c) - Composition levy**

half per cent. of the turnover in State or turnover in Union territory in case of other suppliers, subject to such conditions and restrictions as may be prescribed: Provided that the Government may, by notification, increase the said limit of fifty lakh rupees to such higher amount, not exceeding<sup>3</sup>[one crore and fifty lakh rupees], as may be recommended by the Council: <sup>4</sup>[Provided further that a person who opts to pay tax under clause (a) or clause (b) or clause (c) may supply services (other than those referred to in clause (b) of paragraph 6 of Schedule II), of value not exceeding ten per cent. of turnover in a State or Union territory in the preceding financial year or five lakh rupees, whichever is higher.] <sup>5</sup>[Explanation.-For the purposes of second proviso, the value of exempt supply of services provided by way of extending deposits, loans or advances in so far as the consideration is represented by way of interest or discount shall not be taken into account for determining the value of turnover in a State or Union territory;]

### **3.7 Conclusion:**

### **3.8**

#### **3.9 Calculation Table**

	<b>CGST</b>	<b>SGST</b>	<b>IGST</b>
GSTR 1	23000	25411	25000
GSTR 3B	25412	54244	57412
DIFFERENCE	2412.0	28833.0	32412.0

#### **4. Issue No. 2: RCM VS 3B**

**4.1** The input tax credit under RCM/Import of services as per sec 16 of the CGST Act 2017 cannot be claimed for any amount which is not paid. Thus the credit taken in GSTR 3B (table 4A2 and 4A3) should match with amount of tax paid under RCM in GSTR 3B. The discrepancy is tabulated below and you are requested to give clarification or pay the liability along with applicable interest & penalty. But it is also to be noted that the first and foremost fathers of this state had nothing to do with the invasion of europe inthe nineteenth century.

#### **4.2 Calculation Table**

	<b>CGST</b>	<b>SGST</b>	<b>IGST</b>
ITC AVAILED IN TABLE 4(A)2 AND 4(A)3 OF GSTR 3B	256222	2545555	5425
PAYMENT OF TAX UNDER REVERSE CHARGE	14511	562222	252
DIFFERENCE	241711.0	1983333.0	5173.0

#### **5. Issue No. 3: GSTR-3B vs TCS & TDS Credit**

##### **5.1 Brief Facts:**

##### **5.2**

### **5.3 Grounds:**

**5.4** Section 51 of CGST Act, 2017 mandates deduction of tax at source in respect of supplies made to TDS deductors. Section 52 of CGST Act, 2017 requires e-commerce operators to collect tax at source in respect of supplies made through them. The details of TDS and TCS are furnished by the corresponding deductors and operators in their Form GSTR-7 and Form GSTR-8 respectively. The taxable value declared on account of 'Outward taxable supplies (other than zero rated, nil rated and exempted)' in Table 3.1 (a) of Form GSTR-3B cannot be less than the amount received from TCS and TDS operators. The discrepancy is tabulated below and you are requested to give clarification or pay the liability along with applicable interest & Penalty.

### **5.5 Legal Provisions:**

### **5.6**

### **5.7 Conclusion:**

### **5.8**

### **5.9 Calculation Table**

	<b>CGST</b>	<b>SGST</b>	<b>IGST</b>
TCS & TDS Data	256222	5622	47898
Taxable value of 'Outward taxable supplies(other than zero rated, nil rated and exempted)' in Table 3.1(a) of GSTR 3B	2562	3666	5656
DIFFERENCE	253660.0	1956.0	42242.0

**6.** **Demand-** Based on the facts of the issue and reference of laws as mentioned above, whereas it appears that **ALANGAD GRAMA PANCHAYAT, ALANGAD GRAMA PANCHAYAT, 572/B IN WARD 3,,,NEERICODE,ALANGAD,Ernakulam,683511** is liable to pay tax amounting to Rs. 2,591,732.00/- (IGST Rs. 79,827.00/-, CGST Rs. 497,783.00/- & SGST Rs. 2,014,122.00/-) for the contraventions made by them as discussed above, they are hereby directed to Show Cause to **Superintendent, Paravur Range** as to why:

- i. An amount of Rs. 63,657.00/- (Rupees Sixty Three Thousand Six Hundred Fifty Seven Only) (IGST Rs. 32,412.00/-, CGST- Rs. 2,412.00/- and SGST- Rs. 28,833.00/-) for the contraventions mentioned in issue 1 should not be demanded and recovered from them under the provisions of Section 73(1) of CGST Act 2017 /Kerala SGST Act, 2017 read with Section 20 of the IGST Act, 2017;
- ii. An amount of Rs. 2,230,217.00/- (Rupees Twenty Two Lakh Thirty Thousand Two Hundred Seventeen Only) (IGST Rs. 5,173.00/-, CGST- Rs. 241,711.00/- and SGST- Rs. 1,983,333.00/-) for the contraventions mentioned in issue 2 should not be demanded and recovered from them under the provisions of Section 73(1) of CGST Act 2017 /Kerala SGST Act, 2017 read with Section 20 of the IGST Act, 2017;
- iii. An amount of Rs. 297,858.00/- (Rupees Two Lakh Ninety Seven Thousand Eight Hundred Fifty Eight Only) (IGST Rs. 42,242.00/-, CGST- Rs. 253,660.00/- and SGST- Rs. 1,956.00/-) for the contraventions mentioned in issue 3 should not be demanded and recovered from them under the provisions of Section 73(1) of CGST Act 2017 /Kerala SGST Act, 2017 read with Section 20 of the IGST Act, 2017;
- iv. Interest at an appropriate rate under Section 50 of the CGST Act 2017 on the amount demanded at Para No. (i), (ii) and (iii) as mentioned above should not be demanded and recovered from them under Section 73(1) of the CGST Act 2017 and corresponding Section under Kerala SGST Act, 2017, read with Section 20 of the IGST Act, 2017;
- v. Penalty should not be imposed on them under the provision of Section 73 (1) of CGST Act 2017 read with Section 122 (2) (a) of CGST Act, 2017 and corresponding section under the Kerala SGST Act, 2017 read with section 20 of the IGST Act, 2017, for the contraventions referred hereinabove.

**7.** With regard to the above demand, where any person chargeable with tax under sub section (1) or sub section (3) of Section 73 of CGST Act 2017/Kerala SGST Act, 2017 read with Section 20 of the IGST Act, 2017 pays the said tax along with interest payable under Section 50 within thirty days of issue of show cause notice, no penalty shall be payable and all proceedings in respect of the said notice shall be deemed to be concluded.

- 8.** As per Section 29(3) of the CGST Act 2017/Kerala SGST Act, 2017 read with Section 20 of the IGST Act, 2017, the cancellation of the registration under this Section shall not affect the liability of person to pay tax and other dues under this Act or to discharge any obligation under this Act or the rules made thereunder for any period prior to the date of cancellation whether or not such tax and other dues are determined before or after the date of cancellation.

**9. ALANGAD GRAMA PANCHAYAT, ALANGAD GRAMA PANCHAYAT, 572/B IN WARD**

3,,NEERICODE,ALANGAD,Ernakulam,683511 is also directed to produce, at the time of showing cause, all the evidences upon which they intend to rely on in support of their defence. They should also indicate in their written reply as to whether they wish to be heard in person before the case is adjudicated. If no such mention is made in their written reply or if they do not appear before the adjudicating authority when the case is posted for personal hearing, it will be presumed that they do not wish to be heard in person.

- 10.** If no cause is shown against the action proposed to be taken **within thirty days (30 days)** from the date of receipt of this notice or if they fail to appear before the adjudicating authority when the case is posted for hearing, the case will be decided ex-parte on its own merits without any further reference.

- 11.** This notice is issued without prejudice to any other action that may be taken against them under the provisions of the CGST Act, 2017/Kerala SGST Act, 2017 and IGST Act, 2017 as amended or the Rules made there under or under any other law for the time being in force in India. Further, this notice is issued without prejudice to the right to support it with any material evidence which may be collected at a later date and which may be considered relevant to the proceedings in this matter.

- 12.** The Department reserves the right to add, amend, delete or modify any part or portion of this show cause notice, if considered necessary at any point of time before the case is adjudicated and such addition, amendment, deletion or modification shall be deemed to be part and parcel of this notice.

- 13.** In this Show Cause Notice, reliance is placed on the following documents:

Si No.	Description
(i)	No documents listed

**Superintendent**

To,

**ALANGAD GRAMA PANCHAYAT,**

**ALANGAD GRAMA PANCHAYAT,**

**32AAAGA0412M1Z2**

**572/B IN WARD 3,,,NEERICODE,ALANGAD,Ernakulam,683511**

Copy submitted to:

- No copies listed