File No GADT/49/2022-P and C-O/o COMMR-CGST-AUDIT-I-KOLKATA/I/670987/2022/6620A & & 03-2022



उद्देशिका

सूचना का अधिकार अधिनियम, 2005 की धारा 19(1) के तहत, आवेदक, यदि इस आदेश से व्यथित है, तो इस आदेश की प्राप्ति से तीस दिनों (30 दिनों) के भीतर अपीलीय प्राधिकारी यानी संयुक्त आयुक्त सीजीएसटी और सीएक्स, कोलकाता लेखा परीक्षा-I आयुक्तालय, कोलकाता को अपील कर सकता है।

### PREAMBLE

Under Section 19 (1) of the Right to Information Act, 2005, the applicant, if aggrieved by this order, can prefer an appeal within thirty days (30 days) from the receipt of this order to the Appellate Authority i.e. Joint Commissioner CGST & CX, Kolkata Audit-I Commissionerate, Kolkata .

## कार्यालय पंजीकरण संख्या 21/कोल लेखा परीक्षा-1/आरटीआई/2021-22 दिनांक 22/02/2022

आदेश पारित श्री. के के नंदी, सहायक आयुक्त, सीपीआईओ, केंद्रीय कर आयुक्त का कार्यालय, सीजीएसटी और सीएक्स ऑडिट-I आयुक्तालय, कोलकाता।

## Office Registration No.21/Kol Audit- I/RTI/2021-22 dated 22/02/2022

Order passed by Shri. K.K.Nandi, Assistant Commissioner, CPIO, Office of the Commissioner of Central Tax, CGST & CX Audit-I Commissionerate, Kolkata

- संदर्भः आरटीआई अधिनियम, 2005 श्री गोपाल कुमार चौधरी द्वारा दायर आवेदन पंजीकरण संख्या 13/RTI/S/CGST & CX/Kol/2022 दिनांक 11/02/2022 - सहायक आयुक्त सीपीआईओ (आरटीआई) सीजीएसटी और सीएक्स, कोलकाता दक्षिण आयुक्तालय से प्राप्त
- Ref: RTI Act, 2005 Application Registration No. 13/RTI/S/CGST & CX/Kol/2022 dated.11/02/2022 filed by Sri Gopal Kumar Chowdhury - Received from Assistant Commissioner CPIO (RTI) CGST & CX, Kolkata South Commissionerates - reg.

\*\*\*\*\*

This is to inform you that the referred RTI application under Registration No. 13/RTI/S/CGST & CX/Kol/2022 dated 11/02/2022 of Sri Gopal Kumar Chowdhury pertains to refund of excess amount paid

#### 1/670987/2022

during the discharge of his Service Tax liability under Voluntary Compliance Encouragement Scheme, 2013. The desired report in respect of Audit –I-Commissionerate may please be treated as 'NIL' as the processing of refund matters does not pertain to Audit Commissionerate.

भवदीय /Yours faithfully,

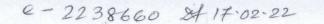
Signed by Kanchan Kanti Nandi Date: 02-03-2022 11:11:50

(कांचन कान्ति नन्दी) (Kanchan Kanti Nandi) सी.पी.आई.ओ. एवं सहायक आयुक्त CPIO & Assistant Commissioner कोलकाता लेखा परीक्षा -I, सीजीएसटी एवं सीएक्स आयुक्तालय, कोलकाता Kolkata Audit – I, CGST & CX Commissionerate, Kolkata

To

Shri Gopal Kumar Chowdhury 56 Hazra Road, Ballygunge, Kolkata-700019, West Bengal, India Copy forwarded to:

- The Assistant Commissioner & CPIO (RTI) CGST & CX, Kolkata South Commissionerate w.r.t GEXCOM/RTI/APP263/2022-TECH-O/o COMMR-CGST-KOLKATA(S)/13408 dated 16.02.2022 for information and necessary action please.
- The Superintendent (System)Kolkata Audit I CGST & CX Commissionerate Kolkata along with copy of RTI Application for sending the same from official e-mail i.e. NIC/GOV mail of Kolkata Audit-I Commissionerate, CGST & CX to (i) <u>kolsouth.gst@gov.in</u> for further uploading to the Zonal Website i.e. <u>cgstkolkata.gov.in</u>. (ii) Shri Gopal Kumar Chowdhury his email i.d. gopalchowdhurylbs@gmail.com









**GOVERNMENT OF INDIA** 

MARKET

## OFFICE OF THE COMMISSIONER OF KOLKATA SOUTH CGST & CX: KOLKATA GST BHAWAN: 3<sup>rd</sup> Floor, 180, RAJDANGA MAIN ROAD: SHANTIPALLY: KOLKATA-700107

GEXCOM/RTI/APP/263/2022-TECH-O/o COMMR-CGST-KOLKATA(S) /13408 Date: To The CPIO & Assistant Commissioner CGST & CX, Kolkata Audit – I Commissionerate. GST Bhawan, Kolkata – 700107.

Sir/Madam,

Sub:

Application seeking information under RTI Act, 2005 filed by Sri Gopal Kumar Chowdhury dated 11.02.2022-reg

Please find enclosed herewith one RTI application dated 11.02.2022 filed by Sri Gopal Kumar Chowdhury, 56 Hazra Road, Ballygunge,Kolkata-700019 which was received by this office on 14.02.2022 and registered by this office vide registration No. 13/RTI/S/CGST & CX/Kol/2022.

The RTI application is being transferred to you under sec. 6(3) of the RTI Act, 2005 as the information being sought pertains to Audit-I Commissionerate for supplying the desired information, after examining carefully the aspects of confidentiality and fitness of disclosure in terms of the provisions of the RTI Act, 2005 and various decisions of CIC, directly to the applicant within the stipulated time provided under the Act and after taking care of Rule 4 of the Right to Information (Regulation of Fee and Cost) Rules, 2005 under intimation to the undersigned.

Encl: As above - 07(Seven) Sheets.

Yours faithfully,

Assistant Commissioner & CPIO (RTI) CGST & CX, Kolkata South Comm't. Kolkata.

5808

### C. No. : As above

C

Dated :

Copy for information to :-

1. Sri Gopal Kumar Chowdhury, 56 Hazra Road, Ballygunge, Kolkata-700019

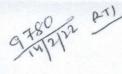
Sir, in case of filing RTI first appeal, you are requested to apply it directly before the First Appellate Authority of the Commissionerate where your RTI application is being transferred u/s. 6(3) of the RTI Act, 2005 as this office cannot transfer RTI First Appeal application to another First Appellate Authority [Reference : The FAA, CIC in the matter of Sri Freddy Pareira file No. CIC/AA/A/2013/22-Decision dated 23/02/2013]

Yours faithfully,

- Sd ----

Assistant Commissioner & CPIO (RTI) CGST & CX, Kolkata South Comm't. Kolkata.

# **Gopal Kumar Chowdhury**



56 Hazra Road, Ballygunge-700019, Kolkata West Bengal, India

#### SPEED POST

Dated: 11/02/2022

To The Central Public Information Officer Right to Information Act, 2005 Office of the Commissioner of Service Tax-II, Kolkata Kendriya Utpad Shulk Bhawan 180, Shanti Pally, Rajdanga Main Road Kolkata – 700107, West Bengal, India



#### Sub: REQUEST FOR INFORMATION

From the enclosed copy of letter dated 31-03-2015 (Annexure – 'A') it is evident that the author of the letter admitted my total liability under Voluntary Compliance Encouragement Scheme, 2013 Rs. 53,11,730/- (Rupees Fifty Three Lakhs Eleven Thousand Seven Hundred Thirty) only was duly discharged by me.

The enclosed copy of prescribed Form VCES-3 (Annexure – 'B') shows that the concerned designated authority duly acknowledged my total payment of Rs. 58,28,930/- (Rupees Fifty Eight Lakhs Twenty Eight Thousand Nine Hundred Thirty) only against my total liability during the period under assessment as referred in paragraph number 1 herein before i.e. an excess of Rs. 5,17,160/- (Rupees Five Lakhs Seventeen Thousands One Hundred Sixty) only.

From the enclosed copy of my letter dated 26-07-2021 (Annexure -'C') it would be seen that by the said letter request was made inter alia to refund my said excess payment with statutory interest. But till date, the said earnest request of senior citizen of India has not been attended causing immense inconveniences.

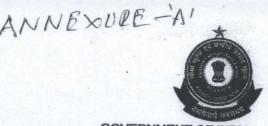
Kindly inform the fate of my aforesaid request for refund with interest and the time within which the proposed refund with the interest will be credited in my bank account no. 08010100004146 or issue a cheque in my favour.

Thanking you

Gopal Kumar Chowdhury 11/02/2022

Enclosed:

- 1) One I.P.O. of Ten only being the prescribed R.T.I. fee
- 2) Photocopy of annexures 'A', 'B', 'C' respectively referred above.
- Photocopy of annexures 'D' final audit report (F.A.R.) dated 06.01.2022 for the period from April 2016 to June 2017





GOVERNMENT OF INDIA OFFICE OF THE COMMISSIONER OF SERVICE TAX-II, KOLKATA, KENDRIYA UTPAD SHULK BHAWAN, 3RDFLOOR, 180, SHANTIPALLY, RAJDANGA MAIN ROAD, KOLKATA- 700107

C. No. V (30)1983/Chowdhury/VCES/ST/Tech/Kol/13/6148

Dated: 31.03.2015

To M/S

M/S G. Chowdhury & Associates (Prop:- Gopal Kumar Chowdhury), 17A, G. C. Bose Road, Entally, Kolkata-700014

Dear Sir(s),

## Sub: Acknowledgement of discharge under Voluntary Compliance Encouragement Scheme, 2013-regarding.

Please refer to your letter dated 24.06.2014 inter-alia intimating payment particulars towards discharge of your declared service tax liability under Voluntary Compliance Encouragement Scheme, 2013 amounting to Rs.53,11,730/-(Rupees fifty three lakh eleven thousand seven hundred thirty) only.

Now, in compliance to sub-section (7) of section 107 of the Finance Act, 2013, acknowledgement of discharge in form VCES-3 is enclosed for your information and necessary record. If there is any discrepancy between the information furnished in VCES-1 and discharge certificate in VCES-3, you are requested to contact the undersigned immediately.

Encl: As above (1 sheet).

Gethow dh

Yours sincerely,

Assistant Commissioner, Designated Authority(VCES), Service Tax-II, Kolkata. FORM VCES-3

MLEDGEMENT OF DISCHARGE b-section (7) of section 107 of the Act] ADR

ANNEDURE-B'

[Issued un

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AMITAVA BHATTACHARJEE Bhattacharje Signature, name and seal of designated authority V) Service To Date: 2.02.2015

Place: Kolkata

Date:-26/07/2021

From :-For G Chowdhury and Associates. 56 Hazra Road, Ballygunge, Kolkata, West Bengal-700019

To

The Assistant Commissioner (Circle-VII) **CGST & CX** Circle-VII, Group -34 GST BHAWAN:ROOM NO.-701 :7th Floor. Kolkata Audit-1 Commissionerate 180 Rajdanga Main Road, Shantipally, Kolkata-700107.

## Your ref. no:- C.No.V(8)37/kol/-Audit-1/C-7/Gr.34/GC&A/21-22/242 dated :16-04-2021 DIN NO.20210461WG00000ED7A

ANNEXER-10

Sub: Submission of additional documents as requisitioned on 13.07.2021 (Reg no. pACMPC1464AST001)

Respected Sir,

With due respect it is submitted that as per your requisition I hereby file the following additional documents for your kind consideration:-.

- 1. Duly filled up annexure- S.T.-1.
- 2. Copy of S.T.-3 Return for the period 1st April 2016 to 30th September 2016.
- 3. Statement of payment received as reflected in 26AS for the periods 1st October 2016 to 31st March 2017 and 1st April 2017 to 30th June 2017.
- 4. Photocopies of form no. 26As for the F.Y. 2016-2017 and for 2017-2018.
- 5. G.A.R.-7 copies of challans showing payments for 2016-2017 and for April 2017 to June 2017.
- 6. Copy of S.T.-1.

Pertinent to the record during the financial year 2016-2017 Vidya Mandir Society issued me a cheque no. 001959 dated 31.03.2017 drawn on ICICI Bank which was deposited by me on 4th April 2017 and it has been reflected in my bank statement of HDFC bank statement for 2017-2018. Photocopy of bank statement is enclosed for your ready reference. The said Vidya Mandir Society duly showed the said payment in their accounts in financial year 2016-2017 and the said figure find in 26As for F.Y. 2016-2017 (A.Y. 2017-2018). Kindly acknowledge the receipt of the above referred documents and complete my assessments scrutiny for both the years and at the earliest by refunding excess amount deposited by me with statutory interest.

Thanking you,

SELST ON

For G Chowdhury and Associates.

26/07/2021

Received Vor 7(2) Vinanas 26/07(2)

Dina Nath Kar / दीना नाथ कर Superintendent / अधाक्षक Group अस्टर्भ भर, Circle-VII/ सर्वल-VII से जी.सा.वे यह सो.एलस कोलकाती लेखा परीक्षा-1 आयुकालय Superintendent / अधोक्षक, 

.

ANNEXURE -10 -कायालय 4 Gr. 34 **GOVERNMENT OF INDIA** JAN 2022 **OFFICE OF THE COMMISSIONER OF CGST & CX** सामाज सल्का का नहीं है KOLKATA AUDIT-I COMMISSIONERATE Contenis Not Verified ¢ Ct. Kolkala Audit **CIRCLE-VII, GROUP -34** GST BHAWAN: ROOM NO.-701: 7<sup>TH</sup> FLOOR, रिश्व कोलकावी 180, RAJDANGA MAIN ROAD: SHANTIPALLY: KOLKATA-700107 Dated: 05.01.2022 C. No.V (8)37/Kol-Audit-1/C-7/Gr.34/GC&A/21-22/ 5201 06.01-2022 DIN :-\_20220161WG00000D04C

Το,

M/s. G. CHOWDHURY & ASSOCIATES, (STC No. ACMPC1464AST001) 56, HAZRA ROAD, BALLYGUNGE, Kolkata, West Bengal, 700019.

Gentleman,

## Final Audit Report (FAR)

During the course of audit for the period from April, 2016 to June 2017 conducted atthis office on 16.08.2021 & 18.08.2021, one (02) audit objections were issued to you.

You have agreed with the contentions of the Memo and paid all the dues along with appropriate interest and penalty.

The said Memo was converted into Draft audit report (DAR) vide No. 203/2021-22 and was placed in the Monitoring Committee Meeting.

The Chairman (Commissioner of the Audit-1 Commissionerate) of the said meeting has been pleased and agreed with the proposal of the Auditors as mentioned in the above mentioned DAR and settled the issues accordingly.

Copy of minutes of the MCM is enclosed for your information please.

Enclo: As above (02) Sheets

Yours sincerely,

newath Km 05/01/2022

(Dina NathKar) Superintendent, CGST & CX, Circle - 7, Group-34 Kolkata Audit - I Comm'te, Kolkata

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## MINUTES OF MCM HELD ON 21-09-2021

ANNEXURE-D'

	Audit Plan Re	gister No.*		Sand and Sand	100 - 100 A	202/2021-22				
ſ	Objection Code as per Annexure T of CEAM and Ann. XI of STAM:	Gist of Obj	jection							
	ST-CSR099 Issues not specified above resulting in non- payment or short payment of Service Tax	Consultanc, Parut Farm As per SI. services pr business e service in under Sect	y charges is Pvt. Lt No. 5 of ovided o intity loca the categories ion 68(2)	Alegal expenses d. had incurred notification N r agreed to be ated in the taxa- gory of "Legal	s, for the expense o. 30/20 provided able terr consult Act, 19	e financial years 20 es towards Legal c 12-ST dated 20.06 l by individual adv itory, 100% servic ancy service" und	116-17, it has harges paid 5.2012 effect rocate by was ce tax is pa er reverse c	to an in tive fro ty of lease harge n	challans, ledger of observed that M/s. dividual advocate. m 01.07.2012, the gal services to any by the recipient of nechanism (RCM) des, 1994, but they	
				Amount of I	egal	Rate of Servic		Service tax incl. cess payable (In Rs.)		
		Mon		expenses (In F 7 10,002/-		incl. cess 15.00%		cess	1501/-	
		Mar,2017		1030021-		15.0070			1501/-	
Revenue		501/- unde	er Section 5 and 78	ove, they were 1 73 of the Fina respectively of ection	ance Act	, 1994 along with	ax including appropriate	interest	amounting to Rs.1, and penalty under overy	
involved							1111			
	Tax (In Rs.)	1	Interest (In Rs.)		Pe	nalty (In Rs.)	Cash (In Rs.) 2,716/-		Credit	
	1.501/-			989/-		226/-			-	
226 - as Pen Auditor's v	eply: In response to airy CIN No.2021081 iew: Since the assess found in order, the pa	19153231491 see has paid	8687 date the Servi	d 19.08.2021. ice Tax along v	with inte	`	1			
Status of pa		and may be a	ceepieae			a is accepted and s	settled.			
Status of pa			14.				/	1		

#### 28. DAR NO : 203/2021-22 M/s. G CHOWDHURY & ASSOCIATES

PART- A	GENERAL INFORM	ATION					
Al	Assessee Code*	ACMPC1464AST00	A2	Statute of Audit*	Service Tax		
A3	Audit Dates*	1		1			
Fre	om (DD/MM/YYYY)	16.08.2021 & 18.08.2021	To(DD/M	IM/YYYY)	i6.08.2021 & 18.03.2021		
A4	Audit Period*						
From (N	rom (MM/YYYY) 04/2016			То (ММ/ҮҮҮҮ) 06/2017			
A5	Date of issuance of letter (DD/MM/YYYY)	r for conducting Audit	1	02.08.2021			
A6	Date of Issue of Audit R	eport (DD/MM/YYYY)*					
A7	Audit Group No.*			34			
A8	Audit Plan Register No.	*		203/2021-22			

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Page 405 of 493

## MINUTES OF MCM HELD ON 21-09-2021

ANNEXURE -D)

			state of the second	and the second	and the last part of some state of the last set of the last se	and the second sec				
	Objection Code Gist of Objection									
	as per Annexure									
1	T of CEAM and									
	Ann. XI of	Sec. and								
	STAM:									
$\square$	ST-CSR099 Issues not specified above resulting in non- payment or	observed that Technical Ser In view of th	they had earned Rs. rvice to M/s Kothari & he above, they were	0, on scrutiny of income 2,04,000/- for the period & Associates ; but, Servic requested to pay Rs. 36	April, 2016 to June, e tax was not paid to 0,600/- Rupees Thi	2017 for providing govt. exchequer. irty thousand six				
	short payment of Service Tax		Sections 75 and 78 r	of the Finance Act, 199 espectively of the said Ac	it.					
	short payment				it.	sovery				
	short payment		Sections 75 and 78 r		it.					
Revenue involved	short payment of Service Tax Tax (In Rs.) 30,600/-	penalty under	Detection Interest (In Rs.) 19,544/-	Penalty (In Rs.) 4,590/-	t. Rec Cash (In Rs.) 54,734/-	covery Credit -				
Assessee's r interest & R Auditor's v	short payment of Service Tax Tax (In Rs.) 30,600/- reply: In response to s. 4,590/- as Penalty v iew: Since the assess	penalty under Audit Observat vide CIN No.20 see has paid the	Interest (In Rs.)   19,544/-   iondated18.08.2021,   21082316011272035	Penalty (In Rs.) 4,590/- the assessee has paid Rs. 0 dated 23.08.2021. vith interest and penalty t	t. Rec Cash (In Rs.) 54,734/- 30,600/- as Service	Credit - tax, Rs. 19,544/- as				

ParaB2	Objection Code as per Annexure T of CEAM and	Gist of Objection			•		
	Ann. XI of STAM:						
	ST-CSR072: Short payment of interest on delayed payment of service tax	the financial years 20 tax beyond due dates were required to pay to pay total interest. ( delayed payment of S In view of the above	der E.A-2000, on scruti 116-17, it has been obse on a few occasions, re interest under Section 7 On calculation, the shor service Tax during the fi e, they were requested to r Section 75 of the said	rved that they had ma sulting in delayed pa 5 of the Finance Act, t payment of interest inancial Year 2016-17 to pay <b>Rs. 650/-(Rup</b>	ide payment of service yment, for which they , 1994; but, they failed comes to <b>Rs. 650</b> /- for 7.		
Revenue involved		Detection	Recovery				
	Tax	Interest (In Rs.)	Late fee (In Rs.)	Cash (In Rs.)	CENVAT		
	NIL	650/-	NIL	650/-	NIL		
No.20210823 Auditor's vi	reply: In response to Audit 8160112720350 dated 23.08.202 ew: Since the assessee has pair found in order, the para may be ra	21. d the Service Tax alon	g with interest and pena	alty to the Govt. Excl			

## 29. DAR NO : 376/2020-21 M/s. HIND RECTIFIRES LIMITED

		AUDIT REPORT FORM	AT FO	R EA-2000	
PART- A		ATION: M/s. Hind Rectifiers I reet.Kolkata-700071 (small)	Limited	1. 20 <sup>th</sup> floor, 33A, Jawa	harlal Nehru Road, Park
Al	Assessee Code*	AAACH1781QSD007	A2	Statute of Audit*	Service Tax
A3	Audit Dates*		/		
Fre	om (DD/MM/YYYY)	19.10.2020	2	and (DDAMM/YYYY)	19.10.2020

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Page 406 of 493

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