

## GOODS AND SERVICES TAX

FORM GST ASMT-10

[See Rule 99]

Notice for Scrutiny of Returns under Section 61

DIN: GSTN/SCR/2024-25/DIN-78432190

Notice Reference No: ASMT10/MH/2024/SCR-44821

Date of Issue: 15-01-2025

Tax Period Under Scrutiny: April 2023 to March 2024 (FY 2023-24)

To,

The Registered Person,

M/s. Pinnacle Trading Co. Pvt. Ltd.

GSTIN: 27AABCP1234N1ZT

Registered Address: Unit 401, Trade Tower, Andheri East, Mumbai — 400069, Maharashtra

**Subject: Scrutiny of GST Returns for the tax period April 2023 to March 2024 — Discrepancies noticed in ITC claims and outward supply declarations — Reg.**

Sir/Madam,

On scrutiny of the returns filed by you for the tax period April 2023 to March 2024, the following discrepancies have been noticed. You are hereby directed to provide an explanation along with supporting documents within **30 days** from the date of receipt of this notice, as to why the said discrepancies should not be treated as short payment of tax and/or wrong availment of Input Tax Credit (ITC).

**1. Discrepancy in Input Tax Credit (ITC) Claimed**

As per the GSTR-2B auto-generated statement for FY 2023-24, the eligible ITC available to you was **Rs. 14,22,000**. However, in your GSTR-3B returns filed for the same period, you have claimed total ITC of **Rs. 19,83,000**. This results in an **excess ITC claim of Rs. 5,61,000** which is not supported by corresponding inward supply declarations by your vendors in their GSTR-1.

The following invoices were claimed in your Purchase Register but are **not reflected in GSTR-2B**:

Sr.	Invoice Number	Vendor Name	Vendor GSTIN	Invoice Date	ITC Claimed (Rs.)
1	INV-2023-0451	Mahindra & Mahindra Ltd	27AABCM1234N1ZT	12-May-2023	1,77,000
2	INV-2023-0892	Hindustan Unilever Ltd	27AABCH5678U1ZY	03-Aug-2023	2,84,000
3	INV-2023-1104	Infosys Technologies Ltd	29AABCI9012T1ZP	15-Nov-2023	1,00,000
				<b>Total Excess ITC</b>	<b>5,61,000</b>

**2. Mismatch in Outward Supply Turnover**

As per TDS certificates (Form 26AS) and other third-party data available with the department, your turnover for FY 2023-24 appears to be **Rs. 4,85,00,000**. However, the aggregate turnover declared in your GSTR-1/GSTR-3B is **Rs. 4,50,00,000**. This results in a potential **suppression of turnover of Rs. 35,00,000** leading to a possible short payment of GST of approximately **Rs. 6,30,000** (at 18%).

### **3. Non-payment of Tax under Reverse Charge Mechanism**

It has been noticed that you have received services from unregistered persons amounting to **Rs. 8,50,000** during the scrutiny period. However, no tax has been discharged under Reverse Charge Mechanism (RCM) as required under Section 9(4) of the CGST Act, 2017. The tax liability under RCM is estimated at **Rs. 1,53,000**.

<b>Discrepancy</b>	<b>Amount (Rs.)</b>
Excess ITC claimed (not in GSTR-2B)	5,61,000
GST on suppressed turnover (estimated)	6,30,000
RCM tax liability not discharged	1,53,000
<b>Total Discrepancy Amount</b>	<b>13,44,000</b>

You are hereby directed to furnish a reply in **Form GST ASMT-11** within 30 days from the date of service of this notice, explaining the above discrepancies and furnishing the following documents:

- Copies of all invoices listed in the table above
- Purchase Register and Sales Register for FY 2023-24
- Bank statements showing payments made to the vendors
- Any credit notes or debit notes relevant to the disputed invoices
- Reconciliation statement between GSTR-3B and GSTR-2B

Failure to reply within the stipulated time may result in the assessment being completed to the best of judgement under Section 62 of the CGST Act, 2017, and appropriate demand proceedings may be initiated under Section 73/74 of the CGST Act.

Yours faithfully,

**Sd/-**

**Rajesh Kumar Sharma**

State Tax Officer (Scrutiny Cell)

CGST & Central Excise, Division III

Mumbai, Maharashtra