

HARYANA VIDHAN SABHA

COMMITTEE ON PUBLIC ACCOUNTS

(2022-2023)

85th (EIGHTY FIFTH) REPORT

ON

**the Report of the
Comptroller and Auditor General of India**

ON

**Revenue Sector
for the year ended 31st March, 2018**



(Presented to the House on 26th December, 2022)

**HARYANA VIDHAN SABHA SECRETARIAT,
CHANDIGARH
2022**

TABLE OF CONTENTS			
		Paragraphs	Page(s)
Composition of Committee on Public Accounts			(iii)
Introduction			(v-vi)
Scope and Functions of the Committee			(vii-viii)
Report:			1
Report on the Report of the Comptroller and Auditor General of India on Revenue Sector for the year ended 31 st March 2018			
Sr. No.	Name of the Department		
1.	Excise & Taxation	1-32	5-158
2.	Revenue & Disaster Management	33-42	159-178
3.	Transport	43-44	179-183
4.	Mines and Geology	45-54	184-207
Appendix: Showing outstanding observations/recommendations of the Public Accounts Committee on which the Government is yet to take final action.			208-249

COMPOSITION OF THE COMMITTEE ON PUBLIC ACCOUNTS

CHAIRPERSON

1. Shri Varun Chaudhary, MLA	Chairperson
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MEMBERS

2. Dr. Abhe Singh Yadav, MLA	Member
*3. Shri Subhash Sudha, MLA	Member
4. Shri Narender Gupta, MLA	Member
5. Smt. Nirmal Rani, MLA	Member
6. Shri Amit Sihag, MLA	Member
7. Smt. Shailly, MLA	Member
8. Shri Jogi Ram Sihag, MLA	Member
9. Shri Randhir Singh Gollen, MLA	Member
**10. Shri Bhavya Bishnoi, MLA	Member

SECRETARIAT

1. Shri R. K. Nandal, Secretary
2. Dr. Purushottam Dutt, Additional Secretary

* Shri Subhash Sudha, MLA, resigned from the membership of the Public Accounts Committee of Haryana Vidhan Sabha w.e.f. 13th July, 2022 vide this Secretariat notification No. HVS/PAC-1/2022-23/62, dated 13th July, 2022.

** Shri Bhavya Bishnoi, MLA, as member to serve on the Committee on Public Accounts of Haryana Vidhan Sabha w.e.f. 24th November, 2022 vide this Secretariat notification No. HVS/PAC-1/2022-23/83, dated 24th November, 2022.

INTRODUCTION

1. I, Chairperson of the Committee on Public Accounts, having been authorized by the Committee in this behalf, present this 85th Report on Report of the Comptroller and Auditor General of India on Revenue Sector for the year ended 31st March, 2018.
2. The Report of the Comptroller and Auditor General of India on Revenue Sector for the year ended 31st March, 2018 was laid on the Table of the House on 26th November, 2019.
3. The Committee examined the Report of the Comptroller and Auditor General of India on Revenue Sector for the year ended 31st March, 2018 and also conducted the oral examination of the representatives of the concerned departments.
4. The Committee considered and approved this Report in its sitting held on 13th December, 2022.
5. A brief record of the proceedings of the meetings of the Committee has been kept in the Haryana Vidhan Sabha Secretariat.
6. **Issuance of instructions/recommendations for action on various important issues;**

The Committee in its meetings held during 2022-23 (till November 2022) observed that on certain important issues the response of State executive was not up to mark and therefore the Committee felt need for issuance of instructions for prompt required action as given below;

- a)
 - (i) The Committee in its meeting held on 07.09.2022 observed that large number of recommendations of the Committee pertained to instances of ill planning, taking up of projects/scheme without proper assessment of requirements, blockade of Government funds, non execution of schemes by the departments which often results in wasteful/unfruitful expenditure.
 - (ii) **The Committee therefore, recommends that** an effective mechanism be devised for implementation of recommendations promptly, effectively and in true spirit so that intended objective is achieved and recommendations for conduct of vigilance/departmental enquiry etc. for fixation of responsibility offerring/negligent officers/officials and taking appropriate departmental punitive action be taken up on top priority to conclude the same in a time bound manner.
 - (iii) Consequently, instructions dated 26.10.2022 have been issued to all heads of department by the O/o the Chief Secretary to Govt of Haryana for strict compliance of the recommendations of the Committee.
- b) The Committee, in its meeting held on 20.09.2022 desired that a communication be sent to the Chief Secretary to Government of Haryana to

furnish latest status of the cases referred to the State Vigilance Bureau for thorough Inquiry on the recommendations of the Committee.

- c) The Committee in its meeting dated 12.10.2022 desired that certain information viz copy of promotion guidelines of IPS issued by MoH, GoI, copy of orders of State Govt. Creating 30 cadre/Ex cadre posts of DG/ADG in the state, Copy of IPS (pay) rules, status of vacancy at the time of promotions etc. regarding promotions in the rank of DG/ADG in excess of the sanctioned posts be provided at the earliest for further consideration the Committee.
 - d) The Committee, in its meeting held on 16.11.2022 desired that in all cases wherein the Vigilance Enquiry /Departmental Enquiry is recommended, the subject matter alongwith scope and preview of that enquiry be got approved from the Committee
- 7. I, as Chairperson of the Committee, place on record the appreciation and express my gratitude to Hon'ble Speaker, Haryana Vidhan Sabha for extending valuable guidance and important suggestions to Committee for under taking its business during 2022-23.
 - 8. I, as Chairperson of the Committee, and place on record appreciation for all the Members of the Committee for their whole hearted cooperation and valuable suggestions for consideration and examination of Action Taken Notes (ATNs) and Action Taken Reports (ATRs) on CAG's Audit Reports and recommendations of the Committee.
 - 9. The Committee places on record its appreciation for the assistance rendered to it by the Principal Accountant General (Audit), Haryana and his officers. The Committee would like to express its thanks to the Additional Chief Secretary to Government Haryana, Finance Department and other officers of Finance Department and the representatives of the various departments who appeared for oral evidence before it.
 - 10. The Committee is also thankful to the Secretary, Additional Secretary and officer/officials of the Haryana Vidhan Sabha Secretariat for the whole hearted co-operation and assistance extended by them to the Committee.

CHANDIGARH
THE 13th December, 2022

-Sd-
VARUN CHAUDHARY
CHAIRPERSON

SCOPE AND FUNCTIONS OF THE COMMITTEE ON PUBLIC ACCOUNTS

The Committee on Public Accounts of State Legislative Assembly has very important role to play in the State to ensure good governance, transparency and accountability through its recommendations and ways and means it would evolve to improve upon systems and procedures. Thus, the Committee on Public Accounts is an important monitoring/oversight Committee of the State Legislature. The scope and functions of the Committee on Public Accounts have been enumerated in Rule 231 and 232 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly

Committee on Public Accounts

'Rule 231.

1. As soon as may be after commencement of the first session of the Assembly, a Committee on Public Accounts shall subject to the provisions of this rule be constituted.
2. The function of the Committee shall be to examine the accounts showing the appropriation of the sums granted by the Assembly to meet the expenditure of the Government of Haryana and such other accounts laid before the Assembly as the Committee may think fit.
3. The Committee on Public Accounts shall consist of not more than nine members who shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of single transferable vote.
4. The term of office of members of the Committee shall be one year.
5. Casual vacancies in the Committee shall be filled, as soon as possible after they occur, by election in the manner aforesaid and any person elected to fill such vacancy shall hold office for the period for which the person in whose place he is elected would under the provisions of this rule, have held office.
6. In order to constitute a meeting of the Committee the quorum shall be three.
7. a. The Chairperson of the Committee shall be appointed by the Speaker from amongst the members of the Committee:
 Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairperson of the Committee:
 Provided, however, that if the Chairperson of the Committee during the preceding financial year has served as a Chairperson for less than two years and he is elected a member of the Committee, the Speaker may notwithstanding the first proviso or the proviso to Rule 206 (1) appoints him as the Chairperson of the Committee.
- b. If the Chairperson is for any reason unable to act, the Speaker may similarly appoint another Chairperson in his place.
- c. If the Chairperson is absent from any meeting of the Committee, the Committee shall choose another member to act as Chairperson for that meeting.

8. In the case of equality of votes on any matter the Chairperson shall have a second or a casting vote.
9. The Committee may appoint one more sub-committee, each having the powers of the undivided Committee, to examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the reports of the whole Committee if they are approved at a meeting of the whole Committee.
10. The Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the House. Such reports shall be treated as confidential until presented to the House.
11. The Committee may, hear officials or take evidence connected with the accounts under examination. It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.
12.
 - a. The Speaker, may from time to time, issue such directions to the Chairperson of the Committee as he may consider necessary for regulating the procedure and the organization of its work.
 - b. If any doubt arises on any point of procedure or otherwise the Chairperson may, if he thinks fit, refer the point to the Speaker whose decision shall be final.
13. The Committee shall have power to pass resolutions on matters of procedure for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary.
14. The Committee may, with the approval of the Speaker, make detailed rules of procedure to supplement the provisions contained in these Rules.'

Functions of Committee on Public Accounts

'Rule 232.

1. In scrutinising the Appropriation Accounts of the Government of Haryana and the Report of the Comptroller and Auditor-General thereon it shall be the duty of the Committee on Public Accounts to satisfy itself-
 - a. that the money shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged;
 - b. that the expenditure conforms to the authority which governs it; and
 - c. that every re-appropriation has been made in accordance with provisions made in this behalf under the rules framed by competent authority:

Provided that the provision made in clause (c) above shall not apply to any accounts prior to the year 1950-51.
2. It shall also be a duty of the Committee -
 - a. to examine such trading, manufacturing and profit and loss accounts and balance-sheets as the Governor may have required to be prepared, and the Comptroller and Auditor General's report thereon;
 - b. to consider the report of the Comptroller and Auditor-General in cases where the Governor may have required him to conduct and audit of any receipts or to examine the accounts of stores and stock.'

REPORT

GENERAL

The Committee for the financial year 2022-2023 was nominated on 20th April, 2022 by the Hon'ble Speaker in pursuance of motion moved and passed by the Haryana Vidhan Sabha in its sitting held on 4th March, 2022, authorizing him to nominate the Chairperson/Members of the Committee on Public Accounts for the financial year 2022-2023.

2. The Committee held total 55 meetings during the year at Chandigarh and other places upto 13th December, 2022 till the finalization of the Report.

REVENUE SECTOR
for the year ended 31st March, 2018

EXCISE & TAXATION DEPARTMENT

[1] 1.2 Analysis of arrears of revenue:

The arrears of revenue as on 31 March 2018 in some principal heads of revenue amounted to Rs.12,446.12 crore of which Rs.2,124.00 crore was outstanding for more than five years as depicted below:-

Table 1.2: Arrears of Revenue

(Rs.in crore)

Sr. No.	Heads of Revenue	Amount outstanding as on 31 March 2018	Amount outstanding for more than five years as on 31 March 2018	Replies of Department
1.	Taxes on sales, Trade/VAT etc.	11,069.39	1,700.35	Recovery of Rs.631.32 crore was stayed by the High Court and other judicial authorities and Rs.289.17 crore was stayed by order of Government. Recovery of Rs.101.49 crore was withheld due to the dealers becoming insolvent, Rs.209.00 crore was likely to be written off and Rs.1,208.34 crore was held on due to rectification/review/appeal. Recovery of arrears of Rs.2,149.64 crore was pending on account of cases pending in court and Rs.1,886.16 crore was pending on account of non-recovery by the department due to other reasons. Recovery of Rs.544.19 crore was pending with official Liquidator/Board of Industrial and Financial Reconstruction (BIFR). Inter State arrears were Rs.101.50 crore and Inter districts arrears were Rs.88.75 crore. Recovery of Rs.1.03 crore was being made in instalments. Balance amount of Rs.3,858.80 crore was in different stages of action.
2.	State Excise	233.69	95.83	Recovery of Rs.20.37 crore was stayed by High Court and other judicial authorities and Rs.0.73 crore was stayed by order of Government Rs.0.60 crore was likely to be written off. Rs.17.49 crore was due to inter-State Rs.48.84 crore inter- districts arrears. Recovery of Rs.0.06 crore was being made in instalments. Rs.15.41 crore was pending on account of cases pending in court. Rs.48.12 crore was pending on account of non-recovery by the department due to other reasons. Rs.3.18 crore was pending with official liquidator/BIFR. Balance of Rs.78.89 crore was outstanding at different stages of action.
3.	Taxes and duties on electricity	261.46	138.68	Rs.260.46 crore was pending towards consumers of Dakshin Haryana Bijli Vitran Nigam Limited (DHBVNL)/Uttar Haryana Bijli Vitran Nigam Limited (UHBVNL) and Rs.1.00 crore was pending against M/S Haryana Concast, Hisar.
4.	Tax on entry of goods into local areas (Local Area Development Tax)	201.46	147.96	Recovery of Rs.138.76 crore was stayed by High Court and other judicial authorities and an amount of Rs.62.70 crore was outstanding at different stages of action.

5.	Police	92.50	8.20	Rupees Rs.7.38 crore was due from Indian Oil Corporation Limited (IOCL) up to 31 March 2007. The matter of recovery from IOCL in Haryana State was pending at the level of State Government. Rs.0.29 crore was recoverable from Bhakra Beas Management Board, Faridabad and Rs.84.83 crore was recoverable from other States for election duties and Law and Order duty in other States
6.	Other taxes and duties on commodities and services – Receipts for Entertainment duty	11.69	11.22	Recovery of Rs.0.42 crore was stayed by the High Court and other judicial authorities, Rs.0.02 crore was likely to be written off and balance amount of Rs.11.25 crore was outstanding at different stages of action.
7.	Non-ferrous mining and metallurgical industries	575.93	21.76	Rs.271.44 crore was outstanding on account of demand covered by recovery certificate, Rs.0.54 crore stayed by High Court and Judicial authority. Rs.2.65 lakh was likely to be written off. Balance of Rs.303.92 crore was outstanding at different stages of action.
	Total	12,446.12	2,124.00	

The department in its written reply stated as under:

SALES TAX:-

The para is based on information supplied by the department to the P.A.G. (Audit), Haryana. The additional demands created by the department in assessment cases during the year are added to balance arrear of previous years. The arrear recovered/deleted during the year are reduced from the list of arrears. It is a regular process. The revenue collection under the VAT and CST Act by the department and the recovery of outstanding arrear for the period 2017 -18 onwards to 2021-22 is as under:-

Financial Year	Outstanding Arrear under VAT + CST Act (in Crore) as on 1st April of the F.Y	Revenue Collection under VAT + CST Act (in Crore)	Recovery/deletion of Arrear (old+current) under VAT + CST Act (in Crore)
2017-18	9501.18	16283.18	3586.45
2018-19	11069.39	9424.55	4757.96
2019-20	17595.10	8654.07	4003.96
2020-21	30717.15	8851.43	2764.25
2021-22	32716.77	11293.12	3497.28
2022-23	33063.03	-	-

Further, it is submitted that the arrear as on 01.04.2021 stood Rs. 32716.77 Cr., out of this outstanding arrear, an amount of Rs. 3497.28 Cr. (old arrear of Rs. 3082.88 Cr. + current arrear of Rs. 414.40 Cr.) stands recovered/ deleted during the year 2021-22,

leaving a balance of Rs. 29633.89 Cr. as on 31st March, 2022. The breakup of balance old arrear (2021-22) is given as under:-

Sr. No.		(Amount in Crores)
1	Arrear in which appeal has filed by the assessee but no stay has been granted	5100.96
2	Under Stay	488.89
3	Under Liquidation	2037.94
4	Writing off	105.89
5	Property attached	275.50
6	Under installment	0.27
7	Other recoverable	21624.46
	Total	29633.89

In order to recover the arrear/outstanding dues from the dealers, the Department has introduced two Schemes for hasslefree and smooth recovery. The department had launched **One Time Settlement Scheme (OTS)** vide notification no. 20/ST-1/Haryana Ordinance No. 1/2017, dated 22.06.2017. Under this scheme, the department has recovered Rs.2328.35 Crores. This recovery of arrears includes the arrears pointed out by the CAG prior to March, 2016. Further, the department has also introduced Haryana Alternative Tax Compliance Scheme, 2016 for contractors vide notification no. 19/ST-1/H.A 6/2003/S.59A/2016 dated 12.09.2016. 202 builders and developers opted the scheme. Rs.833 Crores have been recovered under the Scheme and large number of litigations have abated. Further, the Department has initiated various steps to recover the outstanding dues of arrears under the VAT and CST Act. For this purpose, a Recovery Cell has been created at district level whose performance is reviewed and monitored by Head Office on regular basis. In the year 2021-22 Total recovery of old arrears through recovery cell has been Rs. 189.59 Crore and the deletion of Rs. 2893.29 Cr. has been made. As far as current arrears are concerned, the recovery of Rs. 40.65 Cr. and deletion of Rs. 373.75 Cr. have been made.

It is submitted that the outstanding arrear as on 1st April, 2022 was Rs. 33063.04 Cr. To recover the long-standing old arrear the Department is also proposing to introduce of One Time Settlement Scheme (OTS), 2022 for the settlements of the long pending and disputed arrears of tax. The proposal would be sent to the Government for its approval after its finalization. After the scheme is approved and launched, it is expected that the most of the arrears of VAT and CST on account of disputed tax, interest, penalty is likely to be settled. It is also mentioned here that the Department has initiated a special drive for recovering the arrears under the VAT and CST Act. For this purpose the department has

initiated drive under the CST Act vide memo no. **362/ST-4 dated 06.05.2022** and under **VAT Act as well vide memo no. 368/ST-4 dated 06.05.2022.**

EXCISE:-

The para is based on information supplied by the department to the P.A.G. (Audit), Haryana. Out of total arrear of Rs. 513.91 Cr. as on 29.11.2021 an arrear of Rs. 25.89 Cr. stands recovered upto 29.11.2021 leaving a balance of Rs. 488.03Crore. The break up of balance arrear is given as under:-

(Amount in Crore)

1	Under Stay	15.33
2	Writing Off	3.39
3	Supreme Court/High Court	15.81
4	Property attached	67.10
5	Other recoverable	386.38
	Total	488.03

LADT:

It is submitted that the arrear under the Local Area Development Tax Act, 2000 the outstanding arrear as on 1st April, 2018 was Rs. 201.47 Cr. the arrear in the subsequent from the year 2018-19 to 2021-22 reduced to Rs. 206.44 Cr. as on 01.04.2021 for the financial year 2021-22. The breakup of the outstanding arrear during the period 2017-18 to 2020-21 is as under:-

Financial Year	Old arrear as on 1 st April (in Crore)	Demand Created during the year (in Crore)	Total arrear recoverable (in Crore)	Recovery / Deletion of old and current arrear (in Crore)
2018-19	201.47	4.17	205.64	0.00
2019-20	205.70	0.68	206.38	0.00
2020-21	206.39	0.13	206.52	0.07
2021-22	206.44	2.40	208.11	0.73
2022-23	208.11	-	-	-

It is mentioned here that there has been reduction in the outstanding arrear from 2017-18 onwards to 2021-22 on account of the Department of Haryana introducing One Time

Settlement Scheme for Recovery of Outstanding Dues, 2017 vide Notification dated 22nd June, 2017 by way of which an arrear of Rs. 1920.09 Cr. was settled in the year 2017-18. As on April, 2021, a balance of Rs. 206.44 Cr. was outstanding arrear out of which Rs. 0.73 Cr. was recovered during the year 2021-22. The balance of old arrear as on 31st March, 2022 was Rs. 205.71 Cr. The breakup of the same is as under:-

Sr. No.		(Amount in Crore)
1	Under stay	143.45
2	Liquidation	0.04
3	Installment	0.02
4	Other recoverable	63.87
	Total	205.71

Further, it is mentioned here that the Hon'ble Supreme Court has remanded the case to the Hon'ble Punjab and Haryana High Court to adjudicate the legality of LADT Act.

Entertainment Duty Tax:

The breakup of outstanding arrear of Rs. 11.77 Crore as on 01.04.2022 is given below:-

Sr. No.		(Amount in Crore)
1	Under stay	3.18
2	Writing off	0.01
3	Other recoverable	8.58
	Total	11.77

It is mentioned here that with effect from 01.07.2017 the entertainment duty tax has been subsumed under GST Act, 2017.

The Committee has desired that the department to provide the details of the attached properties which have been auctioned to recover the outstanding arrears. The Committee also recommended that the pragmatic and sincere steps be taken to recover the outstanding arrears either by introducing the one time settlement (OTS) scheme or otherwise and action taken report be submitted to the Committee at the earliest possible.

[2] 1.7. Response of the Government/Departments towards audit:

1.7.1 Department wise details of Inspection Reports:

The Principal Accountant General (Audit) Haryana conducts periodical inspection of Government departments to test check the transactions and verify the maintenance of

important accounts and other records as prescribed in the rules and procedures. These inspections are followed up with inspection reports (IRs) incorporating irregularities detected during the inspection and not settled on the spot, which are issued to the heads of the offices inspected with copies to the next higher authorities for taking prompt corrective action. The heads of offices/Government are required to comply with the observations contained in the IRs, within four weeks from the date of receipt of the IRs. Serious financial irregularities are reported to the heads of the department and the Government. Inspection reports issued up to December 2017 disclosed that 6,915 paragraphs involving Rs.6,577.52 crore relating to 2,446 IRs remained outstanding at the end of June 2018 as mentioned below in the Table below along with the corresponding figures for the preceding two years.

Table 1.7: Details of pending Inspection Reports

	June 2016	June 2017	June 2018
Number of IRs pending for settlement	2,143	2,302	2,446
Number of outstanding audit observations	5,389	6,430	6,915
Amount of revenue involved (Rs.in crore)	5,802.87	5,869.33	6,577.52

The Department-wise details of the IRs and audit observations outstanding as on 30 June 2018 and the amounts involved are mentioned in the Table below:-

Table 1.7.1: Department-wise details of Inspection Reports

Sr. No.	Name of the Department	Nature of receipts	Number of outstanding IRs	Number of outstanding audit observations	Money value involved (Rs.in crore)
1	Excise and Taxation	Sales tax /VAT	334	2,828	5,342.97
		State Excise	173	305	160.11
		Taxes on goods and passengers	247	441	38.70
		Entertainment duty and show tax	22	24	11.63
2	Revenue	Stamps and registration fees	1,057	2,493	370.43
		Land Revenue	135	174	0.81
3	Transport	Taxes on vehicles	380	524	27.70
4	Power	Taxes and duties on electricity	7	8	5.89

5	Mines and Geology	Non-ferrous mining and metallurgical industries	91	118	619.28
Total			2,446	6,915	6,577.52

The increase in the pendency of IRs was indicative of the fact that the heads of offices and the Departments did not initiate adequate action to rectify the defects, omissions and irregularities pointed out by the Audit in the IRs. The Government may institute a system of effective monitoring of responses of departments to IRs to ensure prompt response to audit observations.

The department in its written reply stated as under:

In reply to this para, it is submitted that all the audit observations raised in the various inspection reports are examined at Head Office level. As and when these inspection reports are received in the Head Office the same are circulated to the concerned DETCs with the directions to submit initial reply of the said observations within the prescribed time limit of six weeks. It is specifically ensured at the Head Office level that initial reply of each and every inspection reports submitted to the Principal Accountant General's office. It is further submitted that 02 Audit Committee Meetings of Excise have been held during 11/2019 & 12/2019 during which 34 paras involving amount of Rs.7.02 Crore were settled.

Detail of Inspection Report discussed in the Audit Committee Meetings is given as under:-

S. No.	IRS Pending upto	IR issued upto	Pending for settlement	Audit Observations	Amt involved (In Crore)	No. of Para Discussed	No. of paras settled upto	Amount of Settled Paras (In Crore)	%age of para settled
1	Jun-16	Dec-15	672	2733	54.50	444	143	16.91	32.21
2	Jun-17	Dec-16	714	3345	54.01	1279	581	363.65	45.43
3	Jun-18	Dec-17	776	3598	55.53	701	225	32.38	32.10
4	Jun-19	Dec-18	827	4184	64.95	368	31	2.27	8.42
5	Jun-20	Dec-19	870	4749	84.76	*368	48	5.35	13.04
	TOTAL					2792	1028	420.56	36.82

* Only one Audit Committee Meeting was held on dated 13/14.12.2021 and in this meeting total number of 368 paras were discussed which pertains to Inspection Reports upto 31.12.2019 & 31.12.2020 as such the 368 no. paras are included only one time in

the above total. Also Figures shown in pending for settlement column showing the figures of Department as a whole.

In this regard, a departmental audit committee under the chairmanship of Administrative Secretary has been constituted vide PAG (Audit) Haryana D.O. No. AMG-II/2022-23/ACM-Ent/546, dated 28.06.2022 to review the progress of settlement of the audit paras and to monitor the pace of work on this behalf.

An Audit Committee Meeting has also been held from 11.07.2022 to 13.07.2022 to review the outstanding old paras at the O/o DETC (ST), Panipat. There are 529 Paras pending in 15 IRs in respect of DETC (ST), Panipat out of which 393 Paras for the IRS 2004-05 to 2018-19 have been discussed in this meeting. Further, Audit Committee Meeting will also be held shortly in the O/o DETC (ST), Kurukshetra as intimated by the O/o Principal Accountant General (Audit), Haryana, Chandigarh.

It is further submitted that PGT Paras from 01.04.2017 have been transferred to Transport Department. The Entertainment duty and show tax Paras from 01.04.2017 have since been merged in GST.

In view of the above observations, the para may please be dropped.

The Committee has observed that the Finance Department, Govt. of India has adopted the Audit Para Monitoring System (APMS) developed by the National Informatic Centre (NIC). The Committee has, therefore, desired that the department should also adopt this mechanism for the department of the system.

[3] 1.7.3 Non production of Records of audit for scrutiny:

During the year 2017-18, 199 files out of 36,208 assessment files and other relevant records involving tax effect of Rs.375.06 crore were not made available to audit. District-wise detail of cases is depicted in Table 1.7.3 below:-

Table 1.7.3: Details of non-production of records

Name of the Office/Department	Year in which it was to be audited	Number of cases not produced	Tax amount/refunds (Rs.in crore)
Assessment cases			
Deputy Excise and Taxation Commissioner (ST) Gurugram (west)	2017-18	156	248.06
DETC (ST) Rewari	2017-18	02	114.68
DETC (ST) Mewat	2017-18	02	1.78
DETC (ST) Kaithal	2017-18	01	0.71
DETC (ST) Sirsa	2017-18	38	9.83
Total		199	375.06

The above table shows that 199 cases amounting to Rs.375.06 crore relating to DETCs

(ST), Gurugram (West) Rewari, Mewat, Kaithal and Sirsa could not be examined due to non-production of records.

The department in its written reply stated as under :-

Name of the Office/ Department	Year in which it was to be audited	Number of cases not produced (as per Audit)	Tax Amount/ Refunds (Rs. in Crore as per detailed note on CAG Report Audit)	Tax Amount as pointed out by Audit as per Audit Key	Tax Amount/ Refunds (Rs.)	Files transferred	Files Received	Files Available	Files Not-Available	Remarks
DETC (ST), Gurugram (West)	2017-18	156	248.06	167.46	6.8	77	0	79	0	The Audit has pointed out about the 156 cases of non-Production in Gurugram (West) District and shown the amount of tax of Rs.248.06 Cr. involved in these cases, whereas as per key made available by the audit, the amount of tax is found as Rs. 256.36 Cr. Hence there is a difference of Rs.8.30Cr.
DETC(ST) Gurugram North	2017-18	0	0	70.12	1.05	0	46	46	0	
DETC (ST), Gurugram (South)	2017-18	0	0	18.78	1.10	0	31	31	0	
DETC (ST), Sirsa	2017-18	38	9.83	20.54	29.03	0	0	38	0	
DETC (ST), Rewari	2017-18	02	114.68	114.68	0.02	0	0	2	0	
DETC (ST), Mewat	2017-18	02	1.78	1.78	0	0	0	2	0	
DETC (ST), Kaithal	2017-18	01	0.71	0.71	0	0	0	1	0	Excess of Rs.7016155/- was allowed as C/F
	Total	199	375.06	394.08	38.00	77	77	199	0	

Out of 199 files pointed out by the Audit, 199 files are available and will be produced before Audit party whenever required.

1. The Audit has pointed out about the 156 cases of non-production in Gurugram (West) District and shown the amount of tax of Rs. 248.06 Cr. involved in these cases, whereas as per key made available by the audit, the amount of tax is found as Rs. 256.36 Cr. Hence there is a difference of Rs.8.30Cr. The number of cases and amount involved in 156 cases is mentioned in the above chart.
2. In respect of Gurugram (North) district, it is submitted that all 46 assessment files are available for inspection. (Original files-37+Recreated-08+Vigilance-01=46) It is also pertinent to mention here that out of 46 Assessment Files, 3 files have already been audited by the Audit Team at the time of visit. It is intimated that the Assessment record of M/s Cosmos Infra, Gurugram (North) TIN - 06611950462 was sent to the Vigilance Department, Gurugram in case of CWP No. 6856 of 2016 as per the orders of Hon'ble Punjab & Haryana High Court, Chandigarh. Sincere efforts are being made to trace out the original assessment record of 8 case files.
3. In another case of Gurugram (North), Audit has pointed out the name of the firm i.e. M/s Yours Fabricator, Gurugram and mentioned the TIN-34571 only. As per verification made from Haryana Tax Website, this TIN pertains to M/s Advance Engineering Gurugram (North) and this file is available but the file of M/s Yours Fabricator, Gurugram is not available in the office.
4. In respect of 38 files of Sirsa District, it is submitted that 13 files have already been audited by the audit team as per reply submitted by DETC (ST), Sirsa. The Audit has pointed out about the revenue of Rs.9.83Cr. in the detailed note on CAG Report for the year 2017-18 but as per report received from O/o DETC (ST) Sirsa, the revenue involved is Rs.20.54Cr. Hence there is a difference of Rs.10.71 Cr. District wise reply/remarks are hereby reproduced as under:

Name of the District	Number of cases not produced (as per Audit)	Files available	Files not available	Remarks												
DETC (ST), Gurugram (West)	79	79	0	<p>In reply to the Audit para it is informed that 156 case files were pointed out by the audit party under head (Non production of record to audit for scrutiny). Out of the list of 156 cases provided by the audit party under this head, district wise bifurcation is as under:-</p> <table><tr><th>District</th><th>Year</th><th>Number of Cases</th></tr><tr><td>Gurugram (West)</td><td>2017-18</td><td>79</td></tr><tr><td>Gurugram (North)</td><td>2017-18</td><td>46</td></tr><tr><td>Gurugram (South)</td><td>2017-18</td><td>31</td></tr></table> <p>Case file of 79 firms are available and will be produced before the visiting audit party.</p> <p>Since no revenue loss in any special case has been reported or highlighted by the audit party so para may be dropped.</p>	District	Year	Number of Cases	Gurugram (West)	2017-18	79	Gurugram (North)	2017-18	46	Gurugram (South)	2017-18	31
District	Year	Number of Cases														
Gurugram (West)	2017-18	79														
Gurugram (North)	2017-18	46														
Gurugram (South)	2017-18	31														

DETC (ST), Gurugram (North)	46	46	0	<p>In reply to the Audit para, it is submitted that 46 case files pertain to Gurugram (North) district under head (Non production of record to audit for scrutiny).</p> <p>All 46 case files are available out of which 8 case files have been recreated and will be produced before the visiting audit party. Sincere efforts are being made to trace out the original assessment record of the cases in which files have been recreated.</p> <p><u>It is also pertinent to mention here that out of 46 Assessment Files, 3 files have already been audited by the Audit Team at the time of visit.</u></p> <p>One case file was sent to the Vigilance Department, Gurugram in case of CWP No.6856 of 2016 as per orders of Hon'ble Punjab & Haryana High Court, Chandigarh and an official was deputed to get the photocopy of the file from Vigilance Department, Gurugram.</p> <p>In another case of Gurugram (North), the Audit has pointed out the name of the firm i.e. M/s Yours Fabricator, Gurugram and mentioned the TIN-34571 only. As per verification made from Haryana Tax website, this TIN pertains to M/s Advance Engineering Gurugram (North) and this file is available but the case file of M/s Your Fabricator, Gurugram is not available. In view of the above, the para may please be dropped.</p>								
DETC (ST), Gurugram (South)	31	31	0	<p>In reply to the Audit Para, it is submitted that 31 cases have been reported under the head</p> <p>1.7.3 (Non-Production of record to Audit), the case record of all 31 files are available for scrutiny and will be produced before Audit whenever required.</p> <p>The detail of cases involved therein is given as under:-</p> <table><tr><td>Cases received from Gurugram (West)</td><td>Total No. of cases</td><td>Available</td><td>Not Available</td></tr><tr><td></td><td>31</td><td>31</td><td>0</td></tr></table>	Cases received from Gurugram (West)	Total No. of cases	Available	Not Available		31	31	0
Cases received from Gurugram (West)	Total No. of cases	Available	Not Available									
	31	31	0									
DETC (ST), Sirsa	38	38	0	<p>In reply to para it is submitted that all the 38 files are available in this office. Moreover the perusal of files reveals that out of 38 files Audit of 13 files has also been conducted by the Audit Party and paras were also raised. However, all the files will be produced before Audit as and when required.</p>								
DETC (ST), Rewari	2	2	0	<p>In reply to the Audit objection, it is intimated that, there were two files which could not be produced before audit for scrutiny as mentioned below:-</p> <p>1. M/s United Breweries Ltd, Rewari, TIN – 06482703178.</p> <p>2. M/s Kool Breweries Ltd, Rewari, TIN – 06182704313.</p> <p>In this connection, it is intimated that above two files were sent to Ld. Additional Excise & Taxation Commissioner (T), Haryana Panchkula vide this office Memo No. 8932/DTI, dated 22.09.2017 and the same are now received back and available in the office.</p>								

DETC (ST), Mewat	2	2	0	In reply to the audit para it is submitted that two following cases:- (i) M/s Roop Automotive(p) Ltd. TIN-06701815895 (ii) M/s Kamdhenu Ispat (p) Ltd. TIN-06971823264 were not produced before the audit party as the same had been sent to the Head Office for approval of refund. The refund in these cases has been issued by the Head Office and the file returned to field office and is available in the office to be produced before the audit now. In light of above the Para may be dropped.
DETC (ST), Kaithal	1	1	0	

On reply by the department that all files are now available for scrutiny, the Committee has desired the office of the Accountant General (Audit), Haryana to scrutinize the said available files and prepare the list of cases where the action has been completed for further consideration of the Committee.

[4] 2.3.7.4 Filing of returns:

As per Rule 59 to 61 of Haryana GST Rules, 2017, taxpayers other than composition taxpayers were required to furnish details of outward supplies of goods or services in Form GSTR-1, details of inward supplies of goods or services in Form GSTR-2 and a return in Form GSTR-3 (electronically generated by system on the basis of information furnished through GSTR-1 and GSTR-2) monthly, whereas composition taxpayers were required to file a quarterly return GSTR-4. The prescribed process of return filing has been amended to address the teething trouble in the initial period of the new tax regime. Therefore, filing of GSTR-2 and GSTR-3 was postponed and all taxpayers were mandated to submit a simple monthly return in Form GSTR-3B with payment of tax by 20th of the succeeding month. Further, taxpayers having turnover below Rs.1.5 crore were to file GSTR-1 on quarterly basis. Detail of returns filed was as under:

Period	Range of total eligible tax payers	Range of percentage of tax payers filed GSTR 3B	Range of percentage of tax payers filed GSTR 4	Range of percentage of tax payers filed GSTR 5	Range of percentage of tax payers filed GSTR 6
July 2017 to March 2018	2,58,469 - 3,53,197	84.52 to 98.28	76.22 to 87.21	33.33 to 50.00	35.89 to 59.02
April 2018 to January 2019	3,60,761- 4,18,669	75.58 to 89.42	82.99 to 91.68	12.50 to 50.00	56.41 to 61.52

Source: Data furnished by the department

During the period July 2017 to March 2018 number of taxpayers increased from 2,58,469 to 3,53,197 but percentage of returns GSTR-3B decreased from 98.28 to 84.52 *per cent*.

Similarly filing of returns by the Composition taxpayers in GSTR-4 decreased from 87.21 to 76.22 *per cent* (**Annexure V**).

During the period April 2018 to January 2019 number of taxpayers increased from 3,60,761 to 4,18,669 while filing of returns GSTR-3B decreased from 89.42 to 75.58 *per cent*. Filing of returns by the Composition tax payers in GSTR- 4 decreased from 91.68 to 82.99 *per cent*.

The department in its written reply stated as under:

The para is informative in nature and needs no comments. However, the percentage filing for GSTR-3B and GSTR-1 for FY 2017-18 and FY 2018-19 are as follows:-

Year	% of return filing for the year 2017-18	% of return filing for the year 2018-19
GSTR-1	92.72%	79.76%
GSTR-3B	96.31%	89.36%

The Committee has desired that the latest status be submitted to the Committee at the earliest possible.

[5] 2.4.2 Evasion of tax by unregistered contractors/;registration of contractors:

Section 48 of HVAT Act provides that the Taxing Authority may call for any information, data and statistics from other Departments/Corporations/Persons which may be relevant to any proceedings or useful for tax administration. Section 16 provides for levy of tax and penalty equivalent to tax determined during assessment of unregistered dealer.

Audit called for information from various departments such as offices of Executive Engineer, HSAMB, HUDA, MCs and HAFED Panchkula regarding works contractors engaged by them. From the information received from the departments, which were under the jurisdiction of 11 DETCs (ST), audit observed that the department had not established any system for collection of information from other departments to facilitate the process of identification, registration and assessment of unregistered dealers to detect evasion of tax.

Evasion of tax:

Rule 10 (2) of HVAT Rules 2003 provides that a dealer in whose case taxable quantum as specified in Section 3 (2) of HVAT Act is above Rs.five lakh, shall be liable to pay tax on and from the day following the day his gross turnover in any year first exceed the taxable quantum. Registration is required under Section 11 (2) of HVAT Act for all such dealers.

Audit verified the information collected from offices of Executive Engineer, HSAMB, HUDA, MCs and HAFED Panchkula with registration records of 11 DETCs. It was observed that 1,043 works contractors had exceeded the threshold limit of taxable

turnover of Rs.five lakh. They had received payment of Rs.407.29 crore for execution of works contracts during 2014- 15 to 2016-17.However, these contractors were not registered under HVAT Act and suppressed the sale of Rs.407.29 crore.

Failure of the department to conduct survey for the purpose of identifying unregistered dealers had resulted in non realisation of tax of Rs.19.80 crore from these unregistered dealers and mandatory penalty of Rs.19.80 crore was also leviable.

On this being pointed out, four DETCs (ST) stated (between September 2017 and May 2018) that cases were under examination. Reply has not been received from remaining seven DETCs (ST).

The State Government may consider

- Issuing appropriate directions to the Boards, Corporations, PSUs to call for the TIN of the contractors at the stage of tendering.
- Directing the department to devise a system of exchange of information with other departments to detect the unregistered works contractors and monitoring the results of exchange of information.

The department in its written reply stated as under:

AMBALA – 128

HSAMB AMBALA – 16 + 19 = 35

1. Sarwan Kumar, PAN AIFPK9485N, A.Y. 2015-16
2. Satish Kumar, PAN BNYPK8831K, A.Y. 2015-16
3. Rahul Gupta, PAN AIRPG1415E, A.Y. 2015-16
4. Navjot Singh, PAN EDQPS2591F, A.Y. 2015-16
5. Sucha singh, PAN DIWPS5252P, A.Y. 2015-16
6. Godara Const. Co., PAN AFHPG5733L, A.Y. 2015-16
7. Jatinder Kumar, PAN AMMPB9376N, A.Y. 2015-16
8. Yogesh Const. & Builders, PAN AABFY5976A, A.Y. 2015-16
9. Bhushan Lal, PAN ABPPL7004K, A.Y. 2015-16
10. Pardeep Kumar, PAN AMCPK1824B, A.Y. 2015-16
11. Sanjeev Kumar, PAN AMMPK6674Q, A.Y. 2015-16
12. Sh. Chirag Dangi, PAN BNCPD8387D, A.Y. 2015-16
13. Dynamic const. PAN ABEPG4623N, A.Y. 2015-16
14. Jagjit Singh, PAN DZEPS2595L, A.Y. 2015-16
15. Vikarm Singh PAN DIDPS5243H, A.Y. 2015-16

16. Rohit Kumar, PAN BNBPK6570J, A.Y. 2015-16
17. Sarvan Kumar, PAN AIFPK9485N
18. Satish Kumar, PAN BNYPK8831K
19. Jatinder Kumar, PAN AMMPB9376N
20. Rahul Gupta, AIRPG1415E
21. Navjot Singh, PAN EDQPS2591F
22. Sucha singh, PAN DIWPS5252P
23. Yogesh Const. & Builders, PAN AABFY5976A
24. Bhushan Lal, PAN ABPPL7004K,
25. Pardeep Kumar, PAN AMCPK1824B,
26. Sanjeev Kumar, PAN AMMPK6674Q,
27. Dynamic const. PAN ABEPG4623N
28. Jagjit Singh, PAN DZEPS2595L
29. ikarm Singh PAN DIDPS5243H
30. Rohit Kumar, PAN BNBPK6570J
31. R.D. Chahal, PAN AAOFR2073E
32. M/s Gupta & Comp. PAN AFHPG6094G
33. Great Weigh Bridge, PAN AJFPS4025F
34. Nopinder Pal, PAN AOLPP4454L
35. M/s Budha Group, PAN AAMFB0992Q

MC AMBALA – 46 + 47 = 93

1. A & V Const. Co. ACJPS8057J
2. Amit Kumar BUXPK8908B
3. Anil Mehta AQGPM9647M
4. Anil Sateerja ACTPK9294K
5. Barjinder Sharma AWUPS1885R
6. Chander Mohan Gogia AGAPG8842J
7. Chopra Electric Co. Karnal ABVPKI696C
8. Daljit Singh APZPS3301E
9. Davinder Pal AERPP6587Q
10. G.K. Makkar ABAPM1071E
11. Gaurav Rana ARQPR5831D
12. Gupta & Co. AFHPG6094G

13. Harsh Bindra AYGPK6050Q
14. Hemant Suri BDVPS7163R
15. Indian Engg. & Associates AYQPS0660J
16. Jagdeep Singh BRSPS6278J
17. Jagdeep Singh DLZPS6563K
18. Jaswinder Singh FPFPS6673G
19. Jatin Bindra BMHPB5864K
20. Kamal Gupta APEPG9003N
21. Mahi Pal ARBPM3177E
22. Manni Kumar BMBPK4847B
23. Mohammad Azhar AIFPA8915K
24. Mukesh Behal ALQPB1354A
25. N.K. Const. BXKPR9897J
26. Oberoi Builders AAXPO5987B
27. Oberoi Const. Co. AABPO6516A
28. Piyuesh Choudhary AGYPC8325J
29. Prikshit DEVPK3047H
30. R.S. Thakur APJPT1983P
31. Raj Kumar Gupta ABTPGI742R
32. Rajbir Singh CIDPS9019Q
33. Rajesh Sharma, AAVPK4742N
34. Ravinder Dhiman, AGMPD4652P
35. Sagar Wasson, ACQPV9173K
36. Sanjeev Gupta, AFIPG4381H
37. Saurabh Sateeja, BAAPS6045J
38. Saurabh Verma, AFWPV9443B
39. Savneet Singh, DKIPS6559D
40. Som Parkash, AHBPB4920C
41. Sukhbir Singh Amhaia, CESPS684IH
42. Sukhbir Singh Paliva, CWPSR8083D
43. Sunny Mahi, ATOPMIS20C
44. The San Kalyan Coop Society, AAJAF2376K
45. Varun Sharma, BMGPS7030H

46. Virender Dhiman, AFQPDS3033
47. Amit Garg, AHGPG5762Q
48. Anil Sateerja, ACTPK9294K
49. Ashish ghai, AETP09957B
50. Ashu Gupta, AGX105870B
51. Baijiider Sharina, AWUPS1SSSR
52. Cander Mohan Gogia, AGARG88420
53. Chopra Eletric Co., ADVPK1696C
54. Gaurav Sharma, BLFPS 1762
55. Gaurav Rana, AROPR5831D
56. Gupta & Co, AFLPG60946
57. Gurpreet Singh, BECDS67041
58. Harsh Bindra, AYGPK60500
59. Hemant Suri, BDVPS7163R
60. Indian Engg & Association, AYOPS0660J
61. Jagdeep Singh I , BRSPS6278J
62. Jagdeep Singh II, DLZPS6563K
63. Jatinder Singh, FIRPS4776M
64. Joginder Singh, AYTPS2040K
65. Mahender Kumar, AUTPK9851E
66. Manni Kumar, BMBPK4847B
67. Manoj Kumar, ANIPK7016M
68. Nand kishore, AKDPK0119M
69. Naresh Aggarwal, ABJPk5303N
70. Oberoi Const Co, AABPO6516A
71. Paplotha Coop Society, CPTPS9435M
72. Pardeep kumar, CUYPK39130
73. R. S. Thakur, APJPT1983P
74. Raj kumar Gupta, ABTPG1742R
75. Rajbir Singh, CIDPS90190Rs.Rs.1;;
76. Rajesh Sharma, AAVPK4742N
77. Raman Entt, AAXPO7535K
78. Sagar Wasson, AGQPV9173K

79. Sandeep Kumar Manre, AUKPK3409R
80. Sanjay Builders, ANZPJ1456F
81. Sanjeev Guptu, AFIPG4381H
82. Sant Kalyan Mai Coop., AAJAF2376K
83. Saurabh Vaisha, APQPV9226A
84. Saurav Verma, AFWPV9443B
85. Savneet Singh, DKIPS0559D
86. Som parkash ,
87. Sukhbir Singh,
88. Sulabh International, AACTS0060M
89. Sunny Mali, ATOPM1520C
90. Suresh Kumar, AZSPK9769R
91. The swastik Co. Society, AABAT1856A
92. Varun Sharna, BMGPS7030H
93. Vikas Nanda, ARPPN3666D BHIWANI – 45

HSAMB BHIWANI = 15 + 13 + 14 = 42

1. Basau Ram, ANEPR8821M
2. Surender Kumar, CNRPK4613H
3. Dilbag, APVPD9070M
4. Vimal, AHAPV6374P
5. The Ramayan Adrash Co. L/C Society, AABAT2181K
6. The Sahaj Co-op L/C Society, AABAT5604K
7. The Phogat Co-op L.C Society, AACAT2986M
8. R.S. const. Company, AAIFR6062K
9. M/s Jandu Const. company, AAFJ6392M
10. Nihal Const. Company, AAHFN0882A
11. Devender Singh, BDUPA8448L
12. The Bhiwani Jai Balaji Coop L/C society, AADAT1041L
13. Rajender Singh Malik, AHKPM3876F
14. The Sati Jabde Co-op L/C Society, AACAT3767C
15. The golagarh Luxmi Co-op L/C Society, AAATT9341H
16. Basau Ram, ANEPR8821M
17. Dilbag, APVPD9070M

18. Vimal, AHAPV6374P
19. The Sandwa Adrash Coop L/C Society AABAT8889N
20. The Sahaj Co-op L/C Society, AABAT5604K
21. R.S. const. Company, AAIFR6062K
22. M/s Jandu Const. company, AAFFJ6392M
23. Nihal Const. Company, AAHFN0882A
24. Devender Singh, BDUPA8448L
25. Devender AXAPD2731J
26. Rajender Singh Malik, AHKPM3876F
27. The Sati Jabde Co-op L/C Society, AACAT3767C
28. Tash Kumar CKIPK9619R
29. Basau Ram, ANEPR8821M
30. Dilbag, APVPD9070M
31. Vimal, AHAPV6374P
32. The Sandwa Adrash Coop L/C Society AABAT8889N
33. Nihal Const. Company, AAHFN0882A
34. Devender Singh, BDUPA8448L
35. The Sati Jabde Co-op L/C Society, AACAT3767C
36. Pardeep Singh, DJFPS1830D
37. Naresh Beniwal, ANUPB7985L
38. Tash Kumar CKIPK9619R
39. Sat Prakash, ALZPP7304E
40. Surender Singh, CRPPS01818L
41. Satyavir Singh, FBWPS8123I
42. Kapoor Singh & Company, CEYPS7747F

HUDA BHIWANI = 1 + 2 = 3

1. The Bhiwani Jai Balaji Coop L/C society, AADAT1041L
2. Haryana Menpower Servicer, AAFEH3778E
3. Aryan Security & Placement AATTA3345B

FARIDABAD – 152

HUDA Div-I , II & III FARIDABAD = 152

1. Ajaib Singh, AEZPS6405A
2. Ajinder Chandila, FDPC3568B

3. Ajit Singh Baljeet Singh, IBPS2658H
4. Akhil Engineers & Sales, ADOPT2018C
5. Amar Singh, ATQPS1696B
6. Azad Khan, BCCPK7334Q
7. B.S Builders, BVDPS0244R
8. Bharat Contractor, ASEPB3548A
9. Chandra Construction Co., AFFPG3491R
10. Dilshad Khan, AOHPDO143E
11. Hari Ram, AKYPR5783K
12. Hasmuddin Khan, AMLPK2691L
13. Hukam Singh, ASFPS3768L
14. Kalyan Singh, ATUPS7139P
15. Kuldeep, BGFPK4630Q
16. Pumpwell Drillers, ANFPR2084P
17. RandhirSingh, BBPPS6707K
18. Rehmuddin, ACHPM7395K
19. S.K. Dagar, AGTPD4684L
20. Sachin Mehta, AOWPM8212Q
21. Sandeep Kundu, ALTPK5397A
22. Sanjay Singh, EFBPS4463H
23. Shailesh Khatana, AJXPK1056G
24. Subhash Chander Mehta, ADWPC7222K
25. Tarun Chaudhary, AKHPC4798A
26. Udaibir Singh, AKOPS1972R
27. United Drillers, AVVPB2055Q
28. Vikas Ruhil, AGEPR9932L
29. Vinay Engineering Co., ACPXS3492D
30. Vinay Kumar, BBMPK5423M
31. Vinod Kumar, ALGPK3343P
32. Ajaib Singh, AEZPS6405A
33. Ajit Singh Baljeet Singh, AIBPS2658H
34. Akhil Engineers & Sales, ADOPT2018C
35. Allied Engineer & Errector, ANGPS6685J

36. Anil Kumar, AGCPT5046M
37. Ashok Kumar, ALPPK3519A
38. Azad Khan, BCCPK7334Q
39. B.S Builders, BVDPS0244R
40. Birpal Solanki, BBLPS1418M
41. Dilshad Khan, AOHPDO143E
42. Duli Chand, AADPC9060F
43. Hari Ram, AKYPR5783K
44. Hasmuddin Khan, AMLPK2691L
45. Kalyan Singh, ATUPS7139P
46. Kuldeep, BGFPK4630Q
47. Rajesh Kumar, AINPK7505P
48. Sachin Mehta, AOWPM8212Q
49. Surender Pilwan, AKVPP7425P
50. Tarun Chaudhary, AKHPC4798A
51. United Drillers, AVVPB2055Q
52. Vinay Engineering Co., ACPXS3492D
53. Vinay Kumar, BBMPK5423M
54. Vinod Kumar, ALGPK3343P
55. Ajaib Singh, AEZPS6405A
56. Ajit Singh Baljeet Singh, AIBPS2658H
57. Akhil Engineers & Sales, ADOPT2018C
58. Amar Singh, ATQPS 1696B
59. Anil Kumar, AGCPT5046M
60. B.S Builders, BVDPS0244R
61. Balaji Manpower Services, ADTPN5741K
62. Bharat Furniture & Interior, AANOS4995H
63. Birpal Solanki, BBLPS1418M
64. Hasmuddin Khan, AMLPK2691L
65. K.K. India, AESPG7252C
66. Kalyan Singh, ATUPS7139P
67. Rajesh Kumar, AINPK7505P
68. Sandeep Kundu, ALTPK5397A

69. Shailesh Khatana, AJXPK1056G
70. Shanti Construction Services, ADAFS8625G
71. Tarun Chaudhary, AKHPC4798A
72. United Drillers, AVVPB2055Q
73. Vijender Singh, AFQPV1981G
74. Vinay Engineering Co., ACPXS3492D
75. Vinod Kumar, ALGPK3343P
76. Amar Singh, ATQPS1696B
77. Hukam Singh, ASFPS3768L
78. Kalyan Singh, ATUPS7139P |
79. Mahasiiv Promoters Pvt Ltd, AADCM4703G
80. SC Arora, ADCPC7598N
81. Sucha Singh Jodhiya, ALTPS6244A
82. Shahzad Khan, CISPS4341C
83. Sai Construction, AEAPH6902
84. Vinay Kumar, BBMPK5423M
85. Akhil Engineers and Sales, ADOPT2018C
86. Anil Kumar, AGCPTS046M
87. J.P. Concrete, BFXPS7494R
88. Hukam Singh, ASFPS3768L
89. Juneja Constructions, AAJFJ6573A
90. Megha Enterprises, AQWPM0403G
91. Sucha Singh Jodhiya, ALTPS6244A
92. Shahzad Khan, CISPS4341C
93. Sai Construction, AEAPH6902
94. Tek Chand, AENPC4076K
95. Sunil Kumar, BLAPS2639R
96. Vinay Kumar, BBMPK5423 M
97. Allied Engineer's & Errectors, ANGPS6685J
98. Anil Kumar, AGCPT5046M
99. Ashok Kumar, ALPPK3519A
100. Kalyan Singh, ATUPS7139P
101. Rajeev Pathak, AKEPP6446P

102. S.C. Arora, ADCPC7598N
103. Sucha Singh Jodhiya, ALTPS6244A
104. United Drillers, AAVPB2055Q
105. Allied Engineers & Erectors, ANGPS6685J
106. Ajit Singh Baljeet Singh, AIBPS2658H
107. Azad Khan, BCCPK7334Q
108. Chatter Pal, ATEPP6897P
109. Dilshad Khan, AOHPD0143E
110. Dinesh Kumar, BCUPK1921P
111. Hasmuddin Khan, AMLPK2691L
112. J.P. Concrete, BFXPS7494R
113. J.S. Engineering, AAYPS1120R
114. Megha Enterprisees, AQWPM0403G
115. Paras Construction & Borewell, BNVPS4799D
116. Premier World Technology, AABCP8503P
117. Surender Sangwan, BSKPSO706A
118. SC Arora, ADCPC7598N
119. Vijender Singh, AFQPV1981G
120. Sehzad Khan, CISPS4341C
121. Vishavkarma Engineerinnng, AAKPD6944N
122. Allied Engineers & Erectors, ANGPS6685J
123. Ajit Singh Baljeet Singh, AIBPS2658H
124. Azad Khan, BCCPK7334Q
125. Advanced Infratech Pvt Ltd, AEMPK3635F
126. Baljit Singh, CEBPS4474Q
127. Dilshad Khan, AOHPD0143E
128. Jitender, AOYPJS746G
129. Kalyan Singh, ATUPS7139P
130. Lotus Builders, ANSPS3135P
131. Megha Enterprises, AQWPMO403G
132. Tek Chand, AENPC4076K
133. Subhash Chander, ADWPC7222K
134. Sunil Kumar, BLAPS2639R

135. Vijender Singh, AFQPV1981G
136. Vinod Kumar, AMMPK2214
137. Vishavkarma Engineering, AAKPD6944N
138. Allied Engineers & Erectors, ANGPS6685J
139. Azad Kihan, BCCPK7334Q
140. Arvind Kumar, AMQPK2691H
141. Chatter Pal, ATEPP6897P
142. Dilshad Khan, AOHPD0143E
143. Hasmuddin Khan, AMLPK2691L
144. Jitender, AOYPJ5746G
145. Kalyan Singh, ATUPS7139P
146. Lotus Builders, ANSPS3135P
147. Neeraj Chauhan, AXSPC8533B
148. Tek Chand, AENPC4076K
149. Subhash Chander, ADWPC7222K
150. Sunil Kumar, BLAPS2639R
151. The Kapil L&C Society, AABAT9358C
152. United Drillers, AVVPB2055Q

GURUGRAM – 332

HSAMB GURUGRAM = 26+21+26 = 73

1. Abdul aji, APBPA5675F, 2015-16
2. Akhtar Husain, AEQPH0043C, 2015-16
3. Alam Khan Contractor, AQAPK5076A, 2015-16
4. Anant Ram Contractor ANPPA3088K, 2015-16
5. Azad Contractor, BDFPA8627J, 2015-16
6. Dharmender Contractor, ACXPR8454N, 2015-16
7. H,K. Company, APZPK4255F, 2015-16
8. Ikkon Construction Company, APGPS4311F, 2015-16
9. Janardhan Singh Contractor, AQWPS9280L, 2015-16
10. Joginder Singh, CKEPS3613R, 2015-16
11. Mohd. Munfed, DHOPK1222N, 2015-16
12. Mohd. Sirajjudin Contractor, BMPPS7453B, 2015-16
13. Mubarik Contractor, AXNPM2912M, 2015-16

14. Mustak Ahmad, BDUPA1921N, 2015-16
15. Mustkin Contractor, CHKPM1174J, 2015-16
16. Rahish Khan , Palwal, CMPPK3686M, 2015-16
17. RAHISH KHAN, PUNHANA, ASHPR8404Q, 2015-16
18. RAHUL CONSTRUCTION COMPANY, BKOPK6787K, 2015-16
19. SADDAM HUSAIN CONTRACTOR, AJSPH1271P, 2015-16
20. SAHEED AHMAD CONTRACTOR, AICPA4177A, 2015-16
21. SUJEET KUMAR, AQAPK5076A, 2015-16
22. SUKHBIR SINGH CONTR. BBNPS2505P, 2015-16
23. SURENDER SINGH CONT., BCBPS8755C, 2015-16
24. THE HARITAGE MAINTENANCE SERVICES LTD, AAFFT7063F, 2015-16
25. THE ROBIN CO-OP L&C SOCIETY LTD., AACAT1342D, 2015-16
26. UGERSEN CONTRACTOR, ACBPU0312L, 2015-16
27. Abdul ajij, APBPA5675F, 2015-16
28. Akhtar Husain, AEQPH0043C, 2015-16
29. Anant Ram Contractor ANPPA3088K, 2015-16
30. Azad Contractor, BDFPA8627J, 2015-16
31. Dharmender Contractor, ACXPR8454N, 2015-16
32. Janardhan Singh Contractor, AQWPS9280L, 2015-16
33. KABIR AHMAD CONTRACTOR, DBPPK8798J, 2015-16
34. MEWAT CONST. COMPANY, AQFM0750R, 2015-16
35. Mohd. Munfed, DHOPK1222N, 2015-16
36. Mohd. Sirajjudin Contractor, BMPPS7453B, 2015-16
37. Mubarik Contractor, AXNPM2912M, 2015-16
38. Mustak Ahmad, BDUPA1921N, 2015-16
39. Rahish Khan, Palwal, CMPPK3686M, 2015-16
40. RAHISH KHAN, PUNHANA, ASHPR8404Q, 2015-16
41. RAHUL CONSTRUCTION COMPANY, BKOPK6787K, 2015-16
42. SAHEED AHMAD CONTRACTOR, AICPA4177A, 2015-16
43. SAJID HUSAIN, AJSPH4419F, 2015-16
44. SUKHBIR SINGH CONTR. BBNPS2505P, 2015-16
45. SURENDER SINGH CONT., BCBPS8755C, 2015-16
46. THE ROBIN CO-OP L&C SOCIETY LTD., AACAT1342D, 2015-16

47. UGERSEN CONTRACTOR, ACBPU0312L, 2015-16
48. A.S. CONST., AFSPJ0561Q, 2016-17
49. ANANT RAM CONTRACTOR, ANPPA0388K, 2016-17
50. DHARMENDER CONTRACTOR, ACXPR8454N, 2016-17
51. H.K CONSTRUCTION, APZPK4255F, 2016-17
52. HALDHAR CONSTRUCTION, BEDPS0635D, 2016-17
53. HARUN KHAN CONTRACTOR, AIZPH8132P, 2016-17
54. JANARDHAN SINGH CONTRACTOR, AQWPS9280L, 2016-17
55. JARJISH CONTRACTOR, AUWPJ4990J, 2016-17
56. JOGINDER SINGH CONTRACTOR, CKEPS3613R, 2016-17
57. LALIT MOHAN CONTRACTOR, BJPPS3160E, 2016-17
58. MOHD. MUNFED CONTRACTOR, BHOPK1222M, 2016-17
59. MUSTAK AHMAD CONTRACTOR, BDUPA1921N, 2016-17
60. RAHISH KHAN CONTRACTOR, ASHPR8404Q, 2016-17
61. RAHUL CONSTRUCTION COMPANY, BKOPK6787K, 2016-17
62. RAJESH KUMAR CONTRACTOR, AINPK7505P, 2016-17
63. SAHID AHMAD CONTRACTOR, AICPA4177A, 2016-17
64. SUKHBIR SINGH CONTRACTOR, BBNPS2505P, 2016-17
65. SURENDER SINGH CONTRACOTR, BCBPS8755C, 2016-17
66. THE AMAN CO-OP L&C SOCIETY LTD., AABAT4781F, 2016-17
67. THE BADARPUR CO-OP L&c SOCIETY LTD., AABAT4932A, 2016-17
68. THE HERITAGE MAINTENANCE SERVICES, AAFFT7063F, 2016-17
69. THE MADINA CO-OP L&C SOCIETY LTD., AABAT5816F, 2016-17
70. THE MALAI CO OP L&C SOCIETY LTD., AABTT4174D, 2016-17
71. THE ROBIN CO-OP L&C SOCIETY LTD., AACAT1342D, 2016-17
72. THE TERIA CO OP L&C SOCIETY LTD., AAEAT9131E, 2016-17
73. UGRSENT CONTRACTOR, ACBPU0312L, 2016-17

HUDA Div-1 to 6 GURUGRAM = 232

1. Aryan Co Op L/c Society Ltd., AACAT0223F, 2014-15
2. Baliyali Shiva Co-op Society, AAAAT7960R, 2014-15
3. Fair Deal Creation & Marketing, AESPB0188G, 2014-15
4. Gangotri Coop L/c Sociey, AABAT7820P, 2014-15
5. Navneet Kumar Jain, AEXPJ2384P, 2014-15

6. Om Parkash Getorni, APLPP6734N, 2014-15
7. Pawan Kumar Sharma, BMSPK6154L, 2014-15
8. Sachin Kumar, AWUPK0554F, 2014-15
9. Satbir Contractor, BPYPS8134P, 2014-15
10. Sohan Lal Aggarwal, AACOK1555H, 2014-15
11. Subhash Chander, ACBPC6766A, 2014-15
12. Surinder Singh, AVAPS5540C, 2014-15
13. A.K. BANSAL, AJOPM6531B, 2015-16
14. ADC GROUP, AYMP52720D, 2015-16
15. BALIYALI SHIVA CO OP L/C SOCIETY, AAAAT7960R, 2015-16
16. CHAKKARPUR CO OP L/C SOCIETY, AABTT1665P, 2015-16
17. MANOHAR LAL, ACIPL4996L, 2015-16
18. NAVNEET KUMAR JAIN, AEXPJ2384P, 2015-16
19. OM PARKASH GETORNI, APLPP6734N, 2015-16
20. SANJAY CONTRACTOR, EMQPS1125G, 2015-16
21. SAURABH SHARMA, ABUPH2251B, 2015-16
22. SURENDER SINGH, AVAPS5540C, 2015-16
23. SUHILA, DWIPS9402R, 2015-16
24. VIJENDER SINGH, BUQPS2447Q, 2015-16
25. VIKAS KUMAR, AWDPK2969F, 2015-16
26. A.K .BANSAL, AJOPM6531B, 2016-17
27. ANAND SALES INDIA, ABMPA0706G, 2016-17
28. CHAKKARPUR CO OP L/C SOCIETY, AABTT1665P, 2016-17
29. DEVI RAM TANWAR, ADGPT9819H, 2016-17
30. MANOHAR LAL, ACIPL4996L, 2016-17
31. MORDERN CONSTRUCTION, ABUPH2251B, 2016-17
32. NAVNEET KUMAR JAIN, AEXPJ2384P, 2016-17
33. OM PARKASH GETORNI, APLPP6734N, 2016-17
34. RAVINDER KUMAR BHARDWAJ, AINPK5150N, 2016-17
35. SURENDER SINGH, AVAPS5540C, 2016-17
36. VIJENDER SINGH, BUQPS2447Q, 2016-17
37. VIKAS KUMAR, AWDPK2969F, 2016-17
38. A.K. BANSAL CONTRACTOR, AJOPM6531B, 2014-15

39. AKASH GUPTA, ATHPG6829K, 2014-15
40. ARENA TILES, BECPG7337F, 2014-15
41. ARVIND DANGI, AGFPD4740D, 2014-15
42. B. P SHARMA, AQDPS8684H, 2014-15
43. BITU POSWAL, BAIPP5071K, 2014-15
44. DEEPAK RATHI, ALCPR9766M, 2014-15
45. DEERAJ TANEJA, AFYPT4917N, 2014-15
46. DRILL WAYS, AAIPM6884E, 2014-15
47. GEETA MAPITRUN SYSTEM, BAPPD7631A, 2014-15
48. HAWA SINGH, BAMPS9757H, 2014-15
49. JAGDISH KUMAR, AESPJ1491G, 2014-15
50. LAKSHAY & COMPANY, CDBPS7952K, 2014-15
51. MAHA SHIV PROMOTERS PVT. LTD, AADCM4703G, 2014-15
52. NARENDER KUMAR, ANGPK1416P, 2014-15
53. NARENDER KUMAR SAMASTPUR, ARTPK2564K, 2014-15
54. OM PARKASH GETORNI, APLPP6734N, 2014-15
55. P.K. ASSOCIATE, AQWPK2207P, 2014-15
56. PARDEEP VASHIST, AEBPV2736H, 2014-15
57. PARGATI DESIGN DECORE, AAACP6844L, 2014-15
58. PARVEEN LOHIYA, AKMPL2746E, 2014-15
59. R.D. MALIK, AMUPR9430R, 2014-15
60. R.P. BROTHER, AALFR2585G, 2014-15
61. RAJENDER SINGH KUNDU, ARBPS1230J, 2014-15
62. RAM PREMI CONSTRUCTION COMPANY, BPEPS3057F, 2014-15
63. RAVINDER KUMAR BHARDWAJ, AENPK5150N, 2014-15
64. RUPINDER CHAUHAN, AKWPC9861D, 2014-15
65. S.K. AGENCIES, AYGPS1555G, 2014-15
66. SANDEEP REPAIRING WORKS, DUHPS7633R, 2014-15
67. SEWA CO-OP SOCIETY, AABAT4716G, 2014-15
68. SEWA SINGH, AWRPS0129B, 2014-15
69. SOHAN LAL AGGARWAL, AACOK1555H, 2014-15
70. SOURABH SHARMA, AFYPS3582C, 2014-15
71. TARUN CHANDWANI, AACHT6314E, 2014-15
72. V.K. GUPTA,

- AEUPG5911J, 2014-15
73. VIJAY KUMAR KATARIA, AAFPK4146G, 2014-15
 74. VISHAV KARMA ENGG. WORKS, AAKPD6944N, 2014-15
 75. A.K. BANSAL CONTRACTOR, AJOPM6531B, 2015-16
 76. ANSH ENGG, ATHPG6829K, 2015-16
 77. ANSH ENTERPRISES, AAKCA7639L, 2015-16
 78. B.P. SHARMA, AQDPS8684H, 2015-16
 79. BALJEET SINGH, CEBPS4475Q, 2015-16
 80. CHAND ENTERPRISES, AAOHS3901A, 2015-16
 81. CLEAN FLOW SYSTEM, AAFCC9853P, 2015-16
 82. DRAIN MANAGEMENT SERVICES, BMPLS8149E, 2015-16
 83. DRILL WAYS, AAIPM6884E, 2015-16
 84. GEEA MAPITRUN SYSTEM, BAPPD7631A, 2015-16
 85. JAGDISH KUMAR, AESPJ1491G, 2015-16
 86. KAVARI PIPE LINE REHABILITATION, AAFCK8258C, 2015-16
 87. MAHASHIV PROMOTERS OP LTD, AADCM4703G, 2015-16
 88. NARENDER KUMAR, ANGPK1416P, 2015-16
 89. OM PARKASH GHITORNI, APLPP6734N, 2015-16
 90. P.K. ASSOCIATE, AQWPK2207P, 2015-16
 91. PARDEEP VASHIST, AEBPV2736H, 2015-16
 92. PUMPWELL DRILLERS, ANFPR2084P, 2015-16
 93. R.D. MALIK, AMUPR9430R, 2015-16
 94. R.P. BROTHER, AALFR2585G, 2015-16
 95. SANDEEP REPARING WORKS, DUHPS7633R, 2015-16
 96. SATBIR SINGH , BNAPS6835B, 2015-16
 97. SEWAK CO-OP SOCIETY, AABAT4716G, 2015-16
 98. SEWA SINGH, AWRPS0129B, 2015-16
 99. SHREE BALAJI CONTRACTORE, ACTFS4431Q, 2015-16
 100. S.K. AGENCIES, AYGPS1555G, 2015-16
 101. TARUN CHANDWANI, AACHT6314E, 2015-16
 102. TAK CHAND, AENPC4076K, 2015-16
 103. VISHAV KARMA ENGG. WORKS, AAKFV4012D, 2015-16
 104. VISHAV KARMA ENGG. WORKS, AAKPD6944N, 2015-16

105. A.K. BANSAL CONTRACTOR, AJOPM6531B, 2016-17
106. AKHIL ENGG. & SALES, ADOPT2018C, 2016-17
107. B.P. SHARMA, AQDPS8684H, 2016-17
108. DEV & CO., AEDPA4704N, 2016-17
109. DNP INFRASTRUCTUR PVT. LTD., AADCD2562J, 2016-17
110. DRILL WAYS, AAIPM6884E, 2016-17
111. KAVARI PIPE LINE REHABILITATION, AAFCK8258C, 2016-17
112. LAKSHAY & COMPANY, CDBPS7952K, 2016-17
113. NARENDER KUMAR, ANGPK1416P, 2016-17
114. OM PARKASH, APLPP6734N, 2016-17
115. P.K. ASSOCIATE, AQWPK2207P, 2016-17
116. PARDEEP VASHIST, AEBPV2736H, 2016-17
117. R.P. BROTHER, AALFR2585G, 2016-17
118. RATHI INDUSTRIES, CAAPS1726N, 2016-17
119. RISHAL SINGH, CSQPS2256E, 2016-17
120. SEWA CO-OP SOCIETY, AABAT4716G, 2016-17
121. SEWA SINGH, AWRPS0129B, 2016-17
122. VISHAV KARMA ENGG. WORKS, AAKFV4012D, 2016-17
123. A.K. BANSAL CONTRACTOR, AJOPM6531B, 2014-15
124. BITU POSWAL, BAIPP5071K, 2014-15
125. CHLORE AQUA CHEMICALS PVT. LTD., AADCC3009K, 2014-15
126. J.K ENTERPRISES, AVSPS0593D, 2014-15
127. M.G. TRADERS & ENGG, AIRPG6803G, 2014-15
128. MAHA SHIV PROMOTERS PVT. LTD, AADCM4703G, 2014-15
129. MANISH MANN CONTRACTOR, AOBPM2634P, 2014-15
130. PRAGATI DESIGN & DACORATOR, AAACP6844L, 2014-15
131. RAM PARSTHA P. LTD, AADCR6481J, 2014-15
132. RAVINDER KUMAR BHARDWAJ, AENPK5150N, 2014-15
133. S.K. AGENCIES, AYGPS1555G, 2014-15
134. S.K. SHARMA CONTRACTOR, ARWPS1212R, 2014-15
135. SANDEEP REPARING WORKS, DUHPS7633R, 2014-15
136. SAURABH SHARMA, AFYPS3582C, 2014-15
137. SOHAN LAL AGGARWAL, AACOK1555H, 2014-15

138. SUBHASH CHANDER, CEQES7189C, 2014-15
139. TARUNDEEP SINGH CONTRACTOR, CIMPS5927E, 2014-15
140. VIKRAM SINGH CONTRACTOR, AVLPT9527B, 2014-15
141. VISHAV KARMA ENGG. WORKS, AAKPD6944N, 2014-15
142. WALIA FLOW SYSTEM, AMOPA0703C, 2014-15
143. AKASH GUPTA, ATHPG6829K, 2016-17
144. AQUA ENGG. WORKS, BRUPS0023D, 2016-17
145. CHLORE AQUA CHEMICALS PVT. LTD., AADCC3009K, 2016-17
146. MANISH MANN CONTRACTOR, AOBPM2634P, 2016-17
147. NARENDER KUMAR SAMASTPUR, ARTPK2564K, 2016-17
148. P.K. ASSOCIATE, AQNPK2207P, 2016-17
149. PAWAN KUMAR CONTRACTOR, BZYPK8714K, 2016-17
150. SAURABH SHARMA, AFYPS3582C, 2016-17
151. SUBHASH CHANDER, CEQES7189C, 2016-17
152. TARUNDEEP SINGH CONTRACTOR, CIMPS5927E, 2016-17
153. VIKARM SINGH CONTRACTOR, AVLPT9527B, 2016-17
154. WALIA FLOW SYSTEM, AMOPA0703C, 2016-17
155. R.P. BROTHER, AALFR2585G, 2014-15
156. ANSHUL GUPTA CONTRACTOR, AXPPG7159N, 2014-15
157. SOHAN LAL AGGARWAL, AACOK1555H, 2014-15
158. NAVNEET KUMAR JAIN, AEXPJ2384P, 2014-15
159. TIKAM RAM CONTRACTOR, AGZPR5197R, 2014-15
160. RAVINDER KUMAR BHARDWAJ, AINPK5150N, 2014-15
161. MAHA SHIV PROMOTERS PVT. LTD, AAOPR2151B, 2015-16
162. SOHAN LAL AGGARWAL, AACOK1555H, 2015-16
163. SUBHASH CHANDER, ACBPC6766A, 2016-17
164. R.P. BROTHER, AALFR2585G, 2016-17
165. RSP CONSTRUCTION, AUIPS0566P, 2016-17
166. A.K. BANSAL & CO., AJOPM6531B, 2014-15
167. AKASH GUPTA, ATHPG6829K, 2014-15
168. ANSHUL GUPTA CONTRACTOR, AXPPG7159N, 2014-15
169. BALIYALI SHIVA CO OP L/C SOCIETY, AAAAT7960R, 2014-15
170. MAHA SHIV PROMOTERS PVT. LTD, AADCM4703G, 2014-15

171. MANOHAR LAL, ACIPL4996L, 2014-15
172. PAWAN KUMAR CONTRACTOR, BZYPK8714K, 2014-15
173. RSP CONSTRUCTION, AUIPS0566P, 2014-15
174. SAURABH SHARMA, AFYPS3582C, 2014-15
175. V.K. GUPTA, AEUPG5911J, 2014-15
176. VIKAS KUMAR, AFDPD4051N, 2014-15
177. MANOHAR LAL, ACIPL4996L, 2015-16
178. PAWAN KUMAR CONTRACTOR, BZYPK8714K, 2015-16
179. RSP CONSTRUCTION, AUIPS0566P, 2015-16
180. R.P. BROTHER, AALFR2585G, 2015-16
181. RAVINDER KUMAR BHARDWAJ, AINPK5150N, 2015-16
182. RISHAL SINGH, CSQPS2256E, 2015-16
183. TIKAM RAM CONTRACTOR, AGZPR5197R, 2015-16
184. A.K. BANSAL, AJOPM6531B, 2016-17
185. BALYALI SEWA co-op society, AAATT1432D, 2016-17
186. GAJENDER SINGH, CEFPS1611J, 2016-17
187. KAVARI PIPE LINE REHABILITATION, AAFCK8258C, 2016-17
188. MAN SINGH ROJRA, ABJPR7964G, 2016-17
189. MAHA SHIV PROMOTERS PVT. LTD, AAOPR2151B, 2016-17
190. MANOHAR LAL, ACIPL4996L, 2016-17
191. PRAGATI DESIGN & DACORATOR, AAACP6844L, 2016-17
192. PUMPWELL DRILLERS, ANFPR2084P, 2016-17
193. R.P. BROTHER, AALFR2585G, 2016-17
194. RAVINDER KUMAR , AINPK5150N, 2016-17
195. RISHAL SINGH, CSQPS2256E, 2016-17
196. SOHAN LAL AGGARWAL, AGTPA2266K, 2016-17
197. SHREE BALAJI CONTRACTORE, ACTFS4431Q, 2016-17
198. THE NEW BALIALI CO-OP SOCIETY, AAATT1432D, 2016-17
199. TIKAM RAM CONTRACTOR, AGZPR5197R, 2016-17
200. A.K. BANSAL, AJOPM6531B, 2014-15
201. ARYAN CO-OP L/C SOCIETY, AABAT4694H, 2014-15
202. DEVENDER KUMAR, ARWPR9842E, 2014-15
203. HARJINDER SINGH, BQUPS9202H, 2014-15

204. MAHA SHIV PROMOTERS PVT. LTD, AADCM4703G, 2014-15
205. THE NEW BALIALI CO-OP SOCIETY, AAATT1432D, 2014-15
206. NIHAL CHAND, DLCPS4248Q, 2014-15
207. OM PARKASH GHITORNI, APLPP6734N, 2014-15
208. RSP CONSTRUCTION, AUIPS0566P, 2014-15
209. RAVINDER KUMAR KHATRI, BLOPS2008E, 2014-15
210. RUPINDER KUMAR, AUIPS0570P, 2014-15
211. SOHAN LAL AGGARWAL, AACPL1555H, 2014-15
212. TIKAM RAM CONTRACTOR, AGZPR5197R, 2014-15
213. A.K. BANSAL, AJOPM6531B, 2015-16
214. ARYAN CO-OP L/C SOCIETY, AABAT4694H, 2015-16
215. DEVENDER KUMAR, ARWPR9842E, 2015-16
216. THE NEW BALIALI CO-OP SOCIETY, AAATT1432D, 2015-16
217. OM PARKASH GHITORNI, APLPP6734N, 2015-16
218. P.K. ASSOCIATE, AQWPK2207P, 2015-16
219. RAVINDER KHATRI, BLOPS2008E, 2015-16
220. S.K. AGENCIES, AYGPS1555G, 2015-16
221. SAURABH SHARMA, AFYPS3582C, 2015-16
222. SHIV KUMAR BHARDWAJ, AIPPB7228L, 2015-16
223. V.K. GUPTA, AEUPG5911J, 2015-16
224. A.K. BANSAL, AJOPM6531B, 2016-17
225. KAVARI PIPE LINE REHABILITATION, AAFCK8258C, 2016-17
226. MAA KALI BUILDERS PVT. LTD., AAKCM0660P, 2016-17
227. OM PARKASH GHITORNI, APLPP6734N, 2016-17
228. P.K. ASSOCIATE, AQWPK2207P, 2016-17
229. RAVINDER BHARDWAJ, AENPK5150N, 2016-17
230. RAVINDER KHATRI, BLOPS2008E, 2016-17
231. S.K. AGENCIES, AYGPS1555G, 2016-17
232. SUBHASH CHANDER, CEQES7189C, 2016-17

MC GURUGRAM = 27

1. ANANT RAM CONSTRUCTION, ANPPA0388K, 2014-15
2. N.V. BUILDWELL, EFYPS6256B, 2014-15
3. RAVINDER KUMAR CONTRACTOR, AENPK5150N, 2014-15

4. SAILASH TOMAR, ACNFS1678K, 2014-15
5. SURENDER SINGH JHARSA, AVFPS5540C, 2014-15
6. SIRSA KESRI, GEDPS83679, 2014-15
7. FAUJI NURSARY, AJMPR5563L, 2015-16
8. KRISHNA CONSTRUCTION CO, AAGPK3817Q, 2015-16
9. LAKSHAY & COMPANY, CBPS7952J, 2015-16
10. MARSHAL INFRA DEVELOPERS INDIA PVT. LTD., APGCM8378L, 2015-16
11. RAJESH SACHDEVA, AUTPK9478K, 2015-16
12. SUMIT TEWATIA CONTRACTOR, AKMPT9848D, 2015-16
13. SURENDER KUMAR CONTRACTOR, BEMPS2392A, 2015-16
14. D.P CONSTRUCTION COMPANY, ATNPD9256H, 2016-17
15. KARAMBIR RANA BUILDERS, AJDPR1661R, 2016-17
16. NARESH MUNJAL, AKFPM8184N, 2016-17
17. PAWAN BALHARA CONTRACTOR, BAFPIC3989J, 2016-17
18. DHEERAJ TANEJA, AFYPK1792C, 2016-17
19. GOKAL CHAND CONTRACTOR, AMTPC8537D, 2016-17
20. RAMESHWARAM CO-OP L/C SOCIETY LTD., AABAS9435L, 2016-17
21. SATISH BANSAL CONTRACTOR, AMKPK1754F, 2016-17
22. SUMIT TEWATIA CONTRACTOR, AKMPT9848D, 2016-17
23. SUNDER SINGH, BPMPS2140H, 2016-17
24. SURENDER SINGH, AVAPS5540C, 2016-17
25. WELLMAN CONSTRUCTION PVT. LTD, AABCW5288J, 2016-17
26. ZENITH CONSTRUCTION, FDQPB9954B, 2016-17
27. SATISH BANSAL CONTRACTOR, AKSPK9257P, 2016-17

JAGADHRI – 55

HSAMB JAGADHRI = 55

1. ANKUSH, AMGPA5096A, 2014-15
2. ASHISH GUPTA, DLPPG8013G, 2014-15
3. BRIJ BHUSHAN, AAZPD5814G, 2014-15
4. CHANDER MOHAN GOGIA, AGAPG8842J, 2014-15
5. CHETAN SHARMA, AXQPS8940N, 2014-15
6. DALJIT SINGH, ACDPS7028P, 2014-15
7. DEEPAK GUPTA, AKBPG1029Q, 2014-15

8. DHAMINDER, ATZPK2109C, 2014-15
9. GAURAV NARANG, AEGPN3499E, 2014-15
10. GODARA CONSTRUCTION, AFHPG5733L, 2014-15
11. GURU NANAG CO-OP, AABTT3993J, 2014-15
12. JAWANTRI ENGG., AALFJ0742M, 2014-15
13. KHOSLA CO-OP , AABTT4591N, 2014-15
14. LAL CHAND, AZEPC9645E, 2014-15
15. LAL CONSTRUCTION, AQNPK0676P, 2014-15
16. NVS CO-OP L/C, AADAT5817G, 2014-15
17. NAGESH KHOSLA, AMGPK3359N, 2014-15
18. NAJIRUDEEN , ARZPD6550G, 2014-15
19. NASEEB SINGH, AZIPS4414M, 2014-15
20. NAVDEEP BHARDWAJ, AIJPB4685R, 2014-15
21. NISHANT CONTRACTOR, AYPPS0652K, 2014-15
22. PARAMJEET SINGH, BTTTS2976L, 2014-15
23. PREETPAL SINGH, AAAJT1242K, 2014-15
24. PUNEET KAMBOJ, ARFPK1221R, 2014-15
25. R.C. BANSAL, ABHPB1162A, 2014-15
26. RADHE KRISHAN ENTERPRISE, AAOFR1269C, 2014-15
27. RAJ SON, AFDPG6741E, 2014-15
28. RAJEEV KUMAR, ATCPK4767F, 2014-15
29. RAJENDER KUMAR PANCHAL, APHPK7501E, 2014-15
30. RAJNISH TALWAR, AEGPT4247J, 2014-15
31. RAKESH KUMAR SHARMA, ACOPS2383N, 2014-15
32. ROCKEY CO-OP L/C SOCIETY, AABAT6867A, 2014-15
33. RUPINDER RANA, CBZPS5837F, 2014-15
34. RUPINDER SINGH, CBZPS5837F, 2014-15
35. SANJEEV KUMAR, DAVPK0450M, 2014-15
36. SOM PARKASH, AFHPP5081J, 2014-15
37. SUMIT BATRA, ARJPB3594L, 2014-15
38. SUMIT SAHNI, BBLPS0623J, 2014-15
39. THE AADESH CO-OP L/C SOCIETY, AADAT3080D, 2014-15
40. THE DIKADLA CO-OP, AABAT3889N, 2014-15

41. THE GANGA SIPRA CO-OP SOCIETY, AADAT7679L, 2014-15
42. THE GAURAV CO-OP SOCIETY, AABTT3993J, 2014-15
43. THE KARAN L/C SOCIETY, AAAAK4940L, 2014-15
44. THE KOTRA CO-OP SOCIETY, AABAK7099P, 2014-15
45. THE MINI KIN CO-OP, AAAJT1242K, 2014-15
46. THE NARAYANA CO-OP, AABAT0038P, 2014-15
47. THE NEW RAJ CO-OP, AADAT0053E, 2014-15
48. THE NEW TEJALI CO-OP, AABAT8359H, 2014-15
49. THE RAJ CO-OP L/C , AAAJT1331M, 2014-15
50. THE SINGHAL CO-OP L/C, AABAT4214D, 2014-15
51. THE TEJALI CO-OP L/C, AABAT8191P, 2014-15
52. THE VINOD CO-OP L/C, AACAT7504P, 2014-15
53. VIKAS GARG, AQREG9262H, 2014-15
54. VISHAL SINGH, BGJPS0813B, 2014-15
55. VISHWAS KUMAR, ATGPK5331F, 2014-15

JIND – 56

HSAMB JIND = 11+12+17 = 40

1. Ashish Kumar Contractor, DOWPK7585F
2. Dariya Singh Contractor, BAZPS3238L
3. Kuldeep Singh Contractor, ABZPN5463C
4. New Vikas Co-Op- Society, AAFT9086F
5. R. D Chahal Contractor, AAOFR2073E
6. Rajiv Sharma Contractor, BCTPS7154P
7. Ram Diya Contractor, AANFR1705L
8. Sanjay Kumar Contractor, DRZPK3386Q
9. Sunil Kumar Contractor, AMSPM1415F
10. The Shyam Co-Op Society, AABAT8462F
11. Vinod Kumar, Cont. BVITK3450L
12. Dariya Singh, BAZPS3238L
13. High Tech Security, AVAPK3568L
14. Kuldeep Singh, ADZPN5463C
15. Parvesh Kumar Const. AYIPP2569D
16. R.D. Chahal, AAOFR2073E

17. Rajiv Sharma Const. BCTPS7154P
18. Ram Diya Contractor, AANFR1705L
19. Sanjay Kumar Contractor, DRZPK3386Q
20. Sunil Kumar Cont. CWQPK1698N
21. The Rahul Co-Op & Society, AAAAT8442J
22. The Shyam co op L&C Society Ltd., AABAT8462F
23. Vinod Kumar, Cont. BVITK3450L
24. Dariya Singh, BAZPS3238L
25. Devender Kumar CAUPK0547C
26. Davender Kumar Aggarwal, BDXPA3704J
27. High Tech Security AVAPK3568L
28. Kewal Krishan Chawla ACHPC1261E
29. Kritico Op L&C Society AACAT2171L
30. Kuldeep Singh Contractor, ABZPN5463C
31. R.D. Chahal, AAOFR2073E
32. Rajiv Sharma Const. BCTPS7154P
33. Ram Diya Contractor, AANFR1705L
34. Sanjay Kumar Contractor, DRZPK3386Q
35. Sanjiv Kumar Cont. DVNPS8709H
36. Spectro Analytical Lab Ltd., AACCS2840R
37. The Khokhrico-Op L&C Society, AABAT2308N
38. The Rahul Co0Op L&C Society, AAAAT8442J
39. Vinod Kumar Cont, BVIPK3450L
40. XEAMVENTURE PVT. LTD., AACCT0803F

MC JIND = 2+4+10 = 16

1. Jasvir Singh Contractor AVPPS5573G
2. Sewa Ram Contractor, AAYPG3600J
3. Sewa Ram Contractor, AAYPG3600J
4. Jasvir Singh Contractor AVPPS5573G
5. Bhawaya Construction, CTUPS0096K
6. Ranjit Singh Contractor, BAWPS8917H
7. Sewa Ram Contractor, AAYPG3600J

8. Jasvir Singh Contractor AVPPS5573G
9. Bhawaya Construction, CTUPS0096K
10. Ranjit Singh Contractor, BAWPS8917H
11. Surender Maan Contr, AESTG2458A
12. Swastic Coop L&C Society, AABAT4882D
13. Amit Kumar Contr, DPYPS6110D
14. Ram Tilak Contractor, TEMPZ9999Z
15. Sant Nagar Coop L &C, AAABT0066H
16. Dada Kala Peer Coop L&C, AESTG2458A

KARNAL – 11

HUDA KARNAL = 11

1. The Kiran Coop Society, AABAK7164K
2. Om Coop Society, AACAT3809M
3. Rakesh Kumar Verma, ADZPV6006F
4. Arun Kumar, ABPD4154J
5. Bharat Bhushan, AJVPB2451Q
6. Anil Kumar Singla, AKNPS7480H
7. Surinder Kumar, AKYPK5280E
8. Harbhajan Singh, AQLPS5963M
9. Tarun Bedi, BLHPB7456E
10. M/s Deval Contractor, BQTPS5618G
11. Dinesh Kumar, COMPRK2737L

PANCHKULA – 27

HAFED PANCHKULA = 6

1. The Shree Ganesh coop, LIC society, AABAT5845N
2. The Kandrauli Coop L/C society, AABTT2622A
3. M/s Sharma & Co. AARFS6519H
4. The Salasar Coop L/C Society, AABAT3500C
5. M/s D.S. Const. 119 Hewo Apartments, ARDPS2767C
6. Shree Ganesh Const. Co. ACIFS66581

HUDA Div-2, PANCHKULA = 21

1. A.k. Dhammi, ABJPD8105H

2. A One Engg. Works, CCGPS5820J
3. Avtar Singh, COBPS7012D
4. Bhag Singh, CXEPS7959H
5. Buta Singh, EIBPS8817L
6. Hari Har Yadav, ABSPY9463E
7. Harish Chander, ABXPC4763G
8. Hindustan Const. AJDPK2848J
9. K.C Chauhan, ADWAC1878P
10. K.D. Submersible Electrical, AAMPD8239Q
11. Keshav Kumar, ACUPK3109M
12. Krishna Equipments and Construction Tech. AFAPG7364L
13. National Electrical Works, AIKPT6455C
14. Pee Kay Traders Co., AAPPV4145G
15. R.R. Enterprises, ACTPS4403L
16. Rakesh Balhara, AHSPB8714H
17. Ram Gopal Co.Op Society, AAAAT5949E
18. Rohit Gupta, AMNPG7343P
19. Sandeep Sharma, AYAPS6048N
20. Shamsheer Singh, ARIPS2772G
21. Subhash Chander, AEZPC2476B

PANIPAT – 98

HUDA DIVISION PANIPAT = 13+17+13 = 43

1. Shri Pal, Cont., AELPS7202J
2. Anil Kumar, Cont., ABHPK0041P
3. Ashok Mehta, Cont., ACZPK4066H
4. Bhim singh, Cont., AYJPS5737K
5. Devi Ram, Cont., ATIPR4008E
6. Jasmer Singh, Cont., AKVPJ8502F
7. Jitender Singh, Cont., ASPPS5830B
8. Mukesh Kumar, AZRPK0439R
9. Pawan Kumar, Cont., Sonapat CFMPK2113K
10. Vinod Kumar, Cont., ACGPK6369J
11. The Deepka Co-op L/C, AABAT8003E
12. The Jai Maa Kali Co-Op, AABAT3847N

13. The Kamal Co-Op L/C, AAALT0818P
 14. Anil Kumar, Cont., ABHPK0041P
 15. Ashok Mehta, Cont., ACZPK4066H
 16. Athena Art Arena, ALBFA4667B
 17. Bal Kishan Sharma Cont., BZCPS2845B
 18. Devi Ram, Cont., ATIPR4008E
 19. Jai Baba Hari Dass, BLMPR4714G
 20. Jasmer Singh, Cont., AKVPJ8502F
 21. Jitender Singh, Cont., ASPPS5830B
 22. R.J. S. Cont., DTVPK3484D
 23. R. N Jain contractor, AALFR0375A
 24. Shri Pal, Cont., AELPS7202J
 25. V.K. Gupta Cont., AEUPG5911J
 26. Vinod Kumar, Cont., ACGPK6369J
 27. THE CHAND CO-OP L/C SOCIETY, AACAT1642C, 2015-16
 28. THE DABARPUR CO-OP, AABAT8226D, 2015-16
 29. THE DEEPIKA COOP, AABAT8003E, 2015-16
 30. THE JAI MAA KALI COOP, AABAT3847N, 2015-16
 31. ANIL KUMAR CONTRACTR, ABHPK0041P, 2016-17
 32. BAL KRISHAN SHARMA, BZCPS2845D, 2016-17
 33. DEVI RAM, ATIPR4008E, 2016-17
 34. GARG & COMPANY, ABHPK0041P, 2016-17
 35. JASMER SINGH, AKVPJ8502F, 2016-17
 36. JITENDER SINGH, ASPPS5830B, 2016-17
 37. PAWAN KUMAR, CFMPK2113K, 2016-17
 38. RJS CONSTRUCTION, DTVPK3484D, 2016-17
 39. R. N. JAIN, AALFR0375A, 2016-17
 40. V.K. GUPTA, AEUPG5911J, 2016-17
 41. VINOD KUMAR, ACGPK6369J, 2016-17
 42. VISHAL CONSTRUCTION, CBEPD1067K, 2016-17
 43. THE JAI MAA KALI COOP, AABAT3847N, 2016-17
- MC PANIPAT = 34+21 = 55**
1. ANIL MALIK, AOMPM7652N, 2014-15

2. A.B. CONTRACTOR, AAQFA4313C, 2014-15
3. AMARNATH, ABNTN2883Q, 2014-15
4. ANKIT VERMA, AUQPA6405R, 2014-15
5. DEVENDER SINGH, AKDPK7882M, 2014-15
6. DILAWAR SINGH, BPLPS9616B, 2014-15
7. GURPREET SINGH, DNPS7620K, 2014-15
8. HIMANSHU HURIA, ADEPH3393J, 2014-15
9. JAI HANUMA, BNUPS2238C, 2014-15
10. JATTAL COOP SOCIETY, AACAT0462G, 2014-15
11. MAHENDER KUMAR DAWAN, AHCPD6956F, 2014-15
12. NAR SINGH, DDAPS5970K, 2014-15
13. NAVEEN MALIK, ESMPS4228E, 2014-15
14. NIKHIL BASKER, ATTPB9281E, 2014-15
15. O.P BHATIA, AALPO4461C, 2014-15
16. PARTAP SINGH, AMXPK6809J, 2014-15
17. PREM SINGH, AEZPS7330E, 2014-15
18. RAJEEV GULATI, AAPPG0342J, 2014-15
19. SAHIL KHAN, BTCPK8329Q, 2014-15
20. SANJEEV SAHGAL, COWPK4226A, 2014-15
21. SATYAWAN SANDHU, AWEPS3970K, 2014-15
22. SAURABH BAHTEL, AKCPB6530E, 2014-15
23. SHEETAL KUMAR, ADEPK6301P, 2014-15
24. SHIV SHAKTI CONSTRUCTION, BHNPK4997H, 2014-15
25. SUBHASH SAHGAL, AHAES9761R, 2014-15
26. SUKHINDER SINGH, ACOPS1418E, 2014-15
27. TARUN KUMAR, AENPK5158E, 2014-15
28. AZAD BHAGAT COOP , AACAT0249D, 2014-15
29. MOR MAJRA COOP, AAAAT8961E, 2014-15
30. THE RAJUL COOP L/C, AAAAT8442J, 2014-15
31. SHREE GANGA COOP, AABAT9753B, 2014-15
32. VAIBHAV JAIN, AUVTJ3895M, 2014-15
33. VIRENDER SINGH, CYUPS3226A, 2014-15
34. YOGESH KUMAR, AGKPD7477Q, 2014-15

35. AMARNATH, ABNTN2883Q, 2015-16
36. ANKIT VERMA, AUQPA6405R, 2015-16
37. BHUPINDER SANDHU, FRCPS9536M, 2015-16
38. HIMANSHU HURIA, ADEPH3393J, 2015-16
39. RADHE SHYAM , AOCPP1424P, 2015-16
40. SATGURU ENGG., AHQPG7051G, 2015-16
41. NAR SINGH, DDAPS5970K, 2015-16
42. PREM SINGH, AEZPS7330E, 2015-16
43. RAJEEV GULATI, AAPPG0342J, 2015-16
44. SANJEEV SAHGAL, COWPK4226A, 2015-16
45. SATYAWAN SANDHU, AWEPS3970K, 2015-16
46. SAURABH BAHTEL, AKCPB6530E, 2015-16
47. SHIV SHAKTI CONSTRUCTION, BHNPK4997H, 2015-16
48. SUBHASH SAHGAL, AHAPS9761R, 2015-16
49. SUKHINDER SINGH, ACOPS1418E, 2015-16
50. TARUN KUMAR, AENPK5158E, 2015-16
51. MOR MAJRA COOP, AAAAT8961E, 2015-16
52. RAHUL COOP L/C, AAAAT8442J, 2015-16
53. SHREE GANGA, AABAT9753B, 2015-16
54. VAIBHAV JAIN, AUVPJ3885M, 2015-16
55. YOGESH KUMAR, AGKPD7477Q, 2015-16

REWARI – 80

HSAMB REWARI = 11+12+7 = 30

1. AMIT KUMAR, ALEPK3151N, 2014-15
2. CHAPPRA BIBIPUT COOP, AADAT1741M, 2014-15
3. DAMOTHAR DAS GUPTA, ALZPG6178N, 2014-15
4. DHANI BHATOTHA, AAAAT0834E, 2014-15
5. GOGAD COOP L/C, AAAAG8302N, 2014-15
6. KAPOOR SINGH & CO., CLYPS7747F, 2014-15
7. NAND RAMPUT BASS COOP, AACAT1342D, 2014-15
8. SATISH KUMAR, AOGPK1374F, 2014-15
9. SUNIL KUMAR, AOYPK6277K, 2014-15
10. VED PARKASH, APGPP3407B, 2014-15

11. VINOD KUMAR, BYVPK4994F, 2014-15
12. AMIT KUMAR, ALEPK3151N, 2015-16
13. CHAPPRA BIBIPUT COOP, AADAT1741M, 2015-16
14. DHARMBIR SINGH, AOFPD1734M, 2015-16
15. GORTHA SHIORAN COOP, AAAAT4239P, 2015-16
16. KHARKHARA COOP, AAAJT2062K, 2015-16
17. KISHORI LAL, AADPL7553O, 2015-16
18. PARWINDER KUMAR, BFMPK6999A, 2015-16
19. S.S. CONTRACTOR, BVCPS9672O, 2015-16
20. SATISH KUMAR, AOGPK1374F, 2015-16
21. SILANIGATE COOP, AAAJT0824F, 2015-16
22. SUNIL KUMAR, AOYPK6277K, 2015-16
23. SURENDER SINGH, CNRPK4613H, 2015-16
24. AMIT KUMAR, ALFPK3151N, 2016-17
25. DAWLA COOP, BKEPK2435E, 2016-17
26. GURU CONSTRUCTION CO., ECCPS1549N, 2016-17
27. KHARKHARA COOP, AAAJT2062K, 2016-17
28. PARDEEP KUMAR, AVTPP9651O, 2016-17
29. SAT SAHIB, AABAT5353R, 2016-17
30. SATISH KUMAR, AOGPK1374F, 2016-17

HUDA DIVISION REWARI 10+8+4 = 22

1. A.K. BANSAL, AJOPM6531B, 2014-15
2. KADIYAN COOP, AAAJT1666K, 2014-15
3. LILA COOP, AABAT4684K, 2014-15
4. NINDANA RATHI COOP, AAAAN1274E, 2014-15
5. OM PARKASH, AGNPP7416Q, 2014-15
6. POSWAL COOP, AABAT6073G, 2014-15
7. SAT NARAYAN, CNEPS8845N, 2014-15
8. SOHAN LAL AGGARWAL, AACPL1555H, 2014-15
9. VIKRAM SINGH, AXIPS4630B, 2014-15
10. YOGI COOP, AAGFT2515H, 2014-15
11. A.K. BANSAL, AJOPM6531B, 2015-16
12. LILA COOP, AABAT4684K, 2015-16

13. MODERN CONSTRUCTION COMPANY, ABUPH2251B, 2015-16
14. NINDANA RATHI COOP, AAAAN1274E, 2015-16
15. OM PARKASH, AGNPP7416Q, 2015-16
16. POSWAL COOP, AABAT6073G, 2015-16
17. SHISH PAL , AZPPP3857N, 2015-16
18. YOGI COOP, AAGFT2515H, 2015-16
19. KHUSHI RAM CONTRACTOR, BKWPR5110H, 2016-17
20. POSWAL COOP, AABAT6073G, 2016-17
21. SHISH PAL , AZPPP3857N, 2016-17
22. YOGI COOP, AAGFT2515H, 2016-17

MC REWARI = 13+6+9 = 28

1. ADHNA COOP, AABAT8428K, 2014-15
2. AFARIA COOP, AAAAA9165B, 2014-15
3. AMBE COOP, AAEAT1249F, 2014-15
4. DHARAMPAL KHANDUJA, ARCPK6826H, 2014-15
5. HARI RAM YADAV, AAEPY0596P, 2014-15
6. HEMANT KUMAR, AJYPK0117K, 2014-15
7. JAI COOP, AAEAT2284L, 2014-15
8. JAI SHREE KRISHNA, AAAAJ7900P, 2014-15
9. LALIT KUMAR, AASPB4082F, 2014-15
10. MAN SINGH CONTRACTOR, AXBPS7027F, 2014-15
11. OM COOP, AAEAP1261H, 2014-15
12. RAJEEV ADHANA, AATPA0781B, 2014-15
13. RAM AVTAR GUPTA, AFVPG3758B, 2014-15
14. AFARIA COOP, AAAAA9165B, 2015-16
15. AMBE COOP, AAEAT1249F, 2015-16
16. DHARAMPAL KHANDUJA, ARCPK6826H, 2015-16
17. HEMANT KUMAR, AJYPK0117K, 2015-16
18. JAI SHREE KRISHNA, AAAAJ7900P, 2015-16
19. RAM AVTAR GUPTA, AFVPG3758B, 2015-16
20. AFARIA COOP, AAAAA9165B, 2016-17
21. DAVID YADAV, ALZPY9008N, 2016-17
22. DHARAMPAL KHANDUJA, ARCPK6826H, 2016-17

23. GOKAL CHAND, AMTPC8537B, 2016-17
24. HARI RAM YADAV, AAEPY0596P, 2016-17
25. HEMANT KUMAR, AJYPK0117K, 2016-17
26. JAI COOP, AAEAT2284L, 2016-17
27. JAI SHREE KRISHNA, AAAAJ7900P, 2016-17
28. LALIT KUMAR, AASPB4082F, 2016-17

ROHTAK – 57

HSAMB ROHTAK = 9+10+7 = 26

1. DHARAMBIR SINGH, BPCPS2657P, 2014-15
2. NARENDER KUMAR, BMAPS3108L, 2014-15
3. N.C. MALHOTRA, ABZPM9354R, 2014-15
4. OM INFRASTRUCTURE LTD, AUCPB7370G, 2014-15
5. OP HOODA, ABRPH8116J, 2014-15
6. PARDEEP MARODHI, BAUPK7981B, 2014-15
7. PARDEEP SANGHI, DJFPS1830D, 2014-15
8. RAJENDER MALIK, AEEPG0579A, 2014-15
9. RAM GOPAL SHARMA, AEEPG0579A, 2014-15
10. DEVENDER SINGH, AXAPD2731J, 2015-16
11. DHARAMBIR SINGH, BPCPS2657P, 2015-16
12. JOGINDER SINGH, BNGPS7943N, 2015-16
13. NARENDER KUMAR, BMAPS3108L, 2015-16
14. NEW DURGA , AAAAN3089M, 2015-16
15. OM INFRASTRUCTURE LTD, AUCPB7370G, 2015-16
16. OP HOODA, ABRPH8116J, 2015-16
17. PARDEEP KUMAR SANGHI, CJPPP1478K, 2015-16
18. RAJENDER MALIK, AEEPG0579A, 2015-16
19. RAM GOPAL SHARMA, AEEPG0579A, 2015-16
20. AMARJIT SINGH, BPGPA5135Q, 2016-17
21. DEVENDER SINGH, AXAPD2731J, 2016-17
22. JOGINDER SINGH, BNGPS7943N, 2016-17
23. CAPRISE CONST., ANEPK9120A, 2016-17

24. OP HOODA, ABRPH8116J, 2016-17
25. RAM GOPAL SHARMA, AEEPG0579A, 2016-17
26. SHAMSHER SINGH, BANPS9597J, 2016-17

MC ROHTAK = 12+8+11 = 31

1. CHAHAL COOOP, AAAJT1614M, 2014-15
2. DEEPAK BAJAJ, APOPB3738B, 2014-15
3. EKTA COOOP L/C, AABAT4564A, 2014-15
4. HARI PARKASH, AVMPP6850G, 2014-15
5. MOHAMADEEN, BNPPM0210H, 2014-15
6. NARENDER KUMAR, BILPK1485P, 2014-15
7. NEW HINDUSTAN SECURITY & PLACEMENT, AAFN5078E, 2014-15
8. NIDANA RATHEE COOP, AAAAN1274E, 2014-15
9. OM NAMAH SHIVAI, AABAT9598G, 2014-15
10. PHOOL SINGH, BHHP6328G, 2014-15
11. RAM KAUR COOP L/C, AAABAT5575K, 2014-15
12. SUKHBIR ENTERPRISES, AZJPS277B, 2014-15
13. ASHISH SANGWAN, EQZPS1834R, 2015-16
14. CHAUDHARY CONST, AAJFC7650F, 2015-16
15. JAI GOPAL BATRA, ACYPG5703C, 2015-16
16. PAWAN KUMAR SHARMA, AHKPS5325D, 2015-16
17. SATENDER JAIN, AFKPJ4784R, 2015-16
18. SURESH CHAND BANSAL, AEMPB3016K, 2015-16
19. SATBIR SINGH, BNAPS6835B, 2015-16
20. SATENDER SINGH CONST., DXOPS3159A, 2015-16
21. ASHISH SANGWAN, EQZPS1834R, 2016-17
22. HARI PARKASH, AVMPP6850G, 2016-17
23. MUNISH ATRI, AGHPA3882D, 2016-17
24. PAWAN KUMAR SHARMA, AHKPS5325D, 2016-17
25. RAJEEV KUMAR JUNEJA, ADYPJ2087R, 2016-17
26. RAMESHWAR , AMDPR1910K, 2016-17
27. SATENDER JAIN, AFKPJ4784R, 2016-17

28. SATYA PAL, BKNPS0842L, 2016-17
29. KHANAK CONST. CO, AYGPK0924P, 2016-17
30. THE NINDANA RATHI, AAAAN1274E, 2016-17
31. SHIV SHAKTI COOP, AAJAS1084N, 2016-17

Reply of the Audit Para:

In this para, the auditors have given the details of the contractors who have executed the works of govt. agencies (HUDA/HSAMB/HAFED & MCs) in the state of Haryana but these contractors had not voluntarily got registration under HVAT Act, 2003. The observations of the audit are not admitted in *toto*. As the factual aspects of the issue at hand needs to be seen from the broader perspective. No doubt, the information may have been sought by the Assessing Authority/Taxing Authority from the other Govt. agencies. Still, the meaning of the section 48 can only be construed that seeking information was not mandatory. The following facts in this matter are to be considered by the Hon'ble committee:-

- (1) The contracts were executed between the Govt. agencies and the unregistered contractors.
- (2) There had been no pre-condition to have VAT registration by these contractors for obtaining the contracts from these Government agencies.
- (3) The TDS amount stands deducted from the payment made to the contractor for the execution of the works by these Govt. agencies and subsequently deposited in the treasury. Even the goods transferred in the execution of these works contract had been purchased by the contractors after payment of tax. Therefore, goods transferred in the execution of works contract are tax paid.
- (4) The department has not taken cognizance of these unregistered contractors in terms of explanation appended with the Section 16 of HVAT Act, 2003 because these unregistered contractors had been covered under section 24 of the Act.
- (5) With reference to the section 30 of the VAT Act which deals with the survey of the place of business, it is apprise that the department had regularly got conducted surveys to trace out the unregistered dealers/traders.
- (6) The amount of TDS in no. of cases of the contractors mentioned in the list is below Rs. 1 Lac.
- (7) Most of the contractor (approx. 50 %) has got registration under the HGST Act, 2017.
- (8) Out of these 1041 contractors' list provided by the AG Office, some of these contractors were found registered under HVAT Act, 2003 and assessment proceeding too stands completed in these cases. The assessment order of one such registered contractor and calculation made by the auditors as an unregistered

contractors of the same dealer is compared as below :-

Details of the dealer	Demand/Excess as per the assessment order	Demand as per the observation of auditors.
Name of the Dealer: MAHASHIV PROMOTORS PVT LTD TIN No. 06732822593 PAN No. AADCM4703G Assessment Year : 2015-16	Excess 1015639/-	Demand: 363837/-
-----do----- Assessment year 2014-15	Excess = Rs. 1591736/-	Demand: Rs. 3813087/-
-----do----- Assessment year 2016-17	Excess = Rs. 892984/-	Demand: Rs. 35211/-

From the above, it may be concluded that the tax deducted by the various agencies of the unregistered contractor has already been deposited and there is no suppression of sale or revenue loss to the state exchequer per se. The list of impugned contractors has been examined by the department. All 1041 contractor has executed the works of government department/agency and the later has deducted and deposited the tax as per the provision of the Act. On the basis of above discussion para may be dropped.

The Committee has desired that the department to conduct survey of the registered contractors which are approximately 50% as per the statement of the department and the returns of the said contractors are with the department. The Committee has further desired that this information may also be shared with the office of Account ant General (audit), Haryana under intimation of the Committee.

[6] 2.4.3 Non levy of Interest:

Section 14 (6) of the HVAT Act lays down that if any dealer fails to make payment of tax, he shall be liable to pay, in addition to the tax payable by him, simple interest at one *per cent* per month if the payment is made within ninety days, and at two *per cent* per month if the default continues beyond ninetydays for the whole period, from the last date specified for the payment of tax till the date he makes the payment.

In six DETCs (ST), audit observed that 10 contractors had not paid tax as per provisions of the Act and Rules. Assessing Authorities (AAs) finalised the assessment of contractors and created the additional demand of Rs.11.21 crore but failed to levy interest of Rs.7.12 crore.

On this being pointed out, three AAs stated (February and May 2018) that a demand of Rs.5.51 crore had been created in three cases. Further, AA Gurugram (East) stated that notice had been issued for reassessment in two cases. AA Jagadhri stated (December 2017) that case had been sent to Revisional Authority (RA) for taking *suo-motu* action. AA Rohtak stated (May 2018) in one case that the dealer had deposited WCT of Rs.0.06 crore in May 2017 and the same had been adjusted in the year 2014-15.

The reply of AA was not correct as the dealer had deposited the tax for the year 2017-18 instead of 2014-15 and in another case verification of TDS submitted was still pending. AA Sonapat stated (May 2018) in two cases that the dealers had filed an appeal before Joint Excise and Taxation Commissioner (Appeal) against the order and the same was remanded back to the AA and proceedings for remand case had been initiated.

The department in its written reply stated as under:

The observations made by the auditors on the issue of non levy of interest by the assessing authorities at the time of framing of assessment as per section 14 (6) is being admitted. There may be some factual differences on the matter. For example, some times, authority does not levy interest if demand is created for the want of verification of TDS certificates. And it is submitted that the department has initiated/taken remedial action in all these 10 cases; the status of which is tabulated below:-

1. M/s Wig Brother Construction Pvt. Ltd., Faridabad (East), TIN 06171212410, A.Y. 2013-14:

In reply to the audit memo, it is submitted that the assessment order was rectified because the dealer has submitted WCT certificate, which were got verified by the assessing authorities through proper channel from the concerned districts, as a result of the rectification the tax demand was reduced from Rs.21919949 to Rs.20467965 thereafter interest of Rs.16573039 was also levied on the tax demand as a result the total demand due came to Rs.37047004 after rectification. The bank account of the dealer was attached vide letter no.778 dated 14.03.2019. In response to the letter, authorized signatory of HDFC bank LTD Vanijay kunj Phase-5, Gurgaon vide letter dated 16.03.2019 intimated that the dealer's account is already in blocked status and having minus balance i.e. -28114.84. Thereafter the dealer was taken to NCLT Court by its debtors. The decision of the NCLT is still pending and will be intimated after its finalization.

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[7] 2.4.4 Non levy of Tax/Penalty for misuse of form VAT D-1:

As per Section 9 of HVAT Act, only lumpsum contractors/dealers are entitled for use of VAT D-1 for purchase of goods on concessional rate of tax. If a non lumpsum contractor/dealer use the Form VAT D-1, he is liable to pay additional tax and penalty not exceeding 1.5 time of additional tax is required to be imposed upon him under Section 7 (5) of HVAT Act.

In seven DETCs (ST), audit observed that nine non lumpsum works contractors had purchased goods/material valued at Rs.16.28 crore against form VAT D-1 for use in construction of building/roads etc. Hence, the contractors were liable to pay additional tax and penalty. The AAs while finalising assessment failed to levy additional tax and penalty. This resulted in non-levy of additional tax of Rs.1.45 crore¹⁶. In addition, penalty of Rs.2.18 crore was also leviable.

On this being pointed out, AA Sonapat stated (May 2018) that demand of Rs.0.04 crore had been created. Three AAs stated (between September 2017 and May 2018) that three cases had been sent to RA for taking *suo-motu* action. AA Bhiwani stated (March 2018) in two cases that the dealers were registered as regular registered dealer and not as contractor.

The replies of AA were not correct as the dealers were registered for the business of works contract as per registration certificates. AA Jagadhri stated (May 2018) that the case had been taken for reassessment.

The State Government may direct the AAs to verify the admissibility of concession rate against D-1 Form before allowing benefit.

The department in its written reply stated as under:

With reference to the observations on the matter of misuse of Form D-1 by regular works contractor; it is stated that primarily the benefit of concessional rate of tax against the submission of Form D-1 is allowed to manufactures & dealers engaged in the telecommunication networking/in mining/in the generation or distribution of electricity or any other form of Power (as per section 7 (4)(a)). Besides, the works contractor who has opted for the lump sum scheme as per section 9 of the Act, is allowed to use the D-1 form. According to the Rule 49(5) where it has been explicitly stated that a lump sum contractor is to be treated as manufacture: The word "manufacture" has been defined in the HVAT Act, 2003. Before 26.03.2013 some of the Assessing Authority was considering the regular works contractor as manufacture. But in the communiqué issued by the department on 26.03.2013, it had been clarified that benefit of form D-1 is not to be allowed to the regular works contractors. Consequently, the para is being admitted and the status of corrective measure taken by the department in all 9 cases is tabulated below:-

1. M/s Singh Traders, Ambala, TIN 6671044228, A.Y. 2014-15

In reply to objection raised by the audit party it is intimated that the case was deemed assessed under section 15 (1) of HVAT Act, 2003 vide demand no. 714 dated 08.11.2016. As per the provision of the HVAT Act, 2003 the case is not yet hit by the bar of limitation, both for the purpose of revision and reassessment. Further, as per the instruction issued by the head office vide memo no. 201/ST-06 dated 04.07.2022 revision proceeding can be undertaken in this case and as such the case has been referred to the revisional authority for suo moto revision vide letter no. 983, dated 15.07.2022.

2. M/s KTC & Co. Bhiwani, TIN 6241112510, A.Y. 2013-14

Brief of Para	Reply of Deptt.
Section 7(3) of HVAT Act lays down that where taxable goods are sold by one dealer to another dealer. Tax is leviable at a concessional rate of four percent if the purchasing dealer furnishes a declaration in form VAT D-1, certifying that the goods are meant for use for the purpose specified therein. Further, Section 7(5) of the HVAT Act. If an authorized dealer. After purchasing any goods,	The audit para is admitted, accordingly the case has been sent to DETC (Inspection)-cum-Revisional Authority, Rohtak and

<p>fails to make use of the goods for the specified purpose, the AA may impose upon him by way of the penalty a sum not exceeding one and half time of the tax. The State Government notified (26 March 2013) that in view of Section 7(3)(a), 7(4) of HVAT Act and Rules 18 & 49(5) of HVAT Act Rules, works contractors who have not opted for composition of tax under section 9 of the HVAT Act are not entitled to purchase the goods against Form VAT D-1.</p> <p>In seven DETCs (ST), we observed that nine works contractors, who did not opt for composition of tax, had purchased goods/material valued Rs. 16.28 crore against form VAT D-1 for use in construction of building/roads etc. The contractors had constructed buildings, road etc. which were not covered under the definition of goods. The contractors violated the condition stipulated in the certificate given on form VAT D-1. Hence, the contractors were liable to pay additional tax and penalty. The AAs while finalizing assessment failed to levy additional tax and penalty. This resulted in non-levy of additional tax of Rs. 1.45 crore. In addition, penalty of Rs. 2.18 crore was also leviable.</p>																													
<table border="1"> <thead> <tr> <th>Sr. No.</th><th>District</th><th>Name of Dealer</th><th>TIN</th><th>A.Y. Date</th><th>T.T.O.</th><th>Additional tax to be levied</th><th>Penalty 1.5 time of Tax</th><th>Under assessment of Tax</th><th>Audit Memo and Date</th></tr> </thead> <tbody> <tr> <td>2</td><td>Bhiwani</td><td>M/S K.T.C. & Co.</td><td>6241112510</td><td>2013-14 dt. 16.03.17</td><td>47280000</td><td>4219740</td><td>6329610</td><td>10549350</td><td>01 dt. 01.03.18</td></tr> </tbody> </table>										Sr. No.	District	Name of Dealer	TIN	A.Y. Date	T.T.O.	Additional tax to be levied	Penalty 1.5 time of Tax	Under assessment of Tax	Audit Memo and Date	2	Bhiwani	M/S K.T.C. & Co.	6241112510	2013-14 dt. 16.03.17	47280000	4219740	6329610	10549350	01 dt. 01.03.18
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the next date is fixed for hearing 05.08.2022. The limitation of the case will expire on 15.03.2023. Once, the proceedings are finalized the outcome will be intimated.

5. M/s Logan India Infracore Pvt. Ltd., Gurugram (South), TIN 6171936224, A.Y. 2013-14

In reply to the audit para, it is submitted that the original assessment of the dealer was framed by the then Assessing Authority vide disposal No. 478 dated 02.01.2017 and allowed excess C/F of Rs. 349544/-. The case has been taken by the Revisional Authority in revision. The proof of TDS/WCT amounting to Rs. 5318118/- has already been submitted and placed on file. Revision proceeding u/s 34 of the HVAT Act, 2003 has been finalized and a demand of Rs. 12729270/- has been raised under HVAT Act, 2003 vide order dated 22.07.2022.

6. M/s DCB Infrastructure Jagadhri, TIN 6021621008, A.Y. 2014-15:

M/s DCB Infrastructure, Yamunanagar, was registered under HVAT Act, 2003, vide TIN 06021621008. The case for Assessment year 2014-15 was decided vide Order 1121/2014-15 dated 29.11.2016, as per provisions of Section 15(1) of the HVAT Act, 2003. In the said period, dealer has reflected purchase of 1,07,64,530/- at the rate of 4.2%, claiming input of Rs. 4,52,110/- on the same. Audit team has submitted that dealer being a work contractor, had purchased goods valued at 10764530/- against declaration in form VAT D-1, but was not authorized to do so as a normal work contractor who is not a manufacturer of goods. The dealer failed to make payment of additional tax, and was liable to not only pay differential tax, but also penalty under Section 7(5) of the HVAT Act.

Para is admitted In reply to objection, it is submitted the assessment case of the dealer had been sent to the DETC (ST), Jagadhri for taking suo-moto action and the Revisional Authority had sine die the case in view of the pendency of the vat appeal

no. 297 of 2018- ETC vs Light graphics (P) Ltd., which is fixed for 18.07.2022.

Results of the above proceedings shall be communicated to Audit accordingly.

7. M/s Ravi Prakash Contractor, Kaithal, TIN 6892108779, A.Y. 2013-14

Objection raised by the audit is admitted. File sent to Dy. Excise & Taxation Commissioner (I)-cum-Revisonal Authority, Karnal for taking remedial action u/s 34 of HVAT Act, 2003 in respect of any lapses/deficiencies, which remained at the level of Assessing Authority vide this office memo No. 572, dated 04.05.2022.

8. M/s Harbans Singh Sahani, Panchkula, TIN 6202505549, A.Y. 2013-14

The M/s Harbans Singh Sahni was registered under HVAT ACT, 2003 and CST Act 1956 holding TIN: 06202505549. The dealer is a regular works contractor and not migrated under HGST ACT, 2017. The original assessment was framed for the year 2013-14 vide Demand no. 1365/12-14 dated 27.03.2017 under section 15(3) of HVAT ACT, 2003 wherein an additional demand of Rs. 4080102/- was created under HVAT. The Audit party has raised the objection that the dealer has purchased the goods valued at 5194140/- against the form VAT D-1. The dealer was not authorized to purchase goods against Vat D-1 as the dealer is a normal work contractor who has not preferred for lump sum payment of tax. Hence, the dealer were liable to pay penalty u/s 7(5) of HVAT ACT this resulted into non levy of tax and penalty of RS. 1158940/-.

The para was admitted.

In reply to the audit objection it is submitted that the case was sent to DETC-cum-Revisonal Authority for taken up the case under suo-moto. Meanwhile, the dealer has filed an appeal before the First Appellate Authority, JETC(A). The Appellate Authority remanded back the case to the Assessing Authority vide order dated 03.06.2020 with the directions to frame the de-novo assessment by allowing the benefit of VAT C-4/ tax invoices. Thereafter, the Revisonal Authority has also sent back the case file to the Assessing Authority with the observation for taking action as per the order of JETC(A) and framed the assessment by considering the issue raised by the Audit party. The various notices issued to the dealer. None appeared in response to the notices now the last opportunity have been afforded and the case is fixed for 06.05.2022. The dealer failed to appear before the Assessing Authority and the case was decided exparte. The Assessing Authority levied penalty u/s 7(5) of HVAT Act, 2003 creating additional demand of Rs 4775466/-(Tax 2460363 + Penalty u/s 7(5) 695364 + Interest 1619739) was created. TDN has been issued to the dealer.

It is also pertinent to mention here that differential tax is not applicable in this case as the dealer is a assessee purchaser and this issue has already been settled by the Hon'ble Haryana Tax Tribunal in STA No. 397/2018 -19 in case of M/s Inder Pal and Co., Ambala Vs State of Haryana.

Hence para may be dropped.

9. M/s Naresh Kumar Contractor, Sonapat, TIN 6133015856, A.Y. 2012-13

In reply to the audit para, the dealer M/s Naresh Kumar Contractor was registered under the HVAT Act, 2003 and CST Act, 1956 with TIN-06133015856. The dealer is a work contractor. The dealer firm is closed now. The dealer has not been migrated under the GST Law and cancelled w.e.f 31.05.2015. The case of M/s Naresh Kumar Contractor for the assessment year 2012-13 was assessed under Section 15(3)/ Section 17 vide Disposal No. 981 dt.17-03-2016 and Excess of Rs. 320506/- is carried forward to next year.

The audit has raised the objection that the dealer is a regular work contractor and is not authorized to purchase goods at a concessional rate as per the above provision. The investigation of the case file has found that cement amounts amounting to Rs. 3314069/- was purchased at concessional rate against VAT D-1. And for the reasons for mentioned in the above provisions, he is responsible for the penal proceedings of Section 7(5) of the HVAT Act, 2003. Accordingly allowing wrong concession against VAT D-1 forms resulted into under assessment of tax of Rs. 739452/- (3314069/-13- 125% -4-20%+one-and-a-half penalty (295781+443671=739452)), which is brought to the notice of Assessing Authority for taking suitable action as per HVAT Act, 2003..

It is submitted that para is admitted.

Thereafter on the basis of audit objection, Re-assessment has been framed vide disposal no. 321A/dated 16.10.2017 and penalty U/s 7(5) amounting to Rs. 739451/- (Tax Diff.+ penalty one and half time on unauthorized purchases against D-1 form) has been levied on the dealer. After adjusting Input tax Credit & WCT Paid net demand comes out to be Rs. 418945/-under HVAT Act, which is due against the dealer.

Copy of order served upon the dealer on 27/11/2017. Letter No-7245, dated 28/09/2021 has been sent to the firm for recovery and letter No-7244, /28-09-2021 & 7243, dated/28/9/2021 has been sent to the sureties for recovery. Reminder Letter No-1044, dated 09/02/2022 has been sent to the firm for recovery and letter No-1045, /dt. 09-02-2022 & 1046, dated/09/02/2022 has been sent to the sureties for recovery. The demand has been declared as arrear under Punjab Land Revenue Act, 1887 vide dated 02/05/2022 and summon dated 04/05/2022 has been issued to the dealer intimating him to deposit the dues on or before 16/05/2022 failing which action as warranted under the Punjab Land Revenue Act, 1887 will be initiated.

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[8] 2.4.5 Short levy of tax and interest due to application of incorrect rate of tax:

In 11 DETCs (ST), audit observed that 25 non lumpsum contractors executed works between 2014-15 and 2016-17 worth Rs.107.44 crore and paid tax at rates applicable for

lumpsum contractors. The AAs finalised the assessment at lumpsum rates instead of applicable rate of tax on material used in the contract. This resulted in short levy of tax Rs.7.57 crore. In addition, interest of Rs.0.69 crore was also leviable.

On this being pointed out,

- Seven AAs stated (between March and May 2018) that 16 cases had been sent to RA for *suo-motu* action.
- AA Gurugram (East) stated (May 2018) that demand of Rs.0.17 crore had been created in one case and notice had been issued for reassessment in another case.
- AA Hansi (Hisar) stated (April 2018) that notice had been issued for reassessment. AA Karnal stated (March 2018) that notice had been issued in one case and matter was under examination in another case.
- AA Panipat stated (May 2018) in one case that the case was under examination and in other case (February 2017) that order had been revised and additional demand of Rs.6.65 lakh had been created.
- AA Panchkula stated (December 2017) that the case was remanded back from RA and notice had been issued to dealer.
- AA Sonapat stated (May 2018) that MC was also a department of State Government. Thus, the tax has been correctly levied at lower rate. The reply of AA was not correct as the contractor was non lumpsum contractor and liable to pay tax at applicable rate on material.

The department in its written reply stated as under:

(Short Levy of tax and interest due to application of incorrect rate of tax)

In this para, the auditors has examined the assessment orders of 25 regular contractors and observed that the rate of tax applied/levied by Assessing Authority is not correct. In the cases of regular works contractors, the rate of tax is levied on the goods as applicable.

In these cases, two three issues are clubbed. Issues/cases related to the allowing the benefit of concessional rate at 4 %/5 % against form VAT C-3. In this matter, it is stated that a dealer is allowed to avail the benefit of concessional rate of tax if the sale had been made to the government department which is not registered under the HVAT Act, 2003. But these forms had been discontinued from 06.12.2013. In these cases, where the benefit of VAT C-3 has been allowed by Assessing Authority, the audit observations are admitted.

3. M/s Singh Traders, Ambala TIN 6671044228, A.Y. 2014-15

In reply to objection raised by the audit party it is intimated that the case was deemed assessed under section 15(1) of HVAT Act, 2003 vide demand no. 714 dated 08.11.2016.

Afterwards the case was sent for taking suo moto action to Revisional Authority on 06.03.2018. The DETC-cum-Revisional Authority sent back the case stating that it was not a fit case for revision in view of the judgment delivered by Haryana Tax Tribunal in the case of M/s Light Graphics Pvt. Ltd. V/s State of Haryana, STA 209/2011-12. Thereafter Assessing Authority has given the notice for reassessment and the proceedings in the case have not been concluded. In the light of the above facts the para may please be dropped.

4. M/s Radha Madhav Const. Co. Ambala, TIN 6561048120, A.Y. 2014-15

In reply to audit memo, it is submitted that the case was sent to the Deputy Excise and Taxation Commissioner (ST)-Cum-Revisional Authority vide Endst No. 1743 dated 22.07.2019 for taking suo moto action. The DETC-cum- Revisional Authority created an additional demand of Rs.1110676/- on account of transfer of material i.e. interlocking tile/paver block which are unclassified items. The dealer has preferred an appeal before Hon'ble Haryana Tax Tribunal vide his application dated 16.09.2019, which is still pending. No date of hearing has been communicated as of now. Further, the dealer has submitted surety bonds for the said demand which has been accepted and verified by the then Assessing Authority. In view of the above, para may kindly be dropped.

5. M/s Som Dev Sharma, Faridabad (North), TIN 6141335859, A.Y. 2013-14

In reply to the audit objection, it is submitted that the case was decided by the assessing authority vide order No 111 dated 23.04.2015. After the audit objection the case was sent to revisional authority DETC (I) on dated 29.09.2016. The revisional authority decided the case vide order dated 13.10.2017 and created demand of Rs. 2940276 under HVAT Act after revision of the case. TDN was issued by assessing authority on dated 13.10.2017. The dealer aggrieved by the order passed by revisional authority and preferred appeal before Hon'ble Sale Tax Tribunal. Now the case is pending before the Hon'ble Sale Tax Tribunal for the final decision

6. M/s Om Sai Steel Fabricators, Gurugram (East), TIN 6681835834, A.Y. 2014-15

In reply to audit objection, it is submitted that original assessment in the case was framed vide Disposal No.156/ 2014-15 dated 5.09.2016 wherein no demand was created. After audit objection case was re-assessed vide disposal No.529A/2014-15 dated 07.12.2017 wherein a demand of Rs.1661683/- under HVAT was created. Recovery proceedings have already been initiated against the dealer. Notices for recovery have been issued to dealer on 10.02.2022 & 05.04.2022. Notice for recovery from surety firms **M/s A-One Dhiman Steel, Sikanderpur, Gurugram, TIN- 06951831132** and To **M/s Shyam Plywood, Sikanderpur, Gurugram, TIN-06691835834** have also been issued. Summon has also been issued to dealer on 04.05.2022. Show cause notice has also been issued to the dealer to transfer the arrear under HVAT Act 2003 & CST Act 1956 to the GST Act 2017 u/s 142(8)(a) of HGST Act 2017.

7. M/s Primasonic System P. Ltd., Gurugram (East), TIN 6871834765, A.Y. 2013-14

In reply to the audit objection it is submitted that the original assessment of the dealer was framed vide disposal No. 294/2013-14 dated-24.11.2015 and excess of Rs. 1415/- was allowed. After audit objection raised by the audit party a notice for reassessment of the case was issued to the dealer and directed to submit the proof of option opted for lumpsum scheme. In response to the notice the dealer has submitted the copy of application dated: 23.8.2014 for option of lumpsum dealer which does not pertain to the year 2013-14. The case is reassessed vide disposal No. 21A dated: 28.12.2021 and created demand of Rs. 3855182/- In view of the above the para may please be dropped.

9. M/s Kone Elevator India P. Ltd., Gurugram (East), TIN 6321818723, A.Y. 2012-13

In reply to the audit para raised by the audit party, it is submitted that the original assessment was framed vide D.No. 397 dated 28.03.2016 and excess of rupees 2373542/- was allowed. The original assessment order was rectified and interest of Rs. 781531/- was levied and excess amount is reduced to 1592011/-. It is further submitted that the case has been sent to Revisional Authority-Cum- Dy. Excise & Taxation Commissioner Gurugram (East) for revision. As and when case will be decided the same will be communicated.

10. M/s Logan Infrast. P. Ltd., Gurugram (South), TIN 6171936224, A.Y. 2013-14

In reply to the audit para, it is submitted that the original assessment of the dealer was framed by the then Assessing Authority vide disposal No. 478 dated 02.01.2017 and allowed excess C/F of Rs. 349544/-. After the audit objection the case has been taken by the Revisional Authority in revision. The revision of the case can be done upto 02.01.2023. The given date of hearing is 16.05.2022. Revision proceeding u/s 34 of the HVAT Act, 2003 are still pending and the case has not been finalized. However, out of total WCT benefit i.e Rs. 8944650/- the WCT proof amounting to Rs. 6492079 is placed on the file. The final result will be communicated in due course.

11. M/s Goyat Electric Co. Hansi, Hisar, TIN 6731534433, A.Y. 2012-13

The original assessment for the year 2012-13 was assessed vide D.N. 834/2012-13 dated 27.11.2014 by assessing authority, Hansi wherein nil demand was created.

On the basis of audit objection, case has been sent to the DETC-Cum-Revisional Authority (Inspection), Hisar on dated 02.05.2022 for suo moto action. The outcome of the case will be intimated in due course.

12. M/s Bharat Construction Co., Jagadhri, TIN 6451616164, A.Y. 2012-13

The case of M/s Bharat Construction Co, Jagadhri TIN 06451616164 for accounting year 2012-13 was assessed under section 15(2) of the HVAT Act. Vide demand no. 1467 dated 31.03.2016.

The Audit team has pointed out that the dealer had purchased bitumen of Rs. 68,38,174/- and stone crusher of Rs. 6,66,052/- at concessional rate @4.20% against D-1 forms. The

dealer. Availed to make payment of due tax of Rs. 1,31,246/-.

In reply to this Audit memo, the Audit Para is admitted.

In reply to objection, it is submitted the assessment case of the dealer had been sent to the DETC (ST), Jagadhri for taking suo-moto action and the Revisional Authority had decided the case vide demand no. 6/VAT dated 11.12.2018 and creating a demand of Rs. 7,91,049/-. There after the dealer has filed an VATAP 280/2019 before Hon'ble Punjab & Haryana High Court and the same is allowed in terms of decision of the court in VATAP-12 of 2019 decided on 04.02.2020. The decision of the Hon'ble High Court in VAT AP no. 12 of 2019 is as under:-

"In view of discussion above, it is held that the goods transferred in execution of works contract will not be taxed at general rate but as per the rates prescribed of constituents of the 'hot mix material'.

The appeals are allowed."

In view of the above the para may be dropped.

13. M/s Kuldeep Kr. Contractro, Jagadhri, TIN 6221162025, A.Y. 2013-14

In reply to this Audit memo, the Audit Para is not admitted.

In reply to objection, the attention is invited to the nature of works allocated to the contractor by the Irrigation Department. The details of the works allotted by Irrigation Department, Haryana is as under:

1. Constg. 5 Nos. bed bars and for protection of village Jaitpur from river Pathrala.
2. Protection to village Rampur Gainda from river Somb by restoration 1500' bund pitching.
3. Filling Gharas from RD 200' to 2000' & Closing breach site in the length of 110' downstream Khannuwala bridge for protection to village Lozon & Providing E.C. Bags on side slopes for protection to village Lozon from RD 200 -2100" river Somb.
4. Providing Steining by laying earth filled E.C. bags in M.S. wire crates over loose earth filled EC bags along river edge in a length of 2500 ft and constructing for the protection of village Lapra on river Yamuna.
5. Protection to village Arjun Májra by Constg. 1400' bund with stone pitching on River Pathrala.
6. Providing steining by laying earth filled E.C. bags in M.S. wire crates Over loose earth filled bags along river edge in a length of 1500' for the protection of village Odri on river Yamuna & Somb.
7. Constructing earthen embankment and strengthening by placing earth filled EC bags on side slop in a length of 1000' and Constg. 6 No. Bed bars of M.S. Wire

crates filled with earth filled E.C. Bags for the protection of village Dadupur Jattan.

A copy of the detailed work bill of contractor showing and expenses details /ledger account of hiring charges, Earth work a/c, wages a/c, Job Wrok (Labour Hired) a/c is available on the file. The perusal of these bills/ Ledger accounts reveals that the contractor had mainly supplied services and also charged for Services.

16. M/s Cosmo Infrasonolutions, Karnal, TIN 6112235502, A.Y. 2014-15

In reply to audit objection, it is submitted that original assessment was framed for 2014-15 vide disposal no 1133 dated 29/11/16 U/s 15(1) HVAT Act, 2003 with additional demand Rs 49608/-. Upon the objection raised by the audit party and perusal of assessment file notice was issued to dealer and case was taken up for reassessment. The dealer was a lumpsum work contractor till 2013 after which he also applied for amendment as regular dealer to trade. He has filed R-6(quarterly) and also R-1(quarterly) along with annual return in form R-2 for the relevant year. The case has now re-assessed vide disposal no. 21(B)/14-15 dated 10/06/2022 and assessment has been framed under HVAT Act in two parts- Part (1) as regular dealer for trading creating an additional demand of Rs 221012/- (Tax + Interest) and secondly Part (2) as lumpsum work contractor creating an additional demad of Rs.62546/-(Tax+Interest). .

Audit party has wrongly pointed out that the dealer is a regular work contractor. The dealer is a lumpsum work contractor and also trading as a regular dealer who has filed R-1(quarterly) along with R-2. The taxable turnover reflected in the return is of trading and lumpsum work contract collectively which is a clerical error which has been verified from books and also the dealer has separately provided bifurcated trading account and lumpsum work contract.

Further in the same case of the same year audit has raised objection that the dealer has shown GTO of works contract as Rs. 24061270/- whereas the GTO should have been determined Rs. 25466793/-. In response to this it is submitted that the GTO is determined as Rs. 25466793@5% (as lumpsum work contractor) creating additional demand of Rs. 62546/-(Tax + Interset). Hence both the objections stands answered and the reply for both the objections be read collectively and para may be dropped.

17. M/s Purushottam Dass Contrac, Kurukshetra, TIN 6562318432, A.Y. 2012-13

The case was sent to Jt. Excise & Taxation Commissioner (Range) –cum–Revisional Authority, Ambala for revision u/s 34 of HVAT Act, 2003 on the issue pointed out by the Audit. The revisional authority has revised the order holding CADA as Non Govt Department and calculated the tax @ 13.125% vide D.No. 91/ 25.10.2019. The revisional authority has created an additional demand of Rs.13,66,027/-(Short assessment of Tax). Notices have been issued to the dealer for recovery of the additional demand created. In response to notice the dealer has replied that he has challenged the order passed by the revisional Authority before HTT. He has also submitted copy of memorandum of appeal in Form VAT M-2 dated 23.02.2021.

In view of the above para may be dropped.

18. M/s Purushottam Dass Contrac, Kurukshetra, TIN 6562318432, A.Y. 2013-14

The case was sent for revisional action to DETC-cum Revisional Authority. The Revisional Authority vide order dated 30.04.2019 has remanded the case back to the Assessing Authority with the observation that the argument of the dealer that CADA is Govt. Department is not admitted and directed the Assessing Authority to calculate tax on goods as applicable under the HVAT Act 2003 which were transferred during execution of Works Contract allotted by the CADA. The dealer has challenged the order of revisional authority before HTT, Chandigarh vide STA No. 154 of 2019 -20. The appeal is pending. The consequences of appeal order of Hon'ble HTT will be given effect as and when the order is passed by the HTT.

19. M/s Sukhvinder singh Contra, Kurukshetra, TIN 6982314903, A.Y. 2013-14

The audit objection raised by audit team was considered and the case file was sent to DETC-Cum-Revisional Authority (Inspection) Karnal for taking suo- moto action vide letter no. 3238 dated 11.08.2017. The case revised by DETC-Cum- Revisional Authority, Kurukshetra comminuted on 16.08.2019. In the Revisional order, case was remanded back to the Assessing Authority to verify the submissions of the dealer that he has opted for lump-sum category after the change of rate of tax. The remand case was decided by the Assessing Authority vide order dated 03.08.2021 creating demand of Rs. 1204953/-. Assessment order along with VAT-N4 was duly served upon the dealer on 20.12.2021. Notice of recovery has been issued to the dealer. The dealer has filed appeal against the Remand order dated 03.08.2021 at JETC (Appeal), Ambala. In view of the above the para may be dropped.

20. M/s A.K Sood Engineers, Panchkula, TIN 6652503798, A.Y. 2011-12

The dealer M/s A. K. Sood Eng. And Contr. was registered under HVAT Act, 2003 and CST Act, 1956 holding TIN no 06652503798. The dealer is a regular work contractor. The firm found existing and migrated under HGST Act, 2017 holding GSTN 06AABFA6644B1ZZ. The original assessment was framed for the year 2011 -12 was framed by the then AA under Section 15(3) of HVAT Act, 2003 vide D. no. 1357/2011-12 dated 31.03.2015 wherein an additional demand was created of Rs. 177936/-.

The Audit party raised an objection that the dealer executed woks of HUDA and Vatika Ltd Ambala for Rs. 61360349/- After allowing 25% deduction of labour charges Rs. 15340087/- balance taxable turnovers. 46020262/- was to be assessed @ 12.5%+surcharge instead of 4.20%. It resulted into under assessment of Tax of Rs. 3463024/- besides interest.

The para was admitted.

In reply to the audit objection, it is submitted that the case was sent to Revisional

Authority for taken up under Suo-moto. The DETC(I)-cum-Revisonal Authority vide order dated 4.4.2016 remand the case back to the AA. The AA has decided the case vide D. no. 221/11-12 dated 25.04.2018 by levied tax @ 13.125% on turnover of Rs. 46020262/- after allowing the labour deduction @25% and created an additional demand of Rs. 7132952/- (3566476 tax+3566476 interest) under the HVAT Act, 2003 and recovery proceeding have been initiated against the dealer to recover the arrears. As the arrears not recovered in normal course. The recovery proceedings initiated after declaring the arrears under Land Revenue Act by issuing the summons to the dealer. The suo moto proceedings under GST have also been initiated against the dealer for non-filing of returns since June, 2021 and ITC of Rs. 405546/- has also been blocked for the safeguard of revenue. Sincere efforts are being made to recover the arrears. Hence, on the above facts, para may be dropped.

21. M/s Beant Construction Co. Panchkula, TIN 6762505435, A.Y. 2013-14

The dealer M/s. Beant Constructions, Panchkula was registered under HAT Act, 2003 and CST Act, 1956 with TIN: 06762505435. The dealer is a regular contractor. The original assessment of the firm was framed vide D.no.1395/13 - 14, dated: 28.03.2017.

The audit party raised an objection that the GTO of the contractor was Rs 117185487/- (Q1-15873566, Q2- 29873000, Q3- 12200000, Q-4 Rs 58932121) and after deduction of labour (25%) the TTO was Rs.87889115/-. The dealer deposited tax in the form of TDS of RS 4581153 @ 4.2% on the plea that the dealer executed work of the Government department (Garrison Engineer) against VAT C3 form. The dealer executed work of Rs.18932121/- during the last quarter i.e., March, 2014 of Govt. Department against VAT C-3, but section 7(3)(b)/Rule 19 was omitted and VAT C-3 was not allowed. Hence Concessional rate of tax against VAT C-3 should not be allowed after 06.12.2013 due to allowance of concessional rate against VAT C-3 resulting in under assessment of Rs.3944769/- besides interest.

The para is admitted.

In reply to the audit objection, it is submitted that the case was sent to DETC-cum-Revisonal Authority for taken up the case under Suo-moto. Final reply will be submitted after decision of final authority.

22. M/s Rathee Construction Co., Panchkula, TIN 6722506912, A.Y. 2013-14

The dealer M/s Rathee Construction Company was registered under the HVAT Act, 2003 and the CST Act, 1956 with TIN 06722506912. The dealer is a regular works contractor. The dealer is working now. The dealer stands migrated under the GST Law with GSTIN 06AGNPK7890D2Z1. The case of M/s Rathee Construction Company for the assessment year 2013-14 was assessed under Section 15(4) of the HVAT Act, 2003 vide Disposal No. 807/13-14 dt. 30.03.2017 and as a result additional demand of Rs. 46130/- was created against the dealer under the HVAT Act/CST Act. The said demand was deposited by the dealer on 30.05.2018 vide GRN No. 0036351168. The audit has raised the

objection that the dealer executed the works contract of Haryana Police Housing Corporation Ltd. (HPHCL). The assessing authority assessed the case at concessional rate of tax @4.2% for a non-government department resulting in short levy of tax.

In reply to audit objection, it is submitted that para is admitted. In this regard, it is brought to the notice that the case has been sent to DETC(I)-Cum-Revisonal Authority for taking suo moto action on dated 07.05.2018 and same is pending with the said Authority.

23. Mapco Precast, Panipat, TIN 6712614345, A.Y. 2014-15

In reply to audit para, it is intimated that the original assessment in this case was framed by the then Assessing Authority under section 15(1) of HVAT Act, 2003 and CST Act, 1956 vide disposal no. 1089/2014 -15 dated 30.11.2016. The dealer is a regular Contractor.

At the time of assessment sale & purchase bills were not placed on file. The dealer has made most of the purchases from outside of the Haryana State. The rate of tax is not mentioned in LP-3 list. The case is therefore sent for suo-moto action; vide memo no. 5630 dated 06.08.2018. As per record placed on the file the matter was listed before the Revisional Authority for decision. Latest position is that the case is fixed for 15.07.2022 by the Revisional Authority.

24. M/s PRL Project Infrastructure, Sonapat, TIN 6673012261, A.Y. 2013-14

The audit team has raised the objection that the dealer has executed works contract of Municipal Coporation, Ambala worth Rs. 8304418/- . In reply to audit para it is submitted that the PWD (B&R) Ambala Cantt) allotted the work of construction and repair of roads within MC limit to the Asseessee M/s PRL Infrastructural Ltd. Since the work has been allocated to the assessee by PWD department and company has received the payment from PWD department. So the assessee has done the work for PWD department and the VAT C-3 issued by the department is valid.

Reply regarding work executed for HSRDC:

The audit team has raised the objection that the dealer has executed the work contact of HSRDC worth Rs. 34125222/-. The dealer has opted for the lumpsum scheme w.e.f. 5.12.2013 vide his application dated 16.12.2013. The Assessing authority while framing the assessment has considered the dealer as lumpsum contractor w.e.f. 6.12.2013. The VAT C-3 issued by PWD department for work done for the HSRDC for the period 6.12.2013 to 31.3.2014 is covered under the lumpsum scheme. During this tenure the dealer has been assessed as lumpsum contractor by the assessing authority. The work contract issued by PWD department amounting to Rs. 23783866/-executed for HSRDC by the assessee has been covered under the lumpsum scheme as per the assessment order of assessing authority. The VAT C3 amounting to Rs. 12895672/- has been issued by PWD department to the assessee for the work done during the period 01.10.2013 to

6.12.2013. The VAT C3 has been issued to the assessee by PWD department for executing the work for HSRDC. Since the VAT C3 has been issued by the departmental undertaking PWD department, so it is valid. The work referred for HSRDC is being allotted by the PWD (B&R), a nodal agency for awarding the work to the contractors. The company has received the payment from the PWD Department against the work done. The total work done as per work allotted by the PWD (B&R), which is the core department of the Government of Haryana, and the tax rate of 4.20% as per section 7(3) (b) of the Haryana Value Added rightly charged by the company and correctly assessed. The provisions are reproduced hereunder:

7(3)(b) if the goods are sold to the Government not being a registered dealer, a certificate in the prescribed form duly filled in and signed by a duly authorized officer of the Government. (Omitted w.e.f 1/4/2014).

In view of the above there is no under assessment of tax and assessment has been framed as per law. Hence para may be dropped.

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[9] 2.4.6 Exemption of tax on Sub-Contract without supporting documents:

Section 42 of HVAT Act provides that both contractor and sub-contractor are jointly and severally liable to pay tax in respect of transfer of property whether as goods or in some other form involved in execution of works contract by the sub- contractor. No tax is payable by contractor if he proves to the satisfaction of AA that the tax has been paid by the sub- contractor and assessment of such tax has been finalised. In two DETCs (ST)²⁰, audit observed that ten contractors claimed tax exemption on sub-contract valued at Rs.101.01 crore without supporting documents such as assessment order proof of tax paid by sub-contractors. While finalising the assessment, AAs allowed the exemption of sub contract on the basis of declaration made by contractors without supporting documents which involved the tax liability of Rs.9.98 crore. On this being pointed out, AA Gurugram (East) stated (May 2018) that in six cases reassessment proceedings had been initiated. AA Gurugram (South) stated (May 2018) that four cases had been sent to RA for taking *suo-motu* action.

The department in its written reply stated as under:

3. M/s Innovation Design Image Pvt. Ltd., Gurugram (East), TIN 6621831750, A.Y. 2014-15

In reply to the audit objection raised by the audit party it is submitted that the dealer M/s Innovation design image (P) Ltd. Gurugram holding Tin-06621831750 is a Works Contractor. The original assessment was framed by the AA vide order 315/ 04-11-16/2014-15 the details of which are given in the table below:

Tax	620432
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Interest	Nil
ITC + Vol. Tax	620432
Due	Nil

In reference to the audit observation, it is intimated that letter regarding obtaining requisite assessment order is written to the concerned assessing authority. Fate of the same shall be intimated to the audit party in due course.

6. M/s Canon Fastner Kumar Marble Udg. Gurugram (East), TIN 6561832850, A.Y. 2013-14

In reply to audit objection, it is submitted that the case has been re-assessed vide demand No.10 dated 31.03.2022 wherein demand of Rs.11803019/- (Tax 5901509/- and Interest 5901509/-) has been created. Recovery under process.

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[10] 2.4.7 Allowing benefit of Works Contract Tax (WCT) without verification:

As per provision of Section 24(5) of HVAT Act 2003, any tax paid to the State Government in accordance with sub-section (3) shall be adjustable by the payee, on the authority of the certificate issued to him under sub-section (4), with the tax payable by him under this Act and the AA shall, on furnishing of such certificate to it, allow the benefit of such adjustment after due verification of the payment.

In three DETCs (ST)²¹, audit observed that 16 contractors claimed the benefit of WCT of Rs.6.26 crore. The AAs while finalising the assessment allowed benefit of Rs.6.26 crore without obtaining WCT certificates. Thus, correctness of allowing benefit of WCT to works contractors could not be verified in audit.

On this being pointed out, three AAs²² stated (May 2018) that in 15 cases letters had been issued to the concerned DETCs for verification of WCT. AA Gurugram (East) stated (May 2018) in one case that benefit of WCT had been given after verification. The reply of AA was not tenable, as payment of Rs.2.26 lakh was not verified as per data in Daily Collection Register (DCR) statement.

The department in its written reply stated as under:

2. M/s Narender Singh Contractor, Bhiwani, TIN 6841111210, A.Y. 2013-14

In reply to audit objection, it is submitted that the TDS was deducted by the Department of Public Health Engg. Division, Kosli, Mohindergarh, Narnaul, Fatehabad and deposited through Book Transfer Mode by the office of Accountant General, Haryana. The book

transfer mode can be understood with the following example:

Suppose Narender Singh Contractor executed gross work of Rs. 100/- for Public Health Engg Department Govt of Haryana and the said department made payment to the contractor in the following manner:

Gross Amount	TDS deducted on account of VAT	Income Tax deducted	Labour Cess deducted	Net payment made to the contractor
100	4.2	1	1.40	93.40

After that the concerned department will send the monthly report to the office of Accountant General, Haryana and the amount will be settled by the A.G Haryana through book transfer mode in the following manner:

PHED Account	Excise & Taxation Account
Debited by Rs. 4.20	Credited by Rs. 4.20

No cash transaction is involved in book transfer mode.

One TDS Certificate is verified from Municipal Corporation, Gurugram.

In light of the submissions made above para may kindly be dropped.

3. M/s Shree Balaji Builders, Bhiwani, TIN 6561112299, A.Y. 2013-14

In reply to audit objection it is submitted that the TDS was deducted by the department of Public Health Eng. Division, Narnaul, Siwani, Tosham, Hisar, Jhajjar, Charkhi Dadri, Rewari and deposited through Book Transfer Mode (as discussed above) by the office of Accountant General, Haryana.

4. M/s Mahalaxmi Construction, Bhiwani, TIN 6451109727, A.Y. 2013-14

In reply to audit objection it is submitted that the TDS was deducted by the department of Public Health Engg. Division, Jhajjar, Bhiwani, Hisar, Kosli, Tosham & Water Service Division, Jui, Bhiwani and deposited through Book Transfer Mode by the office of Accountant General, Haryana.

5. M/s Ashok Kumar Contractor, Bhiwani, TIN 6561109327, A.Y. 2013-14

In reply to audit objection it is submitted that the TDS was deducted by the department of P.W.D, Bhiwani, Ch. Dadri & Water Service Division, Jui, Bhiwani and deposited through Book Transfer Mode by the office of Accountant General, Haryana. No cash transaction is involved in book transfer mode. Payment of Rs. 549016/- was deposited by the Haryana Police Housing Corporation as TDS and the same has been verified by the office of

D.E.T.C (ST), Panchkula. In the light of the submission made above para may kindly be dropped.

6. M/s Shiv & Co. Bhiwani, TIN 6681108679, A.Y. 2013-14

In reply to audit para it is submitted that out of 6 TDS certificates, Three Certificates have been verified by the concerned departments. Letters have been issued to the concerned department for the verification of the remaining TDS Certificates. The outcome will be intimated once the information is received from the concerned departments.

8. M/s Bal Kishan Contractor, Bhiwani, TIN6331111539, A.Y. 2013-14

In reply to audit objection it is submitted that the TDS was deducted by the department of Water Service Division, Bound, Siwani, Hansi, Bhiwani, Jui, & CAD, Bhiwani and deposited through Book Transfer Mode by the office of Accountant General, Haryana.

9. M/s Krishan Kumar Contractor, Bhiwani, TIN 6231109169 A.Y. 2014-15

In reply to audit objection it is submitted that the TDS was deducted by the department of P.W.D, Gurugram & Rewari and deposited through Book Transfer Mode by the office of Accountant General, Haryana.

11. M/s Anil Kumar Contractor, Bhiwani, TIN 6261112499, A.Y. 2014-15

In reply to audit objection it is submitted that the TDS was deducted by the department of P.W.D, Gurugram & Rewari and deposited through Book Transfer Mode by the office of Accountant General, Haryana. No cash transaction is involved in book transfer mode. Payment of Rs. 964339/- was deposited by the Haryana Police Housing Corporation as TDS and the same has been verified by the office of D.E.T.C (ST), Panchkula. In the light of the submission made above para may kindly be dropped.

13. M/s City Promoters & Buildwell Pvt. Ltd., Gurugram (East), TIN 6091823457, A.Y. 2014-15

In reply to audit objection it is submitted that, letter for verification of WCT certificate has been forward to DETC (ST), Panchkula in the matter of M/s Garrison Engineer, Shimla (work contract amounting to Rs. 80251000/- & tax Rs. 3643933/-) and M/s Haryana Police Housing Corporation, Panchkula (work contract amounting Rs. 2351118/- and tax Rs. 123434/-). The verification in the matter of Haryana Police Housing Corporation has been received from the O/o DETC (ST), Panchkula. However the matter of verification in case of M/s Garrison engineer, Shimla is under process and same will be submitted as early possible.

14. M/s JPG Construction Pvt. Ltd., Gurugram (East), TIN 6021826066, A.Y. 2013-14

In reply to above audit memo, it that the observation made by the audit party does not stands on the testimony and document placed on file. The audit party has made

observations that WCT/TDS benefit of Rs8964950/- was allowed without cross verifying the same from the DCR whereas, WCT/TDS benefit of Rs 9186227/- has been allowed after due verification from concerned district DCR. Though in the original order, due to clerical error WCT/TDS allowed was wrongly mentioned as Rs 9413198/- but the same was later on rectified u/s 19 of HVAT Act, 2003 on dated 16.01.2018.

15. M/s JRC Grid Engineers Pvt. Ltd., Gurugram (East), TIN 6421820220, A.Y. 2013-14

In reply to audit Para it is submitted that the record of **M/S JRC Grid Engineers Pvt.Ltd TIN 06421820220** for the Assessment year 2013-2014 is not traceable in the office. Efforts are being made to trace the record and reply to the audit para will be submitted accordingly.

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[11] 2.4.8 Under-assessment of tax due to calculation mistake:

Under Section 19 of HVAT Act, any taxing authority or appellate authority, may, at any time, within a period of two years from the date of supply of copy of the order passed by it in any case, rectify any clerical or arithmetical mistake apparent from the record of the case after giving the person adversely affected thereby a reasonable opportunity of being heard.

In four DETCs (ST)²³, audit observed that while finalising the assessment in four cases, AAs had calculated the tax of Rs.94.21 lakh but while totaling the figures it was shown as Rs.40.86 lakh, which resulted in under-assessment of tax Rs.53.35 lakh.

On this being pointed out, AAs Panchkula and Gurugram (West) stated (September 2017 and May 2018) that demand of Rs.38.29 lakh had been created. AA Gurugram (East) stated (Jan 2018) that reassessment proceedings had been initiated. AA Shahabad (Kurukshetra) stated (August 2017) that the case would be re-examined.

The department in its written reply stated as under:

1. M/s CCC Infrasys Pvt. Ltd., Gurugram (East), TIN 6261834373, A.Y. 2013-14

In reply to audit observation it is submitted that there are two Audit objections raised by the audit. Regarding this particular audit objections, the original order for the year 2013-14 vide D. No. 254 dated: 17.11.2015 has been re- assessed u/s 17 of HVAT Act, 2003 and ITC of Rs. 1331228/- was reversed as raised by the audit. Copy of order and Demand Notice served upon the dealer by mail. Notices to recover the outstanding arrear issued and served upon the dealer by mail on dated: 20.8.2018, 7.9.2020. The firm found closed and was not migrated under GST Act,2017. The said arrear is not recovered under normal course of recovery hence the arrear declared under the Land Revenue Act, 1887

on dated: 23.9.2020. A recovery notice was also served by way of pasting on 4.3.2022 at the residential address of the dealer. Letter for detail of property of above said firm was sent to Tehsildar, Gurugram on dated 8.12.2021 and Letter for detail of property of above said firm was sent to Municipal corporation Gurugram on dated 8.12.2021 for attachment against the outstanding arrear of the said firm. After that a notice was also issued to the sureties of the said firm on dated: 10.3.2022 by mail. The copy of reassessment order attached was including of one more audit objection of short reversal of ITC in the original assessment for the year 2013-14. Recovery proceedings were initiated for recovery of the consolidated arrear for the year 2013-14.

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[12] 2.4.9 Under-assessment of tax due to allowing excess benefit of ITC:

Under Section 8 of the HVAT Act, input tax in respect of any goods purchased by a VAT dealer shall be the amount of tax paid to the State on the sale of such goods to him. No ITC on goods which are disposed of otherwise than by way of sale is admissible. If the goods purchased in the State are used or disposed partly by way of sale and partly by stock transfer, the input tax in respect of such goods shall be computed on pro rata basis.

Audit observed in the office of the DETC (ST) Gurugram (East) that while finalising the assessment the AA allowed ITC of Rs.0.17 crore on account of purchase of goods worth of Rs.1.61 crore. The dealer sold material worth Rs.1.03 crore and used the remaining material in execution of works contract. As the dealer had not maintained separate accounts for trading and works contract, ITC was to be reversed proportionately for use of material in works contract. Hence non reversal of ITC proportionately had resulted in under- assessment of tax of Rs.0.13 crore²⁴. On this being pointed out, AA Gurugram (East) stated (January 2018) that reassessment proceedings had been initiated.

The department in its written reply stated as under:

2.4.9	<i>Total no of contractors =1</i>			
	Action taken (Reassessment/Revision)	No of cases	Sub Para	Name of firm
	Action taken but demand pending	1	1	M/s CCC Infrasy Pvt. Ltd., Gurugram (East), TIN 6261834373, A.Y. 2013-14

1. M/s CCC Infrasy Pvt. Ltd., Gurugram (East), TIN 6261834373, A.Y. 2013-14

In reply to audit observation it is submitted that there are two Audit objections raised by the audit. Regarding this particular audit objections, the original order for the year 2013-14

vide D. No. 254 dated: 17.11.2015 has been re- assessed u/s 17 of HVAT Act, 2003 and ITC of Rs. 1331228/- was reversed as raised by the audit. Copy of order and Demand Notice served upon the dealer by mail. Notices to recover the outstanding arrear issued and served upon the dealer by mail on dated: 20.8.2018, 7.9.2020. The firm found closed and was not migrated under GST Act, 2017. The said arrear is not recovered under normal course of recovery hence the arrear declared under the Land Revenue Act, 1887 on dated: 23.9.2020. A recovery notice was also served by way of pasting on 4.3.2022 at the residential address of the dealer. Letter for detail of property of above said firm was sent to Tehsildar, Gurugram on dated 8.12.2021 and Letter for detail of property of above said firm was sent to Municipal corporation Gurugram on dated 8.12.2021 for attachment against the outstanding arrear of the said firm. After that a notice was also issued to the sureties of the said firm on dated: 10.3.2022 by mail. The copy of reassessment order attached was including of one more audit objection of short reversal of ITC in the original assessment for the year 2013-14. Recovery proceedings were initiated for recovery of the consolidated arrear for the year 2013-14.

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[13] 2.4.10 Under-assessment of tax due to short assessment of taxable turnover

In five DETCs (ST), it was observed that in the case of nine contractors AAs had assessed taxable turnover (TTO) of Rs.198.71 crore. However, as per WCT certificates issued by the Contractees, the dealers had executed works worth Rs.225.80 crore (Rs.196.06 crore and Rs.29.74 crore under lumpsum and non-lumpsum respectively). Thus, there was short assessment of TTO Rs.27.09 crore. This resulted in under-assessment of tax of Rs.1.76 crore. In addition, interest of Rs.0.21 crore was also leviable. On this being pointed out,

- AAs Panchkula stated (May 2018) that demand of Rs.37.20 lakh had been created.
- AA Ambala stated (March 2018) that case had been sent for re-assessment.
- AA Gurugram (East) stated (September 2017) in one case that as per the total receipt statement GTO was Rs.4.35 crore instead of Rs.4.73 crore. Reply of AA was not tenable, as GTO/TTO was Rs.4.73 crore as per WCT statement. In another case, AA stated (October 2017) that GTO of Rs.66.86 crore was taken as per the return. The reply of AA was not tenable, as GTO/TTO worked out to Rs.71.45 crore on the basis of WCT deducted. These were lumpsum contractors and their GTO is same as TTO. AA further stated (between December 2017 and May 2018) that reassessment proceedings had been initiated in three cases.
- AA Kaithal stated (April 2018) that the amount of Rs.30.39 crore was taken as per

balance sheet. The reply of AA was not tenable because as per WCT certificate GTO was Rs.36.31 crore.

The department in its written reply stated as under:

1. M/s Bharat Bhushan Gupta & Co., Ambala, TIN 6631041825, A.Y. 2013-14

In pursuance of the audit objection, the case was referred for suo-moto action u/s 34 of HVAT Act and Revisional Authority after considering all facts created additional demand of Rs. 4,30,659/- vide its order dated 18.06.2019. Against this order of the Revisional Authority, the dealer preferred an appeal on 26.09.2019 before the Hon'ble Haryana Tax Tribunal. The appeal filed by the dealer is pending for adjudication as no date of hearing has been communicated till date in this case. Further action if any, will be taken after the decision of the Hon'ble Haryana Tax Tribunal.

2. M/s Cherry Hill Interiors, Gurugram (East), TIN 6611823559, A.Y. 2013-14:

In reply to audit para it is submitted that the original assessment was framed vide D. No. 500 dated 31.03.2017 wherein an excess of Rs 2843197/- was allowed to the dealer. Now the file is sent for revision to Revisional Authority on dated 06.05.2022 and the final outcome will be communicated in due course.

7. M/s BHG Consultant, Hisar, TIN 6241539407, A.Y. 2013-14

The assessment of M/s BHG Consultant bearing TIN- 06241539407 for assessment year 2013-14 was framed vide disposal No. 1235 dated 29.03.2017 creating Nil demand under VAT & CST Act. The audit party has raised objection that the dealer is a lump sum contractor and he is not entitled to get benefit of input tax credit worth Rs. 363349/-. The audit party also raised objection that gross receipt of the dealer is worth Rs. 40636307/- and as per R-2 it was shown worth Rs. 10701060/-. In reply to audit objection it is intimated that the case was sent to Revisional Authority, who vide order no. 111/2013-14 dated 16.11.2021 revised the order and created an additional demand of Rs. 1093785/-. The order as well as TDN have been served upon the dealer on dated 11.02.2022 but the dealer didn't respond. As the firm is closed now hence the property details have been sought from Tehsildar Fazilka, Tehsildar Hisar and Estate officer, HUDA vide letter nos. 104, 105 and 106 respectively so that the outstanding dues can be recovered under Land Revenue Act.

8. M/s Punj Llyod, Kaithal, TIN 6872104076, A.Y. 2013-14:

Objection raised by the audit is admitted. File sent to Dy. Excise & Taxation Commissioner (I)-cum-Revisional Authority, Karnal for taking remedial action u/s 34 of HVAT Act, 2003 in respect of any lapses/deficiencies, which remained at the level of Assessing Authority vide this office memo No. 572, dated 04.05.2022.

10. M/s Sahi Builders & Promoters, Panchkula, TIN 6472507389, A.Y. 2011-12:

The dealer M/s Sahi Builder and Promoters was registered under HVAT Act, 2003 and

CST Act, 1956 holding TIN no 06472507389. The dealer was a regular works contractor. The firm stands cancelled w.e.f. 15.04.2015. The original assessment for the A.Y. 2011-12 was framed by the then AA under Section 15(3) of HVAT Act, 2003 vide D. no. 1364/2011-12 dated 31.03.2015 wherein an additional demand was created of Rs 2482000/-. The Audit party raised an objection that during scrutiny of case filed and TDS certificate issued by the Manav Hut Cop. Groups of Housing Societies Ltd. It is notice that contractor had received payment of Rs. 66389760/- during the period 2011-12 but the Assessing Authority assessed tax on gross receipt of Rs., 47493632/-. Benefit of TDS of Rs. 2655530/- was deducted against amount of Rs 66389760/- had been claimed and allowed the same by the AA. While finalizing assessment of the case AA had not assessed the tax on Rs. 18896128/-(66389760-47493632) which resulted into short levy of tax Rs. 3422561 including interest. The para was admitted. In reply to the audit objection, it is submitted that the case was sent to Revisional Authority for taken up the case under Suo-moto. The DETC-cum-Revisional Authority vide order dated 4.4.2016 remand the case back to the AA with the directions to re-examine the issue raised by audit party. The AA has decided the remand case vide D. no. 22G/11-12 dated 25.04.2018 by levied the tax on gross receipts of Rs. 66389760/- @ 13.125% after allowing the labour deduction @ 25% and created an additional demand of Rs. 3720176/- (1860088 tax+1860088 interest) under the HVAT Act, 2003. Thereafter, the recovery proceedings have been initiated against the dealer under the Land Revenue Act (as the firm was cancelled w.e.f. 15.04.2015) by issuing summons to the dealer. The letter to the surety of the firm was also issued regarding arrears. Further, letters vide No. 5002 dated 18.04.2022 issued to the Tehsildar Panchkula, Tehsildar Mohali for providing the details of property. Sincere efforts are being made to recover the arrears. Hence, on the above facts, para may be dropped.

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[14] 2.4.11 Excess deduction of Labour and Services without recorded reasons

As per sub-rule 2 of Rule 25 of HVAT Rules, the amount included in taxable turnover is the total consideration paid or payable to the dealer under the contract and shall exclude the charges towards labour, services and other like charges. Where the amount of charges towards labour services and other like charges are not ascertainable from the books of account of the dealer, the amount of such charges shall be calculated at 25 per cent of valuable consideration for civil works. If the dealer claims deduction on account of labour, service and other like charges exceeding 25 per cent of total contract value, the AA after examining the claims may allow the claim of the dealer and shall record reasons in writing for accepting the claim.

Audit observed in the office of the DETC (ST) Ambala that three contractors had carried out work of Rs.10.11 crore. They claimed deduction of Rs.3.91 crore (31.62 per cent to 40 per cent) on account of labour and services and AA allowed the claim. The justification for

allowing labour charges on higherrate was not mentioned in the assessment order by the AAs. Deduction at 25 per cent worked out to Rs.2.53 crore. Thus, correctness of allowingdeduction of labour and services in excess of 25 per cent amounting toRs.1.39 crore to works contractors could not be verified in audit.

On this being pointed out, AA Ambala stated (March 2018) that three cases had been sent to Revisional Authority for suo- motu action.

The department in its written reply stated as under:

2.4.11	Total no of contractors = 3			
	Action taken (Reassessment / Revision)	No of cases	Sub Para	Name of firm
	Order revised and file appeal in the Hon'ble Tax Tribunal	1	2	M/s Sourabh Enterprises, Ambala, TIN 6441034703, A.Y. 2014-15
	Deemed assessment so pending	1	3	M/s R.P. Enterprises, Ambala, TIN 6671023858, A.Y. 2014-15

2. M/s Sourabh Enterprises, Ambala, TIN 6441034703, A.Y. 2014-15

In response to the objection raised by Audit party, it is submitted that the case was sent to DETC -cum- Revisional Authority for suo-moto action vide Endst. No. 1729, dated 01.03.2018. Revisional Authority decided the case vide endst No. 2140 dated 18.7.19 and created Additional Demand of Rs. 123365/-. The dealer has produced surety bonds for filing appeal before Ld. Haryana Tax Tribunal against the order of Revisional Authority. The Tribunal is not functional at present. In view of the above, the para may kindly be dropped.

3. M/s R.P. Enterprises, Ambala, TIN 6671023858, A.Y. 2014-15

In response to the objection raised by Audit party, it is submitted that the case was sent to the DETC –cum- Revisional Authority for suo-motu action vide Endst. No.1728, dated 01.03.2018. Revisional Authority decided the case vide his order dated 27.05.2019 and created an additional demand of Rs. 92867/- against the dealer. The dealer preferred an appeal before the Ld. Haryana Tax Tribunal, which vide its order dated 27.05.2019, set-aside the order of Revisional Authority in light of its earlier decision in M/s Light Graphics case. The department has filed appeal against the said order of Ld. Haryana Tax Tribunal in the Hon'ble High Court. The outcome of appeal shall be communicated.

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[15] 2.4.12 Non levy of tax on material supplied by contractee to contractor

Section 2 (1) (ze) of the HVAT Act provides that the transfer of property in goods (whether as goods or in some other form) involved in the execution of works contract, where such transfer, is for cash, deferred payment or other valuable consideration such transfer shall be deemed to be sale of those goods by the person making the transfer. Audit observed in the office of the DETC (ST) Panchkula that material worth Rs.1.85 crore was provided by the department/contractee to contractor for execution of works contract and the same was shown by the contractor in his Trading Account. While finalising assessment AA allowed the deduction of Rs.1.85 crore against the cost of material supplied by department which was notadmissible. This resulted in under-assessment of tax of Rs.0.21 crore. On this being pointed out, AA stated (May 2018) that the case had been reassessed and demand of Rs.1.54 crore²⁶ had been created including penalty and interest.

The department in its written reply stated as under:

2.4.12	Total no of contractors =1			
	Action taken (Reassessment/ Revision)	No of cases	Sub Para	Name of firm
	Firm closed; demand created but not recovered	1	1	M/s Alok Builders, Panchkula, TIN 6032506661, A.Y. 2011-12

1. M/s Alok Builders, Panchkula, TIN 6032506661, A.Y. 2011-12

The dealer M/s Alok Builders was registered under HVAT Act, 2003 and CST Act, 1956 holding TIN no 06032506661. The dealer was a regular works contractor. The firm stands cancelled and not migrated under GST regime. The original assessment for the A.Y. 2011-12 was framed by the then AA under Section 15(3) of HVAT Act, 2003 vide D. no. 1366/2011-12 dated 31.03.2015 wherein an additional demand was created of Rs 434469/-. The Audit party raised an objection that during scrutiny of case file it is noticed that material of Rs. 18492603/- was provided by department/ contractee for execution of work and recovery cost of material was recovered from the contractor in execution of sale. The assessing authority allowed the deduction of Rs. 18492603/- from gross work done which was not admissible it is resulted into under assessment of tax amounting to Rs. 2109393/- besides interest. The para was admitted. In reply to the audit objection, it is submitted that the case was sent to DETC(I)-cum-Revisional Authority for taken up the case under Suo- moto. The DETC(I)-cum-Revisional Authority remanded back the case to Assessing Authority vide order dated 4.4.2016. The AA has decided the remand case vide D. no. 22H/11-12 dated 25.04.2018 by including the material of Rs. 18492603/- in

gross turnover and created an additional demand of Rs. 15381024/-. Further, the dealer preferred an appeal against the remand order of Assessing Authority before the First Appellate Authority. The First Appellate Authority remanded back the case vide order dated 10.12.2019 to the Assessing Authority with the directions to re-examine the whole case. The Assessing Authority again decided the remand case vide D.No. 384F/2011-12 dated 10.12.2021 as *ex parte* due to none appeared in the case and created an additional demand of Rs. 15381024/-. The recovery proceedings have been initiated against the dealer by issuing recovery notices

The Committee has desired that the facts may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[16] 2.4.13 Short assessment of tax under amnesty scheme:

The State Government notified (12th September, 2016) "The Haryana Alternative Tax Compliance Scheme for Contractors, 2016" for the recovery of tax, interest, penalty or other dues payable under the said Act. The scheme could be opted for any period which may commence with any financial year (to be chosen by the applicant i.e. developer/builder) and ending with 31st March 2014. A contractor opting under this scheme shall pay year wise, in lieu of tax, interest or penalty arising from his business, by way of one-time settlement, a lumpsum amount at the rate of one *per cent* of the entire aggregate amount, received/ receivable for the business carried out during the year, without deduction of any kind. Further, a surcharge at the rate of five *per cent* shall be charged on the amount so payable. The contractor opting for the scheme shall apply online in form TC-1 to the concerned AA within ninety days from the date of notification. A committee consisting of two senior most ETO (other than the concerned AA) and the concerned AA posted in the district shall examine Form TC-1.

The State government had clarified that following components will also form part of aggregate amount:

- i) Refund of cancelled units amounts
- ii) External Development Charges (EDC)
- iii) Internal Development Charges (IDC)
- iv) Transfer Charges
- v) Club Membership, Electricity, Gas and water charges
- vi) Interest received from prospective buyers for delayed payment.

In four DETCs (ST), audit observed that 14 Developers engaged in construction of civil structures, flats, dwelling units, building etc. who had opted for the scheme had declared gross receipts of Rs. 12,525.13 crore for the opted period. The three member committee of the department after examining the Form TC-1, annual accounts and other records,

recommended gross aggregate receipt of Rs.12,771.37 crore. The concerned DETCs (ST) accepted the recommendations of committee and levied tax of Rs.134.10 crore.

Scrutiny of records revealed that receipts like EDC/IDC charges, Transfer charges, Refund amount of cancelled units and interest received from prospective buyers for delayed payment etc. had not been included in aggregate amount by the developers nor by the departmental committee. After inclusion of these components, audit worked out gross receipt of Rs.14,516.93 crore. This resulted in under-assessment of tax Rs.18.33 crore (Rs.14,516.93 crore - Rs.12,771.37 x 1.05%).

On this being pointed out, AA Faridabad (East) stated (April 2018) that in one case the dealer had developed a Special Economic Zone as a co-developer and development charges received was as rent of the building given to the co-developer and rental income was not in the preview of VAT and hence was not a part of gross receipt.

Reply of AA was not tenable because as per balance sheets the receipts were on account of development charges and not rental income. AAs Gurugram (North) stated in two cases that the aggregate amount had been taken on the basis of percentage of completion method (POCM) in two cases. The replies should be seen in light of the fact that in one case the dealer had shown gross receipt of Rs.1,880.94 crore in form TC-1 which should have been taken for computing tax instead Rs.1,842.25 crore was taken as gross receipt of the contractor. In other case aggregate amount was to be Rs.1,073.85 crore taking into consideration advance received from customers instead of Rs.994.11 crore. AA Gurugram (East) stated (May 2018) in 10 cases that cases were under examination.

The State Government may consider review of all cases of developers settled under the amnesty scheme.

Conclusion:

Irregularities pointed out by Audit indicate deficient internal control of the Department due to which there have been deviations and non compliance to provisions of the HVAT Rules. Department has not established any mechanism for cross verification of inter departmental data base of works contractors resulting in loss of revenue due to tax evasion by unregistered works contractors. Benefit of payment of tax/WCT was given to contractors without verification. Instances of non levy of interest on short deposit of tax, non levy of penalty for misuse of form VAT D-1, short assessment of taxable turnover, allowing excess ITC, non levy of tax on material supplied to contractor and short assessment of tax under amnesty scheme were noticed resulting in revenue loss of Rs.79.78 crore.

This was reported to the Government in June 2018. Reply was awaited despite issuance of reminder in November 2018.

The issues pointed out are based on the test check conducted by audit. The Department may initiate action to examine similar cases and take necessary corrective action.

The department in its written reply stated as under:

2.4.13	<i>Total no of contractors =14</i>			
	Action taken (Reassessment / Revision)	No of Cases	Sub Para	Name of firm
	Para not admitted	14	1-14	All cases

1. M/s DLF Ltd., Faridabad (East), TIN 6561201962, A.Y. 2010-11 to 2013-14:

In reply to audit memo, it submitted that the para is not admitted. The assessee company is working as a builder/developer as well as SEZ developer. The audit party has raised objection that development charges of Rs. 45653670000/- for the period 2011-12 to 2013-14 were not included in the aggregate amount as per provision of Haryana Alternative Tax Compliance Scheme for contractors, 2016. In this regard it is submitted that the development charges pertains to SEZ operations, wherein, the income recognized i.e. development charges by the assessee company is toward the rentals of building given to the co-developer as mentioned in the agreement to derive the development consideration. The development charges are clearly mentioned in the notes/schedules under heading 'Revenue recognized' in the balance sheets which is reproduced as under:-

"For SEZ projects, revenue from development charges is recognized in accordance with the terms of the co-developer agreement/Memorandum of understanding (MOU)Revenue from lease of land pertaining to such projects is recognized in accordance with the terms of the co-developer agreement/MOU on actual basis."

The relevant provisions of co-developer agreement are as under:

C. *The Developer has ownership and lease hold right and is seized of and in possession of or otherwise well and sufficiently entitled to all those pieces or parcels of the land admeasuring approximately 37 Acres.*

2.4. *The developer will create in favour of co-developer a 49 year lease, in respect of the project in accordance with the extant laws and mutually acceptable terms and condition as stipulated in this agreement"*

Therefore, as per the co-developer agreement/ Memorandum of understanding, neither the building nor the land has been sold but it is leased to the co-developer for the specific period for the consideration as per agreement.

Further, as per Rule 11 of SEZ Rules, 2006, the developer cannot sell the land in Special Economic Zone. Relevant rule is referred below:

"11. Processing and non-processing area:

1. *The Development Commissioner of the concerned SEZ shall be the*

authority for demarcating the area falling within the SEZ under the provision of Section 6.

2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. *The developer shall no sell the land in a Special Economic Zone.*
10. _____

Since, the assessee company has developed SEZ itself and cannot sell the building in SEZ zone as per SEZ rules and rental income from building is out of purview of VAT , therefore, the revenue from development charges is not included in the aggregate amount under the Amnesty scheme.

Relevant provision of the Haryana Alternative Tax Compliance Scheme for the contractors, 2016 are as under:-

- “b) Aggregate amount” means revenue recognized as per audited financial statements of the relevant financial year or valuable consideration, whichever is higher, in relation to business”
- C) “Business “means an act of construction of Civil structures, flats, dwelling units, building, premises, complexes, commercial or otherwise, whether wholly or partly (either by the contractor himself or through an authorizes person) for sale and transfer them in pursuance of an agreement along with land or interest underlying the land to a buyer, where the value of land or interest underlying the land is included in the total consideration received or receivable”

Thus, as per the scheme, aggregate amount includes construction of civil structures/ building for sale, transfer of the civil structure/building in pursuance of an agreement along with land to a buyer or where the value of land or interest underlying the land is included in the total consideration received or receivable. Therefore, all these elements are missing in development of SEZ and leasing out the building to the co-developer.

As discussed above, the facts of the case are summarized as under:

- i. The income referred as development charge pertains to the SEZ projects located across the country. Revenue from Development charges includes income recorded only from SEZ projects.

- ii. The income recognized under the head "Revenue from development charges" is towards rental of the SEZ buildings.
- iii. The project has been leased out to the Co-developers by the assessee company being SEZ developer.
- iv. The SEZ project does not involve sale of building/land.

Moreover, under the HATC scheme for contractors 2016, only the construction of civil structure, flats dwelling units, buildings, premises, complexes, commercial otherwise, whether wholly or partly (either by the contractor himself or through an authorized person) for sale covered, the building given on rent was not covered under the scheme. Hence, in view of submission, the audit para please may be dropped.

3. M/s ADTV Communication Pvt. Ltd., Gurugram (East), unregistered A.Y. 2010-11 to 2013-14

In reply to audit Para it is submitted that dealer had opted alternative tax compliance scheme for contractor, 2016 for the A.Y 2010-2011 to 2013-2014 for settlement of interest and penalty and the same was allowed vide Deputy Excise & Taxation Commissioner (ST) ,Gurugram order dated 25/01/2017 on the recommendation of committee.

4. M/s Experion Developers Pvt. Ltd., Gurugram (East), TIN 6981833589, A.Y. 2012-13 & 2013-14

In reply to the audit para it is submitted that Gross receipts have properly been taken by the committee while finalizing the proceeding under Haryana Alternative Tax Compliance scheme for contractors 2016 and accordingly the application has been accepted by the D.E.T.C. at the aggregate turnover of Rs.3578840061/-. EDC/IDC of Rs.144432950 in the year 2012-13 and Rs.631204788/- in the year 2013-14 (Total Rs.775637738/-) as reported by the audit are already part of advances taken by the committee, though the audit has separately added these figures and raised objection for not making the part of aggregate turnover for the purpose of Haryana Alternative Tax Compliance Scheme. Further, an amount of Rs.342212474/- has been reduced from Advances being collection against sale of plot as reconciled by the dealer. Audit has taken total of advances from customer. Detail of reconciliation submitted by the dealer which is part of file and is as under:-Reconciliation of Collection as per Balance Sheet & Form TC-1Advance received from customers (as on Balance Sheet date):- 2013-14 2012-13As per Note No.8(b) of the Balance Sheet 3847126167 As per Note No.10 of the Balance Sheet 1645312111Less: opening balance 1645312111 0Net collection for the year 2201814056 1645312111Less: security deposit from the customers 1069800 666336Less: unallotted application money from EWS (before the lucky draw) 165000 Less: Collection from customers of Plot 342212474 Net collection for the year 1858366782 1644645775 Ass: Other Income As per Note No. 24 of the Profit & Loss A/c:- Transfer charges 21353462As per Note No. 18 of the Profit & Loss A/c:- Transfer charges 19760275 Forfeiture Income 17337742 Gross

Taxable Collection as per form TC-1 1895464799 1665999237 Further, an amount of Rs.17376025/- on account of other income (interest on delayed payment forfeiture income and transfer charges) has been added to the aggregate turnover. Therefore, it's clear that objection raised by the audit party is not supported by the facts. Hence para may be dropped

5. M/s Gupta Promotors Pvt. Ltd., Gurugram (East), TIN 6331837681, A.Y. 2009-10 to 2013-14

In the reply to the audit objection, it is submitted that the Haryana Government provided Amnesty Scheme namely, the Haryana Alternative Tax Compliance Scheme for Contractors, 2016 vide notification no. 19/ST-1/HA/2003/S59A/2016 dated 12-09-2016 for the recovery of tax, interest, penalty or other dues payable under the said act, for the period up to 31-03-2014. The dealer had applied for the said scheme and the DETC accepted the application. Further a committee was constituted as per clause 7(1) of said scheme for the examination of the application. The committee examined the case and passed an order under clause 7(5) of the Amnesty scheme dated 27-01-2017. The dealer had deposited the tax under Amnesty scheme as under: -Sr. Amount GRN Remarks1 5389032/- Rs.1000000/- vide GRN 19998791 dated 22- 07-2016 and Rs.189032/- vide GRN 19844288 dated 18-07-2016 and Rs.4200000/- vide GRN 21991004 dated 16-12-2016 tax paid with TC-12 5528000/- GRN 26390732 dated 20-04-2017 Installment3 5499000/- GRN 29983547 dated 25-08-2017 Installment4 5516000/- GRN 29114610 dated 14-07-2017 Installment5 425000/- GRN 23220391 dated 03-02- 2017 Installment 6 15000/- GRN 23224403 dated 31-01-2017 Total 22372032/- . The audit raised objection that the committee had taken gross receipt for levying of tax instead of revenue recognized. In its observation the audit stated that during the period (2009-10 to 2013-14), the revenue recognized was higher than gross receipt to the tune of Rs.342856934/- and therefore under assessment of the same accrued. In this connection it is submitted that the committee has rightly taken the amount of turnover as per clause 2(1) (b) of the Alternative Tax Compliance Scheme, which states that the higher turnover become turnover for tax out of revenue recognized and gross receipt. The Committee examined the TC-1 and found that the amount of gross receipt for the relevant period was higher than revenue recognized. So the committee had taken correct aggregate amount for levying of tax under the said scheme. It is pertinent to mention here that the audit erred as it has taken the sale of land during the relevant period as part of revenue recognized. Sale of Land by the applicant during the relevant period 2011-12 Rs.391200000/- 2012-13 Rs.97650000/- 2013-14 Rs.15000000/- However the sale of land is non-taxable under HVAT Act, 2003. The committee has rightly passed an order and levied tax accordingly as per Haryana Alternative Tax Compliance Scheme, 2016, as the gross receipt during the relevant period in relation to applicant was higher than the revenue recognized. As per observation of audit, the revenue recognized was coming on higher side only when they were added sale of land in revenue recognized. This fact is also verified from the

supporting document, which was submitted by the applicant at the time of TC-1. So in the light of above narrated facts and supporting document, para may be dropped.

6. M/s Neo Developers Pvt. Ltd., Gurugram (East), TIN 6611836266, A.Y. 2010-11 to 2013-14

In reply to audit objection, it is submitted that the dealer had opted Alternative Tax Compliance Scheme for Contractor, 2016 for the A.Y. 2010-11 to 2013-14 for settlement of Interest & penalty and same was allowed vide worthy Dy. Excise & Taxation Commissioner (ST), Gurugram order dated 30.01.2017 after recovery of Rs.1333692/-. Hence, para may please be dropped.

7. M/s Orchid Infrastructure Developers Pvt. Ltd., Gurugram (East), TIN 6501835114, A.Y. 2010-11 to 2013-14

In response to the audit objection it is stated that the audit team has misinterpreted the facts by mentioning that the dealer has deducted Rs.1009381898/- from the aggregate amount and the committee has accepted the same. The dealer has opted for the amnesty scheme on the basis of revenue recognized worth Rs.6561394472/- for the period 2010-11 to 2013-14. This figure being higher was recommended by the committee and accepted by the D.E.T.C. Details of which is as under.

Financial Year	Revenue recognized	Gross Receipts
2010-11	3622985602	1674400388
2011-12	1350562902	1329031286
2012-13	698262569	1493441673
2013-14	889583399	1103786193
Total	6561394472	5600659540

Regarding the second objection, that as per certified balance sheet the dealer had received Rs.49033719/- instead of Rs.27519514/- from customer for delayed payments is also not supported by the facts. The audit team has arrived the conclusion on the basis of the sheet total of administration charges and interest received from the customers which comes to Rs. 40905978/-. This consists of interest amount of Rs. 27519574/- and admin charges of Rs. 13386404/-. Dealer's application under the HATC has been accepted at aggregate turnover of Rs. 6602300450/- which is consisting of admin charges + interest as per detailed below.

Revenue recognized	6561394472
Interest from customers	27519574
Admin charges	13386404

Total	6602300450
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In view of the above, it is clear that there is no under assessment of tax, hence the para may please be dropped.

9. M/s Jasmine Buildmart Pvt. Ltd., Gurugram (East), TIN 6271832670, A.Y. 2010-11 to 2013-14

In reply to audit objection, it is submitted that the dealer had opted Alternative Tax Compliance Scheme for Contractor, 2016 for the A.Y. 2010-11 to 2013-14 for settlement of Interest & penalty and same was allowed vide worthy Dy. Excise & Taxation Commissioner (ST), Gurugram order dated 30.01.2017 after recovery of Rs.45464314/-. Hence, para may please be dropped.

10. M/s Paras Buildtech India Pvt. Ltd., Gurugram (East), TIN 6151835258, A.Y. 2010-11 to 2013-14

In reply to audit Para it is submitted that dealer had opted alternative tax compliance scheme for contractor, 2016 for the A.Y 2010-2011 to 2013-2014 for settlement of interest and penalty and the same was allowed vide Deputy Excise & Taxation Commissioner (ST), Gurugram order dated 30/01/2017 on the recommendation of committee.

11. M/s Viput Ltd., Gurugram (East), TIN 6551834359, A.Y. 2009-10 to 2013-14

In reply to audit para it is submitted that dealer had opted alternative tax compliance scheme for contractor, 2016 for the A.Y 2013-2014 for settlement of interest and penalty and the same was allowed vide Deputy Excise & Taxation Commissioner (ST), Gurugram order dated 27/01/2017 on the recommendation of committee and recovered Rs 150089/- vide GRN No23290591 dated 27/01/2017

12. M/s Raheja Development Pvt. Ltd, Gurugram (North), TIN 6181924724, A.Y. 2005-06 to 2013-14

In the reply to the audit objection, it is submitted that the Haryana Government provided Amnesty Scheme namely, the Haryana Alternative Tax Compliance Scheme for Contractors, 2016 vide notification no. 19/ST-1/HA/2003/S59A/2016 dated 12-09-2016 for the recovery of tax, interest, penalty or other dues payable under the said act, for the period up to 31 - 03-2014. The dealer had applied for the said scheme and the committee accepted the application. Further a committee was constituted as per clause 7(1) of said scheme for the examination of the application. The committee examined the case and passed an order under clause 7(5) of the Amnesty scheme dated 20-01-2017 for acceptance. The dealer had deposited the tax under Amnesty scheme as under:- Sr. Amount 1 42436728 Total 42436728/- The audit raised objection that the committee had taken gross receipt for levying of tax instead of revenue recognized. In its observation the audit stated that during the period (2005-06 to 2013-14), the revenue recognized was

higher than gross receipt to the tune of Rs. 18999157275 /- and therefore under assessment of the same accrued. In this connection it is submitted that the committee has rightly taken the amount of turnover as per clause 2(1) (b) of the Alternative Tax Compliance Scheme, which states that the higher turnover become turnover for tax out of revenue recognized and gross receipt. The committee examined the TC-1 and found that the amount of gross receipt for the relevant period was higher than revenue recognized. In the instant case the aggregate amount on the basis of revenue recognized instead of commulative basis i.e. 184225520519/- (18232755165+189765354) is higher than the aggregate amount on the commulative basis of received/receivable. So the committee had taken correct aggregate amount for levying of tax under the said scheme. The committee has rightly passed an order and levied tax accordingly as per Haryana Alternative Tax Compliance Scheme, 2016, as the gross receipt during the relevant period in relation to applicant was higher than the revenue recognized. So in the light of above narrated facts and supporting document, para may be dropped.

13. M/s Ramprashtha Sare Pvt. Ltd., Gurugram (North) TIN 6421943604, A.Y. 2010-11 to 2013-14

In reply to the audit objection, it is submitted that the Haryana Government provided Amnesty Scheme namely, the Haryana Alternative Tax Compliance Scheme for Contractors, 2016 vide notification no. 19/ST-1/HA/2003/S59A/2016 dated 12-09-2016 for the recovery of tax, interest, penalty or other dues payable under the said act, for the period up to 31-03-2014. The dealer had applied for the said scheme and the DETC accepted the application. Further a committee was constituted as per clause 7(1) of said scheme for the examination of the application. The committee examined the case and passed an order under clause 7(5) of the Amnesty scheme dated 30-01-2017 for acceptance. The dealer had deposited the tax under Amnesty scheme as under: -Amount GRN RemarksSr. Amount GRN1 10000000/- 2657802 2500000/- 4974533 5000000/- 0004334 8200000/- 739390Total 25700000/- The audit raised objection that the committee had taken gross receipt for levying of tax instead of revenue recognized. In its observation the audit stated that during the period (2010-11 to 2013-14), the revenue recognized was higher than gross receipt to the tune of Rs. 10738503273 /- and therefore under assessment of the same accrued. In this connection it is submitted that the committee has rightly taken the amount of turnover as per clause 2(1) (b) of the Alternative Tax Compliance Scheme, which states that the higher turnover become turnover for tax out of revenue recognized and gross receipt. In the instant case the aggregate amount on the basis of revenue recognized instead of commulative basis i.e. 9941066823 /- (9860768169+80298654) is higher than the aggregate amount on the commulative basis of received/receivable. So the committee had taken correct aggregate amount for levying of tax under the said scheme. The committee has rightly passed an order and levied tax accordingly as per Haryana Alternative Tax Compliance Scheme, 2016, as the gross receipt during the relevant period in relation to applicant was higher

than the revenue recognized. So in the light of above narrated facts and supporting document, para may be dropped.

14. M/s Chandigarh Developers, Karnal, TIN 6262233916, A.Y. 2008-09 to 2013-14:

In reply to audit it is submitted that the Order in case of M/s CHD Developers Ltd., Karnal, TIN: 06262233916 for the period upto 31 March, 2014 was passed under Clause 7(5) of the Haryana Alternative Tax Compliance Scheme for Contractor, 2016 by the Dy. Excise & Taxation Commissioner (ST), Karnal vide orders dated 18.01.2017. Further it is submitted that para is not accepted. At the time of examination of case, it was very much examined and the issues pointed out by the audit that parking charges, PLC charges, EDC, IDC and interest earned on the payments received from the investors were verified and found that the amount disclosed in the TC-1 has been shown inclusive of the above charges. Hence the order was rightly passed under clause 7(5) of the Haryana Alternative Tax Compliance Scheme for Contractor, 2016. A certificate in this respect of above charges was also obtained from the CA of the Company which is placed on the file. This fact is also verified from the report of Assessing Authority. In view of the above facts there is no under levy of tax, hence the para may please be dropped.

The Committee has desired that the department should share information about all these cases with the office of Accountant General (Audit), Haryana and after examination the Accountant General (Audit), Haryana may send its report to the Committee accordingly for its consideration.

[17] 2.5 Under-assessment of tax due to allowing concessional tax on invalid forms 'C'

Assessing Authority allowed concessional rate of tax without verification of forms which resulted in under- assessment of tax of Rs. 3.53 crore. In addition, penalty of Rs.10.59 crore was also leviable.

Section 8 (4) of the Central Sales Tax Act, 1956 provides that concession under sub section (1) shall not apply to any sale in the course of inter-State trade or commerce unless the dealer furnishes to the AA a declaration form duly filled and signed by the registered dealer to whom the goods are sold containing the prescribed particulars in a prescribed form (Form 'C') obtained from the prescribed authority. Under section 38 of HVAT Act, three times of tax due is leviable as penalty for submitting wrong documents to evade payment of tax. Government of Haryana had issued instructions on 14 March 2006 and 16 July 2013 for verification of intra-State or inter-State transactions of more than one lakh rupees before allowing the benefit of tax/concession to the dealer. Scrutiny of the records of seven Deputy Excise and Taxation Commissioners (Sale Tax) {DETCs (ST)}²⁹ and Excise and Taxation Officer (ETO) Tohana revealed that 18 dealers claimed concessional tax rate on their inter-State sales worth Rs.38.49 crore in the years 2013-14 and 2014-15. In support of the claims, the dealers filed 50 'C' forms issued by

Commercial Tax Department of Rajasthan (39), Uttarakhand (2), Delhi (8) and Punjab (1). The concerned Assessing Authorities (AAs) finalised the assessments between April 2016 and March 2017 and allowed concessional tax on the declarations filed without verification. Audit referred these forms to the concerned States for verification and also checked the forms through Tax Information Exchange System (TINXSYS) and found that the respective States had cancelled the registration of the dealers. The position is as below;

Selling unit in Haryana	Number of dealers	Issuing State	Number of 'C' Forms	Checked through
Jind, Rohtak, Gurugram(E), Gurugram (W) and Hisar	13	Rajasthan	39	TINXSYS -13 Verification -26
Gurugram (W)	1	Uttarakhand	2	Verification -2
Jagadhri, Tohana and Faridabad (W)	3	Delhi	8	TINXSYS -5 Verification -3
Gurugram (W)	1	Punjab	1	TINXSYS -1
Total	18		50	

In response to request of audit for verification of forms, State Tax Officer (STO), Jaipur (November 2017) informed that eight forms issued by onedealet of Rajasthan were not genuine and the registration had already been cancelled. STO, Jaipur also informed that the matter had already been reported to DETC Jind on 25 May 2016 in response to a request made in June 2015 for verification of forms. Despite this AA, Jind allowed (03 October 2016) concessional rate of tax on 'C' forms issued by the dealer of Jaipur. AA, Jagadhri had also allowed (28 December 2016) concessional rate of tax on 'C' forms issued by two dealers of Delhi, despite being aware that the registration of the buying dealer of Delhi had been cancelled with effect from 10 September 2013 and 26 May 2014. Thus, AA Jind and Jagadhri allowed concessions against invalid declarations. Further, AAs of the remaining six offices also finalised the assessments between April 2016 and March 2017 and allowed the concessional tax on the forms without verification. This resulted in under-assessment of tax of Rs.3.53 crore. In addition, penalty of Rs.10.59 crore was also leviable. On this being pointed out, in one case, AA, Gurugram (West) reassessed the case and demand of Rs.15.62 lakh was created (July 2017). AA Jagadhri admitted the para and stated that the case would be reassessed (December 2017). DETC Jind intimated (October 2017) that letter had been issued to the Commercial Tax Officer (CTO) Jaipur for verification. The reply is not acceptable as CTO, Jaipur had already informed the facts to DETC Jind (May 2016). AA Rohtak stated that letter had been sent

for verification of 'C' forms in two cases (August 2017). In one case, AA Rohtak claimed that the form issued by one dealer was duly verified from the website of Commercial Tax Department of Rajasthan. Reply was not acceptable as on verification by audit, it was found that the form was found invalid. AA Gurugram (East), Gurugram (West), Tohana and Rohtak stated that action would be taken as per law after verification (July 2017 to December 2017). Reply has not been received from AA, Hisar. The matter was reported to the Government in April 2018. Reply was awaited despite issuance of reminders in June and November 2018.

The Department may ensure stringent enforcement of its instructions for grant of concession on intra-State and inter-State sale after due verification.

The department in its written reply stated as under:

CAG 2017-18 Para 2.5

The summary of district wise para is tabulated as under for ready reference:

A	B	C	D	E	F=(C-D-E)
Sr. No.	Name of district	Total no. of para	Total no. of para already dropped by PAG	Total no. of para where demand is reduced to nil (not including para shown in column D)	Total no. of para in which demand is outstanding
1	Jind	04	NIL	03	01
2	Rohtak	04	NIL	01	03
3	Gurugram (East)	03	NIL	01	02
4	Gurugram (North)	01	NIL	NIL	01
5	Jagadhari	01	NIL	01	NIL
6	Fatehabad	01	NIL	01	NIL
7	Gurugram (West)	02	NIL	01	01
8	Faridabad (North)	01	NIL	Nil	01
9	Hisar	01	NIL	NIL	01
	Total	18	NIL	08	10

Replies to Para No 2.5 for the year 2017-18 Under-assessment of tax due to allowing concessional tax on invalid forms 'C'.

This PAC Para is regarding Under-assessment of tax due to allowing concessional tax on invalid forms 'C'. This para contains 37 cases of section 17 of 18 dealers. Out of 37 cases where Audit has raised objections, (37) cases have been admitted where remedial action either under Section 17 of the HVAT Act has been initiated by the Assessing Authority respectively. The summary of these cases is as under: -

Sr. No.	District	Name of the dealer and TIN	Assessment Year	Status of Para admitted/Not admitted	Demand created by Assessing Authority/Revision Authority	Recovery	Remarks
1	2	3	4	5	6	7	8
1.	Jind	Mohindra and sons, Baroda	2014-15	Para Not Admitted	0	0	The remand case was finalized with nil demand
2	Jind	Mohindra Cotton, Uchana	2013-14	Para Not Admitted	0	0	The remand case was finalized with nil demand
3	Jind	Vardhaman Cotton Mill, Uchana Mill	2013-14	Para Not Admitted	0	0	The remand case was finalized with nil demand
4	Jind	Nav Bharat Steel & Gen Industries	2014-15	Para Admitted	0	0	The remand case was decided vide order no 1100A/2014-15 dated 24.12.2019 with demand Rs. 192169/- under HVAT Act and Rs. 4773352/- under CST.
5	Rohtak	Mahavira Udyog, Dobh	2013-14	Para Admitted	3649000	0	The remand case is fixed for 26.07.2022. Finalization of remand case is still pending.
6	Rohtak	Rawal Agency	2013-14	Para Admitted	1687497	0	The remand case was finalized vide order no 01C 10.01.2022 creating an additional demand of Rs.1687497/-. No recovery has been made till date
7	Rohtak	Supa Laminates Pvt	2013-14	Para Admitted	630940	630940	The case was re-assessed vide reassessment order dated 19.04.2018 with demand 630940/- and the same has recovered from the dealer (Rs.24758 vide GRN No-

							0031915525 dated 04.12.2017 and Rs. 606182/- vide GRN No-0037389600 dated 05.07.2018 Total Rs. 630940/-)
8	Gurugram (East)	Swagata Electricals P. Ltd	2013-14	Para Admitted	10829266	6632843	The case was re-assessed vide disposal No 4A dated 16.04.2018 and comes to Rs.10829266/- along with penalty of Rs.11961081/- under section 38 of HVAT Act 2003. Rs. 3800000 has been recovered and excess of 2831843/- for the year 2017-18 adjusted against demand for year 2013-14. Recovery of balance arrear (Rs.4196423/-) is under process
9	Gurugram (West)	ADI Automotives Pvt. Ltd	2013-14	Para Admitted	29644593	27283215	The case was re-assessed vide order No- 57A/dated 25.09.2017 creating total demand of Rs.29644553/- under CST and Rs.1083215/- under VAT Act 2003. Rs.27283215/- has been recovered the dealer has gone to NCLT for liquidation and a claim of Rs.9.37 Crore was lodged on 10.02.2022 before the liquidator.
13	Gurugram (East)	ACHIEVER SALES PVT LTD	2014-15	Para Not Admitted	1303335	0	Letter issued to concerned for Verification of genuineness of 'C' forms which is still pending
14	Faridabad (North)	Shri Shakti Steels	2013-14	Para Admitted	4620437	0	The case was re-assessed and the dealer has filed appeal before the JETC (A) against the demand which still pending
15	Gurugram (East)	Glasco Trading Co	2013-14	Para Admitted	18626178	0	The case was re-assessed and the dealer has filed appeal before the JETC (A) against the demand which still pending
16	Rohtak	Tulsi Lok & Sons	2013-14	Para Admitted	4717767	0	The case was re-assessed and recovery of arrear under process

17	Hisar	Chopra Motor Store	2013-14	Para Admitted	3044048	11012	The case was re-assessed vide disposal demand no 6A/24.03.2022. The dealer has deposited the amount of Rs.11012 (Tax amount vide GRN No-0089998354 dated 03.05.2022
18	Gurugram (North)	Shri Balaji Electronic	2013-14	Para Admitted	5932668	0	The case has been re-assessed vide order no 01J/2013-14 dated 21.03.2022 and created additional demand of Rs. 5932668/-, recovery proceedings initiated to recover the demand
Total					129921315	34903285	

17. M/s Nav Bharat Steel & Gen. Industries, Jind TIN 6112003381, A.Y. 2014-15
RJ/C/15- 16/ 000 340025

18. M/s Nav Bharat Steel & Gen. Industries, Jind TIN 6112003381, A.Y. 2014-15
RJ/C/14- 15/ 000 987826

Para No.	Under assessment of tax due to allowance concessional rate of tax without C forms Rs. 18.87 Lakh	Name of firm with RC	Amount	Reply
2.5(2)	<p>Section 8(4) of CST Act, 1956 provide that the concession under sub section (1) shall not apply to any sale in the course of interstate trade or commerce unless the dealer selling the goods furnished to the Assessing Authority a declaration form duly filled and signed by the registered dealer to whom the goods are sold containing the prescribed particulars in the form.</p> <p>The dealer is a trader of steel and cement. During the scrutiny of assessment case it was noticed that during the year the dealer claimed concessional rate of tax on declaration forms C for sale of cement worth of Rs. 16958150/- during the period 1-4-14 to 30- 06-14. But during scrutiny, it has further been noticed that no C forms were placed on the file.</p>	<p>Name of dealer M/s Nav Bharat Steel & Gen Industries</p> <p>Tin 06112003381</p>	37.23	<p>The dealer M/s Nav Bharat Steel & General Industries, Jind was registered under the HVAT Act, 2003 and the CST Act, 1956 with TIN 06112003381. The dealer deals in trading & manufacturing of Agriculture implement, steel and cement. The dealer is closed now. The case of M/s Nav Bharat Steel & General Industries, Jind for the assessment year 2014-15 was assessed under Section 15(3) of HVAT Act, 2003 and under CST Act 1956 vide demand No. 27/2014-15 dated 26.04.2016 and re-assessed ex-parte under Section 17 of HVAT Act, 2003 vide demand order No. 378A/2014-15 dated 30.07.2018</p> <p>In reply to audit objection, it is submitted that para is admitted and re-assessed ex-parte under Section 17 of HVAT Act, 2003 vide demand</p>

	However, the AA while finalizing the assessment, allowed the claim of concessional rate of tax without obtaining the C Form. Thus due to allowance benefit of concessional rate of tax without C Form has resulted in under assessment of tax Rs. 1886594/- (16958150X 11.25%) beside interest, which was brought to the notice of AA for taking suitable action as per law of HVAT ACT, 2003	A.Y. 2014-15/ dated 26-4-16	order No. 378A/2014-15 dated 30.07.2018 and demand was created worth Rs. 4846341/- under HVAT Act and Rs. 24205272/- without 'C' form. The dealer has filed an appeal before the Jt. ETC(A), Rohtak vide appeal STA No. JND-11/VAT & JND 12/CST 2018-19. The Jt. ETC(A) remanded back to the Assessing Authority vide his order dated 29.11.2018 with the direction to afford a reasonable opportunity of being heard to the appellant and then decided the case afresh. After that the remand case is decided vide order demand No. 1100A/2014- 15 dated 24.12.2019. The dealer has submitted manually 'C' form worth Rs. 16958150/- at the time of remand case which is placed on the file and allowed subject to verification and as per direction by the SOP issued by the ETC Haryana vide his letter 74/ST-6 dated 08.01.2018. In view of the above facts, para may kindly be dropped
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19. M/s Mahavira Udyog, Rohtak TIN 6572821614, A.Y. 2014-15, RJ/C/14-15/ 000 356336

Draft Para No. 19	Audit Objection No. RS/STP-4/2017-18/AM-23 dated 21.07.2017 in case of M/s Mahavira Udyog, Dobh, Rohtak TIN 06572821614 AY 2013-14/ Order No. 864 dated 05.12.2016 Sub: Under assessment of tax due to allowance benefit against invalid 'C' form: Rs.36.49 Lakhs. Name of dealer : M/s Mahavira Udyog, Dobh, Rohtak. TIN No. 06572821614 Assessment Year & date : 2013-14/864 dated 05.12.2016
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Section 5 (3), 6A and 8 (4) of the CST Act, 1956 provided for levy of nil/concessional rate of tax on sales made against declaration forms H, F and C respectively. Under Section 38 of HVAT Act, penalty is leviable for submitting wrong documents to evade payment of tax. The dealer is a trader of mixed oil. During test check of assessment case, it revealed that the dealer claimed concessional rate of tax on sale of goods against declaration forms

'C' valuing Rs.82,00,000/- (details given below) and the same was allowed by the Assessing Authority while finalising the assessment without verification of forms as required vide instructions issued in March 2006. On cross verification of form from official website of department of Commercial Taxes, government of Rajasthan, it was noticed that the form was declared invalid by the said department. Thus, allowing benefit against invalid 'C' form resulted in under assessment of tax amounting to Rs.36,49,000/- ($8200000 \times 11.125\% = 912250 + 3 \text{ TIMES PENALTY U/S } 38 \text{ OF hvat Act} - \text{Rs.}27,36,750/-$).

Sr. No.	Name of issuing State	Name of purchasing dealer	TIN No.	Form No.	Amt. (Rs.)	Tax @ 11.125% (13.125-2)	Penalty (Rs.)	Total Rs.
1	Rajasthan	Maa Kalyani Trading Impex, B-22 Ganesh Marg, Bapu Nagar, Jaipur Rajasthan	08134104260	RJ/C/2014-15000356336	8200000	912250	2736750	3649000
	Total				8200000	912250	2736750	3649000

Matter is brought to the notice of AA for taking suitable action as per law of HVAT Act 2003 under intimation to audit.

Reply :

The original assessment of the dealer for the year 2013- 2014 was framed vide Assessing Authority order dated 05-12-2016 with Nil demand and the same was duly served upon to the dealer on dated 05-12-2016. In reply to the objection raised by the Audit Party it is submitted that while framing assessment, all the online 'C' Forms were duly verified through the online website tinxsys.com as well as from the official website of Department of Commercial Taxes, Government of Rajasthan including the 'C' form of M/s Maa Kalyani Trading Co. Jaipur holding TIN:08134104260 worth Rs.82,00,000/- and were found to be verified and accordingly, the Assessing Authority allowed deduction to the dealer. At the time of Audit, when the Audit party checked the 'C' form online, the same was found cancelled retrospectively by the Department of Commercial Taxes, Rajasthan.

For the further verification of 'C' form, a dated 04.08.2017 was sent to Rajasthan Authority for verification of C Form issued by M/s Kalyani TIN:08134104260. In reply to this, a letter was received from the O/o Asstt. Commercial Tax Officer, Jaipur vide memo No.397 dated 20.09.2017, in which the Rajasthan authorities had informed that the firm M/s Kalyani holding TIN:08134104260 has been cancelled retrospectively by their office from the date of its registration i.e. 01.04.2013 & that all the 'C' forms issued in its favor had also been cancelled. This information was updated online by the department of Commercial Taxes, Rajasthan later on, which was not available at the time when

assessment was framed.

The re-assessment proceedings have been initiated against the dealer. The then Assessing Authority decided the case vide order dated 28-09-2018 creating additional demand of Rs. 3649000/- which is duly served upon to the dealer on 18-12-2018. Aggrieved with the re-assessment order, the dealer preferred an appeal before the Jt.E.T.C.(Appeal), Rohtak, who remanded back the case to the Assessing Authority vide order dated 10-09-2021.

The remand case is finally fixed for hearing on 06-05-2022 and the result will be intimated after the finalisation of the remand case. Hence in view of above, the audit para may please be dropped.

20. M/s Rawal Agency, Rohtak, TIN 6872823777, A.Y. 2013-14, RJ/C/14-15/000 101350.

Annotated reply of audit Para No. RS/STP/2017-18/AM-64 dt. 10.08.17 under assessment of tax due to allowance benefit against invalid 'C' Forms Rs. 16.07 lakh.

Para No	Name of the firm with TIN A.Year and date of order M/s Rawal Agency, Rohtak TIN- 06872823777 A.Y. 2013-14/Demand No. 568 Dated 23.02.2017	Reply
2.5	<p>Section 5 (3), 6A and 8(4) of the CST, 1956 provides for levy of nil/concessional rate of tax on sales made against declaration forms 'C' valuing Rs. 11865134/- and same were allowed by the Assessing Authority while finalizing the assessment without verification of transaction/forms as required vide instruction issued in March, 2006. On cross verification of form from Rajasthan Government's commercial tax department website it was noticed that forms valuing Rs. 3612345/- (issued by purchasing dealer M/s Shree Shyam Enterprises, Plot No. 270, Guru Nanak Pura, Rajapark, Jaipur, Rajasthan TIN No.-08561615537, C form Series No. RJ/C/2014-15, serial No. 000101350) involving tax of Rs. 401873/- (3612345 X 11.125% (13.125-2) were declared invalid by the said office. Thus, allowing benefit against invalid 'C' declaration form resulted in under assessment of tax Rs. 401873/- besides penalty of Rs. 1205619/- (401873 X 3) leviable under section 38 of HVAT Act.</p> <p>Matter is brought to the notice of AA for taking suitable action as per law of HVAT Act, 2003 under intimation to</p>	<p>The original assessment of the case was framed vide Assessing Authority order dated 23.02.2017 with nil demand. The order was served upon the dealer in dated 23.02.2017.</p> <p>During audit scrutiny of the case file for the year 2013-14, the audit party pointed out that a 'C' forms received from M/s Shree Shyam Enterprises, Jaipur, Rajasthan was declared invalid by the Rajasthan Commercial Tax Authorities.</p> <p>In reply to audit para, it is intimated that at the time of framing of assessment, all the declaration 'C' forms were verified through the online website tinxsy.com including the 'C' forms issued by the purchasing dealer M/s Shree Shyam Enterprises, Jaipur, Rajasthan TIN No.-08561615537, (C form Series No. RJ/C/2014-15, serial No. 000101350). During further verification the said C form was found issued by Commercial Tax Department Rajasthan on 19.05.2014 vide letter dated 27.10.2017 and after that, the department cancelled the 'C' form of the dealer on 11.05.2016.</p> <p>Further, letter were sent to the Commissioner of Commercial Taxes, Rajasthan for verification of the said C form issued by the purchasing dealer of the Rajasthan. Moreover, Taxation Inspector of this office was also deputed along with letter dated 02.07.2018 to verify the said C form. In response to this, The Dy. Commissioner of State Tax, Circle-L, Jaipur has informed this office vide memo No. 1234 date 04.07.18 that this C form was not</p>

	Audit	<p>verified due to invalid transactions.</p> <p>Therefore, Reassessment in this case was finalized vide Assessing Authority order dated 14.08.2018 creating a demand of Rs. 1824233/-. Aggrieved with the re- assessment order, the dealer has filed an appeal before JETC (A), Rohtak who remanded back the case to the Assessing Authority. Assessment of the remand case has been finalized vide order of Assessing Authority dated 10.01.2022 creating an additional demand of Rs. 1687497/-..</p> <p>Hence, in view of the above, the audit memo may pleased to dropped.</p>
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23. M/s Swagata Electrtricals (P) Ltd., Gurugram (East), TIN 6501820273, A.Y. 2013-14, form no. RJ/C/20121802117, 745664, 7474570,7474571

CAG Report	Para No	Audit Objection	Audit Reply
2017-18	2.5	<p>U/a of tax due to non levy of tax and penalty on suspicious 'C' Forms Rs.159 Lacs</p> <p>M/s Swagata Electricals P. Ltd.</p> <p>TIN= 06501820273, A.Y. 87/2013-14 dated 27.03.17</p> <p>Section 5(3), 6A and 8(4) of the CST Act, 1956 provides for levy of nil/concessional rate of tax on sales made against declaration forms H, F and C respectively. Under Section 38 of HVAT Act penalty is leviable for submitting wrong documents to evade payment of tax.</p> <p>The dealer is a trader of electronic / electrical goods. During test check of (Original forms placed on the file) were found suspicious due to inferior quality and colour of paper, no water mark and did not match the prescribed performa available in Rule 12(1) of CST (R&T) Rules 1957. While verifying of</p>	<p>In reply to the audit para it is submitted that the case was re-assessed vide Disposal No.04(A) dated 16.04.2018 and demand comes to Rs.10829266/- in which penalty of Rs.11961081/- under Section 38 has been imposed under the HVAT Act, 2003. The re-assessment order has been duly served upon the dealer along with TDN (VAT N-4).</p> <p>Notices were issued to the dealer in response which Rs.3800000/- .has been recovered from the dealer and Rs.2832843/- was excess under 2017-18 which was duly adjusted in 2013-14. Now, recovery of Balance arrear i.e. 4196423/- is under process.</p> <p>In view the above submission para may be dropped.</p>

		these forms on TINXSYS.COM website no record have been exists for these forms. Thus allowing allowing benefit against suspicious 'C' declaration forms resulted in under assessment of tax Rs 3987027/- {35838449 x 11.125% (13.125 - 2)} besides penalty, leviable under section 38 of HV AT Act.	
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24. M/s ADI Automotives (P) Ltd., Gurugram (West), TIN 6571923006, A.Y. 2013-14, U.A/C-20133062598

25. M/s ADI Automotives (P) Ltd., Gurugram (West), TIN 6571923006, A.Y. 2013-14, U.A/C-2013 7485114

Para No. 2.5/ CAG-2017-18					Reply
Firm Name : ADI Automotives Pvt. Ltd					
TIN: 0657 1923006, A.Y 2013-14, 20.02.2017					
<p>As per instruction issued by Government of Haryana on 14 March 2006 and 16 July 2013 intra-State transactions of more than Rupees one lakh were to be verified before allowing the benefit of tax/concession to the dealer. Further section 5(3) 6A and 8(4) of the Central Sales Tax Act, 1956 (CST Act) provide for levy of nil/concessional rate of tax on sales made against declaration forms H, F, E-1 and C respectively. Under section 38 of HVAT Act penalty is leviable for submitting wrong accounts/ information / documents to evade payment of tax.</p> <p>The dealer is a manufacturer of auto components . While finalizing assessment the dealers were allowed benefit of concessional rate of tax @2% on account of sale of auto parts against form "C". Scrutiny of C forms have revealed that C forms have revealed that C forms valuing Rs. 3508156.00 (as detail given below) were in-genuine as the paper, printing, spelling and water mark etc were not found correct in these form. The Genuineness of these forms may be got verified from may be got verified from concerned authority and tax/penalty levied accordingly as it involves a tax effect of Rs. 1561128.00 (Tax: 390282.00). (3508156x11.125(13.125-2) and penalty 3 times of tax Rs 1170846.00). Matter is brought to the notice of AA for taking suitable action as per Sales tax Laws.</p>					<p>In reply to audit para, it is submitted that as per original assessment order (D. No. 06 dtd. 20.02.2017) a demand of Rs . 1083215/- under HVAT Act, 2003 & Rs. 28082460/- under CST Act, 1956 was created. Consequent to observation by audit team, both the ' C' Forms were sent for verification and same were confirmed to be non- genuine by concerned authorities. Accordingly, the case was re-assessed vide order D. No. 57A dated 25.09.2017 by adding additional demand of Rs . 1562133/- (Tax Rs.390283/- & P enalty Rs.1170849/-) against in genuine 'C' Forms, making total demand due of Rs. 2,96,44,593/- u nd er the CST Act and R s . 1083215 / - u n d e r H V A T A c t , 2 0 0 3 . An amount of Rs. 2,72,83,215/- has been recovered out of the above demand.</p> <p>Now the dealer has gone to NCLT for liquidation. The Dept. has lodged its claim initially on dated 21.10.2020 for Rs.9.37 Cr. before the liquidator in NCLT. Again afresh claim of Rs.9.37 Cr. was lodged on dated 10.02.2022 before the liquidator.</p> <p>Hence, the para may be dropped.</p>
Sr. No.	Name of dealer	State	C Form No.	Value in Rs.	
1.	Mis Semwal Eng. Co. 05013749581	Uttarakhand	U.A./C-2013 3062598	2203656	
2.	Mis Jaisika Fire Protection	-do-	U.A./C- 2013	1304500	

	05005423489		7485114	
		Total		3508156

26. M/s Charanjit Lal Narang and sons, Jagadhri, TIN 6221610810, A.Y. 2013-14, form no 12119548680214, 12119308120114, 12113544790713

Para	A.Y	Objection		Reply
2.5 of CAG Report 2017-18	2013-14	Name of The Firm	Charanjit Lal Narang and sons	<p>The dealer M/s Charanjit Lal Narang & Sons was registered under the HVAT Act, 2003 and the CST Act, 1956 with TIN 16221610810. The dealer is a trader of cigarettes & toiletry goods. The firm is functioning. The dealer stands migrated under the GST Law with GSTIN: - 06AAIPN4412F1Z0. The case of M/s Charanjit Lal Narang & Sons for the assessment year 2011-12 was assessed under section 15(3) of HVAT Act, 2003 vide Disposal No. 1032/2013-14 dt. 28.12.2016 allowing excess amounting to Rs. 1,00,12,942/- under HVAT Act, 2003. Copy of order was served upon the dealer on 24.06.2017. The Assessment Case of the dealer was taken up for Reassessment under section 17 of HVAT Act, 2003 and the case is still under proceedings.</p>
		TIN	6221610810	
		A.Y	2013-14	
		D. No. & Dated	1032/28.12.2016	
		<p>Section 8(4) of the CST Act, 1956 provides that the concession under sub section (1) shall not apply to any sale in the course of interstate trade or commerce unless the dealer selling the goods furnishes to the Assessing Authority a declaration form duly filled and signed by the registered dealer to whom the goods are sold containing the prescribed particulars in the form. The ETC issued instructions in March 2006 that in the cases of specific traders (selected for scrutiny), all transactions totaling more than Rs one lakh from a single VAT dealer in a year should be cross verified. Further, penalty was also leviable under Section 38 of the HVAT Act.</p>		
<p>The dealer engaged in the business of cigarettes and</p>		<p>The audit party has raised the objection that concessional rate of tax against "C" forms has been allowed without proper verification. It is submitted that at the time of assessment on 28.12.2016, the dealer had submitted 5 "C" forms worth of Rs. 59066199/- in support of claim of concessional rate of tax. The dealer had also shown sales to the dealers of Delhi in his returns in LS-2 list. The observation made by audit party that the sales were made after cancellation of RC is false and incorrect being in conflict with officially uploaded information on the website. The fact of matter is not only the buyer was holding registration under section 7(2) of CST Act, 1956 at the time making the Interstate Purchase and notified authority had also issued declaration form 'C' covering the transactions effected to the buyer. The obligation of the registered dealer selling goods to another registered dealer to avail the benefits of tax provided under section 8(1) of CST Act, 1956 is only confided to furnish to the prescribed authority in the prescribed manner, a declaration duly filled and signed by the registered dealer to whom he sells the goods. The observation made by the audit party conspicuously silent about the date of order cancelling RC of the buyer. There is no denying the fact that RC of the buyer was cancelled at later point at the time of sales made to them. A purchasing dealer is entitled by to rely upon the certification of registration of the selling dealer and to act upon it. Whatever may be the effect of the retrospective cancellation of the selling dealer, it can have no effect on any person who has acted upon the strength of RC when the registration was current.</p>		

	<p>toiletries. During the course of scrutiny of the case file it was noticed that the dealer procured all his supply mainly cigarettes of Rs 12,12,74,055/- within the state and availed ITC of Rs 254,67,591/- made ISS sale of Rs 590,66,199/- to various dealers of Delhi. The dealer</p>	
	<p>made ISS sales against C forms of cigarettes of Rs 3,60,99,424/- to M/s Shivam Enterprises, Delhi TIN 07800384249 (Q-I-Rs 113,02,953/- Q-2 Rs 212,11,181/- and Q3- Rs 35,85,290), Rs 175,66,691 to M/s Chaudhary Enterprises TIN 07266899551 during 3rd Quarter and Rs 54,00,083/- to M/S S.L. Sales TIN 07286898473 during 4th quarter. On verification on website (Dvat/cancelled dealers) it was found that the RCs of these dealers, to whom maximum goods were sold, were found cancelled. While assessment the AA assessed the case and allowed benefit of concessional rate of tax without proper verification.</p> <p>As per records Shivam Enterprises, Delhi was cancelled with effect from 10-09-2013 for having found non- functional and address of the firm at which the firm was registered did not exist and no person was recorded as manning the firm. Similarly, Chaudhary Enterprises, Delhi did not file any return during the business period. The RC of the M/s S.L. Sales was also found cancelled on website dvat.</p> <p>As such, the ISS sale of Rs 590,66,199/- made against "C" forms were invalid and hence these sales should not be allowed for concessional rate of tax. The AA allowed the benefit without verification of sale/purchase transactions and</p>	<p>Hon'ble Haryana Tax Tribunal in case of M/s Tulsi Lok and Sons vs State of Haryana dated. 09.04.2019 at page no. 3 of STA 31/2018-19 where it has been held that it cannot be said that there was any illegality or impropriety in the assessment order in granting benefit of said C form to the assessee. Further if RC of the purchasing dealer was subsequently cancelled with retrospective effect along with "C" form issued to the said dealer the same was due to fault of the said purchasing dealer regarding tax evasion or some other matter. For the same, the assessee - selling dealer cannot be blamed or held liable either to pay tax at full rate or to pay penalty regarding the transaction of the said C form.</p> <p>The above facts are squarely covered in a judgment of Delhi High Court in case of M/s Jain Manufacturing (India) Pvt. Ltd vs the Commissioner Value Added Tax and ANR in W.P.(C)1358/2016 wherein it was observed as under:</p> <p>"26. It was submitted by Mr. Narayan that there would be a practical difficulty in the DT&T seeking to inform every selling dealer in the country of the cancellation of registration of a purchasing dealer registered under the CST Act in Delhi and that the remedy of the selling dealers in such instance would be to proceed against the purchasing dealers. In the considered view of the Court, if the selling dealer has after making a diligent enquiry confirmed that on the date of the sale the purchasing dealer held a valid CST registration, and has also issued a valid "C" Form then such selling dealer cannot later be told that the C Form is invalid since the CST registration of the purchasing dealer has been retrospectively cancelled. Where a selling dealer fails to make diligent enquiries and proceeds to sell goods to a purchasing dealer who does not, on the date of such sale, hold a valid CST registration then such selling dealer cannot later be seen to protest against the cancellation of the "C" Form. As observed by the Supreme Court in Commissioner of Sales Tax, Delhi V/s Shri Krishna Engg. (Supra) the selling dealer in such instance will have to pay for his recklessness"</p> <p>"27. To answer the problem highlighted by Mr. Narayan, the best course of action would be for an authority to cancel the CST registration prospectively and immediately place that information on its website. In such event, there would be no difficulty in the selling dealer being able to verify the validity of the CST registration of the purchasing dealer. However, where the cancellation of the registration and, consequently of the C-Form is sought to be done retrospectively, it would adversely affect the rights of bonafide sellers in other states who proceeded on the basis of the existence of valid CST registration of the purchasing dealer on the date of the inter-state-sale. That outcome is not</p>

	<p>movement of goods. It resulted into evasion of tax of Rs 112,22,578/- (590,66,199 x (21-2) = 19%) besides penalty of Rs 336,67,734/- (112,22,578 x 3) u/s 38 of HVAT Act.</p> <p>Keeping in view of the above aspects and significant amount of revenue involved copies of sale invoices, goods receipts/ movement of goods and statement of accounts may be verified to ascertain the genuineness of transactions and to safeguard the huge revenue.</p> <p>The matter is referred to AA for required necessary action as per HVAT Act, 2003 under intimation to Audit and for comments. In the case of non- submission of reply/comment it will be assumed that the observations are correct and confirmed.</p>	<p>contemplated by the CST Act and the Rules thereunder".</p> <p>"28. For the above, reasons the order passed by the DT& T cancelling the "C" forms issued to the petitioner in the present case w.e.f. 27.11.2015 is hereby set aside. The petitioner will continue treat the said "C" forms issued to it as having been validly issued."</p> <p>It is brought in the kind notice of the audit that department of trade & taxes, Government of NCT of Delhi was requested vide this office letter no. 3146/ETO-W-2 Dated. 08.09.2020 regarding genuineness of the said "C" forms as well as transactions recorded in the said "C" forms. The Assistant Commissioner ward-71, Seventh floor Department of Trade & Taxes, Vyapar Bhawan, IP Estate New Delhi vide his office Letter No. F.No./AC/W-71/2020-21/12 Dated 29.09.2020 has verified the said "C" forms.</p> <p>It is further submitted that Reassessment proceedings under section 17 of HVAT Act, 2003 have also been initiated and the same are under process.</p> <p>Similar issues have been decided in favour of the selling dealers by the hon'ble Haryana Tax Tribunal in the case of M/s Tulsi Lok & sons V/s State of Haryana Dated 09.04.2019 STA No. 31/2018-19 and by the Hon'ble Delhi High Court in the case of M/s Jain Manufacturing (India) Pvt. Ltd V/s The Commissioner Value Added Tax and ANR in WP (C) 1358/2016, Audit Para may please be dropped</p>
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31. M/s Achievers Sales (P) Ltd., Gurugram (East), TIN 971827532 A.Y. 2014-15, RJC/2014-15/000830660, 000822303, RJ/C/2015-16 000184657, 16P455255

<p>Audit para 2.5 CAG 2017-18</p> <p>Name of Firm 0020 M/s. ACHIEVER SALES PVT LTD TIN 06971827532, A.Y 2014-15</p>	<p>Reply</p>
<p>The dealer is trader of dry fruits. During test check of the assessment case it is revealed that the dealer claimed concessional rate of tax on sale of goods against declaration forms C valuing Rs 20310002/- and same were allowed by the Assessing Authority while finalizing the assessment without verification of transaction/forms as required vide instructions issued in March 2003. On cross verification of forms from official website of Dept. of Commercial Taxes, Govt. of Rajasthan, it was noticed that forms valuing Rs 11186328(Annexure)</p>	<p>In reply to the audit para it is submitted that the assessment of the firm for the year 2015-16 was framed vide disposal No 235 dated 08.09.2016 creating NIL demand under VAT Act, 2003 and Nil under CST Act, 1956.. At the time of assessment the dealer has submitted C forms of Rs 20310002/- and the benefit of the same was allowed to the dealer.</p> <p>On the basis of above instructions, audit team issued the objection that verification of sales along with declaration form (C/F/H etc.) was to be done before allowing the concession/exemption against any declaration form and same are not complied. Citing that above instructions, Audit Team created doubt on all the 'C' forms placed on the file without the mention of any particular form/ forms on the basis of paper, printing, colour or design etc. of "C" form.</p> <p>Instructions are being issued for uniformity and smooth functioning of mechanism and the Assessing Authority being a quasi judicial Authority has to comply on the provisions of Act</p>

<p>involving tax of Rs 363556(11186328 x 3.25%) were declared invalid by the said dept. and Form valuing Rs 2181204 issued by the Trade & Tax dept, Govt. of Delhi involving tax of Rs 70889 was found suspicious due to inferior quality and colour of paper, no water mark and did not match with the prescribed performa available in Rule 12(1) of CST (R&T) Rules, 1957. While verifying of this form on Tinxys website, no record has been exists for this form. Thus allowing benefit against invalid and suspicious C forms resulted in under assessment of tax of Rs 1303335/- which was brought into the notice of AA for taking suitable action as per law of HVAT Act, 2003</p>	<p>in totality and all endeavors to be made to follow the instructions issued by the head office. In the instructions issued by the head office vide memo no 1463/ST-6 dated 18/07/2013 it is clearly mentioned that cross verifications to be made as per the directions of the Assessing Authority. It implies that Assessing Authority have to decide the cross verification of declarations on the basis of some definite information in this regard or on the suspicion of document placed on file. Practically it is not possible to cross verify all the declaration and there is no such mandate in the CST Act, 1956.</p> <p>In the instance case, in execution of its quasi judicial duties, Assessing Authority has not violated any provision of the CST Act, 1956 may be all the instructions are not complied in its totality as pointed out by Audit team. In this regard, recent judgment of Hon'ble Punjab & Haryana High Court in CWP 19819 of 2018 wrt Standard Operating Procedure (SOP) in assessment cases for allowing concessional claims or deduction against 'C' and 'F' forms dated 08.01.2018. It is worth mentioning here, wherein the instructions issued by the head office have been complied by the Assessing Authority in totality. Hon'ble Court in this case opined that-</p> <p>"In our considered opinion, such condition cannot be imposed for the Assessing Officer who is discharging quasi judicial function and officer has to frame assessment and according to the provisions of the Act and Rules. From the perusal of the impugned assessment order it is apparent that instead of finalizing the assessment as per the provisions of the statute the Assessing Authority had merely relied upon the SOP and calculated the tax due.</p> <p>The assessment framed under Central Sales Tax Act, 1956, is set aside and the matter is remitted back to the Assessing authority to frame the assessment. As an abundant caution it is clarified that as the matter is remitted back the provisions of Section 18 of the Act shall apply."</p> <p>Moreover, audit team does not point out any dubious 'C' form or set of C forms instead created doubt on the entire 'C' forms placed on file. Practically it is not possible to cross verify each & every 'C' form placed on file and same is also not warranted in CST Act, 1956. A fresh letter of verification has been sent to the concerned department for verification of C forms. If any adverse information will come, then action will be taken accordingly.</p> <p>In the light of Hon'ble Punjab & Haryana High Court judgment in case of CWP 19819 of 2018 and, the action of Assessing Authority is within the ambit of law, therefore you are requested to drop the audit objection.</p>
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- 32. M/s Shri Shakti Steel Faridabad (North), TIN 06851318251, A.Y. 2013-14, 14P613780**
- 33. M/s Shri Shakti Steel Faridabad (North), TIN 06851318251, A.Y. 2013-14, 14P612789 Para No.2.5 (Under-assessment of tax due to allowing concessional tax on invalid forms 'C')**

M/s Shri Shakti Steels C-24-A, Nehru Ground Faridabad TIN-0685-1318251	Reply
As per the provisions of Section 38 of HVAT Act 2003, if a dealer has maintained false or incorrect accounts or documents with a view to	In reply to the para, It is submitted that assessment for the year 2013-14 was framed by the then Assessing

suppressing his sales, purchases, imports into State, exports out of State, or stocks of goods, or has concealed any particulars in respect thereof or has furnished to or produced before any authority under this Act or the rules made there under any account, return, document or information which is false or incorrect in any material particular, such authority may, after affording such dealer a reasonable opportunity of being heard, direct him to pay by way of penalty, in addition to the tax to which he is assessed or is liable to be assessed, a sum thrice the amount of tax which would have been avoided had such account, return, document of information, as the case may be, been accepted as true and correct.

The dealer is a trader of iron goods. While finalising assessment the dealer was allowed concessional rate of tax on account of interstate sale against form C worth Rs.23718373. Out of which two C forms given by M/s Shakti Sales Corporation as detailed below were found fake as these were issued to another dealers.

Sr. No. Issuing dealer Amount	Name of purchasing dealer	Amount of C forms	Amount of Tax short assessed (13.125-2%)	Remarks
14P 613780	M/s Shakti Sales Corp. Delhi	6049795/-	680601/-	Forms issued to BSES Yamuna PVT. LTD.
14P 612789	-Do-	341561/-	384194/-	Form issued to Tara Chand kuk and sons

Further, on verification by audit on TINXSYS revealed that these forms were issued to other dealer. In view of the above the dealer produced invalid documents to evade payment of tax and therefore liable for penal action under aforesaid provision of the Act. Hence, non levy of tax of Rs. 1064795/- (Rs. 9464856X11.25%) besides penalty of Rs. 3194385/- has resulted into under assessment of tax of Rs. 4259180/- which was brought to the notice of AA for taking suitable action as per Sales Tax Law.

In reply Assessing Authority stated that official has been deputed to get the verification of genuineness of forms/transactions from Sales tax Authority, Delhi and action will be taken against the dealer on receipt of adverse report

Authority vide order dated24.03.2017. During the Audit, the audit party has raised objection that the two C-forms bearing No. 14P-613780 and 14P-612789 were suspicious/invalid.

So, reminder was issued to the Delhi Authority for verification of genuineness of these C-forms. In response to this reminder, the Delhi Authority vide his memo No. VAT/W-61/2017-18/2699 dated 26.03.2018 has intimated that as per record maintained by the Delhi Tax Department, no such requisition of statutory form was shown by the Delhi dealer.

Thereafter, re-assessment proceedings were initiated against the dealer by issuing statutory notice in form N-2 for 15.02.2018 and a detailed show case notice for 18.06.2018. Re-assessment proceedings were fixed for 27.07.2018. The case was reassessed on 16.08.2018 and demand of Rs. 1523480/- was created and penalty u/s 9(2) of CST Act, r.w. section 38 HVAT Act, 2003 was proposed to be levied. N-3 dated 27.07.2020 was issued to the dealer to levy penalty. Penalty of Rs.3096957/- was levied under section 38, HVAT Act, 2003 vide order No. 576A dated 20.03.2020. TDN (N4) issued for the penalty levied. The Dealer has filed appeal before JETC(A), Faridabad. The dealer has submitted sureties and both the sureties have migrated to GST Act and are presently active. So, the demand can be recovered after decision of the appeal. Simultaneously, the recovery notice has been issued to the dealer u/s 142 8(a) to transfer the arrear amount in GST Act, 2017. Result of the appeal and consequent proceedings will be communicated to the audit accordingly

34. M/s Glasco Trading Co., Gurugram (East), TIN 6771830649, A.Y. 2013-14, RJ/C/2012 8545651, 0560014, 2302322, 2302321

<p align="center">Audit para 2.5 CAG 2017-18</p> <p align="center">Name of Firm: Glasco Trading Co TIN: 06771830649, A.Y, 2013-14</p>		<p>Reply</p>
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<p>Section 5(3) , 6A and 8(4) of the CST Act, 1956 provides for levy of nil/concessio0nal rate of tax on sales made against declaration form H, F and C respectively. Under section 38 of HVAT Act penalty is leviable for submitting wrong documents to evade payment of tax.</p> <p>The dealer is a trader of glass. During test check of assessment case it revealed that the dealer claimed concessional rate of tax on</p> <p>sale /transfer of goods against declaration forms 'C' valuing of Rs 33475240/- and the same were allowed by the Assessing Authority while finalizing the assessment without verification of transaction forms as required vide instruction issued in march 2006. However, further it has been notices that forms valuing of Rs 33475240/- as per details mentioned below :-</p> <table><tr><th>Issued by</th><th>Form No</th><th>Amount</th></tr><tr><td>M/s India Sales overseas, 8931902211</td><td>R/C 2012 8545651</td><td>7951297</td></tr><tr><td>M/s S.B Enterprises, 08271902219</td><td>R/C 2013 0560014</td><td>11027278</td></tr><tr><td>M/s India Sales overseas, 8931902211</td><td>R/C 2012 2302322</td><td>8873094</td></tr><tr><td>M/s India Sales overseas, 8931902211</td><td>R/C 2012 2302321</td><td>5623571</td></tr><tr><td></td><td></td><td>33475240</td></tr></table>	Issued by	Form No	Amount	M/s India Sales overseas, 8931902211	R/C 2012 8545651	7951297	M/s S.B Enterprises, 08271902219	R/C 2013 0560014	11027278	M/s India Sales overseas, 8931902211	R/C 2012 2302322	8873094	M/s India Sales overseas, 8931902211	R/C 2012 2302321	5623571			33475240	<p>It is intimated that the assessment of the firm for the year 2013-14 was framed vide disposal no 333/2013-14 on dated</p>
Issued by	Form No	Amount																	
M/s India Sales overseas, 8931902211	R/C 2012 8545651	7951297																	
M/s S.B Enterprises, 08271902219	R/C 2013 0560014	11027278																	
M/s India Sales overseas, 8931902211	R/C 2012 2302322	8873094																	
M/s India Sales overseas, 8931902211	R/C 2012 2302321	5623571																	
		33475240																	

(Origin al forms placed on the file) were found suspicious due to 31.03.2017 and the additional demand of Rs. 2788/- under the CST Act. It is also informed that the case is re-assessed vide disposal no 255/2013-14 on dated 09.09.2019 and the additional demand of Nil under the HVAT Act and Rs. 18626178/- created under the CST Act. Recovery proceeding has been initiated by the department by issuing Recovery Notice on dated 29.09.2021, 20.12.2021 & 27.01.2022 and notice for recovery through surety has been issued on dated 02.05.2022. Furthermore the dealer approached to Appellate Authority against the re-assessment order. Outcome of the same would be conveyed accordingly after inferior quality and color of paper no water mark and did not match with the prescribed Performa available in rule 12(I) of CST (R&T) Rules 1957. While verifying these forms on TINXSYS website, no record have been exists for these forms. Thus allowing benefit against suspicious C declaration forms resulted in under assessment of tax of Rs 3724120/- (33475240*11.125% (13.125%) besides penalty leviable under section 38 of HVAT Act. due decision of the appellate authority.

In view of the above the audit para may please be dropped.

35. M/s Tuls Lok & Sons, Rohtak, TIN 6582808950, A.Y. 2013-14, RJ/C/2013-14, 000886837

<p>No. RS/STP-4/2017-18/AM-24 dated 21.07.2017</p> <p>Sub: Under assessment of tax due to allowance benefit against invalid 'C' form: Rs.48.12 Lakhs.</p>	
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<p>Name of dealer : M/s Tulsi Lok & Sons, Rohtak. TIN No. 06582808950 Assessment Year & date : 2013-14/330 dated 06.09.2016</p>	<p>Reply</p>
<p>Section 5 (3), 6A and 8 (4) of the CST Act, 1956 provided for levy of nil/concessional rate of tax on sales made against declaration forms H, F and C respectively. Under Section 38 of HVAT Act, penalty is leviable for submitting wrong documents to evade payment of tax.</p> <p>The dealer is a trader of Tractor and machinery parts. During test check of assessment case it revealed that the dealer claimed concessional rate of tax on sale/transfer of goods against declaration forms 'C' valuing Rs.6,22,07,046/- and same were allowed by the Assessing Authority while finalising the assessment without verification of transaction/forms as required vide instruction issued in March 2006. On cross verification of form from Rajasthan Government's commercial tax department website it was noticed that forms valuing Rs.1,08,13,759/- (Issued by purchasing dealer M/s Shree Hari Trading Company, Near Court Seksharia, Wad no.20 Girls College Road, Chirawa, Rajasthan Tin no. 0876403773, C Form Series no.RJ/C/2013-2014, Serial no.000886837) involving tax of Rs. 12,03,031/- (10813759 x 11.125% (13.125-2) were declared invalid by the said office. Thus, allowing benefit against invalid 'C' declaration form resulted in under assessment of tax Rs.1203031/- besides penalty of Rs.3609093/- (1203031x3) leviable under Section 38 of HVAT Act.</p>	<p>The original assessment of the case for the year 2013-2014 was framed vide order of Assessing Authority dated 06-09-2016 with Nil demand. The assessment order was served upon to the dealer on dated 07-10-2016.</p> <p>During audit scrutiny of the case, the audit party raised an objection that benefit of inter-state sales at concessional rate of tax was wrongly allowed to the dealer against invalid 'C' forms supplied by M/s Shree Hari Trading, Chirawa, Rajasthan. In reply to the audit objection, it is intimated that on the basis of definite information received from the Commercial Tax Department, Rajasthan, the original assessment order was revised by the Jt.E.T.C.(Range), Rohtak u/s 34 of the HVAT Act, 2003 vide order dated 02-01-2018 creating an additional demand of Rs. 65,04,217/-. Aggrieved with the order of the Revisional Authority the dealer preferred an appeal before the Hon'ble Haryana Tax Tribunal, who, vide judgement dated 09.04.2019 set aside the revision order and held that :-</p> <p>"The matter may also be examined from another angle. The assessee –appellant obtained valid C form from the aforesaid purchasing dealer and produced the said valid C form before the Assessing Authority. If the said C form was subsequently cancelled with retrospective effect, the assessee - selling dealer cannot be held liable for the same either to pay tax at full rate or to pay penalty for the same. In this view we are supported by the case of Jain Manufacturing (India) Pvt. Ltd. (supra). There was no fault of the assessee – selling dealer in making the aforesaid sale transaction and in producing C form obtained from the purchasing dealer. If RC of the purchasing dealer was subsequently cancelled with retrospective effect alongwith C form issued to the said dealer, the same was due to fault of the said purchasing dealer regarding tax evasion or some other matter. For the same, the assessee-selling dealer cannot be blamed or held liable either to pay tax at full rate or to pay penalty regarding the transaction of the said C form ".</p> <p>Thereafter, following instructions were received from the Head Office, Panchkula vide letter Memo No. 695 / LL/A-IV, dated 20.03.2020 :-</p> <ol style="list-style-type: none"> 1. To obtain complete information regarding cancellation of R.C. of the purchasing Rajasthan dealer. Information regarding reasons of cancellation must also be obtained. 2. On the basis of that definite information proceedings for re-assessment may be initiated. 3. A specific finding regarding genuineness if transactions be also recorded in the order. <p>Re-assessment proceeding were initiated alongwith penalty</p>

	<p>proceedings u/s 38 of the HVAT Act by the then Assessing Authority and following information were sought from the commercial tax department Rajasthan regarding :</p> <ol style="list-style-type: none"> 1. Complete information regarding cancellation of registration certificate of the purchasing firm of Rajasthan and specific reasons for cancellation of RC. 2. Specific findings regarding genuineness of purchasing dealer and transactions made by the dealer. <p>In response to the re-assessment and penal proceedings, the dealer submitted that he had made genuine transactions and supplying of invalid 'C' forms by the purchaser dealer was not in control and it was not his responsibility to check the genuineness of declaration forms. The dealer was asked to provide documentary evidence to prove genuineness of Inter State Sale i.e. copy of VAT D-3 , transport details etc. But the dealer has not supplied the required documentary evidence to prove the genuineness of transaction and therefore re-assessment in the case has been framed vide order of Assessing Authority dated 31.03.2022 creating an additional demand of Rs. 4717767/- including tax of Rs. 1179441/- alongwith penalty of Rs. 3538326/-.</p> <p>In view of the above , the audit para may please be dropped.</p>
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36. M/s Chopra Motor Store, Hisar, TIN 6241520589, A.Y. 2013-14, RJ/C/2013-14, 000541425, 000743642

Para No.	Objection	Reply
2.5	<p>The dealer is engaged in the trading /manufacturing of motor parts/ spare parts. Section 8 (4) of CST Act provides for levy of nil/concessional rate of tax on sale made against actual sale/purchase transactions and valid declaration form F and C. U/s 38 of the HVAT Act penalty is livable for submitted wrong documents to evade payment of tax.</p> <p>The assessment of the case of dealer was selected under special assessment criteria and before allowing the benefit of input tax and tax concession all sales/purchases, transactions and declaration forms were to be verified. While finalizing the assessment case the A.A allowed Inter State Sale of Rs. 61855410/- against C forms. It includes interstate sale of Rs. 13981569/- against C forms to M/s Shiva International Bhiwadi TIN-08690855422. On verification on website of Rajasthan State it was noticed that RC of the</p>	<p>The original assessment of M/s Chopra Motor Store. Hisar having TIN No. 06241520589 was framed by assessing authority vide demand No. 1067/2013-14. Dated 02.01.17 creating Nil demand under VAT & CST Act.</p> <p>On the basis of audit objection letter was written to concerned authorities vide this office memo no. 2577 dated 19.01.18, 686/W-1 dated 29-05-2018 and 1297 dated: 18.07.2018 for verification of 'C' forms. In response of verification letter O/o ACTO, Bhiwadi (Raj) vide their letter no. ACTO/A-1/Bhiwadi/2018/200 dated 18.07.2018 conveyed the adverse verification report. Accordingly case was re-assessed vide demand number 6A/24.03.2022 wherein demand of Rs. 3044048/- (Tax Rs. 11012/- & Penalty Rs.3033036/-) has been created after considering the voluntary payment of Rs. 10 Lakh made by the dealer after the original assessment.</p>

<p>above said dealer was cancelled from the date of registration i.e. 01.12.2010. As such all the C forms issued to this dealer by Rajasthan State were invalid and in this case the dealer should not be allowed concessional rate of tax. The A.A allowed the benefit without verification of sale/purchase transactions and movement of goods. It resulted into excess benefit of tax concession of Rs. 1555450/- (13981569 x 13.125%) besides penalty of Rs. 4666350/- (1555450 x 3) u/s 38 of the HVAT Act for bogus sale/purchase and transactions.</p>	<p>It is apt mentioning here that dealer has shown the interstate sale of Rs. 16171569/- to M/s Shiva International (TIN 08690855422) against 'C' form in his returns, however dealer had submitted the 'C' form worth Rs. 9087748/- at the time of original assessment and accordingly concessional benefit against this amount given to the dealer, however, audit team raised the objection on the total transaction value of Rs. 13981569/-. It seems that audit team inadvertently missed the transaction of 3rd qtr while raising the audit objection. It is pertinent to point out here that tax at the rate @13.125% has already been imposed in the original order on account of non-submission of 'C' forms of Rs. 7244169/- & now the alleged transaction of Rs. 9087748/- against bogus/fake 'C' forms against which tax and penalty has been imposed in the re- assessment order in which the above mentioned demand of Rs.3044048/- was created. The order as well as TDN have been served upon the dealer on dated 22.04.2022. Now the dealer has deposited the amount of Rs. 11012/- (Tax amount) vide GRN-89998354 dated 03.05.2022 which was due under Tax head. Hence no dues are pending against the Tax head and penalty is outstanding only.</p>
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37. M/s Balaji Electronics Gurugram (North), TIN 6611921432, A.Y. 2013-14, RJ/C/20043779479, 4608970

<p>Name of the Dealer : M/s Bala Ji Electronics. TIN : 06671919886 Para No. 2.5-CAG-2017-18 Assessment Year : 2013-14/144/01.06.2016 Under Assessment of Tax due to allowing concessional tax of invalid forms 'C' (C form no. RJ/C/3200, 43779479, 4608970</p>	Reply		
<p>As per the provisions of Section 38 of HVAT Act, 2003, if a dealer has maintains false accounts or submit wrong accounts returns or document to evade payment of tax the Assessing authority may levy penalty(three times) in addition to the tax evade/avoided. Dealer is a trader of Electricals, Home appliances, and Electronic Goods. While finalizing assessment the dealer were allowed benefit of concessional rate of tax @ 2% on account of sales of electronics goods worth Rs. 13331844/- against form "C" number R/C/2009 4379479 and 4808970 issued by the dealer of Rajasthan M/s S.S sales corporation, Sirohi, Rajasthan Tin-08553103086. Above claim of concessional rate of tax dealer is wrong because RC of the Rajasthan dealer was cancelled w.e.f. 01.04.2011,. This shows that the dealer had claimed wrong benefit of concessional rate of tax against C-form worth Rs</p>	<p>In reply to audit para, it is submitted that M/s Balaji Electronics, Gurugram holding TIN 06611921432 is engaged in the business of trading of Electrical, Home Appliances and Electronic Goods during the financial year 2013-14 and registered under HVAT Act, 2003 and CST Act, 1956. The assessment of the dealer was framed u/s 15(3) of HVAT Act, 2003 and CST Act, 1956 by the then Assessing Authority Gurugram (West) vide D. No. 144/2013-14 dated 01.06.2016 and created an additional demand of Rs. 142336/- under CST Act, 1956. The detail of demand created is as under:-</p>		
	Particulars	VAT	CST
	Tax	NIL	142336/-
	Penalty	NIL	NIL
	Interest	NIL	NIL

13331844/- .	<p>The assessment order was rectified on dated 22.11.2016 and allowed excess C/F of Rs. 4305277/- under HVAT Act, 2003 and demand was reduced to Rs. NIL Under CST Act, 1956.</p> <p>The audit has pointed out that the penal action was to be taken u/s 38 of the HVAT Act for maintaining of false accounts or submit wrong accounts and returns.</p> <p>In reply to this, the Audit Para is admitted.</p> <p>It is further submitted that verification of C-forms have been made from commercial tax department Rajasthan and as per verification report the "C" number R/C/2009 4379479 and R/C/2009 4808970 not found to be issued from their office as the firm M/s S.S sales corporation, Sirohi, Rajasthan (TIN-08553103086) found to be fake.</p> <p>Hence proceedings for Penal action U/S 38 of HVAT Act, 2003 has already been initiated and Re-assessment U/S 17 of the HVAT Act, 2003/CST Act, 1956 has been made and created the following demand on dated 21.03.2022 vide disposal no. 1J/2013-14. The detail of demand created is as under:-</p> <table><tr><th>Particulars</th><th>VAT</th><th>CST</th></tr><tr><td>Ta</td><td>Nil</td><td>1483167/-</td></tr><tr><td>-</td><td>Nil</td><td>4449501/-</td></tr><tr><td>Intere</td><td>Nil</td><td>NIL</td></tr></table> <p>Recovery proceedings have been initiated. The final outcome will be intimated accordingly.</p>	Particulars	VAT	CST	Ta	Nil	1483167/-	-	Nil	4449501/-	Intere	Nil	NIL
Particulars	VAT	CST											
Ta	Nil	1483167/-											
-	Nil	4449501/-											
Intere	Nil	NIL											
<p>Accordingly, penal action under section 38 of HVAT Act, 2003 was to be taken against the dealer. Due to claim of wrong benefit of concessional rate of tax against C- form has resulted into under assessment of tax of Rs 5932680/-(1331844/-@ 11.125% (13.125-2=1483170) and penalty three times= Rs. 4449510/- which is brought to the notice of the Assessing Authority for taking suitable as per HVAT Act, 2003.</p>													

The Committee has desired that the pragmatic and sincere steps be taken to expedite the recovery under intimation of the Committee.

[18] 2.6 Under-assessment of tax due to assessment on less turnover:

Assessment of tax on less turnover by Assessing Authority, resulted in under-assessment of tax of Rs.13.19 crore. In addition, penalty of Rs.43.62 lakh was also leviable.

Section 15 (5) of the HVAT Act provides that if a dealer fails to furnish returns in respect of any period by the prescribed date, the AA may, at any time before the expiry of three years from the close of the year to which such returns relate and after giving the dealer a reasonable opportunity of being heard, assess, to the best of its judgment, the amount of tax, if any due from him and for this purpose he may presume that his gross turnover for the assessment period is the same as for the corresponding period of the last year and input tax is nil.

A) Scrutiny of records of the DETC (ST), Faridabad (East) revealed that the AA assessed

(25 March 2015) the case of a dealer for the year 2011-12 under Section 15 (5) of the HVAT Act as the assessee had not filed any return for 2011-12 and determined the tax on the GTO of Rs.418.26 crore after adding 10 *per cent* to the preceeding years' GTO. Audit observed that AA Faridabad had received two references, one from Excise and Taxation Officer (ETO), Panchkula and another from ETO, Rohtak, regarding claims for ITC made by dealers under their jurisdiction. The references sought to confirm sale of material by the dealer of Faridabad.

Reference was received from ETO Rohtak (23 February 2015 and received at ETO office Faridabad on 17 March 2015) seeking confirmation of sale of Rs.128.86 crore by the dealer of Faridabad since a dealer in Rohtak had claimed ITC on this amount. This amount was however not considered at the time of assessment of GTO by ETO, Faridabad on 25 March 2015.

ETO, Panchkula had also made a reference to ETO, Faridabad regarding claim of ITC by a dealer who had purchased material amounting to Rs.388.78 crore from the dealer of Faridabad. However, ETO, Faridabad assessed the case without taking into consideration sale of Rs.388.78 crore as reported by ETO, Panchkula. Hence there was under-assessment of tax of Rs.13.04 crore (Rs.517.64 crore – Rs.418.26 crore = Rs.99.38 crore X 13.125 *per cent*).

On this being pointed out by Audit, (February 2016), AA Faridabad (East) stated (August 2018) that the case was reassessed (November 2016) and an additional demand of Rs.13.04 crore was created and recovery proceeding had been started.

- B)** Section 38 of the HVAT Act, provides for levy of penalty for maintaining false or incorrect accounts or documents with a view to suppressing sales, purchases, imports which affect the tax liability of the dealer. A sum thrice the amount of tax avoided would be levied as penalty.

Scrutiny of records of the DETC Gurugram (West) revealed that a dealer had sold building material of Rs.1.11 crore to a dealer of DETC Panipat during the year 2010-11. The dealer of Gurugram had filed returns for that period but did not include this sale in the returns. The AA also finalised the assessment in November 2012 according to returns. Audit further noticed that the DETC Panipat had requested DETC Gurugram for verification of purchase of Rs.1.11 crore from the dealer of Gurugram. AA Gurugram stated (April 2014) that the dealer had not shown the sale of Rs.1.11 crore in the returns. This case should have been reassessed soon after the concealment of sale of Rs.1.11 crore came to notice in April 2014. This was not done. The dealer had falsified account, with a view to suppress the sales of Rs.1.11 crore, to evade payment of tax and thereby became liable for penal action. Thus, non-levy of tax by AA on suppressed sale resulted in evasion of tax of Rs.14.54 lakh (13.125 *per cent* of Rs.1,10,81,042) In addition, penalty of Rs.43.62 lakh was also leviable.

On this being pointed out by audit (January 2015), AA Gurugram (West) reassessed the case (November 2017) and created an additional demand of Rs.58.18 lakh.

The matter was reported to the Government in March 2018/April 2018. Reply was awaited despite issuance of reminder in June and November 2018.

Department may strengthen its internal controls for ensuring that references received from other assessing officers are taken into account while finalising assessments. Department may review such cases and fix responsibility. Further, amount pointed out by Audit may be recovered under intimation to Audit.

The department in its written reply stated as under:

CAG 2017-18 Para 2.6

The summary of district wise para is tabulated as under for ready reference:

A	B	C	D	E	F = (C-D-E)
Sr.	Name of district	Total no. of para	Total no. of para already dropped by PAG	Total no. of para where demand is reduced to nil (not including para shown in column D)	Total no. of para in which demand is outstanding
	Faridabad (East)	01	NIL	NIL	01
	Gurugram (South	01	NIL	NIL	01
	Total	02	NIL	NIL	02

Replies to Para No 2.6 for the year 2017-18 Under-assessment of tax due to assessment of less turn-over.

This PAC Para is regarding Under-assessment of tax due to assessment of less turnover. This para contains 02 cases of section 17 of 02 dealers. Out of 02 cases where Audit has raised objections, (02) cases have been admitted where remedial action under Section 17 of the HVAT Act has been initiated by the Assessing Authority respectively. The summary of these cases is as under:-

Sr. No.	District	Name of the dealer and TIN	Assessment Year	Status of Para admitted/Not admitted	Demand created by Assessing Authority/ Revision Authority	Recovery	Remarks
1	2	3	4	5	6	7	8

1	Faridabad (East)	Ayu Cee Fragrance	2011-12	Para Admitted	130430935	100000	The case was re-assessed. Dealer has expired hence Rs. 100000/- was recovered from both the sureties
2.	Gurgaon (South)	Shree Balaji Carriers	2013-14	Para Admitted	5817548	2790000	The case was re-assessed and efforts are being made to recover the balance amount
			Total		136248483	2890000	

2.6(A) M/s Ayu Cee Fragrance, Faridabad (East), TIN 06911223158, A.Y. 2011-12 REV /STP-6/2015-16/AM-107 DATED 05.02.2016 (PARA NO.2/IR-2014-15)

Name of the Firm M/s. Ayu Cee Fragrance. Faridabad TIN : 06911223158 Assessment Year 2011-12, Ward-2, D.No.902 / Dated 25-03-2015	Audit Reply
<p>Section 17 of HVAT Act provides that if in consequences of definite information which has come into its possession, the Assessing Authority discovers that the turnover of the business of a dealer has been under assessed or escaped assessment, it may at any time before the expiry of five years following the close of that year can reassess the case after giving him a reasonable opportunity.</p> <p>During checking of case file, it is noticed that the dealer had not filed return and the case was assessed on the basis of turnover of preceeding year treating taxable turnover of Rs.4182608035/-. In march and April 2015 the Assessing Authority of Rohtak and Panchkula asked to verify the sale made by this dealer to dealers of Rohtak and Panchkula named M/s. Allied Performers Pvt. Ltd Sampla (06592921991) and M/s. H.R. Perfumery Panchkula</p>	<p>In reply to the audit objection it is submitted that the audit party has raised objection that the Assessing Authority has made assessment on the turnover of Rs.418.26 Crore instead of Rs.517.64 Crore which resulted under assessment of tax of Rs.13.04 Crore (Rs.517.64Crore - 418.26 Crore=Rs.99.38 Crore X13.125%)</p> <p>It is submitted that the original assessment for the year 2011-12 was framed by ETO-cum-Assessing Authority, Faridabad (East) on dated 25.03.2015. The firm had not filed any returns for the year 2011-12 prescribed under the HVAT Act & CST Act. The case is assessed Under Section 15(5) of the HVAT Act for assessment on best judgment basis, in case the dealer fails to furnish return in respect of any period which is reproduced as under for reference.</p>

<p>(06172506972). As per their purchases taxable turnover comes to Rs.5176367539 (1288546444+3887821095).</p> <p>The case was to be reassess on this taxable turnover. It resulted into short raising of demand of Rs.130430935 (993759505 X 13.125%) and loss of revenue.</p> <p>The matter is brought into the notice of A.A. to take action as per rule/law.</p>	<p><i>“ If a dealer fails to furnish return (S) in respect of any period by the prescribed date, the assessing authority may, at any time before the expiry of three years from the close of the year to which such return(s) relate, after giving the dealer a reasonable opportunity of being heard, assess, to the best of its judgment, the amount of tax, if any, due from him and for this purpose he may presume that his gross turnover for the assessment period is the same as for the corresponding period of the last year and input tax is nil:”</i></p> <p>Therefore, the case was assessed u/s 15(5) of the HVAT Act on dated 25.03.2015 after enhancing 10% of the turnover of preceding year 2010-11, in the interest of the revenue and accordingly Gross Turnover was fixed for Rs.418,26,08,035/- for the year 2011-12 and created an additional demand of Rs.54,89,67,305/-. It is pertinent to mention here that the letter seeking verification by the ETO, Rohtak dated 23.02.2015 was received in the concerned ward on 27.03.2015 and was not before the then Assessing Authority at the time of framing of the assessment. Also, another letter seeking verification by the ETO, Panchkula was received in the ward on dated 10.04.2015 through E-mail.</p> <p>The audit party made objection that letter dated 23.02.2015 was not considered while framing assessment of the case. In this regard it is clarified that had it been there on record prior to 25.03.2015 (i.e. on the day the assessment was framed), it could not have served any purpose as the turnover/purchases sought to be verified were to the tune of Rs.128,85,46,467/- which is lower than the turnover on which the assessment was framed.</p> <p>As per the Audit Note, the audit party has stated that <i>“During the checking of case file, it is noticed that the dealer had not filed return and the case was assessed on the basis of turnover of preceeding year treating taxable turnover of Rs.418,26,08,035/-. In March and April 2015, the Assessing Authority of Rohtak and Panchkula asked to verify the sale made by this dealer to dealers of Rohtak and Panchkula named M/s Allied Perfumeries Pvt Ltd., Sampla (06592921991) and M/s H.R. Perfumery, Panchkula (TIN 0617 2506972).” the Assessing Authority received the information in the month of March & April.</i></p> <p>In this regard, it is submitted that the information which was received through E-mail on 10.04.2015 could not have been used for the purpose of assessment as the assessment was already finalized on 25.03.2015. Hence, there was no under assessment on the part of the Assessing Authority as the turnover taken while framing the Best Judgment Assessment was appropriate and in the interest of the revenue and no loss was caused to the State Exchequer.</p> <p>Thereafter, the Re-assessment notice was issued to the dealer on dated 07.11.2016 for 25.11.2016 which was duly pasted on the business premises of the firm as the firm was found closed. Hence, the Re-assessment of the case was framed Ex-parte on dated 28.11.2016 on the basis of turnover of Rs.99,37,59,505/- demand of Rs.13,04,30,935/- was created.</p> <p>Now, penalty of Rs.39,12,92,805/- has also been imposed u/s 38 of the Act vide order No.588A dated 31.10.2018.</p> <p>The dealer failed to deposit the amount due as the firm stands closed. Therefore, the arrear was declared as an arrear under the Punjab Land Revenue Act, 1887. An amount of Rs.1,00,000/- was recovered from both the sureties. Recovery proceedings has also been started in this regard. An enquiry from Oriental Bank of Commerce, Laxmi Nagar New Dehli has been made which reveals that the firm was having a Bank Account which is now dormant account with having NIL balance. Letter sent to Municipal Corporation Delhi for any movable/immovable property in the name of defaulter has not yet been replied by the Delhi Authorities. Moreover the defaulter dealer has passed away on 16.10.2015. In such circumstances the recovery of the</p>
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	disputed amount is very difficult since no stone is left unturned.
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**2.6(B) M/s Shree Balaji Carriers, Gurugram (West), TIN 6531935250, A.Y. 2010-11
Para No. 2.6 (B)**

Draft Para for inclusion in the report of the CAG on India for the year 2017-18 (R/R)
Govt. of Haryana.

<p>LEVY OF TAX AND PENALTY FOR SUPPRESSION OF SALE—58.18 LAKH.</p> <p>M/s Shree Balaji Carriers, Gurgaon TIN-06531935250 A.Y-2010-11 dated 23.11.2012</p>	
<p>As per provisions of section 38 of HVAT Act, 2003 if a dealer has maintained false or incorrect accounts or documents with a view to suppressing his sale purchases, imports into state exports out of state, or stocks of goods, or has concealed any particulars in respect thereof or has furnished to or produced before any authority under this ? Act or the rules made there under any account, return documents or information which is false or incorrect in any material particulars, such authority may, after affording such dealer a reasonable opportunity of being heard, direct his to pay by way of penalty, in addition to the tax to which he is assessed or is liable to be assessed, a sum thrice the amount of tax which would have been avoided had such amount, return, documents or information, as such case may be been accepted as true and correct.</p> <p>The dealer deals in building material viz Bajri, Dust, Rodi, etc. as per information obtained from assessment record of M/s Larsen and Toubro Ltd, Panipat TIN- 06262609597 the dealer had sold building material worth Rs. 11081042/- and charged collect tax at the rate of 13.125% worth Rs. 1454387/- and issued from VAT C-4 accordingly. But the dealer has not reflected this sale in this return. This way of the dealer had suppressed his sale worth Rs. 11081042/- and become liable for penal action u/s 38 of HVAT act. Non levy of tax and penalty under section 38 resulted in under assessment of tax of Rs. 5817548/- (11081042/- @13.125% =1454387/-) plus penalty 3 times.</p> <p>The matter is brought to the notice of Assessing Authority for taking suitable action as per sales tax law. In reply the A.A stated that the case has been taken up for re-assessment and further results would be intimated audit in due course.</p>	<p>The original assessment was framed u/s 15(1) of HVAT Act, 2003 vide order No.- 372/2010-11 dated 23.11.2012 by the then Assessing Authority. However, later on the basis of a definite information the re- assessment proceeding was initiated. The case is re-assessed and an additional demand of Rs. 5817548/- (Tax Rs. 1454384/- + Penalty Rs. 4363161/-) created vide order 235A/2010-11 dated 29.11.2017. Assessment order and TDN duly served upon the dealer and recovery proceeding initiated. A recovery of Rs. 27,90,000/- has been made vide GRN Nos.-74067689 dt 09.03.2021, 34458950 dt 09.04.2018, 36969957 dt 18.07.2018, 37499940 dt 07.08.2018, 42020647 dt 14.11.2018, 43125588 dt 16.01.2019, 44648685 dt 02.03.2019, 53052983 dt 18.07.2019, 56847350 dt 04.09.2019, 61011879 dt 24.12.2019, 62120660 dt 06.02.2020, 63474427 dt 09.03.2020, 71125925 dt 13.01.2021. The recovery from the sureties has been initiated and the remaining amount will be recovered soon.</p>

The Committee has desired that the pragmatic and sincere steps be taken to expedite the recovery under intimation of the Committee.

[19] 2.7 Under-assessment of tax due to allowing benefit against invalid forms 'F'

AA, while finalising the assessment allowed the benefit of consignment sale against invalid 'F' forms resulting in non levy of tax of Rs.1.78 crore. In addition, penalty of

Rs.5.34 crore was also leviable.

Section 6 (A) (1) of CST Act provides that where any dealer claims that he is not liable to pay tax under this Act on the ground that the movement of such goods from one State to another was occasioned by reason of transfer of such goods by him to any other place of his business or to his agent or principal, for this purpose he may furnish to the assessing authority a declaration in Form 'F' signed by the principal officer of the other place of business, or his agent or principal. Further, section 38 of HVAT Act, provides for penal action (three times of tax avoided/benefit claimed) for claims on the basis of false information and incorrect accounts or documents etc. Government of Haryana had issued instructions on 14 March 2006 and 16 July 2013 for verification of intra-State or inter-State transactions of more than one lakh rupees before allowing the benefit of tax/concession to the dealers.

Scrutiny of the records of the offices of DETC (ST) Jind and Kaithal revealed that 10 dealers claimed exemption on their branch transfers/consignment sale amounting to Rs.33.94 crore to two firms in Jaipur and Hanumangarh in Rajasthan for the years 2013-14 and 2014-15. In support of the claims, the dealers filed 91 'F' forms obtained from their respective branches/agents located in Jaipur and Hanumangarh, Rajasthan. The concerned AAs finalised the assessments between June 2016 and March 2017 and allowed the exemptions based on the declarations filed without verification as per instructions *ibid*.

Audit referred these forms to Rajasthan for verification and found that none of the forms were genuine as the registration of the firm in Jaipur was cancelled from 1st April 2013 and that of Hanumangarh from 6th June 2012. Further, STO, Jaipur, Rajasthan had intimated audit (November 2017) that cancellation of registration of the firm in Jaipur was already reported to DETC Jind in May 2016 in response to the request (June 2015) of AA, Jind. However, AA Jind while finalising the assessments (August and October 2016) ignored the fact and allowed benefit. AA Kaithal also allowed the benefit of consignment sale without verification. Thus allowing the benefit of consignment sale against invalid "F" forms by AAs resulted in non levy of tax of Rs.1.78 crore³⁰. Penalty of Rs.5.34 crore was also leviable.

On this being pointed out, AA Jind intimated (October 2017) that the forms were verified from the Rajasthan Government website and letter had been written to the STO, Jaipur to know the genuineness. The reply was not acceptable as STO, Jaipur had already apprised DETC Jind of the factual position (May 2016). Reply has not been received from AA Kaithal.

The matter was reported to the Government in February 2018. Reply was awaited despite issuance of reminders in June and November 2018.

Department may ensure stringent enforcement of its instructions for grant of concession on intra-state and inter-state after due verification.

The department in its written reply stated as under:

CAG 2017-18 Para 2.7

The summary of district wise para is tabulated as under for ready reference: -

A	B	C	D	E	F= (C-D-E)
Sr. No.	Name of district	Total no. of para	Total no. of para already dropped by PAG	Total no. of para where demand is reduced to nil (not including para shown in column D)	Total no. of para in which demand is outstanding
1	Kaithal	05	NIL	05	NIL
2	Jind	05	NIL	NIL	05
3	Total	10	NIL	05	05

Replies to Para No 2.7 for the year 2017-18 Under-assessment of tax due to allowing benefit against invalid form 'F'

This PAC Para is regarding Under-assessment of tax due to allowing benefit against invalid form 'F'. This para contains 93 cases of section 17 of (10) dealers. Out of 93 cases where Audit has raised objections, (93) cases have been admitted where remedial action under Section 17 of the HVAT Act has been initiated by the Assessing Authority respectively. The summary of these cases is as under:-

Sr. No.	District	Name of the dealer and TIN	Assessment Year	Status of Para admitted/ Not admitted	Demand created by Assessing Authority/ Revision Authority	Recovery	Remarks
1	2	3	4	5	6	7	8
1.	Jind	Garg Trading Co., Uchana	2013-14	Para Not Admitted	0	0	The remand case was finalized in compliance of JETC order D. No 01Q-/13-14 dated 22.12.2020 and demand reduced to nil
2	Jind	Prem Chand Surender Kumar, Uchana	2013-14 2014-15	Para Not Admitted	0	0	The remand case was finalized in compliance of JETC order D. No 15/13-14 dated 08.12.2020 and demand reduced to nil
3	Jind	Naresh Trading Co., Anaj Mandi	2013-14 2014-15	Para Not Admitted	0	0	The remand case was finalized in compliance of JETC order D.No 12/14-15 dated 10.12.2020 and demand reduced to nil
4	Kaithal	Jai Luxmi Oil & General Mill	2013-14	Para Admitted	5960682	0	The case was re-assessed. Aggrieved with the re-assessment order the dealer has filed an appeal before JETC (A) which is still pending
5	Kaithal	Mangla Industries	2013-14	Para Admitted	3190888	0	The case was re-assessed. Aggrieved with the re-assessment order the dealer

							has filed an appeal before JETC (A) which is still pending
6	Kaithal	Jai Bhagwati Oil Mills	2013-14	Para Admitted	10170884	0	The Case was re-assessed vide order no 246/13.08.2018 created demand of Rs. 10170884/- after that aggrieved with the order the dealer has filed an appeal before JETC Ambala which is still pending
7	Kaithal	Hari Om Industries, Cheeka	2013-14	Para Admitted	14556216	0	The case was re-assessed. The recovery proceeding is under process
8	Kaithal	Shri Hanuman Ji Khal Bhandar	2013-14	Para Admitted	32145113	0	The case was re-assessed. Aggrieved with the re-assessment order the dealer has filed an appeal before JETC (A) which is still pending
9	Jind	Vardman Cotton mill	2013-14	Para Not Admitted	112336038	0	The remand case was finalized in compliance of JETC order D.No 1M/2013-14 dated 11.12.2020 and demand reduced to nil
10	Jind	Mohindra & Sons	2013-14	Para Not Admitted	6865876	0	The remand case was finalized in compliance of JETC order D.No 1I/13-14 dated 09.12.2020 and demand reduced to nil
		Total			185225697	0	

Para No.	Under assessment of tax due to allowance benefit against invalid 'F' forms: Rs. 50.06 Lakh M/s Garg Trading Co., Uchana, Jind, TIN-06642005272, A.Y. 2013-14/639, dated 16.10.2016,	Name of firm with RC	Amount of Audit	Reply
	<p>Section 5 (3), 6A and 8 (4) of the CST Act, 1956 provides for levy of nil/concessional rate of tax on sales made against declaration forms H,F and C respectively. Under Section 38 of HVAT Act penalty is leviable for submitting wrong documents to evade payment of tax.</p> <p>The dealer is a trader of cotton seed oil and cake. During test check of assessment case it revealed that the dealer claimed concessional rate of tax on sale/transfer of goods against declaration forms 'F' valuing Rs.55867000/- and same were allowed by the Assessing Authority while finalizing the assessment without verification of transaction/forms as required vide instruction issued in March, 2006. On cross verification of forms from official website of Department of Commercial Taxes, Government of Rajasthan, it was noticed that forms valuing Rs. 2,38,36,142/- (Annexure) involving tax of Rs. 12,51,397/- (23836142 X 5.25%) were declared invalid by the said department. Thus, allowing benefit against invalid 'F' declaration forms resulted in under assessment of tax Rs. 12,51,397/- besides penalty of Rs. 37,54,191/- (1251397 X 3) leviable under Section 38 of HVAT Act, which was brought to the notice of AA for taking suitable action as per law of HVAT Act, 2003</p>	M/s Garg Trading Co, 06642005 272 A/Y 2013-14	50.06	The dealer M/s Garg Trading Co5 forms.

Annexure				
Statement showing the details of invalid 'F' Forms submitted by M/s Garg Trading Co., Uchana, TIN-06642005272, Jind.				
Sr No.	Name of purchasing dealer	TIN	Form No	Amount
1	Madhu Sudan Enterprises, 3, Baba Marg, Brahampuri Khurra, Jaipur Rajasthan	84617142 786	RJ/F/2013- 14000007507	3213656
2	Madhu Sudan Enterprises, 3, Baba Marg, Brahampuri Khurra, Jaipur Rajasthan	84617142 786	RJ/F/2013- 14000011462	5073251
3	Madhu Sudan Enterprises, 3, Baba Marg, Brahampuri Khurra, Jaipur Rajasthan	84617142786	RJ/F/2013- 14000011452	3932003
4	Madhu Sudan Enterprises, 3, Baba Marg, Brahampuri Khurra, Jaipur Rajasthan	84617142 786	RJ/F/2013-14 000011434	5168870
5	Madhu Sudan Enterprises, 3, Baba Marg, Brahampuri Khurra, Jaipur Rajasthan	84617142 786	RJ/F/2014-15 000001762	3081361
6	Madhu Sudan Enterprises, 3, Baba Marg, Brahampuri Khurra, Jaipur Rajasthan	84617142 786	RJ/F/2014-15 000012134	1407001
7	Jai Durga Rajasthan	Traders, Jaipur	80847024 38	RJ/F/2013- 14 000048982
Total			23836142	1960000

44.	M/s Jai Luxmi Oil and General Mill Kaithal, TIN 6942109285, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 00000 7523			
45.	M/s Jai Luxmi Oil and General Mill Kaithal, TIN 6942109285, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 00000 11456			
46.	M/s Jai Luxmi Oil and General Mill Kaithal, TIN 6942109285, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 0000 11442			
47.	M/s Jai Luxmi Oil and General Mill Kaithal, TIN 6942109285, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 0000 1779			
48.	M/s Jai Luxmi Oil and General Mill Kaithal, TIN 6942109285, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 00000 1760			
49.	M/s Jai Luxmi Oil and General Mill Kaithal, TIN 6942109285, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 0000 12125			

No. RS/STP-I/2017-18/AM-37/Dated 26.09.2017	Reply
<p>Name of the Firm : M/s Jai Luxmi Oil & General Mill Tin : 06942109295 A.Y. : 1306/2013-14/31.03.2017</p> <p>The dealer deals in manufacturing/trading of Cotton seed, Oil cake. During checking of case file it is noticed that the dealer had made consignment sale of Rs. 40418724/- against F Form and get exemption of tax. It includes consignment sale of Rs. 13214336/- made to M/s Madhu Sudan Enterprises, Jaipur having TIN 08461712786. On verification of validity or registration certificate of purchasing dealer of Rajasthan, it is noticed that the R.C. of the dealer was found cancelled from the date of registration their website. So the F Form uploaded his purchasing dealer at his own level from website are not valid to get exemption of Tax. So the tax exemption allowed against these forms is not valid.</p> <p>It resulted in to short payment of tax Rs. 693752 (13214336 x 5.25%) beside penalty of Rs. 2081256 (693752 x 3) under section 38 of HVAT Act for submitting invalid documents to avoid payment of tax.</p> <p>The matter is brought into the notice of Assessing</p>	<p>The Para is admitted.</p> <p>In reply to audit it is submitted that the assessment for the year 2013-14 was framed vide demand No. 1306 dated 31.03.2017 allowing ECF of Rs. 311397/- under VAT Act and Demand of Rs. 58936/- was created under CST Act. The audit party raised objection that F forms submitted by the said Firm are invalid and the audit party also pointed out that the issuing firm duly cancelled. A letter received from the Asstt. Commissioner of commercial tax, Bikaner (Rajasthan) informed to the DETC (ST) Kaithal that M/s Madhu sudan Enterprises, Jaipur having Tin 084617212786 are not existed and have been declared bogus firm being non- existant at the place shown in record.</p> <p>As the information regarding non-existence of the Rajasthan dealer was received in 2018, which was not available at the time of assessment, so the proceedings of re-assessment under section u/s 17 of HVAT Act, 2003 for the A.Y. 2013-14 u/s 9(2) of CST Act, 1956 read with section 19 of HVAT Act, 2003 were initiated.</p> <p>The case has been re-assessed u/s 17 of HVAT Act 2003 of the dealer and created additional</p>

Authority to take action as per rule/law. The matter may also be taken up with department of commercial taxes Govt. of Rajasthan to know the reason of cancellation of R.C. from the date of registration.	demand of Rs. 6019618/- (Tax 1490170 + 4470512 Penalty) vide D. No. 1383/dated 22.02.2019. Copy of order have been served to the dealer alongwith TDN in form of VAT N-4 and recovery proceeding have been started. The dealer aggrieved with the re-assessment order and filed an appeal before the Jt. ETC (Appeal), Ambala. He has also submitted the surety bond of Rs. 6019618/-. Final outcome will be informed after decision of Jt. ETC (Appeal), Ambala in the case.
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50. **M/s Mangla Industries, Kaithal, TIN 6572108761, A.Y. 2013-14 , Form NO. RJ/F/ /2013- 14 00000 7521**
51. **M/s Mangla Industries, Kaithal, TIN 6572108761, A.Y. 2013-14 , Form NO. RJ/F/ /2013- 14 00000 7505**
52. **M/s Mangla Industries, Kaithal, TIN 6572108761, A.Y. 2013-14 , Form NO. RJ/F/ /2013- 14 0000 11447**
53. **M/s Mangla Industries, Kaithal, TIN 6572108761, A.Y. 2013-14 , Form NO. RJ/F/ /2013- 14 0000 11439**
54. **M/s Mangla Industries, Kaithal, TIN 6572108761, A.Y. 2013-14 , Form NO. RJ/F/ /2014- 15 00000 1761**
55. **M/s Mangla Industries, Kaithal, TIN 6572108761, A.Y. 2013-14 , Form NO. RJ/F/ /2014- 15 00000 1781**
56. **M/s Mangla Industries, Kaithal, TIN 6572108761, A.Y. 2013-14 , Form NO. RJ/F/ /2014- 15 0000 12142**
57. **M/s Mangla Industries, Kaithal, TIN 6572108761, A.Y. 2013-14 , Form NO. RJ/F/ /2014- 15 0000 12121**
58. **M/s Mangla Industries, Kaithal, TIN 6572108761, A.Y. 2013-14 , Form NO. RJ/F/ /2014- 15 0000 12131**

Audit memo 49. dated 10.10.2017. Subject: Evasion of tax due to production of bogus 'F' forms for Rs. 6.59 lacs penalty Rs. 19.77 lacs.	Reply
Name of Firm : M/s Mangla Industries TIN : 06572108761 Assessment Year : 2013-14/1268/dated 21.03.2017. Dealer is a manufacturer of cotton seed oil. The case of the dealer was scrutiny. In this case before allowing tax benefit proper investigation regarding	In reply to audit it is submitted that re- assessment has been frmaed u/s 17 of HVAT Act, 2003 and created a demand of Rs. 3190888/- including penalty u/s 9(2) of CST Act, 1956 read with section 38 of HGST act, vide Assessing Authority oder No. 1155/13-14/Dt. 20- 02- 2019. Recovery proceeding are on the way. Issued recovery notice to the dealer on dated 28.04.2022.

<p>submission of C/F forms shall be made to avail extra benefit of tax to dealer.</p> <p>During checking of case file it was revealed that dealer made consignment sale of Rs. 58329100/-. Dealer produce F' forms against there sales out of these forms of Rs. 13178262/- were given against consignment sale made to M/s Madhusudan Enterprises having Tin 0846171p2786. Assessing Authority while finally assessment give the benefit of concessional rate to this dealer without proper enquiry.</p> <p>During checking of website of Rajasthan Govt. it was noticed that this dealer registration was cancelled with back date i.e 01.04.2013. Thus renewal evasion of tax of Rs. 658913/- (13178262X5%) and penalty of Rs. 1976739/- u/s 38 also leviable. The matter is brought into the notice of assessing authority for taken action as per law.</p>	<p>Dealer has filed an appeal before the Jt.ETC,(Appeal) Ambala and case was fixed for hearing for dated 04/04/2022.The dealer has also submitted surety bond Rs. 3191000/-.</p>
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59. **M/s Jai Bhagwati Oil Mill Cheeka, Kaithal, TIN 6762108317, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 00000 1756**
60. **M/s Jai Bhagwati Oil Mill Cheeka, Kaithal, TIN 6762108317, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 00000 1744**
61. **M/s Jai Bhagwati Oil Mill Cheeka, Kaithal, TIN 6762108317, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 00000 1775**
62. **M/s Jai Bhagwati Oil Mill Cheeka, Kaithal, TIN 6762108317, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 0000 11460**
63. **M/s Jai Bhagwati Oil Mill Cheeka, Kaithal, TIN 6762108317, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 0000 11450**
64. **M/s Jai Bhagwati Oil Mill Cheeka, Kaithal, TIN 6762108317, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 0000 11432**
65. **M/s Jai Bhagwati Oil Mill Cheeka, Kaithal, TIN 6762108317, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 00000 7518**
66. **M/s Jai Bhagwati Oil Mill Cheeka, Kaithal, TIN 6762108317, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 00000 7501**

<p>No. RS/STP-I/2017-18/AM-24/Dated 20.09.2017</p> <p>Name of the Firm : M/s Jai Bhagwati Oil Mill, Cheeka</p> <p>TIN : 06762108317</p> <p>A.Y. : 1229/2013-14/06.02.2017</p> <p>The dealer deals in manufacturing/trading of Cotton seed oil, Oil cake. During checking of case file it is noticed that the dealer had</p>	<p>The Para is admitted</p> <p>In reply to audit it is submitted that the assessment for the year 2013-14 was framed vide demand No. 1229 dated 06.02.2017 allowing ECF of Rs. 53741/- under VAT Act and nil demand was created under CST Act. The audit party raised objection</p>
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<p>made consignment sale of Rs. 85323277/- against F Form and get exemption of tax. It includes consignment sale of Rs. 39837812/- made to M/s Madhu Sudan Enterprises, Jaipur having TIN 08461712786. On verification of validity of registration certificate of purchasing dealer of Rajasthan, it is noticed that the R.C. of the dealer was found cancelled from the date of registration of R.C. by Commercial Tax Department Rajasthan as per their website. So the F Forms uploaded by purchasing dealer at his own level from website are not valid to get exemption of Tax. So the tax exemption allowed against these forms is not valid.</p> <p>It resulted into short payment of tax Rs. 2091485 (39837812 x 5.25%) beside penalty of Rs. 6274455/- (2091485 x 3) under section 38 of HVAT Act for submitting invalid documents to avoid payment of tax.</p> <p>The matter is brought into the notice of Assessing Authority to take action as per rule/law. The matter may also be take up with department of commercial taxes Govt. of Rajasthan to know the reason of cancellation of R.C. from the date of registration.</p>	<p>that F forms submitted by the said Firm are invalid and the audit party also pointed out that the issuing firm duly cancelled. A letter received from the Asstt. Commissioner of commercial tax, Bikaner (Rajasthan) informed to the DETC (ST) Kaithal that M/s Madhu sudan Enterprises, Jaipur having Tin 084617212786 are not existed and have been declared bogus firm being none existence at the place shown in record.</p> <p>As the information regarding non-existence of the Rajasthan dealer was received in 2018, which was not available at the time of assessment, so the proceedings of re-assessment under section u/s 17 of HVAT Act, 2003 for the A.Y. 2013-14 u/s 9(2) of CST Act, 1956 read with section 19 of HVAT Act, 2003 were initiated.</p> <p>The assessing authority re-assessed the case u/s 17 of HVAT Act 2003 of the dealer and created additional demand of Rs. 12133260/- (Tax 3033215 + 9099645 Penalty) vide D. No. 1459/dated 26.03.2019. Copy of order have been served to the dealer and recovery proceeding have been started. Demand notice in form of VAT N-4 and recovery notice have been served to the dealer.</p>
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67. **M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2013-14 00000 7515**
68. **M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2013-14 00000 7502**
69. **M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2013-14 0000 11457**
70. **M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2013-14 0000 11455**
71. **M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2013-14 0000 11433**
72. **M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2014-15 00000 1765**
73. **M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2014-15 00000 1747**
74. **M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2014-15 00000 1773**
75. **M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2014-15 00000 12144**

76. M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2014-15 00000 12126

77. M/s Hari Om Industries Cheeka Kaithal, TIN 06182101652, A.Y. 2013-14 , Form NO. RJ/F/ /2014-15 0000 12137

No. RS/STP-I/2017-18/AM-25/Dated 20.09.2017	Reply
<p>Name of the Firm : M/s Hari Om Industries, Cheeka TIN : 06182101652 A.Y. : 1314/2013-14/31.03.2017</p> <p>The dealer deals in manufacturing/trading of Cotton seed, Oil cake. During checking of case file it is noticed that the dealer had made consignment sale of Rs. 101762819/- against F Form and get exemption of tax. It includes consignment sale of Rs. 31334941/- made to M/s Madhu Sudan Enterprises, Jaipur having TIN 08461712786. On verification of validity of registration certificate of purchasing dealer of Rajasthan, it is noticed that the R.C. of the dealer was found cancelled from the date of registration of R.C. by Commercial Tax Department Rajasthan as per their website. So the F Forms uploaded his purchasing dealer at his own level from website are not valid to get exemption of Tax. So the tax exemption allowed against these forms is not valid.</p> <p>It resulted into short payment of tax Rs. 1645084 (31334941 x 5.25%) beside penalty of Rs. 4935252/- (1645084 x 3) under section 38 of HVAT Act for submitting invalid documents to avoid payment of tax.</p> <p>The matter is brought into the notice of Assessing Authority to take action as per rule/law. The matter may also be take up with department of commercial taxes Govt. of Rajasthan to know the reason of cancellation of R.C. from the date of registration.</p>	<p>The Para is admitted</p> <p>In reply to audit it is submitted that the assessment for the year 2013-14 was framed vide demand No. 1314 dated 31.03.2017 allowing ECF of Rs. 272746/- under VAT Act and nil demand was created under CST Act. The audit party raised objection that F forms submitted by the said Firm are invalid and the audit party also pointed out that the issuing firm duly cancelled. A letter received from the Asstt. Commissioner of commercial tax, Bikaner (Rajasthan) informed to the DETC (ST) Kaithal that M/s Madhu sudan Enterprises, Jaipur having Tin 084617212786 are not existed and have been declared bogus firm being none existence at the place shown in record.</p> <p>As the information regarding non-existence of the Rajasthan dealer was received in 2018, which was not available at the time of assessment, so the proceedings of re-assessment under section u/s 17 of HVAT Act, 2003 for the A.Y. 2013-14 u/s 9(2) of CST Act, 1956 read with section 19 of HVAT Act, 2003 were initiated.</p> <p>The assessing authority re-assessed the case u/s 17 of HVAT Act 2003 of the dealer and created additional demand of Rs. 14556216/- (Tax 3639054 + 10917162 Penalty) vide D. No. 1383A/dated 22.02.2019. Copy of order have been served to the dealer and recovery proceeding have been started. Demand notice in form of VAT N-4 and recovery notice have been served to the dealer.</p>

78. M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F/ /2013-14 00000 6244

79. M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F/ /2013-14 00000 7516

80. M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F//2013-14 00000 7511

81. M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F//2013-14 0000 11448

82. **M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F//2013-14 0000 11436**
83. **M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F//2014-15 00000 1764**
84. **M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F//2014-15 00000 1746**
85. **M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F//2014-15 00000 1769**
86. **M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F//2014-15 00000 12143**
87. **M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F//2014-15 00000 12117**
88. **M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F//2014-15 00000 12130**

	Reply
<p>M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO.</p> <p>RJ/F/ /2014-15 00000 1769</p> <p>M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 0000 12143</p> <p>M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 0000 12117</p> <p>M/s Hanumanji Khal Bhandar Kaithal, TIN 06722108145, A.Y. 2013-14, Form NO. RJ/F/ /2014-15 0000 12130</p> <p>Para No.2.7/CAG Report 2017-18</p> <p>Name of the dealer : M/s Shri Hanuman Ji Khal Bhandar, Ktl. TIN : 06722108145</p> <p>Demand No. : 997 /2013-14/dated 16.03.2017.</p> <p>The dealer deals in manufacturing/trading of cotton seed oil and oil cake. During checking of case file, it is noticed that the dealer had made consignment sale of Rs. 265454881 against 'F' form and get exemption of tax. It includes consignment sale of Rs. 69810982/- made to M/s Madhu sadan Enterprises Jaipur having Tin 08461712786. On verification of validates of registration certificate of purchasing dealer of Rajasthan, it is notices that the RC of the dealer was found cancelled from the date of registration of RC by commercial tax department register as per there website. So, the 'F' forms uploaded by purchasing dealer at this own levels from website are not valid to get exemption of tax. So the tax exemption allowed against these forms is not valid. It resulted into short payment of tax Rs.</p>	<p>(The para is admitted).</p> <p>In reply to audit it is submitted that the assessment for the year 2013-14 was framed vide demand no. 997 dated 16.03.2017 allowing ECF of Rs. 3,57,842/-under VAT Act and demand of Rs. 7,38,437/- was created under CST Act for non submission of F/C forms with a direction to submit remaining forms within 90 days. The audit party raised objection that F forms submitted by the said Firm are invalid and the audit party also pointed out that the issuing firm duly cancelled from the date of registration. A letter is received from the Asstt. Commissioner of commercial tax, Bikaner (Rajasthan) informed to the DETC (ST) Kaithal vide letter no. 33/dated 20.02.2018 that M/s Radheyshyam Traders, Bikaner (Rajasthan) TIN 08461363295 and M/s Madhu sudan Enterprises, Jaipur having TIN 084617212786 are not existed and have been declared has bogus firms being none existence at the place shown in record.</p> <p>As per information regarding non- existence of the Rajasthan dealer was received in 2018, which was not available at the time of assessment, so the proceedings of re-assessment under section 17 of HVAT Act 2003 were initiated.</p>

<p>3665076/- (69810982 X 5.25%) besides penalty of Rs. 10995229/- (3665076X3)</p> <p>Under section 38 of HVAT Act for submitting invalid documents to avoid payment of tax.</p> <p>The matter is brought into the notice of AA to take action as per rule/law. The matter may also be take up with department of commercial taxes govt. Of Rajasthan to know the reason of cancellation of RC from the date of registration.</p>	<p>The case has been re-assessed U/s 17 of HVAT Act, 2003 and created additional demand of Rs. 32145113/- (Tax – 8590106/- + Pen. 23555007/-) vide D.</p> <p>No. 406A/07.08.2019. Copy of order has been served to the dealer and recovery proceedings are under process. The recovery notice issued to the dealer. The dealer aggrieved with the re- assessment order and filed an appeal before the Jt. ETC (Appeal), Ambala. The case was fixed for 04.04.2022. He has also submitted the surety bond of Rs. 16073000/- .</p>
Brief of Para	
<p style="text-align: center;">RS/STP-I/2017-18/AM.29. Dt. 25-09-2017</p> <p>Name of the dealer : Shri Hanuman Ji Khal Bhandar, tl. TIN : 06722108145</p> <p>Demand No. : 997 /2013-14/dated 16.03.2017</p> <p>The dealer deals in manufacturing of cotton seed oil and oil cake. During checking of case file, it is noticed that the dealer had made consignment sale of Rs. 265454881 against 'F' form and get exemption of tax. It includes sale of Rs.15429052/- made to M/s Ajay Kumar Banwari Lal Nohar having Tin 08933554606 of Rajasthan against 'F' forms no. M/1 244813-15 which were shown issued on 26.02.2013 by the office of assistant Commercial Taxation Officer Nohar. On verification of these forms on TINXSYs. It is noticed that these forms were issued on 13.04.2010 by the department. So, the 'F' forms produced by the dealer to get exemption of tax are suspicious. On these forms, name of dealer to whom issued by deptt. Is not mentioned. Benefits of exemption of tax of Rs. 810025/- (15429052 X 5.25%) was allowed by AA on suspicious forms.</p> <p>The matter is brought into the notice of AA to take action as per rule/law. The matter may also be take up with Assistant of commercial Taxation Officer, Nohar Rajasthan to verify the genuineness of these forms and goods of movement and payment made to purchasing dealer may also be verified.</p>	<p style="text-align: center;">Para is admitted.</p> <p>The Audit has raised the objection regarding F Forms No. M/1 244813-15 issued by M/s Ajay Kumar Banwari Lal, Nohar having Tin 08933554606 which were shown issued on 26-02-2013 by the office of Asst. Commercial Taxation Officer, Nohar. On verification on Tinxys, the forms were issued on 13-04-2010 by the Department.</p> <p>The letters for verification regarding genuineness of forms were sent to Asst. Excise & Taxation Officer, Nohar, Hanumangarh (Rajasthan) vide this office letter no. 1700, dtd. 15-06-2018 and no. 1285, dated 21-12-2021. But no reply was received. Hence a letter for verification has again sent vide no. 575, dated 04-05-2022. Final outcome will be informed after verification of F Forms.</p>

The Committee has desired that State interest be protected meticulously in the cases pending for adjudication and in the cases wherein recovery is outstanding, recovery be expedited under intimation of the Committee.

[20] 2.8 Under-assessment of tax due to allowing excess benefit of ITC on stock

transfer or losses Short/non reversal of ITC by Assessing Authority resulted in excessbenefit of ITC of Rs.9.04 crore.

Under Section 8 of the HVAT Act, input tax in respect of any goods purchased by a VAT dealer shall be the amount of tax paid to the State on the sale of such goods to him. No ITC on goods which are disposed of otherwise than by way of sale is admissible.

If the goods purchased in the State are used or disposed partly by way of sale and partly by stock transfer, the input tax in respect of such goods shall be computed on pro rata basis. Scrutiny of records of three offices³¹ of DETC (Sales Tax) revealed that two dealers purchased Building Material, Wheat, Paddy and Cement during 2012-13 and 2013-14 worth Rs.20,899.62 crore after payment of VAT of Rs.1,096.20 crore. The dealers had transferred material worth Rs.19,120.61 crore against form 'F'. ITC was to be reversed proportionately on stock transfer. The reversible ITC works out to Rs.994.80 crore. However, AAs while finalising assessments incorrectly reversed only an amount Rs. 986.60 crore resulting in short reversal of Rs.8.20 crore. Further, one dealer purchased packing material worth Rs.16.68 crore after payment of tax of Rs.0.70 crore within the State during 2012-13 and transferred the entire material against 'F' form and hence the dealer was not eligible for ITC. The AA reversed ITC of Rs.0.15 crore only. This resulted in wrong benefit of ITC of Rs.0.55 crore (Rs.0.70 crore - Rs.0.15 crore).

2.8.2 One dealer had booked loss of Rs.4.66 crore. The proportional ITC worked out to Rs.0.29 crore. The AAs while finalising assessments did not reverse ITC which resulted in wrong benefit of Rs.0.29 crore. Thus incorrect reversal resulted in wrong benefit of ITC of Rs.9.04 crore(Rs.8.20 crore + Rs.0.55 crore + Rs.0.29 crore) On this being pointed out DETC (ST) Gurugram (West) intimated (October 2017) that an additional demand of Rs.28.91 lakh had been created in one case and one case has been sent to Revisional Authority (April 2017) for suo-motu action. DETC (ST) Panchkula intimated (June 2018) that an additional demand of Rs.8.12 crore has been created. AA Gurugram intimated (October 2018) that the case has been sent to Revisional Authority for suo- motu action.

The matter was reported to the Government in March 2018. Reply was awaited despite issuance of reminders in June and November 2018.

Department may ensure early recovery of the amount under intimation to Audit.

The department in its written reply stated as under:

Audit Para No.	Type of Audit Objection	Dealers involved in this para	Audit pointed out for ITC Reversal/Under Assessment of Tax (Rs in Crore)	Tax levied/ ITC Reversal (Rs. in crore)	Tax Recovered/ITC reversed (Rs. in crore)	Remarks
2.8	<i>Under-assessment of tax due to allowing excess benefit of ITC on</i>	1. M/s ETA Star Infrastructure Ltd., TIN 06891935246,	0.29	0.43	Nil	Firm is under liquidation

	stock transfer or losses	A.Y. 2012-13				
			0.39	Nil	Nil	
		2. M/s Radico Khaitan Ltd., Gurugram, (North) TIN-06411822505, A.Y. 2012-13	0.28	0.20	0.20	Pending in view of M/s Light Graphics Pvt. Ltd. vs State of Haryana
		3. M/s Radico Khaitan Ltd., Gurugram, (North), TIN-06411822505, A.Y. 2013-14	0.25	0.13	0.13	ITC reversed to Rs 20,33,524/-
		4. M/s R.D Sales, TIN 06021929080 A.Y. 2013-14	8.0	Nil	Nil	ITC reversed to 13,47,483/- and 'F' have already been submitted by dealer.
		5. M/s Food Corporation of India TIN 06062209679 A.Y. 2013-14				Case is pending with Revisional Authority.
		TOTAL	9.21	0.76	0.33	

1. M/s Radico Khaitan Ltd., Gurugram (East) IN 06411822505, A.Y. 2012-13 & 2013-14 2012-13

In reply to Audit Para, it is submitted that **M/s Radico Khaitan Ltd.**, Gurugram, **TIN-06411822505** is engaged in the business of trading of liquor & Beer and registered under HVAT Act, 2003 and CST Act, 1956. The assessment of the dealer was framed u/s 15(1) of the HVAT Act and CST Act under deemed scheme by the then Assessing Authority, Gurugram (East) vide disposal No.504/2012-13 dt.17.11.2014 and allowed excess carry forward of Rs.3785858/- under HVAT for the next financial year i.e. 2013-14 and created Nil demand under CST Act.

The Audit has pointed out that non-reversal of ITC on purchase value of empty bottles resulted in short reversal of ITC of Rs.3919784/-.

In reply to this Audit memo, the Audit Para is admitted.

The assessment case has been sent to the DETC-cum-Revisional Authority, Gurugram (North). Revision proceedings have already been initiated under Section 34 of the HVAT Act, 2003. The revision case has been kept **Sine-Die** by the Revisional Authority in the matter cited above in context of M/s Light Graphics Pvt. Ltd Vs. Excise & Taxation

Commissioner, Haryana in VAT Appeal No.297 of 2018 before the Hon'ble Punjab and Haryana High Court at Chandigarh, is still pending.

The last date of hearing in the VAT Appeal No 297 of 2018 was on 03.08.2021 and the next date is not yet fixed. The fixed outcome will be intimated after the decision of the VAT Appeal No.297 of 2018.

3. M/s ETA Star Infrastructure Ltd., Gurugram (West), TIN 06891935246, A.Y. 2012-13

The dealer M/s ETA Star Infrastructure Ltd. was registered under the HVAT Act, 2003 and the CST Act, 1956 with TIN 06891935246. The dealer is a works contractor. The firm is closed now. The dealer not migrated under the GST Law. The case of M/s ETA Star Infrastructure for the assessment year 2012-13 was assessed under Section 15(3) of the HVAT Act, 2003 vide Disposal No. 448 dt.08.03.2016.

"The audit has raised the objection that the dealer has availed ITC of Rs. 9731191/- on purchases worth Rs. 168644663/- as per provision, ITC was to be reversed by the AA on losses shown by the dealer but no ITC was reversed in the case".

The para is admitted and the case had been taken for re-assessment and ITC Worth Rs. 28,91,299/- has been reversed against the loss worked by the dealer vide D.No. 73A/12-13 dated 04.10.2017. As a result of the order, additional demand of Rs. 22,55,132/- under the HVAT Act, 2003 and Rs. 20,57,706/- under the CST Act, 1956 have been created and recovery proceedings have been initiated against the dealer.

The firm is under liquidation and lodged the claim for the same before the official liquidator. A letter was also sent to the official liquidator vide this office memo. No. 1668/W-2 dt. 02.05.2022 regarding the latest status report.

4. M/s Food corporation of India, Panchkula, TIN 06062209679, A.Y. 2013-14

The M/s Food Corporation of India was registered under HVAT Act, 2003 and CST Act, 1956 holding TIN 06062209679. The dealer deals in trading of food grains. The original assessment of the dealer was framed by the then Assessing Authority (AA) vide D.No. 1400/2013-14 dated 28.3.2017 u/s 15(3) of HVAT Act, 2003. The AA made the reversal of ITC on stock transfer on pro rata basis of Rs 9866062710/-. The audit party raised the objection that while framing the assessment the AA reversed the ITC of RS 9866062710/- against actual reversal of 9946802180/- (191179166035/ 210463196674 X 10950125094) on pro rata basis. This resulted in under assessment of tax due to less reversal of ITC of RS 80739470/-. In reply to the audit objection, it is submitted that the case was sent to the Revisional Authority in view of audit objection. The Revisional Authority had decided the case vide orders dated 3.5.2018 and directed the AA that amount of Rs 75473864/- was to be recovered on account of less reversal of ITC and an amount of Rs 5755977/- is to be recovered on account of excess ITC allowed by the AA. Meanwhile, being aggrieved by the orders of AA the dealer preferred an appeal before the First Appellate Authority.

The First Appellate Authority passed orders dated 10.9.2018 with the directions that “While deciding the remand case ECF of previous year may be considered and reversal of Input may be taken in accordance with law.”

The dealer approached the Hon’ble Haryana Tax Tribunal against the order of Revisional Authority vide STA no. 339/ 2018-19. The Haryana Tax Tribunal in its order dated 7.2.2019 clearly stated that “In all fairness, the Revisional Authority should have stayed its hands and kept the matter pending till decision of first appeal filed by the assessee because issue of ITC involved in revisional proceedings was also involved in First Appeal filed by the assessee. However, the Revisional Authority did not do so. Be that as it may, the fact remains that now issue of ITC reversal on branch transfers of the goods by the assessee stands remanded to the Assessing Authority alongwith all other issues raised by the assessee in its first appeal against assessment order dated 28.3.2017, as per the order of first appellate authority-higher in rank (JETC) than the rank (DETC) of the Revisional Authority. Since the said issue of ITC reversal has to be decided de novo by the Assessing Authority in view of remand by the FAA, the impugned revisional order dated 3.5.2018 has to be set aside. Assessment order dated 28.3.2017 which was revised by the Revisional Authority by impugned order dated 3.5.2018 no longer subsists in view of order of FAA dated 10.9.2018. Resultantly the appeal is allowed. Impugned revisional order dated 3.5.2018 is set aside. All issues will be decided de novo by the Assessing Authority as per order dated 10.9.2018.”

The AA has decided the remand case in the light of the orders passed by the First Appellate Authority and the Haryana Tax Tribunal. The AA while deciding the remand case mentioned the observation that “**I am of the considered opinion that re-imbursement/ subsidy given by the Government of India to the dealer does not form the part of the sale price and not to be included in GTO of the dealer**”. By these observations AA made reversal of ITC amounting to Rs 9513032306/- against the turnover of stock transfer of Rs 19117916635/-. The case has been sent to DETC-cum-Revisional Authority for suo-moto action. Moreover, this firm had ITC worth Rs. 330,45,18,109/- at the end of VAT regime and has not claimed this ITC in TRAN-1 in GST law.

Hence in view of the above, the para may be dropped.

The Committee has desired that State interest be protected meticulously and final outcome of the case(s) be intimated to the Committee.

[21] 2.9 Incorrect benefit of Input Tax Credit on goods not sold:

AA, while finalising the assessment allowed inadmissible ITC claim for purchase of Duty Entitlement Pass Book (DEPB) which was not sold by the dealer resulting in incorrect grant of input tax credit of Rs.2.89 crore. In addition, interest of Rs.1.73 crore was also leviable.

Under Section 8 of HVAT Act, input tax credit (ITC) on purchase of goods is admissible

against tax liability on sale of goods as such or the goods manufactured therefrom in the State or inter-State trade and commerce. Duty Entitlement Pass Book (DEPB) Scheme is an export promotion scheme introduced by Government of India in 1997 where an exporter gets duty credit entitlement on his exports in proportion to the value of the export goods. Under this scheme, DEPB scrips are issued by Director General Foreign Trade to exporters for availing DEPB credit. The Government of Haryana clarified (22 April 2013) that ITC is available only if the DEPB scrips are purchased for re-sale and no ITC would be admissible if these were used for adjustment of custom duty. Further, interest at the rate of two *per cent* per month was also leviable under Section 14 (6) of the HVAT Act.

Scrutiny of record of (DETC) (ST), Rewari revealed that a dealer purchased DEPB scrip worth Rs.55.02 crore after payment of VAT of Rs.2.89 crore during 2012-13. As the Scrips were not sold by the dealer, no ITC was admissible. However, while finalising assessment on 28th April 2015, AA allowed the ITC claim to the dealer resulting in incorrect grant of ITC of Rs.2.89 crore. Interest of Rs.1.73 crore³³ was also leviable.

On this being pointed out, AA Rewari intimated (February 2018) that the case had been sent for suo-motu action to Revisional Authority. The matter was reported to the Government in February 2018. Reply was awaited despite issuance of reminders in June and November 2018.

The department in its written reply stated as under:

Audit Para No.	Type of Audit Objection	Dealers involved in this para	Audit pointed out for ITC Reversal/ Under Assessment of Tax (Rs in Crore)	Tax levied/ ITC Reversal (Rs. in crore)	Tax Recovered/ ITC Reversed (Rs. in crore)	Remarks
2.9	Incorrect benefit of Input Tax Credit on goods not sold	6. M/s Posco India Delhi Steel Processing Ltd., TIN-06852706515 A. Y. 2012-13	2.88 + Intt.	6.08	Nil	Case is pending before Haryana Tax Tribunal

1. M/s Posco India Delhi Steel Processing Ltd., Bawal, Rewari, Tin 06852706515, A.Y. 2012-13

In reply to audit objection it is intimated that original assessment for the year 2012-13 was framed by the then Excise & Taxation Officer-cum Assessing Authority, vide order dated 28.04.2015 by creating an additional demand for Rs. 1,63,95,305/- under Central Sales Tax Act, 1956.

On receipt of the objection the case was sent to Dy. Excise & Taxation Commissioner (ST) cum Revisional Authority Rewari for revision and the same was decided by Revisional Authority vide order dated 03.07.2018 by creating an additional demand of Rs.

3,04,28,304/- under Haryana Value Added Tax Act, 2003 and Revisional Authority gave direction to Assessing Authority to take penal action for interest and accordingly the Assessing Authority levied interest on dated 03.07.2018 for Rs. 3,04,28,304/-, and total demand became due Rs. 6,08,56,608 under Haryana Value Added Tax Act, 2003.

By aggrieving the order of Revisional Authority the dealer preferred an appeal before Haryana Tax Tribunal on dated 15.10.2018. Moreover, the dealer has also submitted surety bond for Rs. 60856608/- which are duly verified and accepted by the Assessing Authority.

The Committee has desired that the State interest be protected meticulously and final outcome be intimated to the Committee.

[22] 2.10 Non levy of tax:

AA, while finalising the assessment, assessed sale of items worth Rs.7.08 crore as tax free goods. However, these items are taxable at the rate of 5.25 *per cent* and 13.125 *per cent*. This resulted in non-levy of VAT amounting to Rs.43.31 lakh. In addition, interest of Rs.24.53 lakh was also leviable.

Under Section 7 (1) (a) (iii) and (iv) of the HVAT Act, tax is leviable at the rates specified in Schedules 'A' to 'G' of the Act depending upon the classification of goods. Schedule 'C' goods are taxable at 5 *per cent*. The items not classified in above schedules are taxable at general rate of tax of 12.5 *per cent* with effect from 1 July 2005. Further, surcharge at the rate of five *per cent* of the tax is also leviable w.e.f 2nd April 2010. In addition, interest is also leviable under Section 14 (6) at the rate of one *per cent* per month if the payment is made within ninety days, and at two *per cent* per month if the default continues beyond ninety days for the whole period, from the last date specified for the payment of tax to the date he makes the payment.

Scrutiny of records of the office of DETC (ST), Panchkula and Jagadhri revealed that three dealers sold steel screen pipes, felt and bio fuel worth Rs.5.91 crore in 2013-14 and 2014-15 and claimed the sale as tax free. The AA, while finalising the assessment (November 2015, September 2016 and November 2016) allowed the claim of the dealer. However, these items are all Schedule 'C' items and are taxable at 5.25 *per cent* including surcharge. This has resulted in non-levy of VAT amounting to Rs.31.04 lakh (Rs.5.91 crore X 5.25 *per cent*). Interest of Rs.14.64 lakh was also leviable. Further, a dealer of DETC, Jagadhri sold fixed tangible assets worth Rs.1.17 crore in the year 2013-14. The AA while finalising the assessment in March 2017 omitted to levy tax on the sale. These goods were liable to tax at the rate of 5.25 *per cent* and 13.125 *per cent*. This resulted in non-levy of tax of Rs.12.27 lakh³⁴. Interest of Rs.9.88 lakh was also leviable. On this being pointed out, AA Panchkula and Jagadhri intimated that the cases had been sent to the Revisional Authority for suo motu action (between March 2017 to June 2018).

The matter was reported to the Government in March and April 2018. Reply was awaited despite issuance of reminders in June and November 2018. Department may examine

whether there are more such cases where tax exemptions have been allowed incorrectly. Early recovery in respect of the cases pointed out by Audit may be ensured.

The department in its written reply stated as under:

Audit Para No.	Type of Audit Objection	Dealers involved in this para	Audit pointed out for ITC Reversal/Under Assessment of Tax (Rs in Crore)	Tax levied/ ITC Reversal (Rs. in crore)	Tax Recovered/ ITC reversed (Rs. in crore)	Remarks
2.10	Non levy of tax	7. M/s Mahaluxmi Textile, Panchkula Tin No: 06852508732 Assessment year: 2014-15	0.14	Nil	Nil	Case is Pending in High Court in view of M/s Light Graphics Pvt. Ltd. vs State of Haryana
		8. M/s Metro Bio Fuel, TIN 06211618915 A.Y.: 2013-14	0.17	Nil	Nil	Case is Pending in High Court in view of M/s Light Graphics Pvt. Ltd. vs State of Haryana
		9. M/s Oberoi Automobile Pvt. Ltd., Tin 06881618304 A.Y 2013-14	0.12	0.17	Nil	Surety bond of Rs. 17,19,317/- have been received and accepted by Assessing Authority
		TOTAL	0.43	0.17	NIL	

1. M/s Mahaluxmi Textile, Panchkula, TIN 06852508732, A.Y. 2014-15

The dealer M/s Mahaluxmi Textile was registered under the HVAT Act, 2003 and CST Act, 1956 with TIN 06852508732. The dealer is a manufacturer of textile etc. The dealer is functional and migrated under HGST Act, 2017 holding GSTIN 06AQCP8422L1ZH. The original assessment 2014-15 was framed vide demand no.658/14-15 dated 30.09.2016 u/s 15(1) of HVAT ACT 2003.

The audit raised objection regarding allowing tax free sales of felt. The felt falls under entry no. 26 schedule C of HVAT Act, 2003 and liable to tax @ 5.25%. As a result under assessment was made of Rs 1396117/- besides interest.

The para is admitted. The case was sent to the Revisional Authority, Panchkula. The Revisional Authority remanded the case back to the Assessing Authority vide Order No. 04/03.05.2018 with direction to enquire the facts whether the product manufactured by the dealer is felt or felt cloth.

Being aggrieved with the orders of Revisional Authority, dealer preferred an appeal before the Hon'ble Haryana Tax Tribunal and the Hon'ble Tribunal vide STA no.247/ of 2018-19, set aside orders of Revisional authority vide order dated 07- 02-2018 being issued covered with the case of M/s Light Graphics Pvt. Ltd v/s State of Haryana as the original

assessment was framed under deemed assessment under section 15(1) of HVAT Act 2003.

Further against the orders of Hon'ble Tax Tribunal, the department has filed VAT appeal no.262 and 265 of 2019 before the Hon'ble Punjab & Haryana High Court. The VATAP is fixed for hearing on 18.7.2022. The case is still pending with the Hon'ble Court.

2. M/s Metro Bio Fuels, Jagadhri, TIN 06211618915, A.Y. 2013-14:

In reply to Audit Para, it is submitted that M/s Metro Bio Fuel, Jagadhri having TIN 06211618915 is engaged in the business of manufacturing of bio fuels and registered under HVAT Act, 2003 and CST Act, 1956. The assessment of the dealer was framed u/s 15(1) of the HVAT Act and CST Act by the then Assessing Authority, Jagadhri vide disposal No. 829/13-14, dt. 02.11.2015 and allowed excess carry forward of Rs. 2,142/- under HVAT Act and created Nil demand under CST Act.

The Audit team has pointed out that the dealer has sold bio fuel worth Rs. 1,34,79,701/- as tax free but bio fuel is an unscheduled goods and hence, taxed @13.125% resulted into under assessment of tax of Rs. 17,69,211/-.

In reply to this Audit memo, the Audit Para is admitted.

The assessment case has been sent to the DETC-cum-Revisional Authority, Jagadhri. Revision proceedings under section 34 of the HVAT Act, 2003 have been finalized vide order no. 12/2013-14, dated 29.07.2017 and observed the dealer has sold biomass rolls which is covered by entry no. 21 of schedule B of HVAT Act, 2003 which reads as under "Firewood, wood charcoal, biomass rolls and municipal solid wastes fuel manufactured out of solid waste procured from local bodies"

However, Revisional Authority has observed that the dealer has purchased press mud which is a residue of sugar manufacturer and is taxable @5.25% as per schedule C of HVAT Act, 2003. These purchases made by dealer have been used in manufacturing of tax free goods is leviable to tax under section 3(3) of HVAT Act, 2003 and levied purchase tax @4.2% to Rs. 3,73,180/-.

Being aggrieved against the order of Revisional Authority, the dealer has filed appeal in the Haryana Tax Tribunal, Chandigarh. The Haryana Tax Tribunal vide STA no. 246-248/2017-18, dated 12.10.2018 allowed the appeal and quashed the orders of the Revisional Authority dated 29.07.2017 on the basis of STA no. 209 of 2011-12 M/s Light Graphics Pvt. Ltd. Faridabad Vs State of Haryana where in it is held that if the returns filed by assessee are complete in material particulars in case of being assessment u/s 15(1) of HVAT Act, Revisional Authority has no power or Jurisdiction to pass revisional order.

Now the department had filed an appeal no. 123 of 2019, which is pending in the Hon'ble High Court clubbed with M/s Light Graphics case which is fixed for 18.07.2022.

Hence, in view of the above submissions, the Para may please be dropped.

3. M/s Oberoi Automobile (P) Ltd., Jagadhri, TIN 06881618304, A.Y. 2013-14:

In reply to Audit Para, it is submitted that M/s. Oberoi Automobile Pvt. Ltd., Jagadhri, Tin - 06881618304 is engaged in the business of Trading of automobiles and its parts and registered under HVAT Act, 2003 and CST Act, 1956. The assessment of the dealer was framed u/s 15(3) of the HVAT Act and CST Act by the then Assessing Authority, Jagadhri vide disposal No. D.No. 1103/2013-14, dated 16.03.2017.

The Audit team has pointed out that while finalizing assessment the Assessing Authority not levying tax on sale of tangible goods worth Rs. 1,16,33,916/- resulted in to under assessment of tax of Rs. 12,12,766/-.

In reply to this Audit memo, the Audit Para is admitted.

The assessment case has been sent to the DETC-cum-Revisional Authority, Jagadhri. Revision proceedings under section 34 of the HVAT Act, 2003 have been finalized vide order No. 10/VAT, Dated 25.02.2019 creating an additional demand of Rs. 17,19,317/-.

Being aggrieved against the order of Revisional Authority, the dealer has filed an appeal before Haryana Tax Tribunal, Chandigarh vide STA No. 18/2019-20. Hon'ble HTT has dismissed the appeal filed by the appellant vide his order dated 17.10.2019. Moreover, the dealer has also submitted surety bond for Rs. 17,19,317/- which are duly verified and accepted by Assessing Authority.

Efforts of Recovery:

The proceedings for recovery of tax through surety bond has been initiated. Notice to the surety had been issued for 13.05.2022 for recovery. Thereafter, summon for 15.05.2022 was issued to the sureties to deposit the surety amount of Rs. 17,19,317/-. Sureties did not deposit amount. On 10.06.2022 the bank account of the both sureties was attached. On 22.06.2022 the Income Tax Officer, Jagadhri was written letter to provide the details of bank accounts of M/s Oberoi Auto Mobile Private Ltd holding PAN AABCO2333C, Sh. Danish Oberoi, Proprietor of M/s Shiv Shakti Enterprises holding PAN AAIPO0109L & Sh. Madhur Sharma, Proprietor of M/s Sharma Bartan Bhandar Trading Co. holding PAN EBAPS9771M but till date no details of bank account have been received from the Income Tax Officer, Jagadhri.

Hence, in view of the above submissions, the Para may please be dropped.

The Committee has recommended that State interest be protected meticulously in first two cases which are pending in Hon'ble High Court and recovery be expedited in the third case under intimation of the Committee.

[23] 2.11 Under-assessment of tax due to calculation mistake:

There was under-assessment of tax amounting to Rs.41.46 lakh due to calculation mistake by Assessing Authorities.

Under Section 19 of the HVAT Act, any taxing authority or appellate authority, may, at any time, within a period of two years from the date of supply of copy of the order passed by it in any case, rectify any clerical or arithmetical mistake apparent from the record of the case after giving the person adversely affected a reasonable opportunity of being heard.

Scrutiny of the records of DETC, Gurugram (East) and Gurugram (West) revealed that two dealers made sales valued at Rs.13.12 crore during 2013-14. The AAs while finalising the assessment in November 2015 and March 2017, assessed the tax of Rs.29.41 lakh instead of the correct amount of Rs.70.87 lakh due to calculation mistake. This resulted in under-assessment of tax of Rs.41.46 lakh. On this being pointed out (September 2017), DETC, Gurugram (West) stated (September 2017) that the case had been reassessed and additional demand of Rs.46.96 lakh had been created. DETC, Gurugram (East) intimated that notice for reassessment had been issued (January 2018) to the dealer.

The matter was reported to the Government in April 2018. Reply was awaited despite issuance of reminders in June and November 2018.

The department in its written reply stated as under:

It is hereby pointed out by the audit party that there are 2 cases one pertaining to Gurugram-South and another Gurugram- East, wherein tax underassessment of tax due to calculation mistake was made. Both the paras are admitted. In both the cases remedial action of rectification has been made. An amount of rupees 1201789/- has been deposited as voluntary tax alongwith the returns in case of M/s Confed District Office, A.Y 2013-14 and Rs 50,000/- recovered from one of the surities in case of M/s CCC Infrasy Pvt. Ltd., A.Y 2013-14.

Under assessment of tax due to calculation mistake

Under assessment of tax due to calculation mistake	Name of the Firm	Para admitted or Not	Migrated to GST or Not	TIN	District	Amount in Audit Para	Amount Admitted	Amount Recovered	Amount Pending	Remarks
2.11	M/S Confed Distt. Office (The Haryana State Federation of Consumers Coop. Wholesale Stores Ltd. 2013-14	YES		0627-1913956	Gurugram (South)	2595836	2595836	1201789 (Voluntary tax Payment)	6544253	Order rectified and created demand of Rs. 7746042 after imposing interest and penalty. Efforts are being made to recover the balance arrear.
2.11	M/s CCC Infrasy Pvt. Ltd. 2013-14	YES	NOT	0626-1834373	Gurugram (East)	1550420	1550420	50000	1500420	Amount of Rs. 50000 recovered from one of the

										sureties
Total						4146256	4146256	50000	8044673	

TOTAL = 2 DEALER**1. M/s Confed Distt Office, Gurugram (West), TIN 06271913956, A.Y. 2013-14**

It is submitted that the objection made by the audit party is admitted, At the time of framing original assessment the tax levied was wrongly shown as Rs. 1597437/- instead of Rs. 4193273/-. This clerical error was later on rectified under section 19 of HVAT Act, 2003 and an additional demand of Rs. 7746042/-(Tax-4193273/-+Interest 3385369/- + penalty 167400/-) was created vide this rectification order dated 22.03.2017

The dealer has already paid the tax along with the returns. The details of payment is tabulated below.

Sr. No.	Date of Deposit	Amount
1.	03.08.2013	157520
2.	11.11.2013	72235
3.	04.02.2014	72034
4.	06.05.2014	900000
	Total	1201789

Total arrear of the firm = Rs. 77, 46, 042. 00

Less: Amount recovered (as voluntary tax) Rs. 12,01,789.00 Balance recoverable Amount = Rs. 65,44,253.00 DFSC is also functioning as DM, CONFED. The staff of DFSC is functioning in CONFED, Now it has been informed that there is no separate procurement of wheat by CONFED. The DFSC office is disbursing wheat to BPL families after procurement from FCI, DFSC being Government department, reminder notice for recovery has been issued on dated 02.05.2022 and the office of DFSC has ensured to resolve the dues at the earliest. In view of the above, the Para needs to be dropped.

2. M/s CCC Infrasy Pvt. Ltd., Gurugram (East), TIN 06261834373, A.Y. 2013-14

It is submitted that the objection raised by the audit is admitted. In reply to audit objection it is submitted that the original assessment order for the assessment year 2013-14 was assessed u/s 15(1). The original order was re-assessed under section 17 of HVAT act, 2003 and rectified the clerical mistake vide demand 44-A dated 13.06.2018 and created an additional demand of Rs. 44,78,108/-. Copy of order and demand notice served to the dealer e-mail. Notices to recover the outstanding arrear issued and served upon the dealer by e-mail on dated 20.08.2018 and 07.09.2020. The firm found closed and was not migrated under GST Act, 2017. The said arrear is not recoverable under normal course of recovery hence declared under the Land Revenue Act, 1887 dated 23.09.2020. Recovery notice was also served by way of pasting on 04.03.2022 at the residential address of the dealer. Letter for detail property of above said firm was sent to the Tehsildar, Gurugram and Municipal Corporation, Gurugram dated 08.12.2021 for attachment against the

outstanding arrear of the said firm. After that a notice was also issued to the both sureties of the said firm on 10.03.2022 by e-mail and Rs. 50,000/- recovered (surety amount) from one of the surety vide DD No. 000138 and 000139 dated 04.05.2022. In view of the above observations the para may please be dropped.

The Committee has recommended that pragmatic and sincere efforts be made to make the recovery under intimation of the Committee.

[24] 2.12 Non levy of interest

Assessing Authorities, while finalising the assessments did not levy interest of Rs.27.77 lakh on delayed payment of tax by two dealers.

Section 14 (6) of the HVAT Act inter alia lays down that if any dealer fails to make payment of tax in accordance with the provisions of the Act and Rules made thereunder, he shall be liable to pay, in addition to the tax payable by him, interest at one *per cent* per month if the payment is made within ninety days, and at two *per cent* per month if the default continues beyond ninety days for the whole period, from the last date specified for the payment of tax to the date he makes the payment.

Scrutiny of records of offices of DETC (ST), Bahadurgarh and Gurugram (East) revealed that in two cases, interest had not been levied as required under the provisions *ibid*. In Bahadurgarh, the dealer had paid monthly tax due during the period April 2013 to 31 March 2014, in November 2014 instead of the due date which is 15th of the following month. AA while finalising assessment for the year 2013-14 in March 2017, did not levy interest of Rs.11.58 lakh on the delayed payment of Rs.43.55 lakh.

In Gurugram, it is seen from the assessment for the year 2012-13 that on the date of assessment (18 March 2016) tax of Rs.19.69 lakh was due from the dealer. AA while finalising assessment, did not levy interest of Rs.16.19 lakh³⁵ on non payment of tax. This resulted in non levy of interest of Rs.27.77 lakh (Rs.11.58 lakh + Rs.16.19 lakh).

On this being pointed out, DETC (ST) Bahadurgarh stated in March 2018 that the case had been sent to Revisional Authority, Jhajjar for taking suo motu action and AA Gurugram (East) stated in March 2018 that notice for reassessment had been issued to the dealer.

The matter was reported to the Government in March 2018. Reply was awaited despite issuance of reminders in June and November 2018.

Department may ensure recovery of the amount under intimation to Audit.

The department in its written reply stated as under:

Both the paras pointed out by the audit part are admitted. Concerned officers have already take remedial action and in 1 case an amount of Rs. 6,00,000/- has already been recovered as tabulated below for ready reference.

Under assessment of tax due to calculation	Name of the Firm	Para admitted or Not	Migrated to GST or Not	TIN	District	Amount in Audit Para	Amount Admitted	Amount Recovered	Recovered after 1st reply	Amount Pending	Remarks
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mistake											
Non Levy of Interest											
2.12	M/S Jai Gurudev Packers 2013-14	YES	YES GSTN- 06AAFP K8748Q1 ZW	0602- 1707241	Bahadurgarh (Jhajjar)	1218516	1218516	100000	500000	618516	Will be recovered from post dated cheques submitted by the dealer in the month of may itself, further DRC- 07A also issued to the dealer under GST Act 2017.
2.12	M/S Mag filter and Equipment Pvt. Ltd. 2013-14	YES	YES	0603- 1815291	Gurugram (East)	1618929 (1233days)	1453542 (1109days)	NIL		1453542	Recovery Proceedings in progress.
Total						1218516	1218516	100000	500000	2072058	

TOTAL = 2 DEALER**1. M/s Jai Gurudev Packers, Bahadurgarh, Jhajjar, TIN 06021707241, A.Y. 2013-14**

The dealer M/s Jai Gurudev Packers, Bahadurgarh was registered under the HVAT Act, 2003 and CST Act, 1956 with TIN 06021707241 and the firm is active having GSTIN 06AAFPK8748Q1ZW. In reply to the audit objection it is submitted that this Para is admitted. Consequently the AA levied the interest @ 2% for 14 months to the tune of Rs. 1218516/- under section 14(6) of HVAT Act 2003 vide order dated 20.07.2018, which was duly served upon the dealer on the same day i.e. 20.07.2018. Further a notice for recovery was issued on 28.04.2022. In response to the notice the dealer deposited Rs. 100000/- vide GRN 0090026346 dated 04-05- 2022. The dealer also submitted the post dated cheques No. 33020389 and 33020390 of Rs. 6 and Rs. 6.18 lakh. It is further submitted that the balance amount of Rs. 1118516/- will be recovered in the month of may 2022 itself. Further, since the dealer is functioning in GST as well, with DRC 07A has also been issued on dated 04.04.2022 with Reference No.ZD060522002987D. Available ITC of 6822 has been blocked. Recovery shall be made from the post dated cheques as submitted by the dealer. in case of in chance that it is not effected, recovery shall be made under GST by bank attachment under GST Act,2017 . Now, the dealer has deposited Rs. 500000/- vide GRN 0090491152 dated 17-05-2022. Now the dealer has deposited Rs. 5,00,000/- vide GRN 0090491152 dated 17.05.2022. Hence the audit para may please be dropped.

2. M/s Mag Filter and Equipment Pvt. Ltd., Gurugram (East) TIN 06741815291, A.Y. 2012-13:

In reply to the audit objection it is submitted that para is admitted partially as number of days pointed out by Audit party is 1233 days, however there was delay of 1109 days as observed by the then Assessing Authority while reassessing the case. The case has been re-assessed vide D.No.621 dated.28.03.2018 by creating an additional demand of Rs.1453542/- on account of interest levied on short payment of Rs.1969540/-. It is further submitted that the recovery proceedings has been initiated against the dealer. Notice for recovery were issued on 01.12.2021 & 10.02.2022. The dealer has been migrated into GST but has no ITC in the ledgers. A notice under Section 142(B)(a) of HGST Act 2017 has been issued to transfer HVAT arrears into GST. A letter of Bank account attachment was sent to the Bank Manager of Oriental Bank of Commerce, Memo No. 2332 on dated 22.10.2021. A summons was also issued on dated 25.10.2021.

Recovery proceedings are in progress and will intimate the same in due course.

The Committee has desired that pragmatic and sincere efforts be made to recover the outstanding amount under intimation of the Committee.

[25] 2.13 Inadmissible Input Tax Credit:

Assessing Authority, while finalising the assessment allowed benefit of Input Tax Credit without verification of purchase from selling dealers resulting in incorrect grant of Input Tax Credit of Rs.1.28 crore. In addition, penalty of Rs.3.83 crore was also leviable.

Under Section 8 of the HVAT Act, input tax in respect of any goods purchased by a VAT dealer shall be the amount of tax paid to the State on the sale of such goods to him. ETC Haryana issued instructions in March 2006 and July 2013 that cent *per cent* verification of ITC up to the stage of actual payment of tax shall be done. Further, Section 38 of the Act provides for penalaction (three times of tax avoided as penalty) for claims on the basis of false information and incorrect accounts or documents etc.

Scrutiny of the records of the DETCs (ST) Panipat, Faridabad (East) Gurugram (East), revealed that AA while finalising the assessments of three dealers for the year 2013-14 (January 2015, May 2015 and March 2017) allowed benefit of ITC of Rs.1.28 crore without verification of purchase from selling dealers. On verification by audit, it was found that the sellingdealers had not made sale to these dealers. This resulted in incorrect grant of ITC of Rs.1.28 crore. In addition, penalty of Rs.3.83 crore was also leviable.

On this being pointing out, AA Gurugram (East) intimated (August 2018) that the case has been reassessed and demand of Rs.0.47 crore has been created.AA Faridabad (East) intimated (April 2017) that the case had been reassessed and demand of Rs.3.24 crore has been created. AA Panipat intimated (February 2018) that the case had been taken up for reassessment.

The matter was reported to the Government in April 2018. Reply was awaited despite issuance of reminders in June and November 2018.

Department may ensure putting in place stringent mechanism of allowing benefit of ITC after due verification. Amount pointed out by Audit may be recovered under intimation to Audit.

The department in its written reply stated as under:

The paras pointed out by the audit party are admitted. Concerned officers have already been taken remedial action in all 3 cases as per law. In one case the dealer has filed an appeal in case of M/s Signature Stone, A.Y. 2013-14 before the 1st Appellate Authority. In one case M/s Shri Ram Trading Co., A.Y. 2013-14, Rs. 1,00,000/- has already been recovered from the surety. However, all 3 firms lying closed. Efforts for recovery are being made and outcome will be communicated in due course.

Under assessment of tax due to calculation mistake	Name of the Firm	Para admitted or Not	Migrated to GST or Not	TIN	District	Amount in Audit Para	Amount Admitted	Amount Recovered	Amount Pending	Remarks
Inadmissible input tax credit										
2.13	M/S Signature Stone 2013-14	Yes	06AWXPS 9997H1Z3	0616-1829093	Gurugram (East)	2685915	2685915	NIL	2685915	The dealer filed an appeal before the first appellate authority cum-JETC (Appeal)
2.13	M/S Shri Ram Trading Co 2013-14.	yes	NO	0603-1223060	Faridabad (South)	28906484	28906484	100000	36716877	The firm is closed wef 01.10.2015 and Rs 1 Lakh has been recovered from the surety and the other one M/S Shiv Shankar Enterprises holding TIN-06431221094 has been cancelled wef 01.10.2015

2.13	M/S Shree Krishna Spintex 2013-14	Yes	NO	0682- 2623257	Panipat	11415668	11415668	NIL	18646104	The firm is closed wef 30.06.2017. The registration of both the sureties have also been cancelled wef 30.07.2015 and 31.03.2015 respectively.
Total						43008067	43008067	100000	58048896	

1. M/s Signature Stone, Gurugram (East), TIN 6161829093, A.Y. 2013-14 :

It is intimated that the assessment for the year 2013-14 was framed vide disposal No 75 on dated 10.03.2017 under section 15(1) of HVAT Act 2003 and an additional demand was created of Rs 22754/-. Audit raised objection regarding allowance of inadmissible ITC of Rs. 2685915/-. The audit para is admitted and after perusal of case file a notice issued to the dealer for Re- Assessment under section 17 of HVAT Act 2003. The case was re-assessed vide disposal No 407A on dated 29.12.2017 and an additional demand was created of Rs 4723502/-. Further recovery proceedings were initiated to recover the dues. Notices issued to the dealer for recovery on various dates.

Further aggrieved by the re-assessment order dated 29.12.2017 the dealer preferred an appeal before 1st Appellate Authority i.e. Jt Excise & Taxation Commissioner (Appeals) vide reference No 16214211233501 dated 28.12.2021. The dealer migrated to GST regime with GSTIN 06AWXPS9997H1Z3 falls under the Central Jurisdiction and the firm cancelled suo-moto by the Central Authorities on dated 30.12.2021. During the recovery proceedings the recovery notices issued to the sureties submitted at the time of registration under the HVAT Act 2003 by M/s Signature Stone TIN 06161829093. Details of sureties as under:-

- (1) M/s AVL Infrastructure (P) Ltd (TIN 06331827011), migrated to GST holding GSTIN 06AAFCA4070N1ZK (active).
- (2) M/s Millennium Engineer (TIN 06881823556), migrated to GST holding GSTIN 06AYGPS6887D1ZX (active).

Further letters written to Estate Officer HUDA Gurugram vide No 380 dated 04.05.2022 and Commissioner MCG Gurugram vide No 379 dated 04.05.2022 for seeking additional information regarding property owned by the firm.

In the light of above audit para may please be dropped.

2. M/s Shri Ram Trading Co., Faridabad, TIN 06031223060, A.Y. 2013-14:

Para is admitted in reply to audit objection it is submitted that the audit party revealed that

the firm M/s Shree Ram Trading Co. Faridabad was allowed ITC of Rs. 7226621/- on purchases worth of Rs. 110146820/- from 3 firms of Faridabad i. M/s Yamani Sales Corporation, TIN No. – 06261333174, M/s Universal Trading Co., TIN No. 06881223225 and M/s YHA Enterprises TIN No. 06551223162 for worth Rs. 110146820/-. Audit party pointed out that during cross verification from these firm no sale was shown to the dealer, hence the dealer has claimed incorrect ITC on bogus purchases thus due to incorrect allowance of ITC on bogus purchases has resulted in evasion of tax of Rs. 7226621/-. Additionally, the incorrect claim of ITC on bogus purchases made the dealer liable for three time penalty of Rs. 21679862/- under section 38 of HVAT Act 2003 for fraudulent ITC.

The audit party pointed out M/s Tisha Trading Co. Faridabad TIN No. 06611224972 has shown purchases worth Rs. 68437072 from M/s Shree Ram Trading Co., Faridabad and availed ITC of Rs. 6503789/- whereas the firm M/s Shree Ram Trading Co. had not shown any sale to M/s Tisha Trading Co., Faridabad, thus suppressing his sale. Accordingly penal action under section 38 of HVAT Act 2003 was to be taken against the dealer for suppression of sale and under assessment of Tax worth Rs. 6503789/- and penalty worth Rs. 19511367/-.

In reply to audit objections it is submitted that a notice for re-assessment of the case u/s section 17 of HVAT Act, 2003 for the AY-2013-14 was issued to the dealer and the case was re- assessed by the then assessing authority on 27.04.2017 by creating additional demand of Rs. 32405166/- vide D. No. 51 dated 27.04.2017 and thereafter assessment order was further rectified and additional demand Rs. 36816877/ created dated 11/01/2018. TDN along with the assessment order served upon dealer through alternative service. The TDN and assessment order paste on the last known business premises of the dealer because the dealer is non –existent/closed down the business, where about of the dealer not traceable. The RC cancelled w.e.f 01.10.2015. After service of TDN and assessment order alternatively the arrear declared arrear recoverable under Land Revenue Act 1887 as land arrear. Further summon has been issued under the Land Revenue Act 1887 and not served upon the dealer due to untraceable status of dealer. Further notices has been issued to the sureties to recover the arrear on dated 27/06/2018. However, one of the surety namely Jay Dee Enterprises holding TIN-06911207832 deposited the surety amount of Rs. 100000/ vide GRN No. 0037078359 to discharged his liability as surety to M/s Shri Ram Trading Co., THE Second surety namely M/s Shiv Shankar Enterprises TIN No. 06431221094 Shop No. 19, HUDA Market, Sector 29, Faridabad has been cancelled as per office records is not traceable, besides above said proceeding the letters have been written to the Tehsildar Revenue Faridabad vide this office Memo No.1168/W-6 dated 17.08.2021, 1901/W-6 dated 12.10.2021 & 318/W-6 dated 29.04.2022, HUDA vide this office Memo No.1169/W-6 dated 17.08.2021, 1902/W-6 dated 12.10.2021 & 319/W-6 dated 29.04.2022, Municipal Corporation vide this office Memo No.1170/W- 6 dated 17.08.2021, 1903/W-6 dated 12.10.2021 & 320/W-6 dated 29.04.2022 for seeking information and details about immovable property of the dealer.

However, the dealer is not traceable and efforts are being made to trace the where about of the dealer and recover the arrear. In the light of above submission, the para may be please dropped.

3. M/s Shree Krishna Spintex, Panipat, TIN 6822623257, A.Y. 2013-14:

Para admitted and in reply to audit para, it is submitted that the dealer is a trader of Yarn and the case was taken up for reassessment under section 17 of HVAT Act, 2003. The re- assessment of case has been finalized by the AA vide order No. 1296A, dated 12/03/2018, in which a demand of Rs.18646104/- including penalty of Rs.13984578/- is created on a/c of disallowing of ITC of dealer. Recovery process has been started. Firm is lying closed and also not migrated to GST regime, hence stands cancelled automatically w.e.f. 30/06/2017. Recovery is not possible in normal course. Accordingly, Arrear has been declared under Punjab Land Revenue Act, 1887 and summon has been issued to the prop, i.e., Sh. Rohit Pannu through registered post at residence of proprietor, i.e., Village Bricchpari, Panipat vide disposal No.3981/TI, dated 15/06/2018. Also, recovery notices have been issued to the sureties namely, i.e., Sh. Anil Gohlyan, M/s Surya International TIN 06562622915, Maharaja Aggarsain Market, Gohana Road, Panipat. 2. Sh. Mohit – M/s Shree Shyam Cotton Yarn TIN 06542621859, Behind LCRT Public School, Gohana Road,. Panipat for dated 12/06/2018. Both the sureties firms are not found at their business premises address. Both the sureties firms are also not migrated to GST regime and stand cancelled w.e.f.30/07/2015 and 31/03/2015 respectively. In addition to this, letter/reminders have been written to the Tehsildar, Panipat on dated 05/08/2020, 11/09/2020 and 31/03/2021. Also, last reminder has been sent to Tehsildar, Panipat on 14/03/2022 for supply of the property detail in the name of Rohit Pannu, Prop and whenever the reply is received, action will be taken accordingly.

In view of above facts, audit para may please be dropped.

The Committee has desired that pragmatic and sincere efforts be made to recover the outstanding amount under intimation of the Committee.

[26] 2.14 Under-assessment of tax due to application of incorrect rate of tax:

Assessing Authorities, while finalising the assessment levied incorrectly tax at the rate of 5/5.25 *per cent* instead of 13.125 *per cent* resulting in under-assessment of tax of Rs.2.12 crore. In addition, interest of Rs.1.27 crore was also leviable.

Under section 7 (1) (a) (iv) of the HVAT Act, all unclassified commodities are taxable at the rate of 12.5 *per cent* with effect from 1 July 2005. Surcharge at the rate of five *per cent* is payable on the tax leviable under section 7 (A) of HVAT Act w.e.f 2nd April 2010. Interest is also leviable under Section 14 (6) at the rate of one *per cent* per month if the payment is made within ninety days, and at two *per cent* per month if the default continues beyond ninety days for the whole period, from the last date specified for the payment of tax to the date he makes the payment. Scrutiny of records of four DETC (ST) offices revealed that while finalising the assessments for the year 2012-13 to 2013-14, six dealers were

assessed (between June 2014 and May 2016) at lower rate of tax on sale of unclassified goods as detailed below:-

(Amount in rupees)

Sr. No.	Name of DETC	Period/ Month of Assessment	Commodity	Value of goods sold	Tax leviable @ 13.125 % including surcharge	Tax Levied @ 5/ 5.25 %	Tax short levied	Response to audit observation
1	Panipat	2012-13 dated 18.03.2016	Fly ash	21413533	2810526	1124210	1686316	Fly ash is an unclassified item and taxable at the rate of 13.125 per cent. AA intimated (February 2017) that case had been sent to Revisional Authority for taking suo motu action.
2	Faridabad (East)	2012-13 dated 21.01.2016	Paneer	14953085	1962592	785037	1177555	The Government clarified on 23.06.2014 at Paneer is an unclassified item and taxable at the rate of 13.125 per cent. AA intimated (March 2017) that the case had been sent to Revisional Authority for taking suo motu action.
3	Faridabad (West)	2012-13 dated 02.06.2014 and 2013-14 dated 15.06.2015	Air compressor, accessories and parts	19106473	2507725	1003090	1504635	The Government clarified on 22.10.2009 that Air compressor/ Blower is an unclassified item and taxable at the rate of 13.125 per cent. AA intimated (May 2017) that notice has been issued to the dealer for submission of bills of goods sold.
4	Rohtak	2013-14 dated 20.11.2015	Plastic Scrap	20009817	2626288	1000490 (5%)	1625798	Plastic scrap is an unclassified item and taxable at the rate of 13.125 per cent. AA intimated (April 2018) that the case has been sent to RA for suo motu action.
5	Faridabad (East)	2013-14 dated 14.12.2015	Machinery Parts	53607058	7035926	2814371	4221555	AA intimated (November 2016) that the case had been sent to Revisional Authority for taking suo motu action.
6	Faridabad	2013-14	Currency	140057472	18382543	7353017	11029526	Currency sorting devices is an

	(West)	dated 31-05-2016	Sorting Devices					unclassified item and taxable at the rate of 13.125 <i>per cent.</i> AA intimated (December 2017) that currency sorting device is a computer. Reply of the AA is not correct as this is electronic goods and will be taxable at 13.125 <i>per cent.</i>
	Total			269147438	35325600	14080215	21245385	

This resulted in under-assessment of tax of Rs.2.12 crore. Interest of Rs.1.27 crore was also leviable. The matter was reported to the Government in May 2018. Reply was awaited despite issuance of reminders in July and November 2018.

Department may undertake scrutiny of more cases for ensuring that correct tax rates are being levied. Amount pointed out above may be recovered under intimation to Audit.

The department in its written reply stated as under:

TOTAL = 6 DEALER

Sr. No.	Name of District	Firm involved with Address and TIN	Period/ Month of Assessment	Commodity	Value of goods sold	Tax leviable @ 13.125% including surcharge	Tax levied @ 5/ 5.25%	Tax short levied	Response to audit Observation
1.	Panipat	M/s Verma Construction Co., Panipat TIN 06212618015	2012-13 dated 18.03.2016	Fly ash	21413533	2810526	1124210	1686316	<u>Para admitted</u> Revisonal Authority created an additional demand of Rs. 3080550/- (Tax and Interest) vide order dated 19-12-2017. Hon'ble Tax Tribunal set aside the demand of Rs. 1382779/- on account of interest vide order dated 19-09-2019. Now dealer filed VAT appeal No. VATAP-27-2021 before Hon'ble High Court Punjab and Haryana, Chandigarh. Notice issued for recovery of additional demand. Efforts are in progress.

2.	Faridabad (South)	M/s The Ballabgarh Co- Op Milk Products, Faridabad(South) TIN 06971208866	2012-13 dated 21.01.2016	Paneer	14953085	1962592	785037	1177555	<p><u>Para Admitted</u></p> <p>Revisional Authority created an additional demand of Rs. 2355112/- (Tax and Interest) vide order dated 27-06-2019.</p> <p>Dealer filed an appeal before Hon'ble Tax Tribunal Haryana, Chandigarh on dated 29-10-19, which is still pending.</p> <p>Notice issued for recovery of additional demand. In compliance with the notice the dealer has submitted Bank Guarantee bearing No. 9823IGP001285822 dated 10.05.2022 worth Rs. 23,55,112/- (Rupees Twenty Three Lakh Fifty Five thousand One hundred Twelve Only), valid upto 08.05.2025.</p>
3.	Faridabad (East)	M/s PSA Nitrogen Ltd., Faridabad (East) TIN 06321216741	2012-13 dated 02.06.2014 and 2013-14 dated 15.06.2015	Air compressor, accessories and parts	19106473	2507725	1003090	1504635	<p><u>Para Admitted</u></p> <p>Revisional Authority created an additional demand of Rs. 1015827/- (Tax) under VAT Act and Rs. 314028 (Tax) under CST Act vide order dated 01-09-2021.</p> <p>As per direction of Revisional Authority the concerned Assessing Authority levied interest of Rs. 1015827/- under VAT and Rs. 314028 under CST Act vide order dated 17-09-2021.</p> <p>Now demand notice dated 22-04-2022 u/s 142(8) (A) for the recovery of tax due under VAT Act as the same is payable under the HGST Act, 2017 has been</p>

									issued. Efforts are in progress.
4.	Rohtak	M/s Mahadeo Sales Cor. Rohtak, TIN 06732823369	Rohtak 2013-14 dated 20.11.2015	Plastic scrap	20009817	2626288	1000490 (5%)	1625798	Revisional Authority has decided the case vide order dated 10-06-2019 and has concluded that the dealer did not deal in plastic scrap during 2013-2014. Therefore the notice issued under 34 of HVAT Act, 2003 and CST Act, 1956 is vacated.
5.	Faridabad (North)	M/s Shri Rupa G Company, Faridabad (North) TIN 06421335026	2013-14 dated 14.12.2015	Machinery parts	53607058	7035926	2814371	4221555	<u>Para Admitted</u> Original Assessments were framed under deemed assessment scheme for the assessment years 2012-2013 and 2013-2014 vide orders dated 02-06-2014 and 15-05-2015 respectively. Case has been taken for revision by Revisional Authority, but as per Hon'ble Haryana Tax Tribunal decision in M/s Light Graphics case, does not fall in jurisdiction of Revisional Authority. the case is adjourned sine die. However department has filed an appeal No. 297/2018 against this order.
6.	Faridabad (North)	M/s Mudrakshi Hytech India Pvt. Ltd., Faridabad (North) TIN 06701315666	2013-14 dated 31-05-2016	Currency Sorting devices	140057472	18382543	7353017	11029526	<u>Para Admitted</u> Revisional Authority created an additional demand of Rs. 11676851/- (Tax) under VAT Act and Rs. 47092/- (Tax) under CST Act, 1956 vide order dated 21-01-2019. Revisional Authority also directed to the concerned authority to issue demand notice and also take up interest due as per law if any.

									<p>Concerned Assessing Authority dated 23-01-2019 served notice of demand (VAT N-4) upon the dealer on 25-01-2019.</p> <p>Dealer filed an appeal before Hon'ble Haryana Tax Tribunal, the same has been dismissed.</p> <p>Interest will be levied as per observation made by Hon'ble Haryana Tax Tribunal on final decisions of Hon'ble High Court in this case as presently the matter is subjudice.</p> <p>Thereafter the dealer filed an appeal before Hon'ble High Court Punjab and Haryana Chandigarh vide STA No. 665/2018-2019 (Detail for case VAT Act 39/2020) the case is clubbed with VAT appeal No. 129 case year 2017 Haryana Versus Balaji Motors on the similar ground. Date has been fixed for 20-05-2022 by the Hon'ble High Court.</p>
				Total	269147438	35325600	14080215	21245385	

1. M/s Verma Construction Co., Panipat TIN 06212618015, A.Y. 2012-13:

In reply to audit para, it is submitted that the case was sent to Revisional Authority, Panipat for taking revisional action u/s 34 of HVAT Act, 2003, who has decided the case vide order dated 19.12.2017 covering the issue raised by the audit party and an additional demand of Rs.3080550/- has been created.

Aggrieved by the revisional order the dealer preferred an appeal before Hon'ble H.T.T. who allowed the appeal partly and affirmed levying tax and surcharge at the rate of 13.125% on sale of fly ash by the assessee. However the revisional order levying interest of Rs. 13,82,779/- on the additional tax demand so created is set aside.

The department has filed a VAT appeal before Hon'ble Punjab and Haryana High Court, Chandigarh in 2020 against the order passed by Hon'ble H.T.T. on dated 19.09.2019 partially in favour of applicant. Recovery proceedings were started by issuing notices on dated 10.12.2020 and 18.02.2021. Thereafter the dealer has filed a VAT appeal no.

VATAP-27-2021 before Hon'ble Punjab and Haryana High Court, Chandigarh, which is still pending.

In view of the above, the para may be dropped.

2. M/s The Ballabgarh Co-Op Milk Products Faridabad (South), TIN 06971208866, A.Y. 2012-13:

In reply to the audit para it is submitted that the dealer is engaged in dairy products and during the course of Assessment for the Assessment Year 2012-13 the Assessing Authority has allowed a carry forward ITC of Rs.62,38,246/- vide order dated 21.01.2016. The said firm has shown sale of Paneer @5.25% during the assessment year 2012-13 But during the course of audit, Audit party raised objection that Paneer is an unclassified item and covered @12.5% plus surcharge. As per Additional Chief Secretary to Government of Haryana, Excise & Taxation Department had clarified in case of M/s KCL Milk Products (India) Pvt. Ltd. 135 Sector 24, Faridabad that so far as "Paneer in various packing and cottage cheese" are concerned it is "cottage cheese" only which falls under entry of Schedule C i.e. "skimmed milk powder, ultra temperature milk, cottage cheese" and hence taxable @5% but "Paneer" being a different and distinct commodity in common trade parlance will attract VAT @ 12.5% plus surcharge being unclassified item.. So, the Assessing Authority has sent the case to Revisional Authority vide letter no.4449 dated 10.07.2018. The Revisional Authority has examined the case and revised the order on particular point i.e, levy of tax on the sale of Paneer @12.5% plus surcharge and created demand of Rs. 23,55,112/-. Aggrieved with the order, the dealer has filed an appeal before Haryana Tax Tribunal on 29.10.2019, which is still pending. Notice for recovery has been issued on 20.04.2022 for 05.05.2022.

In compliance with the notice dated 20.04.2022 the dealer has submitted Bank Guarantee bearing No. 9823IGP001285822 dated 10.05.2022 worth Rs. 23,55,112/- (Rupees Twenty Three Lakh Fifty Five thousand One hundred Twelve Only), valid upto 08.05.2025.

4. M/s Mudrakshi Hytech India Pvt. Ltd., Faridabad (North), TIN 06701315666, A.Y. 2013-14:

Kindly refer to your memo No. RS/STP-II/2017-18/77 dated 29-12-2017. It is submitted that the case was sent to Revisional Authority which decided the case with additional demand for Rs. 11676851/- under HVAT Act, and Rs. 47092/- under CST Act. The dealer filed an appeal before Hon'ble Haryana Tax Tribunal which dismissed the appeal. Thereafter the case is pending before Hon'ble High Court Punjab & Haryana Chandigarh vide STA No. 665/2018-2019 (Detail for case VAT 39/2020). Further, the case is clubbed with VAT Appeal No. 129 case year 2017 Haryana versus M/s Balaji Motors on the similar grounds. The case is still pending before the Hon'ble Court, and no next date has been fixed by the Hon'ble High Court.

5. M/s Shri Rupa G Company, Faridabad (North) TIN 06421335026, A.Y. 2012-13

& 2013-14:

It is being to your kind notice that the assessment for the year 2012-2013 & 2013-2014 have been sent to the Dy. Excise & Taxation Commissioner (Inspection) Faridabad (North) vide letter No. 1061/V.K./W-10 dated 27-06-2018 & 1062/V.K./W-10 dated 27-06-2018. Further, the perusal of the file show that the case was deemed assessed which as per Hon'ble HTT decision in case of M/s Light Graphics, Faridabad doesn't fall in jurisdiction of Revisional Authority. However as the department has filed an appeal (297 of 2018) against this order case is adjourned sine die. The action is being taken by the Authority and the audit reply will be sent as and when the files come to the ward.

The Committee has recommended that pragmatic and sincere efforts be made to expedite the recovery under intimation of the Committee.

[27] 2.15 Incorrect benefit of tax deposit into Government Accounts without verification:

Assessing Authorities, while finalising the assessment allowed incorrect benefit of tax deposit of Rs.27.15 lakh to two dealers. In addition, interest of Rs.14.96 lakh was also leviable.

As per provision contained in Rule 4.1 of Punjab Financial Rules Volume-1 as applicable to State of Haryana, it is the duty of the Revenue or the Administrative Department concerned, to see that dues of Government are correctly and promptly assessed, collected and paid into the treasury. The departmental controlling officers should see that all sums due to Government are regularly and promptly assessed, realised and duly credited into the treasury. Benefit of tax will be allowed after verification of tax deposited into treasury. If any credits are claimed but not found in the accounts, enquiries should be made first of the responsible departmental officer concerned. In addition, interest was also leviable under Section 14 (6) at the rate of one *per cent* per month if the payment is made within ninety days, and at two *per cent* per month if the default continues beyond ninety days for the whole period, from the last date specified for the payment of tax to the date he makes the payment.

Scrutiny of the records of the office of DETC (ST), Faridabad (west) revealed that AA while finalising assessment (April 2016) allowed benefit of tax deposit of Rs.27.09 lakh for the year 2013-14 to a dealer. Verification by audit revealed that an amount of Rs.20 lakh out of Rs.27.09 lakh was actually not deposited by the dealer into Government account. Interest of Rs.11.67 lakh was also leviable. In Gurugram (East) it was seen that a dealer had made tax deposit of Rs.7.15 lakh for the year 2012-13 and AA allowed the benefit. The same amount was allowed in the year 2013-14 also by the AA (November 2015) though this was not deposited by the dealer. This resulted in incorrect benefit of Rs.7.15 lakh. Interest of Rs.3.29 lakh was also leviable. Thus AAs allowed benefit of tax deposit of Rs.27.15 lakh (Rs.20 lakh + Rs.7.15 lakh) into Government account without verification. Total interest of Rs.14.96 lakh was also leviable.

Granting benefit of tax paid without ensuring that the amount has actually been remitted into Government account is a pointer towards deficient internal controls. There should be provision for online checking of tax deposits by dealers. Provision of benefits of tax deposited should be system enabled instead of being a manual exercise.

On this being pointed out, DETC Faridabad (West) stated in July 2018 that the dealer has deposited Rs.20 lakh. DETC Gurugram (East) stated in August 2018 that the case had been reassessed and an additional demand of Rs.10.99 lakh had been created.

The cases pointed out are based on the test check conducted by Audit. The Department may initiate action to examine similar cases and take necessary corrective action.

The matter was reported to the Government in May 2018. Reply was awaited despite issuance of reminders in July and November 2018.

The department in its written reply stated as under:

(Amount in Rs.)

Sr. No	Name of District	Firm involved with Address and TIN	Period/ Month of Assessment	Commodity	Gross Turnover	Incorrect benefit of Tax Deposit	Response to audit Observation																
1.	Faridabad (West)	M/s JSC (Jawala Steel Corp. Pvt. Ltd.), Faridabad TIN 06401306131	2013-14 dated 05.04.2016	Manufacturer of CR Strips and Pipes.	200355556	2000000	<p><u>Para admitted</u></p> <p>The Assessing Authority has framed the Re-assessment vide order dated 04.09.2018 and created additional demand of Rs.3833118/- under HVAT Act, (Rs.2000000 Tax + Rs.1833118/- interest). The dealer has deposited the total tax amount of Rs.2000000/- and interest deposited Rs.1178720/-, and efforts are under way for recovery of balance interest amount of Rs.6,54,398/-. The details of amount deposited is as under:-</p> <table><tr><th>Sr. No.</th><th>Amount Deposited</th><th>GRN</th><th>Date of GRN</th></tr><tr><td colspan="4">Tax deposited</td></tr><tr><td>1.</td><td>500000</td><td>37289065</td><td>25.07.2018</td></tr><tr><td>2.</td><td>500000</td><td>36215776</td><td>05.06.2018</td></tr></table>	Sr. No.	Amount Deposited	GRN	Date of GRN	Tax deposited				1.	500000	37289065	25.07.2018	2.	500000	36215776	05.06.2018
Sr. No.	Amount Deposited	GRN	Date of GRN																				
Tax deposited																							
1.	500000	37289065	25.07.2018																				
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							<table><tr><td>3.</td><td>500000</td><td>35295603</td><td>17.05.2018</td></tr><tr><td>4.</td><td><u>500000</u></td><td>34246856</td><td>28.03.2018</td></tr><tr><td></td><td>2000000</td><td></td><td></td></tr><tr><td colspan="4">Interest deposited</td></tr><tr><td>1.</td><td>400000</td><td>41896990</td><td>15.11.2018</td></tr><tr><td>2.</td><td>778720</td><td>62813479</td><td>13.02.2020</td></tr><tr><td colspan="2">Total</td><td colspan="2">1178720</td></tr></table> <p>In view of the above, the audit para may please be dropped.</p>	3.	500000	35295603	17.05.2018	4.	<u>500000</u>	34246856	28.03.2018		2000000			Interest deposited				1.	400000	41896990	15.11.2018	2.	778720	62813479	13.02.2020	Total		1178720	
3.	500000	35295603	17.05.2018																																
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Interest deposited																																			
1.	400000	41896990	15.11.2018																																
2.	778720	62813479	13.02.2020																																
Total		1178720																																	
2.	Gurugram (East)	M/s Intuitent Online Venture Pvt. Ltd. Gurugram, TIN:06761832837	2013-14 dated 16.03.2015	Trader	45806785	715462	<p><u>Para admitted</u></p> <p>The Assessing Authority has framed the Re-assessment vide order dated 03.10.2016 and created additional demand of Rs.1099445/- under HVAT Act, 2003 & Rs.369165/- under CST Act. The R.C. of the firm has been cancelled in HVAT Act and not migrated under GST Act. The recovery notice has been issued to the dealer and arrear has also been declared under Land Revenue Act, 1887. Efforts are being made to recover the additional demand.</p> <p>In view of the above, the audit para may please be dropped.</p>																												

1. M/s JSC Ispat Pvt. Ltd., Faridabad (West), TIN 06401306131, A.Y. 2013-14:

In reply to audit memo, it is submitted that while framing the assessment for the year 2013-14, the assessing authority allowed benefit of Vol. payments of Rs. 2709282/-. On the verification of Vol. payment amount of Rs. 711282/- was verified by treasury office.

The dealer has deposited the following payments which were verified by the Treasury officer.

Sr. No	Dated	DD/ GRN/Challan/ Treasury No.	Amount
Voluntary Payment			
1.	03.08.2013	975	165241
2.	19.10.2013	3261	1000/-
3.	19.10.2013	3262	1000/-
4.	25.03.2014	1967	276635/-

5.	16.05.2014	6701052	27406
6.	02.08.2013	324	240000
		Total	711282/-
7.	28.03.2018	34246856	500000/-
8.	17.05.2018	35295603	500000/-
9.	05.06.2018	36215776	500000/-
10.	25.07.2018	37289065	500000/-
		Total	2000000/-
	Interest Paid		
11.	15.11.2018	41896990	400000/-
12.	13.02.2020	62813479	778720/-
		Total	1178720/-
		Grand Total	3890002/-

Re-assessment was framed by the concerned Assessing Authority vide order No. 193A dated 04.09.2018 and created demand of Rs. 1833118/- (For Interest). Consequently, of this order the dealer had deposited Rs, 1178720/-.

Keeping in view of the above facts, the para may please be dropped.

2. M/s Intuient Online Venture Pvt. Ltd., Gurugram (East), TIN 06761832837, A.Y. 2013- 14:

In reply to above audit memo, it is submitted that the original assessment was framed vide order no. 576 dated 26.11.2015 and the case has been re-assessed u/s 17 on dated 03.10.2016 wherein an additional demand of Rs..1099445/- under HVAT Act, 2003 and Rs..369165/- under CST Act, 1956 was created. The firm has been cancelled in HVAT and not migrated into the GST. Further recovery notice has been issued on 18.10.2021 and 13.01.2022 and arrear of Rs.1468610/- has been declared as arrear of Land Revenue under section 72 of Punjab Land Revenue Act, 1887. Summon dated 20.01.2022 under the Revenue Act, 1887 was issued against the dealer but could not served upon. Summons was affixed on the last known address of the dealer. Later a letter communicated to the Tehsildar, Gurugram for seeking details of owned property of the dealer. outcomes will be communicated.

The Committee has recommended that pragmatic and sincere efforts be made to expedite the recovery under intimation of the Committee.

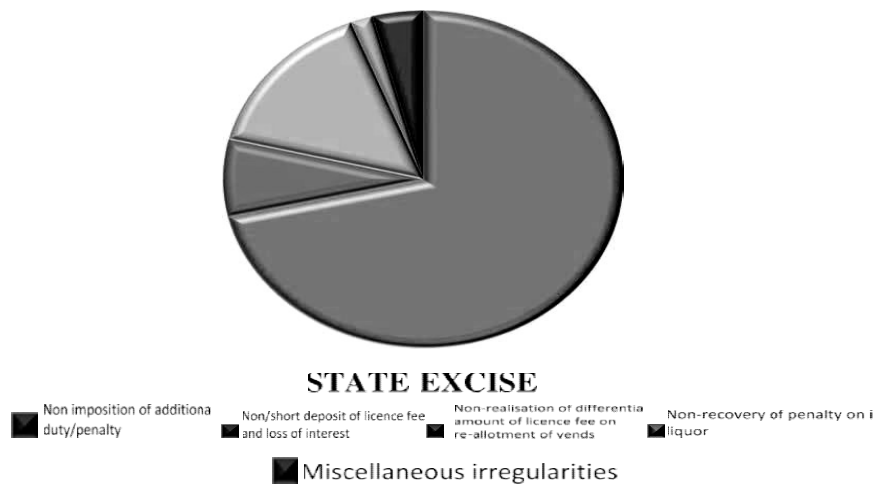
[28] 3.2 Results of audit:

In 2017-18, test check of the records of 40 out of 76 units of State Excise Department revealed non/short realisation of excise duty/ licence fee/interest/penalty and other irregularities involving Rs.25.49 crore in 950 cases which fall under the following categories as tabulated in Table 3.1.

Table 3.1 – Results of audit

(Rs.in crore)			
Sr. No.	Categories	Number of cases	Amount
1.	Non/short deposit of licence fee and loss of interest	335	18.21
2.	Non-realisation of differential amount of licence fee on re-allotment of vends	02	1.88
3.	Non imposition of additional duty/penalty	458	3.89
4.	Non-recovery of penalty on illicit liquor	138	0.46
5.	Miscellaneous irregularities	17	1.05
	Total	950	25.49

Chart 3.1



3.89

During the year, the Department accepted under-assessment and other deficiencies amounting to Rs.9.86 crore involved in 720 cases out of which Rs.9.54 crore involved in 682 cases were pointed out during the year and the rest in earlier years. The Department recovered Rs.32 lakh in 38 cases relating to earlier years.

Some significant cases involving Rs.9.59 crore are discussed in the following paragraphs. The cases pointed out are based on the test check conducted by audit. The Department may initiate action to examine similar cases and take necessary corrective action.

The department in its written reply stated as under:

Sr. No.	Categories	Number of cases	Amount (in crore)	Recovered		Balance		Remarks
				No. of cases	Amount	No. of cases	Amount	
1	Non/short deposit of license fee and loss of interest.	355	18.18	242	9.6	113	8.58	
2	Non realization of differential amount of license fee on re-allotment of vends	2	1.88	0	0.84	2	1.04	
3	Non imposition of additional duty/penalty	457	3.89	161	0.85	296	3.04	
4	Non recovery of penalty of illicit liquor	138	0.48	78	0.16	60	0.32	
5	Miscellaneous irregularities	17	1.05	15	0.65	2	0.4	
	Total	969*	25.48	496	12.1	473	13.38	

*The audit has pointed out 950 cases involving an amount of Rs. 25.49 crore. In reply it is intimated that there are 969 cases involving an amount of Rs. 25.48 crore. Out of 969 cases recovery of Rs. 12.10 crore has been made in 496 cases including part recovery made in 18 cases leaving balance amount of Rs. 13.38 crore in 473 cases. An amount of Rs. 0.66 crore is not admitted in 27 cases and 0.84 crore in 115 cases.

The Committee has recommended that pragmatic and sincere efforts be made to expedite the recovery under intimation of the Committee.

[29] 3.3 Non/short recovery of interest:

There was loss of Rs.3.95 crore due to non-levy of interest on delayed payment of

licence fee of Rs.149.19 crore by 195 licencees for the period April 2015 to January 2017.

Para 6.4 of State Excise policy for the year 2015-16 and 2016-17 stipulates that every licencee holding a licence for retail outlets of Indian Made Foreign Liquor (IMFL) and Country Liquor (CL) vends shall make payment of monthly instalment of licence fee by 20th of each month. Failure to do so renders the licencee liable to pay interest at the rate of 18 *per cent* per annum for the period from the first of the month in which the licence fee was due, to the date of payment of the instalment. Further as per para 6.5 of State Excise policy, if the licencee fails to deposit the monthly instalment in full along with interest by the end of the month, the licenced vends shall cease to be in operation on the first day of the following month and shall ordinarily be sealed by the DETC (Excise) of the respective district.

Scrutiny of the records of 11 offices¹ of DETC (Excise) for the year 2015-16 and 2016-17 revealed that in 195 vends licencees had paid monthly instalments of licence fee of Rs.149.19 crore for the period April 2015 to January 2017 with delay ranging from 21 to 218 days. There are total 650 vends under these offices. Thus in 30 *per cent* of the vends there was delay in payment of licence fees. The DETCs (Excise) did not initiate action to levy interest on belated payment of the licence fee. This resulted in non levy of interest of Rs.3.95 crore.

On this being pointed out, DETC (Excise) Jhajjar stated (May 2018) that Rs.17.55 lakh had been recovered and recovery proceeding had been initiated for balance amount of Rs.15.58 lakh. DETCs (Excise) Jagadhri and Bhiwani stated (between September 2017 and April 2018) that an amount Rs.2.88 lakh had been recovered and efforts would be made to recover the balance amount of Rs.10.58 lakh. Three DETCs (Excise)² stated (between August 2017 and April 2018) that efforts would be made/notices had been issued to recover the outstanding amount of Rs.1.72 crore. Replies from remaining five DETCs³ had not been received for the outstanding amount of Rs.1.77 crore.

The matter was reported to the Government in May 2018. Reply was awaited despite issuance of reminders in July and November 2018.

The department in its written reply stated as under:

There are total 195 cases in para No. 3.3 of the CAG report for the year 2017-18 pertaining to 11 which are: Nuh, Rewari, Panipat, Rohtak, Kaithal, Jagadhari, Karnal, Narnaul, Jhajjar, Bhiwani and Jind as reflected in the index of the detail key provided by the Head Office.

On close examination of cases mentioned in index to the detail key and the detail of cases in key itself, it has been noticed that there are 193 cases in all, instead of 195 cases as mentioned in index. There is a variation in the number of cases as per index & as per the key in Rohtak and Karnal district. Details are as below:-

Sr. No.	Name of district	As per Index	As per key	Difference
1.	Rohtak	15	30	15
2.	Karnal	89	72	-17
Total		104	102	-2

The concerned district were contacted to explain the variation of the figure stated in the table which they replied that the actual number of cases with them is as per the key provided to them and the amount of arrear is also corresponding to the amount shown in the cases as per key.

Amount Recovered:

Therefore, in 193 cases, the total arrear pointed out as non/ short recovery of interest is Rs. 405.50 Lac. Out of this arrear, an amount of Rs. 166.11 Lac stands recovered. These recoveries are made by depositing the amount through e-challans, while a part of it has been recovered by adjusting the interest amount against the refundable security. In Karnal district recoveries of interest has also been made by adjusting certain refund vouchers against the interest due.

The Committee has recommended that pragmatic and sincere efforts be made to expedite the recovery under intimation of the Committee.

[30] 3.4 Non levy/realisation of penalty for short lifting of quarterly quota of liquor:

Failure of the DETCs (Excise) to levy penalty for short lifting of quota resulted in revenue loss of Rs.2.71 crore.

As per Para 3.3.1 of State Excise Policy for the year 2016-17, a licensee is liable to lift the basic quota of IMFL and CL allotted to his vend as per the prescribed quarterly schedule failing which penal provisions are invoked. Non-lifting of prescribed quarterly quota attracts penalty at the rate of Rs.65 and Rs.20 per proof litre (PL) for IMFL and CL respectively for the deficient quantity.

Scrutiny of the records of six offices⁴ of DETC (Excise) for the year 2016-17 revealed that 294 retail outlets did not lift the prescribed quarterly quota as detailed below:

	IFML in proof litres	CL in proof litres
Basic prescribed quota	10,06,270	48,50,449
Quota lifted	8,19,508	41,01,938
Short lifted	1,86,762	7,48,511
Rate of Penalty leviable	Rs.65	Rs.20
Amount of penalty	Rs.1,21,39,530	Rs.1,49,70,220

However, the DETCs (Excise) had not initiated action to levy penalty for short lifting of quota resulting in non levy of penalty of Rs.2.71 crore.

On this being pointed out, DETCs (Excise) Jind and Narnaul stated in April 2018 that an amount of Rs.2.41 lakh had been recovered and efforts would be made to recover the balance amount of Rs.52.59 lakh. Remaining four DETCs (Excise) stated in March and June 2018 that efforts would be made to recover the outstanding amount of Rs.2.16 crore.

The matter was reported to the Government in May 2018. Reply was awaited despite issuance of reminders in July and November 2018.

The department in its written reply stated as under:

In this para, there are 6 districts namely Jind, Narnaul, Rewari, Gurugram West and Jagadhri respectively for the financial year 2016 -17 involving 294 cases of retail liquor licenses in these districts. The total amount involved is Rs. 271.10 Lakh (Rs. 2.71 Cr.), regarding non levy of penalty on short lifting of quarterly quota, out of which Rs. 104.44 Lakh (Rs. 1.04 Cr.) have been recovered in 175 cases of retail licenses and amount of Rs. 166.65 Lakh (Rs. 1.67 Cr.) is outstanding against the remaining 119 cases. The details of all cases is also given in tabular form as follows:-

Para No.	District	Relates to Year	CL/ IMFL	No. of cases	Amount	Recovered		Balance		Cases declared under Land Revenue Act.		Remarks
						No. of cases	Amount	No. of cases	Amount	No. of cases	Amount	
3.4	Jind	2016-17	CL	30	51.60	11	2.15	19	49.45	19	49.45	As per office record the amount is 51.60 Lacs in 35 cases.
	Rohtak	2016-17	CL	75	43.64	59	25.00	16	18.64	0	0	
			IMFL	11	15.19	10	14.65	1	0.54	0	0	
	Narnaul	2016-17	CL	22	2.54	22	2.54	0	0.00	0	0	
			IMFL	7	0.86	7	0.86	0	0.00	0	0	
	Rewari	2016-17	CL	44	30.18	0	0	44	30.18	0	0	
			IMFL	12	59.99	0	0	12	59.99	0	0	
	Gurugram West	2016-17	CL	46	14.57	44	14.24	2	0.33	0	0	
			IMFL	22	45.00	22	45.00	0	0.00	0	0	
	Jagadhari	2016-17	CL	23	7.16	0	0	23	7.16	0	0	
			IMFL	2	0.35	0	0	2	0.35	0	0	
		Total			294	271.10	175	104.44	119	166.65	19	

The Committee has recommended that pragmatic and sincere efforts be made to expedite the recovery under intimation of the Committee.

[31] 3.5 Non-realisation of differential licence fee:

The Department failed to initiate action to recover the differential amount of licence fee from the original allottees resulting in non- realisation of Government revenue of Rs.1.88 crore.

Para 6.5 and 2.19 of the State Excise policy for the year 2015-16 stipulates that in case an allottee fails to make payment of security deposit and default in payment of licence fee along with interest in any month, the licenced outlet shall cease to be in operation on the first day of the following month and the DETC (Excise) may re-allot it at the risk and cost of original allottee after seeking prior permission of the ETC.

Scrutiny of the records of DETCs (Excise) Kaithal and Rohtak for the year 2016-17 revealed that two retail outlets were auctioned in March and May 2016 for Rs.6.24 crore. Out of the total bid amount of Rs.6.24 crore, the allottees paid Rs.1.68 crore (Security Deposit of Rs.1.09 crore and Licence Fee of Rs.0.59 crore) and failed to deposit the balance amount of Rs.4.56 crore by due date. The Department cancelled their retail outlets in July 2016 and thereafter re-auctioned/re-allotted them in August and October 2016 for Rs.2.68 crore for the remaining period at the risk and cost of original allottees. However, it failed to initiate action to recover the differential amount of Rs.1.88 crore (Rs.4.56 crore – Rs.2.68 crore) from the original allottees. This resulted in non-realisation of Government revenue of Rs.1.88 crore.

On this being pointed out, DETC (Excise) Kaithal stated in August 2018 that an amount of Rs.3.47 lakh has been recovered from the defaulter. DETC (Excise) Rohtak stated in November 2017 that efforts would be made to recover the outstanding amount of Rs.1.27 crore from the defaulter.

The matter was reported to the Government in April 2018. The reply was awaited despite issuance of reminders in July and November 2018.

The department in its written reply stated as under:

Sr. No.	Name of the District	No. of vends	Annual License fee (A)	First allottee (B)		Second Allottee	C	D	Differential license fee to be recovered from the first allottee
				Recoveries made from first allottee	Balance license fee	Annual license fee	Recoveries made from second allottee	Total license fee recovered B+C	A-D
1.	Sampla (Rohtak)	1	42777000	14883670	27893330	15199999	15199999	30083669	12693331
2.	Kaithal	1	19660000	1966000	17694000	11611111	11611111	13577111	6082889
	Total	2	62437000	16849670	45587330	26811110	26811110	43660780	18776220

The Committee has recommended that pragmatic and sincere efforts be made to expedite the recovery under intimation of the Committee.

[32] 3.6 Non-recovery of penalty for illegal possession and trade of liquor:

The Department had not initiated action to fully recover penalty of Rs.73.84 lakh from the offenders for possession of illicit liquor either by auctioning the confiscated vehicles or by recovery as arrears of land revenue even after lapse of one to three years.

Section 61 (1) (aaa) (c) (i) of the Punjab Excise Act, 1914, as applicable to the State of Haryana, provides that penalty of not less than Rs.50 and not more than Rs. 500 per bottle of 750 milli-litres or part thereof is leviable on an offender for possession of illicit liquor⁵. Further, Section 59 of the Haryana Imposition and Recovery of Penalty Rules, 2003, provide that in case penalty is not paid within stipulated period, the Collector shall pass orders for confiscation of means of transport seized along with liquor and the means of transport shall be put to auction within 30 days from the order of confiscation.

Scrutiny of records of six offices⁶ of DETC (Excise) for the years 2015-16 and 2016-17 revealed that the Department had detained 64,647 bottles of illicit liquor between April 2015 and March 2017 in 157 cases and confiscated 61 vehicles. The Department, after serving notice and examining the evidence produced by the offenders, imposed penalty of Rs.74.89 lakh in 106 cases. In the remaining cases audit worked out penalty of Rs.11.30 lakh in 51 cases at the minimum rate of Rs.50. The total amount of penalty therefore worked out to Rs.86.19 lakh. The Department recovered only Rs.12.35 lakh and had not initiated action to recover the balance penalty of Rs.73.84 lakh either by auctioning the confiscated vehicles or by recovery as arrears of land revenue even after lapse of one to three years.

On this being pointed out, all the DETCs (Excise) stated between August 2016 and April 2018 that notices would be issued to the concerned defaulters and recovery of Rs.73.84 lakh would be made from the defaulters. The matter was reported to the Government in April 2018. Reply was awaited despite issuance of reminders in July and November 2018.

The department in its written reply stated as under:

District wise summary

Sr. No.	AP No.	Name of the District	No. of cases	Vehicles Confiscated	Quantity Seized	Penalty imposed as per Audit	Recovered	Actual Penalty imposed by Department	Recovered		Balance	
									No. of cases	Amount	No. of cases	Amount
1	405	Faridabad	7	3.00	1613	351250	0	349500	6	54300	1	295200
2	383	Panchkula	7	5.00	21750	1351020	0	1351020	1	449900	6	9011200
3	422	Kaithal	14	1.00	4761	257800	0	262900	8	12500	6	2504000
4	412	Jagadhri	34	8.00	4212	810900	0	810900	2	145200	32	665700

5	397	Jind	19	0.00	4023	810950	209000	603400	14	367400	5	236000
6	338	Ambala	6	6.00	4872	2020700	500000	1520700	1	401500	5	1119200
7	370	Faridabad	22	15.00	1799	646600	0	618700	9	48500	13	570200
8	387	Ambala	15	1.00	4003	212000	0	395700	14	280700	1	115000
9	363	Jind	33	22.00	17614	2157300	525650	1631650	10	20150	23	1611500
	Total		157	61.00	64647	8618520	1234650	7544470	65	1780150	92	5764320-

Note:- There is a difference in penalty imposed by audit & by department in Districts Faridabad, Kaithal, Jind & Ambala.

		District	Cases	d		Y (As Per Audit)	Department	
1	405	Faridabad	7	351250	0	351250	349500	In Case No. 484/ 15.08.2016 72 Quarts + 43 Nips + 17 Pints = 95 Bottles. On which penalty imposed 51Rs. Per Bottle by department but audit take it wrongly as 72 Quarts + 43 Nips + 17 Pints = 132 bottles with penalty 50Rs. Per bottle. In Case No. 645 & 646 penalty is imposed 51 Rs. Per bottle instead of 50Rs. per bottle considered by audit.
2	422	Kaithal	14	257800	0	257800	262900	As per audit penalty is imposed 50Rs. Per bottle by taking minimum penalty to be imposed . However in some cases penalty actually imposed by department on higher side.
3	397	Jind	19	810950	209000	601950	812400	As per audit penalty is imposed 50Rs. Per bottle by taking minimum penalty to be imposed . However in some cases penalty actually imposed by department on higher side.
4	370	Faridabad	22	646600	0	646600	618700	Audit party took calculation of Nips and Pints equal to bottles for imposing penalty instead of first converting them into bottles by dividing by four to nips and by two to pints and then multiply them by 50.
5	387	Ambala	15	212000	0	212000	395700	As per audit penalty is imposed 50Rs. Per bottle by taking minimum penalty to be imposed . However in every case penalty actually imposed by department on higher side.

The Committee has recommended that pragmatic and sincere efforts be made to expedite the recovery under intimation of the Committee.

REVENUE AND DISASTER MANGEMENT DEPARTMENT

[33] 4.2 Result of audit:

In 2017-18, test check of the records of 103 out of 132 units of the Revenue Department showed non/short levy of stamp duty and registration fee etc. and other irregularities involving Rs. 135.68 crore in 2,353 cases, which fall under the following categories in Table 4.1.

Transaction Value (Rs.)	Registration Fee (Rs.)
1 to 50,000	100
50,001 to 1,00,000	500
1,00,001 to 5,00,000	1000
5,00,001 to 10,00,000	5000
10,00,001 to 20,00,000	10,000
20,00,001 to 25,00,000	12,500
Above 25,00,000	15,000

Table 4.1 – Results of audit

(Rs. in crore)			
Sr. No.	Categorie s	Number of cases	Amoun t
1.	Non/short levy of stamp duty on leaseagreement	466	67.13
2.	Non/short recovery of stamp duty and registration fee due to •undervaluation of immovable property •misclassification of instruments		
		1300	54.53
		216	8.69
3.	Short realisation of stamp duty due to sale of property at lower consideration than the amount mentioned in the agreement deeds	51	0.51
4.	Irregular exemption of stamp duty on mortgage deeds/compensation certificates to land acquired	155	3.93
5.	Miscellaneous irregularities	165	0.89
	Total	2,353	135.68

160

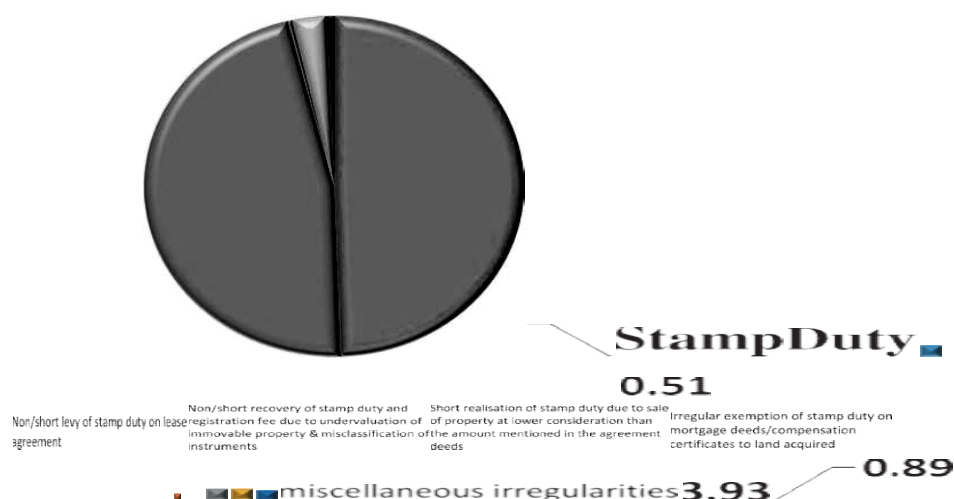


Chart 4.1

During the year, the Department accepted under-assessment and other deficiencies amounting to Rs.84.56 crore involved in 1,030 cases out of which 992 cases involving Rs. 73.25 crore were pointed out during the year and rest in earlier years. The Department recovered Rs. 8.51 lakh in 21 cases during the year 2017-18. Significant cases involving Rs. 84.22 crore are discussed in the following paragraphs. The cases pointed out are based on the test check conducted by audit. The Department may initiate action to examine similar cases and take necessary corrective action.

The department in its written reply stated as under:

This report sent to concerned Department and Deputy Commissioners in the month of May to July 2018 as and when received and all the Deputy Commissioners concerned have been impressed upon for expediting quick disposal of court cases under section 47-A of the said Act and they were directed to expedite recovery as an arrear of land Revenue as per Stamp Law Procedure vide letter dated 05-06-2018, 2.08.2018, 23.08.2018, 05.09.2018, 09-01-2020, 22-01-2020, 16.06.2020, 23.06.2020, D.O letter dated 08.01.2021, 31-03-2021, 26.04.2021, D.O letter from FCR/ACS dated 17.12.2021, 25.01.2022, and D.O letter from SSR dated 09.05.2022 and last letter dated 17.05.2022.

In this para AG office has shown in the report 2353 cases amounting to Rs 135.68 Cr while the actual cases as per report of D.Cs of the state are 2278 amounting to Rs **132.15** Cr. The difference of figure will be reconciled from AG office.

Progress as a whole result of audit para 4.2 Sr. No 1 to 5 in the table can be seen as under:-

		No. of cases	Amt in Cr
1	Amount Recovered by the department.	369	15.36
2	Amount dropped by Collectors	25	28.65
3	Pending in various courts of Collectors u/s 47- A	1345	38.59
4	Recovery pending u/s 48 of the said Act as an arrear of land revenue.	145	49.52
	Total	2278	132.15

Point wise progress from Sr No. 1 to 5 of above 2278 cases amounting to Rs 132.15 Cr can be seen as follow:-

(4.2.1 Non/short levy of stamp duty on lease agreement)

This para relates to Non/short levy of stamp duty on lease agreement and reply mentioned in this para is para no 4.3 sr no 4.3.2(i)(ii)(iii) 4.3.3(a)(b)(c)(d)(e)

In this para AG office party pointed out 466 cases amounting to Rs 67.13 Cr to the Department of Transport, Urban Local Bodies Mining and Geology and Tourism Department Haryana, out of which in 204 cases Rs 12.03 lakh has been recovered by Tourism Department. In 261 cases for Rs 67.01 Cr efforts are being made by the Department of Transport, Urban Local Bodies and Mining and Geology Haryana.

In this para AG office has shown in the report 1300 case amounting to Rs 54.53 Cr while the actual cases as per report received from the concerned D.Cs are 1279 amounting to Rs 52.52 Cr. Register on the basis of agricultural land but AG audit party was framed on the basis of commercial/residential property.

4.2(2)			
		No. of cases	Amt (in Cr)
1	Amount Recovered by the department.	52	5.23
2	Amount dropped by Collectors	28	8.62
3	Pending in courts of Collectors u/s 47-A for decision	1143	23.41
4	Recovery pending u/s 48 of the said Act as an arrear of land revenue.	56	15.26
	Total	1279	52.52

4.2(2)B Non/short recovery of stamp duty and registration fee due to Misclassification of instruments (Release deeds & transfer deed without relation:-

In this para AG office has shown in the report 216 cases amounting to Rs 8.69 Cr while the actual cases as per report received from the concerned D.Cs are 198 cases amounting to Rs 7.52 Cr.

The progress report is as under:

		Cases	Amt in Cr.
1	Amount Recovered by the department.	13	0.25
2	Amount dropped by Collectors	5	0.21
3	Pending in courts of Collectors u/s 47-A for decision	162	4.53
4	Recovery pending u/s 48 of the said Act as an arrear of land revenue.	18	2.53
	Total	198	7.52

4.2 (3) Short realisation of stamp duty due to sale of property at lower consideration than the amount mentioned in the agreement deeds.

In this para AG office has shown in the report 51 cases amounting to Rs 0.51 Cr while the actual cases as per report received from the concerned D.Cs are 48 amounting to Rs. 0.48 Cr.

		Cases	Amt in Cr.
1	Amount Recovered by the department.	4	0.02
2	Amount dropped by Collectors	8	0.15
3	Pending in courts of Collectors u/s 47-A for decision	22	0.19
4	Recovery pending u/s 48 of the said Act as an arrear of land revenue.	14	0.12
	Total	48	0.48

4.2 (4) Irregular exemption of stamp duty on mortgage deeds/compensation certificates to land acquired:-

In this para AG office has shown in the report 155 cases amounting to Rs 3.93 Cr. while the actual cases as per report received from the concerned D.Cs are 147 amounting to Rs 3.89 Cr.

		Cases	Amt in Cr.
1	Amount Recovered by the department.	12	0.26
2	Amount dropped by Collectors	8	0.43

3	Pending in courts of Collectors u/s 47-A for decision	102	2.31
4	Recovery is pending u/s 48 of the said Act	25	0.89
	Total	147	3.89

4.2 (5) Miscellaneous irregularities

In this para AG office has shown in the report 165 cases amounting to Rs 0.89 Cr while the actual cases as per report received from the concerned D.Cs are 140 amounting to Rs 0.61 Cr.

		Cases	Amt in cr
1	Amount Recovered by the department.	12	0.09
2	Amount dropped by Collectors	5	0.01
3	Pending in courts of Collectors u/s 47-A for decision	53	0.35
4	Recovery is pending u/s 48 of the said Act	15	0.13
	Total	140	0.61

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to expedite the recovery under intimation of the Committee.

[34] 4.3.2 Non/short levy of stamp duty and registration fees:

Section 33 (1) of the IS Act, provides that every person in charge of a public office before whom any instrument chargeable with duty is produced shall impound the same if such instrument is not duly stamped. Under Section 38 (2) of the Act, the impounded documents are required to be sent to the Collector by the person so impounding such instrument.

- (i) Misclassification of mining lease documents into simple agreement Under Section 17 (i) (d) of the Registration Act, 1908 leases of immovable property from year to year or for any term exceeding one year, or reserving a yearly rent are compulsorily registerable documents. Article 35 of Schedule 1-A of the IS Act, provides for levy of stamp duty on lease deeds at prescribed rates³ for consideration equal to the amount of value of the fine or premium or advance in addition to the amount of the average annual rent reserved and on the basis of period of lease.

In 12 offices⁴ of SRs/JSRs, there were 30 instruments of mining lease for period ranging from seven to 20 years between November 2014 and January 2017. The lessees paid annual average rent amounting to Rs. 720.88 crore payable during the terms of contract. These deeds were required to be compulsorily registered under Section 17 of the Registration Act and stamp duty of Rs. 24.36 crore at the prescribed rates and registration fees of Rs. 4.40 lakh was leviable. However, these deeds were not duly stamped and were got executed on stamp paper of Rs. 6,720 and registration fees of Rs. 3.95 lakh only

was levied. The public officer did not impound these instruments. This resulted in short levy of stamp duty of Rs. 24.36 crore and registration fees of Rs. 0.005 crore (Rs. 45000) due to misclassification of lease agreements as simple agreements. On this being pointed out, SR Narnaul and Samalkha stated in January and April 2018 that three cases had been decided by the Collector in May and July 2017 respectively and notices for recovery of Rs. 3.64 crore (Samalkha:- Rs. 3.21 crore two cases; Narnaul:- Rs. 0.43 crore one case) had been issued to the defaulters. SR Faridabad stated (October 2018) that one case would be sent to Collector for decision under Section 47-A of the Act. The remaining ten SRs stated (between March and September 2018) that the cases had been sent to the Collector for decision under Section 47-A of the IS Act.

- (ii) Wrong calculation of annual average rent In five offices⁵ of SRs, audit observed that in respect of 13 instruments registered for period ranging from three to 99 years between February 2016 and March 2017, the annual average rent was to be calculated as Rs. 114.83 crore and stamp duty of Rs. 13.30 crore and registration fee of Rs. 0.02 crore was leviable. However, the Registering Authorities assessed the average annual rent in these documents as Rs.5.75 crore due to nonconsideration of annual increase for calculating annual average rent and levied stamp duty of Rs. 0.23 crore and registration fee Rs. 0.01 crore. This resulted in short levy of stamp duty of Rs. 13.07 crore and registration fee Rs. 0.002 crore (Rs. 19000).

On this being pointed out, SR Manesar stated in May 2018, that an amount of Rs. 11,500 had been recovered.

Superintendent Stamp & Registration, Revenue and Disaster Department, Government of Haryana has issued letter (2 August 2018) to the concerned Deputy Commissioners to recover the amount pointed out by audit.

(iii) Wrong calculation of rate of stamp duty

In 12 cases of four SRs⁶, stamp duty of Rs. 28.55 lakh at the rate of six to nine per cent for leases exceeding 10 years and not exceeding 30 years and registration fees of Rs. 0.52 lakh was leviable. The Registering Authority levied stamp duty of Rs. 18.27 lakh at the rate of 1.5 to three per cent and registration fees of Rs. 0.33 lakh. This resulted in short levy of stamp duty of Rs. 10.28 lakh and registration fee Rs. 0.20 lakh. On this being pointed out, SR Jind stated in April 2018 that an amount of Rs. 33,706 had been recovered. SR Ferozpur Jhirka stated in May 2018 that order for recovery for outstanding amount of Rs. 79,872 had been issued. Remaining SRs Gurugram and Manesar stated in April and May 2018 that the cases had been sent to the Collector for decision under Section 47-A of the IS Act.

The Government needs to strengthen the internal audit to ensure timely detection and correction of error in levy and collection of revenue and avoid recurrence of misclassification of document.

The department in its written reply stated as under:

In this para total 27 cases (**instruments of mining Lease**) amounting to Rs 23.51 Cr have been pointed out by the AG Audit party Haryana as per the report received from all the concerned DCs but AG Audit party shown 30 cases amounting to Rs 24.36 Cr in this report.

(i) Misclassification of mining lease documents into simple agreement

		No. of cases	Amt in Cr
1	Pending in various courts of Collectors u/s 47- A	23	14.99
2	Recovery is pending u/s 48 of the said Act as an arrear of land Revenue	4	8.52
	Total	27	23.51

(ii) Wrong calculation of annual average rent of (lease agreement):-

		No. of cases	Amt in Cr
1	Amount Recovered by the department.		
2	Amount dropped by Collectors		
3	Pending in courts of Collectors u/s 47-A for decision	12	13.05
4	Recovery is pending u/s 48 of the said Act as an arrear of land Revenue	1	0.01
	Total	13	13.06

Progress report in the table is as under:-

(iii) Wrong calculation of rate of stamp duty on (lease agreement) The progress report is as under:-

		No. of cases	Amt in lakh
1	Amount Recovered by the department.	1	0.34
2	Pending in courts of Collectors u/s 47-A for decision	3	9.34
3	Recovery is pending u/s 48 of the said Act as an arrear of land Revenue	8	0.80
	Total	12	10.48

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to expedite the recovery under intimation of the Committee.

[35] 4.3.3 Loss of stamp duty and registration fees due to non registration of lease agreement:

Under section 17 (1) (d) of the IR Act, lease of immovable property from year to year, or for any term exceeding one year or reserving a yearly rent are to be compulsorily

registerable documents. Further in the case of lease, the expenses for providing the proper stamp duty and registration fee shall be borne by the lessee.

- (a) Loss of stamp duty and registration fees due to non registration of Mining lease agreement.

As per condition contained in the Letter of Intent (LoI), Stamp Duty and Registration Fee are leviable on mining lease agreements. The Director, Mines & Geology Department Haryana directed all the Mining field offices vide letter dated 08 May 2017 that the agreement executed shall be got duly registered under relevant law with concerned Registering Authority and they shall be liable to pay stamp duty and registration fees as per the applicable rates.

Scrutiny of information collected from the Assistant Mining Engineers (AMEs)/Mining Engineers (MEs) revealed that in five AMEs/MEs⁷ out of 15, 40 lease agreements were executed for different period ranging from seven to 12 years between August 2015 and January 2018. The instruments of lease and contract exceeding one year were required to be registered compulsorily on payment of SD and RF. The licencees paid annual average lease rent of Rs. 827.26 crore for the grant of licences. These instruments were required to be registered and stamp duty of Rs. 29.22 crore and registration fee of Rs. 6.00 lakh was to be levied. Non-registration of lease deeds by these licencees deprived the Government of stamp duty and registration fees of Rs. 29.22 crore and Rs. 0.06 crore respectively.

On this being pointed out, all the AMEs/MEs stated between March and May 2018 that action would be taken according to the decision of Punjab and Haryana High Court in the case of writ petition 7991 of 2014.

The replies of the field offices are not tenable because the High Court directed that the agreements shall not be revoked due to non-payment of SD and RF. The High Court did not stay the registration of these documents. Moreover, the Department failed to insist on the registration of these documents as per condition contained in the Letter of Intent (LoI).

The matter was reported to the Government; (October 2018), the Government admitted the facts (October 2018) and issued directions to concerned Deputy Commissioners to take necessary steps for recovery of the deficient amount of SD and RF pointed out by Audit.

Agreement between Government Corporation and private party.

Scrutiny of information collected from the Haryana Tourism Corporation Chandigarh in respect of 20 Tourism complexes revealed that 204 agreements were executed between April 2014 and March 2017. The Haryana Tourism Corporation granted licenses on biennial/triennial basis to run the business in the premises of Tourism complex. The licencees paid annual average lease rent of Rs. 6.10 crore for the grant of licences. The Tourism Corporation accepted the instruments as agreements on non-judicial stamp paper of Rs. 11,070 only. The Corporation did not insist upon the licencees to get these

instruments registered as lease deeds with the concerned SRs/JSRs. These instruments were required to be registered and stamp duty of Rs.9.15 lakh and registration fee of Rs.3.78 lakh was to be levied. Non-execution of lease deeds by these licencees resulted in revenue forgone in the form of stamp duty and registration fees of Rs. 9.04 lakh and Rs.3.78 lakh respectively.

On this being pointed out, the Tourism Corporation stated in April 2018 that direction had been issued to all the Drawing and Disbursement Officers (DDOs) in the field units to get these instruments registered with the concerned SRs/JSRs. The DDOs had also been directed to collect the requisite stamp duty from these licencees.

(a) Agreement between Government Department and Private Party

Scrutiny of information collected from nine depots of Haryana Roadways revealed that 110 agreements were executed between April 2016 and July 2017 for grant of lease on biennial/triennial basis to run the business in the premises of Haryana Roadways bus stands. The licencees paid annual average lease money of Rs. 5.13 crore for the grant of lease. The Haryana Roadways accepted the instruments as agreements on non-judicial stamp paper of Rs. 3,880 only. These instruments were not registered as lease deeds with the concerned SRs/JSRs. SD and RF of Rs. 7.70 lakh and Rs. 3.03 lakh respectively was required to be levied. Non-execution of lease deeds by these licencees deprived the Government of revenue in the form of stamp duty and registration fee of Rs. 7.66 lakh and Rs. 3.03 lakh respectively.

On this being pointed out, nine General Managers (GMs) of Haryana Roadways stated in May 2018 that efforts would be made to recover the outstanding amount of Rs. 10.69 lakh from lessees and in future these instruments would be registered with the concerned SRs/JSRs.

(b) Non-registration of lease deed of mobile tower

As per information collected from Panchkula and Ambala Municipal Corporations, 55 mobile towers were erected between April 2014 and March 2017. No objection certificate was issued by the Municipal Corporations for installation of mobile phone towers. In these cases, the land for installation of mobile phone towers was taken by the mobile phone companies on lease from the land owners for the lease period ranging from nine to 20 years. These lease deeds were required to be compulsorily registered under the Act and stamp duty and registration fees of Rs. 5.57 lakh and Rs. 0.55 lakh respectively was to be levied. However, these lease deeds were not registered and were got executed on stamp paper of Rs. 5,410 only. This resulted in short levy of stamp duty of Rs. 5.52 lakh and registration fees of Rs. 0.55 lakh. On this being pointed out, the MC Panchkula stated in June 2018 that efforts would be made to recover the outstanding amount of Rs. 2.76 lakh and lease agreements would be registered with the concerned SRs.

The matter was reported to the Government in June 2018. The Government has instructed (August 2018) the concerned department for taking necessary steps for the

recovery of the deficient amount of stamp duty and registration fees.

(c) Municipal Corporation as lessee

In one case, the Municipal Corporation, Panchkula had taken a building for office use on monthly rent basis for three years from 16 October 2013 to 15 October 2019 in two spells of three years each. These lease deeds were also required to be compulsorily registered under the Act. Stamp duty of Rs. 1.40 lakh at the rate of 1.5 per cent on the annual average rent of Rs. 92.96 lakh and registration fees of Rs. 0.30 lakh was to be levied. However, these lease deeds were not registered and were got executed on stamp paper of Rs. 20 only. This resulted in short levy of stamp duty of Rs. 1.40 lakh and registration fee of Rs. 0.30 lakh. State Government may consider issuing directions to all departments, boards, corporations, Public Sector Undertakings (PSUs) to making it mandatory to get all agreements for leasing out property registered as lease deeds.

The department in its written reply stated as under:

(a) Loss of stamp duty and registration fees due to non registration of Mining lease agreement:-

Recovery of Rs 29.28 Cr is awaited in 40 mining leases which were for different period ranging from 7 to 12 years exceeding one year. These were compulsory registerable under section 17(1) (d) of registration Act, 1908. There is no response from the Director, Mines & Geology Department Haryana despite of repeated reminders.

(b) Agreement between Government Corporation and private party:-

In this Para Haryana Tourism Corporation department recovered all the deficiency of stamp duty amounting to Rs 12.03 lakh in 204 lease agreement. **This para may kindly be dropped.**

(c) Agreement between Government Department and Private Party

In this para nine Depots of Haryana Roadways 110 un-registered agreements were executed between April 2016 and July 2017 for grant of lease on biennial/triennial basis to run the business in the premises of Haryana Roadways bus stands. The recovery of RS 10.69 lakh in 110 un-registered agreements is awaited at the level of 9 depots of Haryana roadways. There is no response from transfer department despite of repeated reminder.

(d) Non-registration of lease deed of mobile tower

This para relates to Municipal Corporations Panchkula and Ambala and recovery is pending Rs.6.07 lakh in 55 lease agreement it has been reported by them that efforts are being.

(e) Municipal Corporation as lessee (building for office use)

This para relates to Municipal Corporations Haryana Panchkula and recovery is pending Rs 0.30 lakh in 2 lease agreement. Efforts are being made for recovery.

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to

expedite the recovery under intimation of the Committee.

[36] 4.4 Short levy of stamp duty due to misclassification of sale deeds as collaboration agreements:

Registering Authorities misclassified sale deeds as collaboration agreements in 10 cases resulting in short levy of stamp duty and registration fees of Rs. 5.99 crore.

As per Haryana Government notification issued in October 2013, any agreement that relates to giving authority or power to a promoter or a developer, by whatever name called, for construction on, development of or sale or transfer (in any manner whatsoever) of, any immovable property shall be liable to stamp duty as is leviable on a conveyance on the market value of the property mentioned in the agreement.

Scrutiny of records of nine SRs⁸ revealed that 10 collaboration agreements⁹ were registered between May 2015 and January 2017 on which stamp duty and registration fees of Rs. 0.17 crore was levied. Scrutiny of these agreements revealed that the owners of land had authorised the developers to take possession of the land with the right to construct, shop-cum-flats and residential houses. These agreements were therefore liable to be levied SD as per Notification issued in October 2013. As per rates fixed by the Collector, value of land transferred to the developers worked out to Rs. 90.67 crore on which stamp duty¹⁰ and registration fees of Rs. 6.16 crore was leviable. Thus, misclassification of these documents as collaboration agreements resulted in short levy of stamp duty and registration fees of Rs. 5.99 crore (Rs. 6.16 crore - Rs. 0.17 crore).

On this being pointed out, SR Rewari stated (April 2018) that Collector had passed an order to recover the amount of Rs. 2.81 lakh. Four SRs¹¹ stated between March and April 2018 that the cases had been sent to the Collector under Section 47-A of the Indian Stamp Act for decision.

The matter was reported to the Government in February 2018. Reply was awaited despite issuance of reminders in May and November 2018.

The Department may strictly follow the notification issued in October 2013 regarding collaboration agreement.

The department in its written reply stated as under:

(Short levy of stamp duty due to misclassification of sale deeds as collaboration agreements:-

		No. of cases	Amt in Cr
1	Pending in courts of Collectors u/s 47-A for decision	5	3.99
2	Recovery is pending u/s 48 of the said Act as an arrear of land Revenue	5	2.00
	Total	10	5.99

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to

expedite the recovery under intimation of the Committee.

[37] 4.5 Short levy of stamp duty due to incorrect classification of residential/commercial properties as agricultural land:

Seventy four deeds were registered on the rates fixed by the Collector for agricultural land instead of residential/commercial property, resulting in short levy of stamp duty and registration fees of Rs. 4.69 crore. Registering Authorities incorrectly assessed 100 sale deeds of plots with an area less than 1000 square yards falling within municipal limits at rates fixed for agricultural land instead of residential land resulting in short levy of stamp duty and registration fees of Rs. 2.45 crore.

4.5.1 As per Section 47-A of the Indian Stamp Act, if the registering officer has reasons to believe that the value of the property or the consideration, has not been truly set forth in the instrument, he may, after registering such instrument, refer the same to the Collector for determination of the value or consideration, as the case may be and the proper duty payable thereon. Scrutiny of records of 15 Sub Registrars (SRs)/Joint Sub Registrars (JSRs) for the year 2016-17 revealed that 74 deeds were assessed at Rs.48.85 crore based on the rates fixed by the Collector for agricultural land on which the department levied stamp duty and registration fees of Rs.3.03 crore (SD Rs.2.97 crore + RF Rs. 0.06 crore). However, as per land record/khasra numbers given in the Collector's rate lists, these immovable properties were commercial¹³/residential property as per land records (Jamabandis) maintained by the Revenue Department. The value of these properties based on the rates fixed by Collector for Commercial/residential properties were liable to be assessed for Rs. 140.41 crore on which stamp duty and registration fees of Rs. 7.72 crore (SD Rs. 7.65 crore + RF Rs. 0.07 crore) was leviable. This resulted in short levy of stamp duty and registration fees of Rs.4.69 crore (SD Rs. 4.68 crore + RF Rs. 0.01 crore) due to incorrect valuation of residential/ commercial properties as agricultural properties. On this being pointed out, SRs/JRs Gurugram, Sohna and Manesar stated in April 2018 that cases had been sent to the Collector under Section 47-A for decision. 11 SRs/JSRs¹⁴ stated (between June 2017 and January 2018) that the cases would be sent to the Collector under Section 47-A of the Indian Stamp Act for decision. Reply from JSR Balla has not been received. The matter was reported to the Government in March 2018. Reply was awaited despite issuance of reminder in June and November 2018.

4.5.2 In order to check evasion of stamp duty (SD) in sale deeds, the Government issued instructions in November 2000 to all Registering Authorities in the State to the effect that agricultural land sold within municipal limits, with an area less than 1,000 square yards or in case where purchasers are more than one and the share of each purchaser is less than 1,000 square yards, be valued at the rate fixed for residential property of that locality for the purpose of levying SD. Scrutiny of records of 20 registering offices¹⁵ revealed that 100 sale deeds of plots within the municipal limits and with area less than 1000 square yards were registered between April 2014 and March 2017. These deeds were assessed at Rs. 19.94 crore based on the rates fixed for agricultural land and SD and RF of Rs. 0.95 crore

(SD = Rs. 0.88 crore + RF = Rs. 0.07 crore) was levied. However, these deeds were liable to be assessed for Rs. 45.98 crore based on the rates fixed for residential land of the areas and SD and RF of Rs. 3.40 crore (SD = Rs. 3.28 crore + RF = Rs. 0.12 crore) was leviable. This resulted in short levy of SD and RF of Rs. 2.45 crore (SD = Rs. 2.40 crore + RF = Rs. 0.05 crore). On this being pointed out, Sub Registrars (SRs) Kalka and Gurugram stated between October 2017 and April 2018 that the cases had been sent to the Collector for decision and 13 SRs¹⁶ stated between (January and November 2017) that the cases would be sent to the Collector for decision under Section 47-A of the Indian Stamp Act. Replies from remaining five SRs have not been received. The matter was reported to the Government in February 2018. Reply was awaited despite issuance of reminders in May and November 2018. The Government may direct the Department to correctly classify properties as residential or commercial on the basis of land record/other related record before registration for ensuring levy of correct rates of SD and RF.

The department in its written reply stated as under:

(4.5.1) Short levy of stamp duty due to incorrect classification of residential/commercial properties as agricultural land.

In these cases as per land record/khasra numbers given in the Collector's rate lists, concerned immovable properties were commercial/residential property as per land records (Jamabandis) maintained by the Revenue Department.

Progress report is as under:-

		No. of cases	Amt in Cr
1	Amount Recovered by the department.	11	0.02
2	Amount dropped by Collectors	18	0.23
3	Pending in courts of Collectors u/s 47-A for decision	34	3.65
4	Recovery is pending u/s 48 of the asid Act as an arrear of land Revenue.	11	0.79
	Total	74	4.69

(4.5.2) Short levy of stamp duty due to incorrect classification of residential/commercial properties as agricultural land (less than 1000 Sq yds).

In this para those instruments of sale have been included in which deficiency of stamp duty and registration fees have been pointed out in the form of undervaluation on the basis of prime khasra number and less than 1000 sq yrs in which agriculture land within MC have been considered in the form of residential/commercial property such as banquet hall, educational institute, factory, Godown, hosiery, nursing home, petrol pump, poultry farm, rice Sheller, shop and stone crusher, residential as per land records (Jamabandis) .

Progress report is as under:-

		No. of cases	Amt in Cr
1	Amount Recovered by the department.	8	0.30
2	Amount dropped by Collectors	15	0.29
3	Pending in courts of Collectors u/s 47-A for decision	77	1.86
	Total	100	2.45

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to expedite the recovery under intimation of the Committee.

[38] 4.6 Misclassification of Sale deeds as release deeds resulting in short levy of stamp duty:

The Registering Authorities misclassified conveyance on sale as release deeds and levied stamp duty and registration fees of Rs. 10,920 instead of Rs. 1.71 crore as per Collector rate resulting in short levy of SD and RF of Rs. 1.71 crore.

As per Haryana Government clarification in December 2005 regarding Article 55 in schedule 1-A of the Indian Stamp Act, 1899 if an instrument of ancestral property is executed in favour of brother or sister (children of renouncer's parents) or son or daughter or father or mother or spouse or grand children or nephew or niece or co-parcener¹⁸ of the renouncer, stamp duty will be levied at the rate of Rs. 15 and in any other case, the same duty will be levied as a conveyance relating to sale of immovable property for the amount equal to the market value of the share, interest, part or claim renounced.

Scrutiny of records of 31 Sub Registrars (SRs)/Joint Sub Registrars (JSRs) revealed that 106 release deeds were executed between August 2014 and March 2017 in favour of persons other than those allowed as per clarification of the Government. Hence these deeds are to be treated as sale. The registering authorities, however treated these deeds as release deeds and incorrectly levied SD and RF of Rs.10,920 (SD Rs. 4,950 + RF Rs.5,970) only. The value as per Collector rate for these deeds is Rs. 32.99 crore, SD and RF of Rs.1.71 crore (SD Rs.1.61 crore + RF Rs.0.10 crore) are leviable on these deeds. Misclassification of sale deeds as release deeds resulted in short levy of Rs.1.71 crore.

On this being pointed out, all the SRs/JSRs (between November 2016 and December 2017) stated that the cases would be sent to the Collector under Section 47-A of the Indian Stamp Act for decision.

The matter was reported to the Government in March 2018. Reply was awaited despite

issuance of reminders in June and November 2018.

The department in its written reply stated as under:

Misclassification of Sale deeds as release deeds 17 resulting in short levy of stamp duty (Release deeds):- As per Haryana Government clarification in December 2005 regarding Article 55 in schedule 1-A of the said Act if an instrument of ancestral property is executed in favour of brother or sister (children of renouncer's parents) or son or daughter or father or mother or spouse or grand children or nephew or niece or co-parcener of the renouncer, stamp duty will be levied at the rate of Rs15 and in any other case, the same duty will be levied as a conveyance. In this para those release have been pointed which were out of relations or the property was not ancestral.

In this para AG office has shown in the report 106 cases amounting to Rs 1.71 Cr while the actual cases as per report of D.Cs of the state are 98 amounting to Rs **1.56** Cr. The difference of figure will be reconciled from AG office.

The progress report is as under:-

		No. of cases	Amt in Cr
1	Amount Recovered by the department.	14	0.09
2	Amount dropped by Collectors	8	0.10
3	Pending in courts of Collectors u/s 47-A for decision	54	1.29
4	Recovery is pending u/s 48 of the said Act as an arrear of land Revenue	22	0.23
	Total	98	1.56

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to expedite the recovery under intimation of the Committee.

[39] 4.7 Irregular remission of stamp duty :

Irregular remission of stamp duty in 53 instruments of transfer deeds in favour of persons other than blood relations resulted in loss of revenue of Rs. 88.78 lakh to the State exchequer.

As per Government order of 16 June 2014, the Government may remit the stamp duty chargeable on an instrument if it pertains to transfer of immovable property by an owner during lifetime to any of the blood relations namely parents, children, grand children, brother (s), sister (s) and between spouse.

Scrutiny of records of the registered documents of transfer deeds in 20 Sub Registrars (SRs)/Joint Sub Registrars (JSRs)²⁰ for the years 2014-17 revealed that SD was remitted in 53 instruments of transfer deeds that were executed in favour of persons other than those allowed in the above orders of Government. This irregular remission of stamp duty

resulted in loss of revenue to the extent of Rs. 88.78 lakh (SD Rs. 83.69 lakh + RF Rs. 5.09 lakh).

On this being pointed out, all the SRs/JSRs stated (between November 2016 and November 2017) that the cases would be sent to the Collector under Section 47-A of the Indian Stamp Act for decision.

The matter was reported to the Government in March 2018. Reply was awaited despite issuance of reminders in May and November 2018

The department in its written reply stated as under:

Irregular remission of stamp duty (Transfer deed in blood relation) i.e transfer deeds that were executed in favour of persons other than those allowed in the orders of Government dated 16.June 2014.

The progress report is as under:-

		No. of cases	Amt in lakh
1	Amount Recovered by the department.	12	16.28
2	Amount dropped by Collectors	10	38.00
3	Pending in courts of Collectors u/s 47-A for decision	24	33.66
4	Recovery is pending u/s 48 of the said Act as an arrear of land Revenue	7	0.84
	Total	53	88.78

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to expedite the recovery under intimation of the Committee.

[40] 4.8 Short levy of stamp duty due to application of normal rates on prime khasra land:

Registering Authorities incorrectly assessed prime khasra land at normal rates fixed for agricultural land resulting in short levy of stamp duty of Rs. 0.87 crore.

Haryana Government issued instructions in September 2013 for constituting district level committees comprising of officers of Revenue Department and Municipal Committees for evaluating different categories of land for fixing collector rates. Further, Section 27 of the Indian Stamp Act, 1899 as applicable to the State of Haryana, provides that consideration and all other facts and circumstances affecting the chargeability of any instrument with duty or the amount of duty chargeable, should be fully or truly set forth therein.

Scrutiny of records of 30 SRs/JSRs revealed that 119 conveyance deeds were registered for sale at normal khasra rates for agricultural land during the period between April 2014 and March 2017. The khasras of these deeds as per land revenue records were prime khasras having higher land rates. Collector ate for these land was Rs.62.38 crore on

which SD and RF of Rs.2.69 crore was leviable (SD Rs. 2.60 crore + RF Rs. 0.09 crore). The SRs/JSRs, assessed these land at rates fixed for normal khasra amounting to Rs.42.40 crore and levied SD and RF of Rs. 1.82 crore (SD Rs.1.75 crore + RF Rs.0.07 crore). This resulted in short levy of stamp duty of Rs. 0.87 crore (SD Rs. 0.85 crore + RF Rs.0.02 crore). On this being pointed out, ASR Sahlawas stated in April 2018 that an amount of Rs.7,440 had been recovered in one case. 11 SRs/JSRs stated between March and April 2018 that cases had been sent to the Collector under Section 47-A for decision. 15 SRs/JSRs stated (between December 2016 and October 2017) that the cases would be sent to the Collector under Section 47-A of the Indian Stamp Act for decision. Replies from remaining three SRs have not been received. The matter was reported to the Government in March 2018. Reply was awaited despite issuance of reminders in June and November 2018.

The Department may identify and record the khasra No. of prime land and colonies/ward/sectors in software HARIS for proper evaluation of stamp duty.

The department in its written reply stated as under:

Short levy of stamp duty due to application of normal rates on prime khasra land:- In this para those conveyance deed have been pointed out in which land under transfer was situated in prime khasra numbers as per revenue record while stamp duty was charge on normal collector rate of agriculture land.

In this para AG office has shown in the report 106 cases amounting to Rs 1.71 Cr while the actual cases as per report of D.Cs of the state are 98 amounting to Rs **1.56** Cr. The difference of figure will be reconciled from AG office.

The progress report is as under:-

In this para AG office has shown in the report 119 cases amounting to Rs 0.87 Cr while the actual cases as per report of D.Cs of the state are 108 amounting to Rs **0.87** Cr. The difference of figure will be reconciled from AG office.

The progress report is as under:-

		No. of cases	Amt in Cr
1	Amount Recovered by the department.	25	0.08
2	Pending in courts of Collectors u/s 47-A for decision	73	0.67
3	Recovery is pending u/s 48 of the said Act as an arrear of land Revenue	10	0.12
	Total	108	0.87

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to

expedite the recovery under intimation of the Committee.

[41] 4.9 Irregular exemption of stamp duty:

Irregular exemption of stamp duty and registration fee was allowed to farmers who had, in 21 cases, purchased residential/commercial land and in five cases purchased agricultural land after two years of receiving compensation which resulted in non/short levy of SD and RF of Rs. 25.51 lakh.

As per Government order issued in January 2011 under the Indian Stamp Act, 1899, the Government exempts stamp duty and registration fee in respect of sale deeds executed by farmers whose land is acquired by Haryana Government for public purposes and who purchase agricultural land in the State within two years of the compensation received by them. The exemption will be limited to the compensation amount and the additional amount involved in the purchase of agricultural land will be liable to stamp duty and registration fees as per rules.

Scrutiny of records of 14 SRs/JSRs revealed that in 21 cases, farmers whose land had been acquired by the Government for public purposes purchased residential/commercial land valued at Rs. 2.87 crore. In five cases, agricultural land was purchased for Rs. 1.30 crore after two years. Value of land in these cases was Rs.4.18 crore as per collector rate. SD and RF of Rs.26.08 lakh (SD Rs. 23.86 lakh + RF Rs.2.22 lakh) was to be levied in these cases. The Department had, however, levied stamp duty and registration fees amounting to Rs. 0.57 lakh (SD Rs.0.52 lakh +RF Rs. 0.05 lakh)²⁶. This irregular exemption of stamp duty resulted in non/short levy of stamp duty and registration fees of Rs 25.51 lakh (SD Rs.23.34 lakh + RF Rs. 2.17 lakh).

On this being pointed out, six SRs/JSRs stated in April 2018 that cases had been sent to the Collector under Section 47-A for decision. Seven SRs/JSRs stated (between November 2016 and April 2018) that the cases would be sent to the Collector under Section 47-A of the Indian Stamp Act for decision. Further reply from SR Satnali had not been received.

The matter was reported to the Government in March 2018. Reply was awaited despite issuance of reminders in June and November 2018.

The Department may maintain a centralized database of the acquired land with compensation amount in software HARIS for proper evaluation of stamp duty.

The department in its written reply stated as under:

Irregular exemption of stamp duty (Government vide notification January, 2011 exempts stamp duty and registration fee in respect of sale deeds executed by farmers whose land is acquired by Haryana Government for public purposes and who purchase agricultural land in the State within two years of the compensation received by them. The exemption will be limited to the compensation amount and the additional amount involved in the purchase of agricultural land will be liable to stamp duty and registration fees as per

rules. In the concerned 21 sale deeds residential/Commercial land was purchased. New Web HALRIS has been adopted for centralized database.

The progress report is as under:-

		No. of cases	Amt in lakh
1	Amount Recovered by the department.	2	1.19
2	Amount dropped by Collectors	2	2.15
3	Pending in courts of Collectors u/s 47-A for decision	17	22.17
	Total	21	25.51

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to expedite the recovery under intimation of the Committee.

[42] 4.10 Short levy of stamp duty due to under-valuation of immovable property:

Fiftyone conveyance deeds were executed and registered at a consideration less than what had been agreed to between the parties resulting in short levy of stamp duty and registration fees of Rs. 20.50 lakh. In addition, penalty not exceeding Rs. 2.55 lakh was also leviable.

Section 27 of the Indian Stamp Act, 1899, stipulates that consideration and all other facts and circumstances affecting the chargeability of any instrument with duty, or the amount of duty with which it is chargeable, should be fully or truly set forth therein. Further, Section 64 of the IS Act provides that any person who, with intent to defraud the Government, executes an instrument in which all the facts and circumstances required to be set forth in such instrument are not fully and truly set forth, is punishable with a fine which may extend to Rs.5,000 per instrument.

Scrutiny of records of deed writers and agreements for sale registered were cross verified with the sale deeds executed in 17 SRs/JSRs. It was noticed that in 51 conveyance deeds registered between May 2014 and May 2017, SD and RF of Rs.33.23 lakh (SD Rs.31.72 lakh + RF Rs.1.51 lakh) was levied on the sale deed of immovable properties valued at Rs.7.62 crore. Cross verification of these sale deeds with the agreements executed between the concerned parties and the records of deed writers between January 2014 and October 2016 showed that the total sale value was Rs.12.18 crore on which SD and RF of Rs.53.73 lakh (SD Rs. 50.95 lakh + RF Rs.2.78 lakh) was leviable. Thus, the conveyance deeds were executed and registered at a consideration less than what had been agreed to between the parties. Under-valuation of immovable properties in conveyance deeds resulted in short levy of SD and RF of Rs.20.50 lakh (SD Rs.19.23 lakh + Rs. RF 1.27 lakh). In addition, penalty not exceeding of Rs.2.55 lakh was also leviable for incorrect information in the document. On this being pointed out, SR Rewari

stated in April 2018 that the Collector had ordered to recover an amount of Rs. 69,000 and process of recovery had been started. Seven SRs/JSRs stated in April 2018 that cases had been sent to the Collector under Section 47-A for decision. Eight SRs/JSRs stated (between November 2016 and December 2017) that recovery would be made as per rules. Reply from SR Punhana had not been received.

The matter was reported to the Government in March 2018. Reply was awaited despite issuance of reminders in June and November 2018.

The department in its written reply stated as under:

Short levy of stamp duty due to under-valuation of immovable property (cross verification of sale deeds with the agreements executed between the concerned party and the records of the deed writer):-

This para relates to short levy of stamp duty due to under-valuation of immovable property i.e (cross verification of sale deeds with the agreements executed between the concerned party and the records of the deed writer) total no. of cases 42 amounting to Rs, 17.80 lakh of in the offices of 17 Sub-Registrars due to under-valuation of immovable property on the basis of cross checking of consideration shown in conveyance deeds and agreement executed between the parties entered in the register of deed writers:-

In this para AG office has shown in the report 51 cases amounting to Rs 20.50 lakh while the actual cases as per report of D.Cs of the state are 42 cases amounting to Rs **17.80 lakh**. The difference of figure will be reconciled from AG office. The progress report is as under:-

		No. of cases	Amt in lakh
1	Amount Recovered by the department.	17	3.37
2	Amount dropped by Collectors	4	3.27
3	Pending in courts of Collectors u/s 47-A for decision	16	9.36
4	Recovery is pending u/s 48 of the said Act as an arrear of land Revenue	5	1.80
	Total	42	17.80

The Committee has desired that the cases pending under Section 47-A be concluded expeditiously in a time bound manner and pragmatic efforts be made to expedite the recovery under intimation of the Committee.

TRANSPORT DEPARTMENT

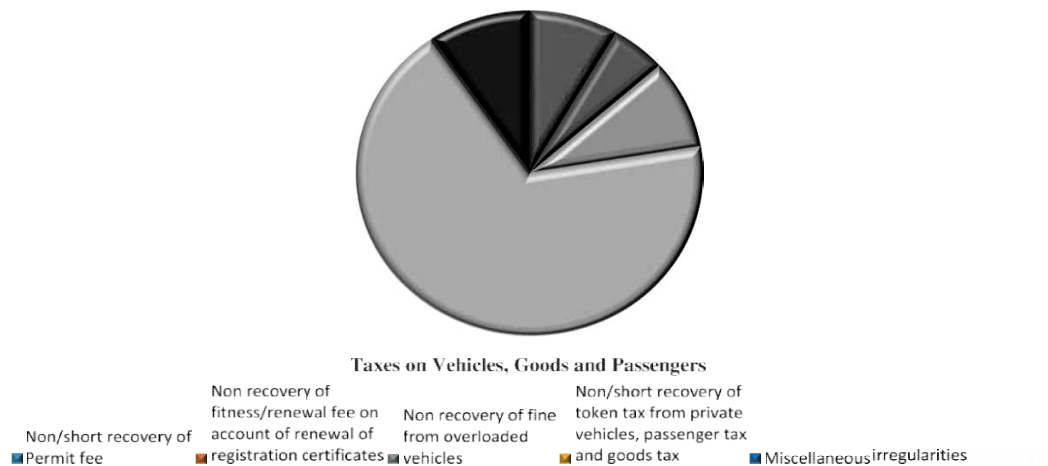
[43] 5.2 Results of Audit:

During 2017-18, test check of records of 84 out of 107 units revealed irregularities relating to token tax, permit fee, fitness/renewal fee, taxes on goods and passengers and penalty involving Rs.8.17 crore in 16,180 cases which fall under categories as detailed in **Table 5.1**.

Table 5.1 – Results of audit

Sr. No.	Categories	Number of cases	Amount (Rs. in crore)
1.	Non/short recovery of Permit fee	455	0.68
2.	Non recovery of fitness/renewal fee on account of renewal of registration certificates	6,541	0.42
3.	Non recovery of fine from overloaded vehicles	384	0.73
4.	Non/short recovery of <ul style="list-style-type: none"> • token tax from private vehicles • passengers tax • goods tax 	4,079 1,400 2,340	1.47 1.25 2.84
5.	Miscellaneous irregularities	981	0.78
Tot al		16,180	8.17

Chart 5.2



During the year, the Department accepted under-assessment and other deficiencies of Rs.2.78 crore in 2,905 cases out of which 2,889 cases involving Rs. 2.74 crore were pointed out during the year and rest in earlier years. The Department recovered Rs.3.32 lakh in 16 cases which relates to earlier years.

Significant cases involving Rs.2.78 crore are discussed in the following paragraphs. The cases pointed out are based on the test check conducted by audit. The Department may initiate action to examine similar cases and take necessary corrective action.

The department in its written reply stated as under:

Inspection Report was issued by the O/o Principal Accountant General (Audit), Haryana for the financial year 2016 -17, 2017- 18, 2018-19. In this regard, reply of these IR have submitted to PAG (Audit) by all RLAs.

In addition to above, meetings are being organized at the headquarter under the Chairmanship of Transport Commissioner for full compliance of Audit observation of all the registering authorities situated in Haryana State. After the completion of these meetings, audit Committee Meeting (ACM) shall be organized to settle the Audit paras in all the districts after taking the time from the PAG (Audit) office. It is pertinent to mention here that due to Pandemic, Audit Committee Meetings (ACM) could not be held in the last two financial years.

In addition to above, it is also submitted that this para contains combined information including that to other Revenue Departments also. Subsequent paras are related the same, so reply given therein applies here too.

This Department has submitted the detailed reply in the subsequent paragraphs 5.4, please. Hence, this para may be dropped please.

The Committee has desired that a complete reply in details with latest status be submitted to the Committee at the earliest possible for its further consideration.

[44] 5.4 Non/short recovery of Token Tax:

Owners of 1,305 goods carriages had not deposited Token Tax during the years 2015-16 and 2016-17 resulting in non realisation of Rs.18.42 lakh. In addition, penalty of Rs.36.84 lakh was also leviable.

As per Haryana Government notification issued in January 2006, yearly token tax shall be leviable in advance on the basis of gross vehicle weight⁵ and is payable in equal quarterly instalments. The quarterly instalments should be paid on the first day of each quarter. Any broken period in such quarterly period shall, for the purpose of levying the tax, be considered as a full period. Further, Section 9 of the Act provides that in case of omission to comply with the provisions, penalty at the rate of one *per cent* per day of the token tax due will be charged from the first day of May, August, November and February for each quarter. However, the maximum amount of penalty will not exceed twice the amount of tax due.

Scrutiny of the records of the offices of nine Secretary, RTA⁶ revealed that the vehicle owners of 1,305 goods carriages either had not deposited or short deposited token tax during the year 2015-16 and 2016-17. No action had been taken by the department to recover the token tax. This resulted in non realisation of token tax amounting to Rs. 18.42 lakh. In addition, penalty of Rs. 36.84 lakh was also leviable as per the Act.

On this being pointed out, five RTAs stated (between November 2017 and April 2018) that an amount of Rs.0.64 lakh had been recovered and notices had been issued to recover the outstanding amount of Rs.21.00 lakh. Reply from remaining four RTAs have not been received. The matter was reported to the Government in May 2018. Reply was awaited despite issuance of reminders in July and November 2018.

The department in its written reply stated as under:

In this regard it is submitted that Rs.31.58 lacs has been recovered out of Rs.55.18 lacs. The notices have been issued to the defaulter operators. Apart from this, all these vehicles have been blocked online in VAHAN version-4 software and also take the action against defaulters under land revenue Act to recover the outstanding dues from the concerned vehicle owners. The detailed status of recovery/ outstanding amount is as under:-

Authority	No. of Vehicle	Amount of Tax Outstanding	Amount of Penalty	Total Amount	Recovered	Non Recoverable	Balance
Faridabad	253	563775	1127550	1691325	1186425	2700	502200
Panipat	322	226900	453800	680700	401000	0	279700
Sonipat	169	136475	272950	409425	205400	0	204025
Panchkula	28	48100	96200	144300	9413	80100	54708
Narnaul	28	97900	195800	293700	184000	0	109700
Hisar	286	233350	466700	700050	350814	0	349236
Jind	51	159400	318800	478200	79050	36525	362625
	22	46075	92150	138225	60700	77525	0
Nuh	108	200800	401600	602400	573900	0	28500
Kamal	38	126500	253000	379500	107700	7200	264600
Total	1305	1839275	3678550	5517825	3158402	204050	215537
					57.24%	3.70%	

It is pertinent to mention here that meeting are also being organized from time to time and last meeting held through Video Conferencing on 31.03.2022 and 16.05.2022 under the Chairmanship of Worthy Principal Secretary to Government of Haryana, transport Department with concerned D.T.O. for compliance of Audit para's. moreover, a special recovery cell at Headquarter has been constituted for sensitizing vehicle owners for depositing outstanding tax/ fee and telephonically vehicles owners have been contacted and insisted for paying tax balance.

Further, 7 Special Recovery Teams in charge of Assistant Secretaries have also been constituted for effective realization of outstanding dues from concerned vehicle owners vide order No. 7339 dated 28.02.2022. The department is also going to start a message alert scheme for compliance of different actions like tax payment, fitness, registration renewal etc.

Keeping in view of the efforts made by the department, this para may please be dropped.

CAG Report for the Financial Year 2017-18

Detailed updated statement of Para no. 5.4 "Non/ Short recovery of Tork tax"

(Amount in Rs.)

Sr. No.	Name of DTO	No. of Vehicle	Outstanding Tax with penalty	Recovered		Not Recoverable		Balance		Remarks regarding amount not recoverable
				No. of Vehicles	Amount	No. of Vehicles	Amount	No. of Vehicles	Amount	
1	Faridabad	253	1691325	187	1186425	1	2700	65	502200	Wrong vehicle no.
2	Panipat	322	680700	178	401000	0	0	144	2797000	
3	Sonapat	169	409425	78	205400	0	0	91	204025	
4	Panckula	28	144300	3	9413	13	80100	12	54787	NOC issued before audit period
5	Narnaul	286	293700	16	184000	0	0	12	109700	
6	Hisar	286	700050	210	350814	0	0	76	349236	
7	Jind	51	478200	9	7950	4	36520	38	362625	NOC issued and theft of vehicle before audit period
		22	138225	11	60700	11	77525	0	0	NOC issued before audit period
8	Nuh	108	602400	101	573900	0	0	7	28500	

9	Karnal	38	379500	10	107700	1	7200	27	264600	Tax already paid
	Total	1305	5517825	803	3158402	30	204050	472	2155373	
					57.24%		3.70%		39.06%	

The Committee has desired that a detailed reply of updated recovery and the amount not recoverable with reasons be submitted to the Committee at the earliest for its further consideration.

Mines and Geology Department

[45] 6.3.8.1 Termination of Contract:

Rule 50 of the Rules, 2012 provides that mineral concessions may be granted on application through a transparent process of inviting competitive bids/open auctions. The Government may in the interest of mineral conservation and scientific mining, pre-qualify the potential bidders, based on some objective assessment criteria, by inviting Expressions of Interest through general public and restrict the bids among the pre-qualified bidders.

However, the Department had not adopted a system of pre-qualifying potential bidders on the basis of financial adequacy for restricting bids amongst pre-qualified bidders with the result that contracts/leases were awarded at exceptionally high amounts which were economically unviable and unsustainable. As a consequence, several contracts had to be terminated due to default by contractors in payment of monthly contract amount.

The Department auctioned 95 mines in 10 districts up to 31 March 2017 out of which 16 contracts (17 *per cent*) were terminated. In 11 cases the bid money was more than 100 *per cent* of reserve price. Out of this, in 5 cases (45 *per cent*) contracts had to be terminated on account of non/short payment of contract money by the contractor. The details of terminated contracts are given below:-

Table No. 3: Details of contracts terminated

Sr. No.	District	Date of LoI/Date of agreement	Due date of termination Date of termination	Delay in termi- nation (in days)	Name of block of mining contract /lease	Reserve price	Bi d am ount	Percen- tage of increase in bid amount over reserve price	Reasons for termi- nation
						(Rs. in crore)			
1.	Bhiwani	03-01-2014 19-02-2015	04-03-2015 04-11-2016	611	Kalali and Kalyana	19.05	32.45	70.34	Non /short payment of contract money
2.	Faridabad	03-01-2014 22-09-2014	31-05-2016 10-06-2016	10	Palwal Sand Unit 1	1.50	27.56	1,737.33	Non/short payment of contract money
3.		03-01-2014 22-09-2014	31-05-2016 15-05-2017	349	Palwal Sand Unit 2	1.80	29.50	1,538.89	Non/short payment of contract money
4.		03-01-2014 19-12-2014	01-03-2015 25-08-2017	908	Farida- bad Sand Unit 1	2.56	62.50	2,341.41	Dispute in Mining Area

5.	Kurukshe- tra	03-01-2014 07-11-2014	04-03-2015 12-06-2017	831	Kurukshe- tra Unit 1,	4.50	13.01	189.11	Non/short payment of contract money
6.	Mahendergarh (Narnaul)	02-09-2015 10-06-2016	30-09-2016 25-05-2017	237	Karota	11.20	11.205	0.04	Non/short payment of contract money
7.		03-01-2014 22-09-2014	02-07-2016 30-08-2016	59	Mahenderharh Unit 3	1.16	11.51	892.24	Scarcity of sand deposits
8.	Panchkula	03-03-2016 Not executed	01-06-2016 02-06-2017	366	Mandla iBlock 2	3.23	5.085	57.43	Non- execution of agreement and non- deposit of balance security
9.	Panipat	03-01-2014 09-09-2016	30-11-2015 02-06-2017	550	Karnal Unit 1	6.62	60.05	807.10	Non/short payment of contract Money
10.		03-01-2014 01-10-2015	30-11-2015 28-12-2015	28	Karnal Unit 3	4.66	70.01	1,402.36	Non/short payment of contract money
11.		03-01-2014 Not executed	03-04-2014 12-09-2014	162	Panipat Unit 1	4.76	40.05	741.39	Surrendering of mining contract
12.	Sonipat	03-01-2014 Not executed	03-04-2014 21-03-2014	No delay	Sonipat Unit 1	5.78	71.00	1,128.37	Dispute in Mining Area
13.		03-01-2014 Not executed	03-04-2014 12-09-2014	162	Sonipat Unit 2	15.12	120.13	694.51	Dispute in Mining Area
14.		03-01-2014 Not executed	03-04-2014 11-08-2017	1226	Sonipat Unit 3	13.10	51.04	289.62	Dispute in Mining Area
15.		02-01-2015 07-07-2015	02-04-2015 27-06-2016	452	Tikola Sand Unit 1	9.04	9.07	0.33	Dispute in Mining Area
16.		02-01-2015 20-08-2015	02-03-2016 02-07-2017	487	Nandnaur Sand Unit	11.16	11.22	0.54	Non/short payment of contract money

These contracts were not retendered. The revenue forgone worked out to Rs. 192.64 crore upto March 2018 on the basis of reserve price.

The successful bidder is required to deposit annual contract money with the Department in equal monthly installments. First installment of contract money should be deposited before commencement of mining operations or before the expiry of the period of 12

months from the date of issue of Lol, whichever is earlier. As per para 5 (iv) of Lol, delay in payment of monthly contract money beyond 60 days would amount to a breach and invite action for termination of the contracts.

In 12 cases of terminated contracts, the contractors made payment between two and 32 months beyond the stipulated period of 60 days for payment of monthly installment. In these cases, the agreements were also executed after delay of three to 29 months beyond the stipulated period of 90 days.

In five cases (Sr. No. 8, 11, 12, 13 and 14) no agreements were executed. These contracts were terminated between three and 43 months from the date of issue of Lol.

During exit conference, the Department stated that in online open auction process the Department had no control on the highest bidding amount offered by the bidder. Bidders realised later that contract was not financially viable as production of minerals was controlled by the market demands. It was further stated that restriction of auction among only pre-qualified bidders would reduce competition and the Government wanted to encourage small contractors also. The Department was aware of the situation and action to avoid such instances in future was under active consideration of the Department.

The department in its written reply stated as under:

As regard not adopting the system of pre-qualifying potential bidders for participation in the auctions, resulting in exceptionally high bids (which were economically unviable and unsustainable, resulting in cancellation due to non-payment it is clarified that:

1. The state Government in June, 2012 while repealing the prevailing State Rule, 2012 made enabling providing in the rules to conduct auctions amongst the pre-qualified bidders;
2. The State of Haryana auctioned its mines of minor mineral in December, 2013 after protracted litigation regarding applicability of Environmental Clearance for mining of minor minerals as per EIA notification dated 14.09.2006 of Ministry of Environment & Forest, Government of India.
3. It was decided that the mines would be auctioned in 42 mining blocks – 12 stone mining blocks and 30 Blocks of Sand/ Boulder, Gravel and Sand Mines. It was further decided that the auction would follow two different modes as follows:
4. **Auction restricted to pre-qualified bidders:** It was decided that the auction of stone mines would be restricted to pre-qualified bidders who had been selected on the basis of their past experience financial capabilities and other relevant factors such as technical know-how needed for carrying out blasting etc.
5. **Open auction without pre-qualification of bidders:** It was decided that the Sand/ Boulder, Gravel and Sand Mines would be auctioned through an open auction without pre-qualification of bidders as the mining of sand etc. does not require any complex technology/ technical know-how etc.

6. In the auction held in December 2013, all 42 mining units attracted very high bids and the district-wise gist is as under:-

Sr. No.	Date of auction	District	Total No. of Units auctioned	Total Reserve price (in cr.)	Total Bid Amount (in cr.)	Auction
1.	23.12.2013	Panchkula, Ambala & Kurkshetra	7	65.00	369.94	Without pre-qualification mode
2.	24.12.2013	Yamunanagar	6	77.12	328.82	Without pre-qualification mode
3.	26.12.2013	Kamal, Panipat & Sonipat	10	81.99	627.99	Without pre-qualification mode
4	27.12.2013	Faridabad & Palwal	4	7.79	169.56	Without pre-qualification mode
5.	28.12.2013	Mahendergarh	3	3.20	28.57	Without pre-qualification mode
6.	30.12.2013	Bhiwani (Stone) Mahendergarh (Stone)	12	116.77	609.04	Pre-qualification mode
Grand Total		12	42	351.87	2133.93	

7. The 12 mines that were auctioned through the pre-qualification route attracted the aggregate bid amount of **Rs. 609.04 Cr** against the aggregate reserve price (RP) of **Rs. 116.77 Cr.** [5.21 times of RP]
8. The 30 mines that were auctioned through open auction (without pre-qualification of bidders) aggregate bid amount of **Rs. 1524.88 Cr** against the aggregate reserve price of **Rs. 236.65 Cr.** [6.44 times of RP]

Conclusion:

1. It is thus clear that the auction of mines under both the routes received unprecedented response by way of high bids and there was no significant difference in the bidding trends in the two modes.
2. Hence the observation of the audit report that bidding through a system without pre-qualification of bidders led to exceptionally high and economically unviable bids is thus not borne out by facts and is not justifiable.
3. The reserve price of mines is worked out as per State Rules, 2012 by taking into consideration the last bid attracted by the mine, availability of mineral reserves, potential access and proximity to the market. Any successful bid has to be higher than the reserve price thus fixed.
4. The State, has no means for controlling or restricting the bid amounts at the time of auction- irrespective of the mode of auction (open or restricted though pre-qualification of bidders).

5. Pre-qualification of bidders may be adopted if found necessary for ensuring mining through scientific means. It is not however desirable to adopt pre-qualification mode of auction as a means for restricting the bid amount in the name of ensuring economic viability of bids as this could potentially lead to allegations regarding lack of transparency and manipulation of bidding process.

Review of auction process and shift to open auction (without pre-qualification of bidders):

1. The large-scale surrender of mines by bidders and the formation of mining cartels led to a review of the auction process. It was concluded that the large size of the mining blocks had restricted the number of bidders. Further that the pre-qualification mode of auction had facilitated the creation of mining cartels that had vested interests in stalling the recommencement of mining in the State. It was therefore decided that the mines would be re-auctioned through an open auction (without pre-qualification) by carving out smaller mining blocks. This would increase competition through participation by all interested mining operators (including small entrepreneurs) and would thereby disrupt the cartels formed by existing large operators.

National loss due to failure to retender surrendered/ cancelled mines:

1. **Non operation of mine for want of Environmental clearances and Consent to operate:** As per EIA notification dated 14.09.2006 issued by Ministry of Environment, Forest & Climate Change, Government of India (MoEF& CC, GoI) before undertaking mining activities/ operations prior Environmental Clearance (EC) is required to be obtained in accordance with the process let down from the competent authority prescribed under said EIA notification dated 14.09.2006. In the State of Haryana mining remained almost closed due to litigation from 2010 to 2013 and even areas available for grant could not be auctioned for want of clarity on the process to seek EC. After settlement of the ongoing litigation, the State could auction its mines in December, 2013. Keeping in view that reasonable time was required for seeking permissions for mining including EC, the mineral concessions were/are being granted subject to the condition that actual mining operations shall be allowed to be commenced only after obtaining prior Environmental Clearance (EC) from the competent authority as per requirement of the EIA notification dated 14.09.2006 of the Ministry of Environment Forest & Climate Change, Government of India. However, many of the mineral concession holders who took mines through auctions due to various reasons, failed to obtain EC within 12 months from the date of issuance of Letter of Intent. The actual mining could not be commenced within the prescribed period of 12 months from the date of issuance of Letter of Intent.
2. Refusal or non -grant of Environmental clearances by the MoEF CC GoI for part

area of the contract: In many of the cases the MoEF CC GoI while granting EC refused to grant EC at the stage of approval of Terms of reference or at later stage in many of the cases permissions for mining were not granted for part area or were granted for lesser production. Due such issues multiple litigations were / are faced as concessionaires sought the reduction of contract money on the proportionate basis.

3. **Disputes over area:** The Department had relied upon the records/ Khasra plan provided by the Revenue Department for survey and identification of mining blocks for auction. It later transpired that in some cases the records had errors/ discrepancies leading to claims by the bidder regarding shortfall in mining area actually available on ground. The revenue maps provided to the department for surveys had not been updated in light of the Dixit Award on transfer of land between U.P. and Haryana. Such discrepancies in revenue records were exploited by the bidders to create disputes for seeking surrender of bids.
4. **Implementation of guidelines/ directives by NGT:** Hon'ble NGT restrained mechanical mining/ use of machinery for excavation of sand from the river bed vide its order dated 23.12.2015. This order disrupted mining operations and the contractors used this as a ground for claiming a reduction in contract amount.
5. On cancellation of mineral concessions awarded in the auction held in December, 2013 the area that became available for mining were got surveyed afresh and new, smaller mining blocks were carved out for auctioned in November, 2014 onward. The areas that were under litigation were excluded from the newly carved out mining blocks. It is pertinent to note that a number of factors other than the high bid amounts posed problems in the smooth running of contracts and led to surrender/ termination of contract/ leases. Out of many of the areas cancelled few still remained under litigations/ appeals and by getting the same resolved areas were offered for auction.

Mode of selection of mining areas:

1. It is pointed out that earlier the minor mineral mines of sand/ boulder gravel sand/ stone were being auctioned based on revenue estate basis. The highest bidders out of total area of the revenue estate used to undertake mining in the areas having mineral reserves but leaving the areas falling under other restrictions for mining.
2. Prior to 14.09.2006 no EC was required for mining of minor minerals (other than Gai Mumkinpahara areas of District Gurugram as per notification dated 07.05.1992 of the MoEF CC GoI)
3. After 14.09.2006 and settlement of litigation on applicability of notification dated 14.09.2006 and mode of seeking EC for minor minerals, the state notified its minor mineral mines by giving khasra details also. At that point of time the exercise of selection of areas for mining was done with the help of HARSAC – the Khasra

maps of the villages as provided by the revenue department were digitized by HARSAC and superimposed on the satellite imageries

4. However, in many of the areas HARSAC imageries for earlier periods used by HARSAC based on availability of data and maps as per revenue records could not have synchronised and resulted on many discrepancies despite best of efforts to use technology available technical knowledge through HARSAC.

Decision to use technology and robust procedure for survey of vacant mining areas before re-auction Having found number of disputes coming in notice or are creating on small issues it was decided that:

5. The areas having mineral deposits to be selected for mining (after leaving the restricted areas) are first surveyed by the Mining Officer, Surveyor and Geologists of the Department and team of experts from HARSAC;
6. The areas selected along with maps superimposed on satellite imageries are sent to DC Committee consisting of the officers of the other Departments namely Forests, Irrigation, Pollution Control Board and Revenue} to get the area surveyed and prepare ground truthing report;
7. **The areas after ground truthing received from the DC Committee are again examined by the team of Geologists and Surveyors to select undisputed areas and blocks are formed for auction. The areas so selected are then proposed / notified for holding fresh auctions.** Fresh auctions for the vacant mining blocks on above mode is being done to rule out future disputes and litigation.
8. In the present status of 16 cases/ areas referred in the report(**Annexure-A**), it may be stated here that auction of the areas on cancellation of mineral concessions is ongoing process and the number of mines on concessions, operational mines and mines in process of seeking clearances and being auctioned goes on changing , The number of mining blocks also depends on the policy decision and any other fresh issue which may arise. The total number of minor mineral mines offered for auction increased from 42 to 119 and were put to auction from November, 2014 onwards.
9. It is worth mentioning here that for fresh auctions the areas were decided to surveyed afresh and ground truthing reports be obtained from the Committees headed by Deputy Commissioners concerned (with members of the other related Departments such as Revenue, Forests, Environment, / Pollution Control Board and Irrigation) to rule out any possibility of the related disputes created after grant of mines .
10. Delays in clearances, litigation, area disputes, implementation of guidelines and directives issued by Courts/ Tribunals on environmental issues etc. The Department fervent efforts to resolve all such issues to ensure smooth auction and

operation of mines. Any notional loss caused by factors outside the control of the Department. The audit observation regarding loss having been caused to the State due to failure to retender the surrendered/ cancelled mines is thus not borne out by facts

The Committee has desired that the case-wise detailed reply with latest status be submitted to the Committee.

The Committee has also desired that the department may consider to obtained environment clearance before the auction of the site.

[46] 6.3.8.2 Delayed/non-execution of agreements:

Para 3 of the Lol provides that the contractor/lessee shall execute an agreement within a period of 90 days from the date of issue of the Lol. Further, in the event of failure to do so, (i) the Lol shall be deemed to have been revoked; (ii) an amount of 10 *per cent* initial bid security shall be forfeited; (iii) 15 *per cent* balance bid security shall be recovered as arrears of land revenue; and (iv) the defaulter shall be debarred from participation in any future mining auctions for the period of five years.

In the offices of 10 Mining Officers (MOs) Lols were issued to 95 contractors between January 2014 and October 2016 and they were required to execute agreements between April 2014 and January 2017.

However, 77 contractors executed agreements after the prescribed period of 90 days. The range of delay was between five and 891 days as detailed below:

Table No. 4: Range of delay in execution of agreements

Sr. No.	Range of delay (in days)	Number of cases
1.	Upto 90 days	8
2.	Between 91 and 180 days	27
3.	Between 181 and 270 days	21
4.	Between 271 and 365 days	13
5.	Above 365 days	8
Total		77

Department had not forfeited/recovered bid security as per extant rules. In nine contracts, the agreements were executed in time. Further, nine contractors in offices of three MOs at Panchkula (four), Panipat (two) and Yamunanagar (three) had not executed agreements upto 31 March 2018 as detailed below:

Table No. 5: Details of agreements not executed upto 31 March 2018

Sr. No.	Name of block and contractor/lessee	Date of Lol	Due date of execution of agreement	Delay (in days)
Panchkula				
1.	Gobindpur Block/PKL B 18	09-06-2015	06-09-2015	937
2.	Narainpur Block/PKL B 19	09-06-2015	06-09-2015	937
3.	Mandlai 2 Block/PKL B 22	03-03-2016	31-05-2016	669
4.	Manak Tabra Block/PKL B 20	06-10-2016	03-01-2017	452
Panipat				
5.	Karnal Unit 2	03-01-2014	02-04-2014	1459
6.	Panipat Unit 1	03-01-2014	02-04-2014	1459
Yamunanagar				
7.	Chuharpur Block/YNR B 26 and 27	03-03-2016	03-06-2016	639
8.	Ismailpur Block/YNR B 32	03-03-2016	03-06-2016	639
9.	Haldari Gujjar Block/YNR B 35	03-03-2016	03-06-2016	639

Mining has commenced in one contract in Panchkula (Sr. No. 1). One contract was terminated in Panchkula (Sr. No. 3) due to non-execution of agreement and non-deposit of balance security and one contract in Panipat (Sr. No. 6) was terminated due to surrender of mining contract.

However, in the remaining six contracts mining has not commenced and the Department had not revoked these contracts (March 2018).

During exit conference, the Department stated that the period of 90 days for execution of agreement was insufficient as Department had to verify/certify supporting documents/details of property of the sureties. It further stated that the documents were verified by a Chartered Accountant after seeking additional clarification/documents, if needed. Hence, the process took more than 90 days. The Department should review the rules in case it considered period of 90 days insufficient to execute the agreement. Department agreed and stated that the rule would be reviewed to avoid such situations in future.

There was delay in execution of agreement in 77 cases. In six cases agreements have not been executed even after more than two years of award of contract. Department has not revoked these contracts and the mines are not operational leading to loss of revenue.

The department in its written reply stated as under:

The audit objection relates **to non-execution of agreements / lease deeds within 90 days** by the bidders after auction/issuance of Lol. It is pertinent to discuss the steps involved in the execution of agreements/ lease deeds by the bidders after auction/issuance of Lol. The following steps are involved:

1. The mineral concessions [**mining contracts/ mining leases**] are granted through open auctions/e- auctions and after confirmation of the bid by the State Government; the acceptance of the bids is communicated by issuance of "Letters of Intent" (Lol).
2. As per the provisions of the Rule 21 and Rule 26, Mining lease deeds or Mining contract agreements respectively are to be executed in Form ML-1 & MC-1 respectively within a period of 90 days of the date of order of grant or renewal of the mining lease/contract/issuance of Lol. The same are also required to be registered.
3. As per requirement of Rule 21(3) and Rule 26(3) the Lol holders are also under obligation to furnish a solvent surety for a sum equal to the amount of the annual bid for execution of the contract agreement/lease deed.
4. As annual bids received were on higher side the Lol holders had to give more than one solvent surety because it was difficult for any one person to have such a high solvency value.
5. Further to ensure that solvency of the sureties is properly verified/certified, the Department has started taking supporting documents/details of the properties of the sureties. Even further, the documents submitted are got verified through a Chartered Accountant. In case the CA desires to have some additional clarification/documents, the same are sought and only thereafter agreements/ deeds are formally signed by the Director.
6. The Lol holders are required to submit the details within 90 days along with documents as per above in the office of Mining Officers in the district concerned, who after preliminary examination/scrutiny, forwards the papers to the HO for further action and execution – signing of the agreements through Director, Mines and Geology.

It is clear from the above discussion that the 90 days timelimit for the execution of agreement by Lol holders may be insufficient in some cases and additional time may be required for verification of the documents by the department to safeguard the interest of the State. It would be reasonable to impose the 90 days time limit for submission of documents by the Lol holder and any extra time taken by the Department for verification of the same may not be counted towards delay on part of the Lol holder for executing the agreement. Furthermore, sometimes a dispute may arise between the Lol holder and the Department leading to litigation prior to execution of agreement. The execution gets delayed in such cases till the settlement of the legal dispute.

As per provisions of the State Rules 21(4) and 26(4) the Director can condone delay up to 30 days (over and above the 90 days time) and in case of delay more than the same, delay can be condoned by the State Government. The decision to condone any delay in the execution of lease deed/ contract agreement after expiry of 90 days from the date of issuance of Lol is in variably taken by the competent authority on the merits of the case. The audit report has noted the delay in execution of agreement in 77 cases. The breakup of cases as per delay in submission of documents is as under:

Sr. No	Period of delay	Number of Cases	Remark
1	Without Delay (within 90 days)	39	The contractors/lessees submitted the papers in time
2	Delay up to 10 days	11	DMG condoned the delay being less than 30 days
3	Delay up to 30 days	08	DMG condoned the delay being less than 30 days
4	Delay beyond 30 days	19	State Government approval was sought before execution of agreement
	Total	77	
It is pointed out that out of 77 cases referred to in the Audit Report documents had been submitted on time in 39 cases and with delay in the balance 38 cases.			

The recommendation in the Audit Report for review of Rules in light of the difficulties experienced in execution of agreement within prescribed time limit is valid and appropriate action shall be taken with the approval of the competent authority.

The detail of the 09 cases given (which includes 07 cases where agreement could not be executed) under Table 5 is as under:

District Panchkula (04 cases)

- 02 Lol holders (**M/s Gobindpur Royalty Co. and M/s Pinjore Royalty Co.**) at sr. No 1 and 2 of the Table executed the contract agreements.
- Lols of remaining 02 highest bidders of district Panchkula (at sr. No 3 and 4 of Table 5)were revoked with consequential penal actions.

District Panipat (02 cases)

- (01 highest bidder/Lol holder of district Karnal (at Sr No 5 of the Table 5)- Sh. Devender Nagpal of Karnal Unit-2 submitted papers for execution of contract agreement in the office of AME, Panipat for seeking cancellation of auction of Karnal Unit-2. However, thereafter filed a CWP No.21219 of 2015 before the Hon'ble Punjab & Haryana High Court, Chandigarh seeking cancellation of the contract on the ground that a part area of contract stood transferred to UP under Dixit Award and other grounds such as are being used for agriculture by the land owners and few structures exiting etc.

- The Hon'ble High Court vide order dated 02.06.2016 held that the only ground upon which contractor can rescind the contract is on account of a part of the land being in UP, however, after opportunity of leading oral and documentary evidence.
- Accordingly, after affording personal hearing he was offered fresh Lol but he refused and sought refund of bid security deposited at the time of auction, after legally examining the matter, the State Government cancelled of contract. Accordingly, the contract agreement could not be executed due to litigation and as on data is not in existence.
- In other cases i.e., **M/s Eco Tech Coal Industries Pvt. Ltd.** of District Panipat who offered highest bids in respect of two of the mines [one of Sonipat Unit-2 and another of Panipat Unit-1] in the auction held on 26.12.2013. Lols were issued in respect of both mining units. However, he sought revocation of highest bid offered in respect of Sonipat Unit-2. The same was not found to be maintainable as per the terms of grant, therefore, after getting the matter legally examined, the department vide a common order dated 12.09.2014 revoked the bid offered in respect of Sonipat Unit-2 with consequential penal actions and the Lol issued in respect of Panipat Unit-1 was cancelled with refund of initial security bid amount.
- The Lol holder filed writ petition no. 22107 of 2014 in respect of Panipat Unit-1 seeking quashing of order dated 12.09.2014, permission to execute contract agreement deed. The Hon'ble High Court on 01.03.2016 passed divergent orders, hence the matter was referred to third Judge. Another CWP No. 1683 of 2017 filed and 22107 of 2014 were taken up together on 14.02.2018 and the Hon'ble Court disposed of the matter allowing the request of petitioner to run the mine. However, they did not come forwards to execute deed. So, the Lol stood deemed to have been revoked and the contract could not be made operational.

District Yamunanagar (03 cases)

- With regard to non-execution of contract agreements by **03 Lol holders of district Yamunanagar**, it is stated that actual mining operations are permitted only after obtaining environmental clearance from the competent authority.
- For seeking EC, one has to first get Terms of Reference approved from the competent authority for preparation of EIA report (collection of Data).
- In these 03 cases (at Sr. No 7,8 and 9 of the Table 5)at the stage Terms of Reference was rejected on 13.07.2016 by the Ministry of Environment Forest and Climate Change, Government of India. The same was not reviewed despite pursuance by lol holder and the State, So, in these cases Lols of these highest bidders were revoked/ rescinded as mining in these areas was not feasible for want of EC / permissions.

The Committee has desired that the facts of the cases in this para may be reconciled in the office of Accountant General (Audit), Haryana under intimation of the Committee.

[47] 6.3.9.1 Receipts from mining contracts and leases Short/non-deposit of contract money and interest thereon:

Para 3 of the Lol provides that the contract/lease commences from the date of commencement of mining operations or on expiry of a period of 12 months from the date of issue of Lol, whichever is earlier. The contractor is liable to pay contract money/dead rent or the amount of royalty on the mineral excavated and dispatched, whichever is higher as soon as the contract comes into effect. Further, para 5/para 7 of part 3 of the contract/ lease agreement provides that short/non-deposit of advance monthly installment shall attract interest at the rate of 15 *per cent* (upto 30 days) and 18 *per cent* (31 to 60 days) per annum. Delay beyond 60 days would amount to a breach and invite action for termination of the contract/lease with recovery of entire outstanding amount along with interest at the rate of 21 *per cent* per annum forentire period of default.

The Department auctioned 95 mines in 10 districts up to 31 March 2017. However, in the offices of nine MOs it was observed that 69 contractors (Contracts = 53; and leases = 16) out of 84 were required to deposit advance monthly installments of contract money of Rs.1,413.29 crore (Contract money:Rs. 880.19 crore; dead rent: Rs.532.77 crore; and royalty: Rs.0.33 crore) between January 2015 and March 2017. The contractors deposited Rs. 605.08 crore resulting in short and non-deposit of advance monthly installments of Rs.808.21 crore (Short deposit = Rs.33.57 crore; and non-deposit = Rs.774.64 crore). It was further observed that there was delay ranging between 63 and 1,184 days in depositing the contract money as detailed below:

Table No. 7: Range of delay in deposit of contract money

Sr. No.	Range of delay (in days)	Number of cases
1.	Upto 90 days	3
2.	Between 91 and 180 days	4
3.	Between 181 and 270 days	1
4.	Between 271 and 365 days	1
5.	Above 365 days	60
Tot al		69

Due to delayed/non-deposit of contract money by the above contractors, interest of Rs. 347.63 crore upto March 2018 was also leviable.

It was further observed that all the above 69 contractors did not deposit monthly advance installments of contract money within 60 days at one stage or another, which constituted breach of the contract/lease agreements. The Department, however, did not initiate action to terminate these contract/lease agreements.

On this being pointed out between December 2017 and May 2018, MOs, Ambala and Yamunanagar informed in May 2018 that recovery of Rs.9.54 crore (Ambala = Rs.6.00 crore and Yamunanagar = Rs.3.54 crore) had been made and efforts would be made to recover the balance amount. During exit conference, the Department agreed to the observation but stated that the concession holders filed Special Leave Petition (SLP) in the Apex Court against the recovery of Government dues for un-commenced period of contract for want of environment clearance. Reply should be seen in view of the fact that there was no stay against the recovery of dues for the un-commenced period. Yet the Department was not pursuing recovery of government dues of un-commenced period.

Department failed to levy interest of Rs. 347.63 crore on delayed deposit of contract money/dead rent/royalty. Further, there was short deposit of monthly instalments of contract money amounting to Rs. 808.21 crore.

The department in its written reply stated as under:

It is pointed out that dues for the un-commenced period of concession was under litigation and same was not recoverable till 22.02.2016 as there was state on the recovery. Even while vacation the state in related cases the Hon'ble Supreme Court directed that in case amount (of un-commenced period) is paid, in the event of final decision in their favour, the same would-be refunded with interest. Notwithstanding the same due to pending litigation the dues of such period were not deposited. In this regard following is submitted.

- The Amount worked out by the audit was re-worked out by the department in the 69 cases refereed under report, it was found that actual pending dues for the period audit report was prepared was Rs. 1539.25 crore against the total outstanding dues of Rs 1155.84 crore pointed out by audit.
- Out of Rs. 1539.25 crores worked out by the department, an amount of Rs. 1153.99 crore was for the **un-commenced period of contract / lease** for which litigation was pending before the Hon'ble Supreme Court.
- To resolve the related long pending dispute the State Government, vide orders dated 03.11.2021 notified "One Time Settlement Scheme" to resolve issues pertaining to Mining sector in the State, under its flagship policy of the State "Vivado ka samadhan".
- After giving relief under OTS Scheme to 59 cases and the amount of pending dues for un-commenced period of contract/ lease got reduced to Rs 102 .53 crore,
- out of this, 59 contractors/ lease holders 50 deposited amount totalling to Rs 41.13 crore.

- In 9 cases, the concessionaires have filed objections which are being examined;
- In other 10 cases involving few other issues including judicial interpretations are under examination and would be decided as per policy of the state.

The Committee has desired that the pragmatic and sincere steps be taken to expedite the recovery in the remaining 9 cases under intimation of the Committee.

[48] 6.3.9.3 Delayed/non-deposit of monthly installment to the Fund and interest thereon:

Monthly installments to the Fund were deposited by the contractor in MO, Hisar. In the remaining nine MOs¹⁰ (between September 2016 and May 2018) mining operations in 48 contracts commenced between May 2015 and March 2017. These contractors were required to deposit monthly installment of Rs. 97.72 crore. However, the contractors deposited Rs.48.42 crore in the Fund resulting in short/non-deposit of Rs.49.30 crore (Short deposit = Rs.1.21 crore; and non-deposit = Rs.48.09 crore). In addition, interest of Rs.17.44 crore upto March 2018 was also leviable. However, the Department neither ensured contribution to the Fund by the contractors as per provisions of the contract nor levied interest for delayed/non-payment.

During exit conference, the Department agreed that 10 per cent contribution of annual contract money/dead rent/royalty, along with interest on delayed deposit was recoverable from the concession holders. Department further stated that action was being taken against the defaulters in this regard.

The department in its written reply stated as under:

The fund has been created mainly for restoration and rehabilitation of the mining site i.e. for ensuring implementation of Progressive and Final Mining Closure Plan. The amounts spent by the mineral concession holder for the same can be claimed to be refunded from the amount deposited by them maximum to the extent of their contribution.

Out of total outstanding dues of Rs 65.53 cores, an amount of Rs. 10.42 crores stands recovered and efforts are being made to recover the balance amount keeping in view the latest amendment of granting of relief of 50% of unpaid interest amount under OTSS after paying full principal amount pending upto 31.03.2021.

The Committee has desired that updated reply with regard to the pendency of recovery as well as recovery under the one time settlement (OTS) scheme be submitted to the Committee for its consideration.

[49] 6.3.9.8 Lack of monitoring of the Fund

Paras 6, 7 and 8 of the Fund provide that it shall be administered by a Committee headed by the Administrative Secretary (Chairman) along with seven members, one special invitee and one Member Secretary. It further provides that the Committee shall meet at least three times during any financial year. The Committee shall review the status of the

Fund, approve the projects found eligible for funding, monitor the progress on implementation of the projects approved, establish a mechanism for audit of physical deliverables and outcomes and take appropriate corrective measures, wherever required.

The Committee was required to convene at least five meetings between July 2015 and March 2017 to review the status of the Fund, etc. However, it did not meet even once during that period. The lack of monitoring of the Fund by the Committee resulted in the various shortcomings in the administration of the Fund, as discussed above.

During exit conference, the Department stated that contribution towards Fund started in the year 2015-16 and implementation of the projects to be carried out were at fledgling stage. Department agreed that no meeting of the committee was held so far but there was no irregularity/shortcoming in the administration of the Fund.

There was short contribution to the Fund by contractors as well as by the State Government. The purpose of establishing the fund was also not achieved as contractors failed to use available fund balances for carrying out restoration and/or rehabilitation work.

The department in its written reply stated as under:

During exit conference, it was clarified that the fund has been created recently and restoration and rehabilitation of the mining side is the main charge for the fund as per rule 77 (4) of the State Rules, 2012 and exiting operative mines have not reached to the stage of closure. Only in one case where mine reached to the state of closure (a small area earlier mined for excavation of Gypsum from Saharwa, of district Hisar and villages Dariyapur & Garanpur Kalan of district Bhiwani) had submitted for refund of the amount of expenditure on R and R of the area. The Department has already deposited the contribution to the Fund.

The Committee has desired that the broader plan alongwith the afresh reply with latest status be submitted to the Committee within a period of one month for its consideration.

[50] 6.3.10 Non preparation of District Survey Report (DSR):

As per Sustainable Sand Mining Management Guidelines 2016, a Survey should be carried out by the District Environment Impact Assessment Authority (DEIAA) in each district with the assistance of Geology Department, Irrigation Department, Forest Department, Public Works Department, Ground Water Boards, Remote Sensing Department and Mining Department.

During the examination of the records (May-June 2019) in the office of the Director, Mines and Geology Department, Haryana, audit observed that out of 10 districts, DSRs were prepared by the Mining Officers of Panchkula and Yamunanagar districts only and submitted to the Department in April 2018 and August 2017 respectively. DSR in respect of Panchkula district was sent to the Deputy Commissioner, Panchkula in April 2018 for finalisation by DEIAA but approval of the same was not on record. DSR in respect of the

remaining eight districts were not prepared by the concerned Mining Officers.

The Department did not independently assess mineral reserve on the basis of any survey. The data as mentioned in the EC/Mining Plan prepared by the contractor in respective mining blocks was adopted. Hence there is no independent assessment of available mineral resources by the Department.

However, the Department stated (August 2019) that estimation of mineral reserve is being done now for newly identified areas and informed that District Survey Reports have been prepared in respect of four out of 15 districts in the State, namely, Panchkula, Yamunanagar, Chakri Dadri and Mahendergarh.




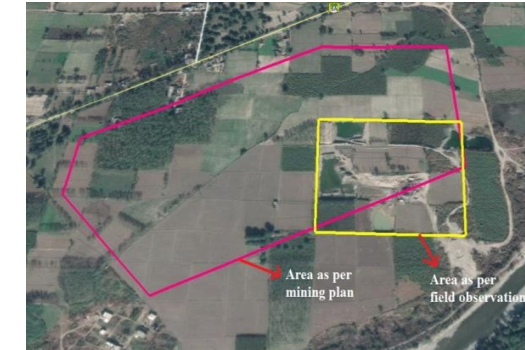
The department in its written reply stated as under:

The state had been following the **Sustainable Sand Mining Guidelines 2016** for mining of sand in the riverbed. District Survey Reports are to be prepared as per notification dated **15.01.2016** of the **MoEF and CCGol**. The District Survey Report (**DSR**) for the districts of **Panchkula, Yamunanagar, Mahendergarh, Charkhi Dadri, Palwal, Karnal, Sonapat, Bhiwani, Faridabad, Palwal and Ambala** have already been notified/ prepared by the committee headed by the DC concerned. However, action in this regard is being taken through committees headed by the DC concerned. The DSR is a document prepared as per the procedure laid down in the Sustainable Sand Mining Guidelines 2016 for the mineral reserves in the entire district and draft reports are notified on the website of the district concerned for seeking comments/ objections of the all concerned. After the same are received, if any, the reports are finalized and notified on the website of the district. Areas are selected for auction after due diligence as explained in forgoing para and mining is allowed only after prior Environmental Clearances are obtained. The competent authorities while granting EC take cognizance of all factors including details given in the DSRs and sand mining guidelines.

The Committee has desired that the work of survey throughout State be completed at the earliest under intimation of the Committee.

[51] 6.3.11.1 Mapping of allotted sand mining area:

A red polygon demarcating the total area awarded for the mining block was formed using the coordinates given in the mining plan and to verify the area, Global Positioning System (GPS) receiver was used to demarcate actual area polygon (yellow) based on the feedback given by the contractor.

	
Nagli Block YNR B-15	Gumthala North Block YNR B-16
	
Gumthala South Block YNR B-17	MalikpurKhadar Block YNR B-28

There is difference in area as given in mining plan and as observed during site inspection. Mining sites have not been clearly demarcated by boundary pillars and there is a mismatch between coordinates given in mining plan and actual coordinates observed.

In case of Gumthala North Block, this variation has significant impact on estimation of mineral reserve.

As per approved mining plan, the quantity of annual mineable reserve was estimated at 20,34,672 metric tonne (MT). However, the calculation of annual mineable reserve with reference to the area given in mining plan, by using the dimension of mining block observed in the field and by using the area calculated by the coordinates given in the mining plan is shown in the table below: -

Table No. 9: Calculation of annual mineable reserve in Gumthala North Block

Sr. No.	Source for calculation of area	Area in hectare s	Area in m 2	Depth allowed (meter)	Volum e in m3	Bulk densi tyof soil	Weight in MT	Annual mineable reserve in MT
1.	Given in mining plan	44.62	4,46,200	3	13,38,600	2000	26,77,200	20,34,672
2.	Observed infield	98.079	9,80,790	3	29,42,370	2000	58,84,740	44,72,402
3.	Given coordinates	62.20	6,22,000	3	18,66,000	2000	37,32,000	28,36,320

The above data revealed that the extraction of the annual estimated mineable reserve observed in the field was twice that of original estimates given in the mining plan. As per area of 44.62 hectare, the reserve price was fixed at Rs. 7.30 crore, whereas for 98.079 hectare, the reserve price should have been Rs. 16.04 crore (worked out on pro-rata basis), which is Rs. 8.63 crore more than amount at which the contract was finally awarded (Rs.7.42 crore).

This is based only on test check. Department may undertake this check in other blocks/mining sites. Mining activities were carried out in an area larger than the approved area in Gumthala North Block. Department failed to detect this resulting in loss of revenue.

The department in its written reply stated as under:

The methodology employed for the geo-spatial field study has certain deficiencies and its conclusions cannot be accepted without a systematic verification. The following points may be noted:

1. The methodology used for identification of mining area has not been spelt out in the report. The reading of the report reveals that the identification of actual mining area has been done as per *'feedback given by the contractor'*. The methodology adopted for plotting the mining area on Google Earth Application has not been discussed. The basis for selection of GPS Coordinates used for calculation of area should have been made explicit before making any estimates of contracted area and quantum of mineral reserve. The mining blocks awarded through auction comprise contiguous parts of the riverbed and the conclusions drawn by the Audit Report would result in overlapping of mining blocks that is prima facie not possible. The Department has signed a MoU with HARSAC for scientific mapping of all mining areas and appropriate shall be taken if the findings of audit report are validated by HARSAC.
2. Further the audit team has made the presumption that the reserve price is fixed solely on the basis of the area and the quantity of mineral available. In reality the reserve price is fixed as per past trends, availability of mineral reserves, access and proximity to markets. Mineable reserves available have no link with the

income/revenue because in case of sand/boulder gravel mines, the contract money is not linked with the mineral excavated. The maximum permissible limit for mineral excavation/ dispatch is specified in the Mining Plan and the Environmental Clearance is accorded for the approved production limits. The production figures are reported to the Department and are monitored for violations. The Department has implemented an online e-Rawaana System whereby all billing for dispatch of minerals shall be generated through a centralized portal of the Department. This shall enable the Department to crosscheck and monitor in real time the production and despatch of minerals.

3. CAG in its report has stated that the report is based only on test check and the Department may undertake this check in other block/mining sites. The Department is keeping vigil over the mining areas and any violation by the mining contractors including any illegal mining in nearby area invites immediate punitive action.
4. The department is also monitoring such cases regularly. In case of Gumthala, an amount of Rs. 3.25 crores as penalty for illegal mining have been recovered. In other cases also, necessary action is being taken and penalties are imposed wherever illegal mining is detected.

The Committee has desired that the updated report with regard to these mines be submitted to the Committee at the earliest for its consideration.

[52] 6.3.11.4 Identification of unauthorized mining activities Nagli Block YNR B-1:

At the time of field inspection, the audit team did not observe any trace of illegal mining activity at the north bank of the stream. In order to identify the illegal mining activity, time series imageries for the years 2014, 2015 and 2018 of Google Earth were visually interpreted. The interpretation was done to capture movement of trucks/trolleys in the river bed zone, stack of sand in and along river bed zone, obstruction to naturally occurring flow regime, movement of light weight excavator and traces of mining pits. Though the mining operation commenced in Nagli block in April 2018 only, traces of illegal mining were seen in the imageries of years 2014 and 2015, as illustrated below:-



The Government of India, Ministry of Environment, Forest and Climate Change issued Sustainable Sand Mining Management Guidelines, 2016 for monitoring of mining activities. One of the recommendations was that at mining sites of small size (upto five hectares) shall be linked up with android based smart phone and large size (more than 5 hectares) mining site shall be linked up with CCTV cameras, personal computers, internet connection and power backup. The Department may initiate action to install these facilities in the mining sites at the earliest for preventing instances of illegal mining.

The department in its written reply stated as under:

1. The Report has observed that the condition regarding leaving un-mined block of 50 meter width after every block of 1000 meters was not observed in Google Earth imagery. The same needs to be corroborated through ground survey.
2. The contention relating to impact of riverbed mining changing the river flow may require further examination and proper study. Similarly, other observation related to alleged illegal mining based on satellite imagery for 2015-2016 in village Nangli needs further study.

It may be further stated the Department has already initiated number of steps for effective monitoring of mining activities including control of illegal mining, as under:

* **Digital billing/e-rawaana by the all concern for transportation of mineral:**

- The department has already implemented e-rawaana system as per which bills can only be issued through e-rawaana portal of the department, the mineral excavated and dispatched by the mineral concession holder would be monitored on real time basis. Further all stake holders including Mineral Dealer License holder, Screening Plant and Stone Crusher would be integrated with the system, therefore, mineral procured, dispatched by them would also be monitored on real time basis. All information regarding transportation of mineral through e-rawaana is freely available for the citizen through Department's web portal.
- Further action such as integration of the e-rawaana system with CCTV cameras and vehicles fixed with GPS system would also be introduced in a phased manner.

* **Use of satellite imagery for delineating of mining areas and also to detect illegal mining:**

- The department has signed a Memorandum of Understanding with the **Haryana Space Application Center (HARSAC)** for identifying and verification/delineating the mining areas to be auctioned including the area already granted on mineral concession and their regular monitoring by procuring satellite imageries on regular interval.

- The **HARSAC** will also assist in identifying area for checking of illegal mining through satellite imageries using remote sensing technology.
- Further for specific survey to make volumetric assessment of the stone mines, the department through a pilot project got one stone mining area surveyed using drone. The survey after regular/specific survey through drone survey would be used to assess actual quantity of mineral dispatch the same would be compared with quantity of mineral reported to ensure as to whether there is any loss of revenue on account of any possible of the mineral dispatched.
- * **Effective steps for checking of illegal mining:**
 - At present, all related departments being part of the District Level Task Force are also maintaining vigil over the incidents of illegal mining/transportation of illegally mined mineral.
 - The details of vehicles impounded and penalty recovery and FIR filed during the period from 2013-2014 are as under:

Sr. No.	Year	Number of cases	Penalty realized (Rs. in Lacs)	F.I.Rs. Registered
1.	2013-14	4,518	991.59	148
2.	2014-15	5,333	1451.71	245
3.	2015-16	3,912	838.55	78
4.	2016-17	1,963	435.34	121
5.	2017-18	1,748	480.73	228
6.	2018-19	2,009	484.08	252
7.	2019-20 (upto Sept, 2019)	619	224.82	110
Total		24,254	5333.46	1,421

The State Government has provided a dedicated police team to the Mines and Geology Department for stricter enforcement

The Committee has recommended that the integration of the e-rawaana system with CCTV Cameras and vehicles fixed with GPS system may be introduced at the earliest and action taken report be submitted to the Committee.

[53] 6.3.11.5 Verification of environmental clearance conditions:

As per mining plan, proper spraying of water and plantation along the roadside shall be done to prevent the spread of dust.

In Nagli Block YNR B-15, Gumthala North Block YNR B-16 and Gumthala South Block YNR B-17, no plantation and water spraying was observed along the roadside during the field visit. A visual observation revealed the high amount of dust that could lead to increase in particulate matter that needed to be monitored periodically. Further, workers were not provided with the dust mask and other protecting equipment.

Though environmental monitoring reports, prepared by the consultants, were submitted by the contractor twice a year, there were no regular checks on environmental monitoring of the quality of air, water, soil, noise, etc by concerned departments. The river banks were also not properly protected.

The department in its written reply stated as under:

The general observation that the environmental impact was not being monitored is not acceptable as the same is done by the MoEF and HSPCB and in case of any deficiency action are being taken by related authority.

The Committee has recommended that the department should submit a detailed report after obtaining the same from the Haryana Pollution Control Board regarding the environmental impact.

[54] 6.3.13.1 Short/non-recovery of royalty, additional royalty and interest thereon from brick kiln owners:

Section 24 of the Punjab Minor Minerals Concession Act, 1964, as applicable to the State of Haryana also, and Haryana Government notification of June 2012 provide that recovery of annual royalty of Rs.30,000, Rs.25,000, Rs.15,000 and Rs.5,000 is to be made from the owners of A, B, C and D category brick kilns respectively from 1st April of each year. Further, additional royalty at the rate of 25 *per cent* of the annual royalty is also recoverable from the brick kiln owners (BKO). Failure to do so will attract interest at the rate of 15 *per cent* (upto 30 days) and 18 *per cent* (31 to 60 days) per annum. Delay beyond 60 days would invite action for termination of the permit with recovery of entire outstanding amount along with interest at the rate of 21 *per cent* per annum for entire period of default.

In the offices of 14 MOs (between September 2016 and January 2018) audit observed that 181 BKOs out of 4,139 were required to deposit Rs.0.55 crore on account of annual royalty and additional royalty between April 2013 and April 2016. However, recovery of Rs.0.02 crore only was made from seven BKOs and that too after due date, resulting in short/non- payment of royalty and additional royalty of Rs.0.53 crore. In addition, interest of Rs. 0.24 crore upto March 2018 was also leviable. The Department neither initiated action to terminate the permits of these BKOs nor levied interest for delay beyond 60

days. In Rewari, no shortcoming was noticed in all 102 brick kilns.

During exit conference, the Department stated that recovery of royalty, etc. from BKO was an on-going process and arrears of royalty, additional royalty and interest due thereon was recovered from the BKOs at the time of deposit of annual royalty for the next year. Audit observed that better monitoring was needed to recover the royalty, etc. from the BKOs in time to ensure collection of revenue in the year it became due.

The department in its written reply stated as under:

The recovery from the BKO is ongoing routine process and in few cases the same remains recoverable and it was explained in the exit conference that the same is recovered along with interest at the time of permit obtained annually.

The audit report suggests to have better monitoring system.

It is pointed out that in phase manner even the BKO would be recovered under e-rawana portal for transportation of brick earth. Once they are also putting the line portal the system will automatically will be integrated and they will not be able to issue e-rawana bill without getting their permit obtained.

However, being low revenue generating units at time the same gets ignored, however, the department would be improving monitoring system even for BKO.

Out of total dues of Rs.0.77 crores, an amount of Rs.0.21 crores has been recovered, whereas an amount of Rs.0.07 crores is not recoverable, hence an amount of Rs.0.48 crores is left (**Annexure-E**). The same would be deposited by making aware the BKOs owners about the OTSS of the State Government, wherein, in case of principal amount as due on 31.03.2021 is fully deposited, then 50% amount of interest would be waived off. This scheme would attract the old defaulters for depositing their pending dues.

The Committee has desired that the recovery be expedited at the earliest under intimation of the Committee.

APPENDIX

Statement showing the outstanding observations/recommendations of the public accounts committee of the Haryana Vidhan Sabha on which the Government is yet to take final decisions:

Sr. No.	Count of Para	Name of Department	Report No.	Paragraph No.	Brief Subject of Paragraph
Administration of Justice					
1	1	Administration of Justice	70	25	Infructuous expenditure on empanelment of advocates
Agriculture and Farmers Welfare					
2	1	Agriculture and Farmers Welfare	38	56	Interest not charged on belated payments
3	2	Agriculture and Farmers Welfare	44	108	Non-recovery of purchases tax and interest
4	3	Agriculture and Farmers Welfare	44	109	Non-recovery of purchase tax and interest
5	4	Agriculture and Farmers Welfare	48	4	Arrears in revenue
6	5	Agriculture and Farmers Welfare	50	141	Arrears in revenue
7	6	Agriculture and Farmers Welfare	50	142	Results of Audit
8	7	Agriculture and Farmers Welfare	50	143	Non-recovery of purchase tax and interest
9	8	Agriculture and Farmers Welfare	52	15	Non-recovery of principal and interest from Sugar Mills
10	9	Agriculture and Farmers Welfare	52	88	Arrears in revenue
11	10	Agriculture and Farmers Welfare	52	89	Results of Audit
12	11	Agriculture and Farmers Welfare	54	30	General
13	12	Agriculture and Farmers Welfare	54	91	Arrears in revenue
14	13	Agriculture and Farmers Welfare	54	92	Results of Audit
15	14	Agriculture and Farmers Welfare	54	93	Non-recovery of purchase tax and interest
16	15	Agriculture and Farmers Welfare	58	31	Arrears in revenue
17	16	Agriculture and Farmers Welfare	58	32	Results of Audit
18	17	Agriculture and Farmers Welfare	60	122	Results of Audit
19	18	Agriculture and Farmers Welfare	60	124	Results of Audit
20	19	Agriculture and Farmers Welfare	60	125	Non/short recovery of purchase tax and interest
21	20	Agriculture and Farmers Welfare	60	126	Non-realization of lease money
22	21	Agriculture and Farmers Welfare	60	127	Results of Audit
23	22	Agriculture and Farmers Welfare	62	44	Arrears in revenue
24	23	Agriculture and Farmers Welfare	62	45	Results of Audit
25	24	Agriculture and Farmers Welfare	62	47	Non/short recovery of purchase tax and interest
26	25	Agriculture and Farmers Welfare	63	26	Arrears in revenue
27	26	Agriculture and Farmers Welfare	63	27	Results of Audit
28	27	Agriculture and Farmers Welfare	63	28	Non recovery of purchase tax and interest
29	28	Agriculture and Farmers Welfare	64	12	Arrears of revenue
30	29	Agriculture and Farmers Welfare	64	13	Results of Audit
31	30	Agriculture and Farmers Welfare	64	14	Results of Audit

32	31	Agriculture and Farmers Welfare	64	15	Non/short recovery of purchase tax and interest
33	32	Agriculture and Farmers Welfare	65	19	Inadmissible payment of special pay
34	33	Agriculture and Farmers Welfare	65	59	Arrear of revenue
35	34	Agriculture and Farmers Welfare	65	60	Results of Audit
36	35	Agriculture and Farmers Welfare	65	61	Non/short recovery of purchase tax and interest
37	36	Agriculture and Farmers Welfare	67	81	Non recovery of purchase tax and interest
38	37	Agriculture and Farmers Welfare	68	4	Non-preparation of Balance Sheet
39	38	Agriculture and Farmers Welfare	68	6	Non-recovery of miscellaneous advances
40	39	Agriculture and Farmers Welfare	68	9	Execution of works
41	40	Agriculture and Farmers Welfare	68	83	Arrears of revenue
42	41	Agriculture and Farmers Welfare	68	84	Results of Audit
43	42	Agriculture and Farmers Welfare	68	133	Analysis of arrears of revenue
44	43	Agriculture and Farmers Welfare	68	134	Results of Audit
45	44	Agriculture and Farmers Welfare	68	136	Non-recovery of interest on purchase tax
46	45	Agriculture and Farmers Welfare	70	86	Analysis of arrears of revenue
47	46	Agriculture and Farmers Welfare	71	3	Financial Management
48	47	Agriculture and Farmers Welfare	71	4	Cash Management
49	48	Agriculture and Farmers Welfare	71	5	Water and Sewerage Charges
50	49	Agriculture and Farmers Welfare	71	6	Infrastructural Facilities in Mandis
51	50	Agriculture and Farmers Welfare	71	8	Encroachment of mandi land
52	51	Agriculture and Farmers Welfare	72	41	Unfruitful Expenditure on incomplete cold storage work
53	52	Agriculture and Farmers Welfare	79	1	Delay/non-recovery of interest, godown rent, water and sewerage charges and cost of shops/booth plots
54	53	Agriculture and Farmers Welfare	79	9	Non-recovery of material issued to contractor
55	54	Agriculture and Farmers Welfare	81	1	Non-utilisation of grants being unclassified
56	55	Agriculture and Farmers Welfare	81	2	Outstanding temporary advances
57	56	Agriculture and Farmers Welfare	81	3	Non-maintenance/non-functioning of libraries
58	57	Agriculture and Farmers Welfare	81	4	Research projects
59	58	Agriculture and Farmers Welfare	81	5	Non-utilisation of cultivable land
60	59	Agriculture and Farmers Welfare	81	6	Slow implementation of Soil Health Cards Scheme and use of urea in excess of norms
61	60	Agriculture and Farmers Welfare	81	7	Non-renewal of licences by fertilizer dealers
62	61	Agriculture and Farmers Welfare	81	8	Shortfall in collection of fertilizer samples
63	62	Agriculture and Farmers Welfare	81	9	Under utilisation of Fertilisers Quality Control Laboratories.
64	63	Agriculture and Farmers Welfare	81	10	Status of samples found sub-standard and action taken
65	64	Agriculture and Farmers Welfare	81	11	Shortfall in conduction inspections
66	65	Agriculture and Farmers Welfare	81	12	Functioning of soil testing laboratories
67	66	Agriculture and Farmers Welfare	81	13	Working of Ground Water Cell
Animal Husbandry and Dairying					
68	1	Animal Husbandry and Dairying	60	16	Non recovery of cost of land
69	2	Animal Husbandry and Dairying	72	49	Receipt of funds from other sources
70	3	Animal Husbandry and Dairying	72	50	Failure in recovering milk cess
71	4	Animal Husbandry and Dairying	72	51	Livestock insurance

72	5	Animal Husbandry and Dairying	72	52	Outsourcing of Artificial Insemination Services
73	6	Animal Husbandry and Dairying	72	53	Poultry Disease Investigation and Feed Analytical Laboratory
74	7	Animal Husbandry and Dairying	72	54	Hi-Tech Dairy Shed Scheme
75	8	Animal Husbandry and Dairying	72	55	Quality control of feed, milk and milk products
76	9	Animal Husbandry and Dairying	72	56	Avoidable payment of departmental charges
77	10	Animal Husbandry and Dairying	72	57	Construction of veterinary polyclinics
78	11	Animal Husbandry and Dairying	72	58	Construction of Pet Clinic at Panchkula
79	12	Animal Husbandry and Dairying	72	60	Internal Audit System
80	13	Animal Husbandry and Dairying	77	32	Veterinary infrastructure and utilization
81	14	Animal Husbandry and Dairying	82	23	Suspected embezzlement
Archaeology and Museums					
82	1	Archaeology and Museums	77	34	Delay in construction of museum and office building and non achievement of the objective of the department
Architecture					
83	1	Architecture	60	14	Fraudulent drawls and embezzlement of Government money by a Cashier
Art & Culture					
84	1	Art & Culture	80	49	Delay in furnishing utilization certificates
Civil Aviation					
85	1	Civil Aviation	75	51	Recoverable parking and maintenance charges
86	2	Civil Aviation	81	52	Delay in furnishing utilization certificates:
87	3	Civil Aviation	82	60	Delay in furnishing utilisation certificates (S.F.)
Civil Secretariat					
88	1	Civil Secretariat	75	53	Irregular expenditure
89	2	Civil Secretariat	75	54	Allotment of space to banks without execution of agreement
90	3	General Administration	74	49	Withdrawal of posts from the purview of Haryana Public Service Commission
Commissioner Hisar Division					
91	1	Commissioner Hisar Division	72	19	National Programme for Control of Blindness
92	2	Commissioner Hisar Division	72	20	Accredited Social Health Activists
93	3	Commissioner Hisar Division	72	21	Quality of education
94	4	Commissioner Hisar Division	72	22	Water supply
95	5	Commissioner Hisar Division	72	23	Excess expenditure over estimates
96	6	Commissioner Hisar Division	72	24	Non-recovery of water and sewerage charges
97	7	Commissioner Hisar Division	72	25	Water quality
98	8	Commissioner Hisar Division	72	26	Silt clearance of canals and drains not done under Mahatma Gandhi National Rural Employment Guarantee Act
99	9	Commissioner Hisar Division	72	27	Non-payment of annuity under Rehabilitation and Resettlement policy
100	10	Commissioner Hisar Division	72	28	District Plan Scheme
101	11	Commissioner Hisar Division	72	29	Common irregularities in Panchayati Raj Institutions
102	12	Commissioner Hisar Division	72	30	Swarnjayanti Gram Swarojgar Yojna
103	13	Commissioner Hisar Division	72	31	Bogus ration cards in TPDS

104	14	Commissioner Hisar Division	72	32	Other irregularities
105	15	Commissioner Hisar Division	72	33	Crime trends
106	16	Commissioner Hisar Division	72	34	Weaponry
107	17	Commissioner Hisar Division	72	35	Inspection of police stations
Co-operation					
108	1	Co-operation	40	41	Embezzlement
109	2	Co-operation	56	37	Loss due to negligence and improper maintenance of cold storage plant
110	3	Co-operation	58	38	Results of Audit
111	4	Co-operation	58	71	Storage gain on account of moisture in wheat stocks below norms
112	5	Co-operation	58	137	Non charging of interest and penal interest
113	6	Co-operation	60	136	Results of Audit
114	7	Co-operation	60	137	Non-redemption of Government share capital
115	8	Co-operation	62	49	Non-redemption of Government share capital
116	9	Co-operation	63	30	Audit in arrears
117	10	Co-operation	63	33	Short levy of audit fee due to incorrect computation of profit
118	11	Co-operation	63	34	Non deposit of Government share capital
119	12	Co-operation	63	35	Non redemption of Government share capital due to late fixation of terms and conditions
120	13	Co-operation	63	36	Non redemption of Government share capital as per terms and conditions
121	14	Co-operation	64	67	Non redemption of Government share capital
122	15	Co-operation	65	62	Results of Audit
123	16	Co-operation	65	63	Non-deposit of dividend on State share capital
124	17	Co-operation	65	64	Non realization of dividend on share capital of State Government
125	18	Co-operation	67	39	Regulatory issues and others/ injudicious payment on account of training and managerial subsidies to self help groups
126	19	Co-operation	68	100	Results of Audit
127	20	Co-operation	68	137	Results of Audit
128	21	Co-operation	70	84	Result of audit
129	22	Co-operation	75	40	Retention of funds outside the Government Account
130	23	Co-operation	75	41	Excess release of subsidy and irregular utilisation of unspent amount
131	24	Co-operation	75	42	Non-recovery of audit fee
132	25	Co-operation	75	43	Negligible return from share capital in Co-operative Societies and outstanding loan
133	26	Co-operation	75	44	Rehabilitation of Co-operative Sugar Mills
134	27	Co-operation	75	45	Non recovery of minimum return on share capital
135	28	Co-operation	75	46	Redemption of share capital of co-operative societies
136	29	Co-operation	75	47	Loan to Co-Operative Sugar Mills
137	30	Co-operation	75	48	Non-recovery of share capital and dividend under Long Term Operation Scheme
138	31	Co-operation	75	49	Transfer of CCM Building to HSAMB
139	32	Co-operation	83	21	Delay in submission of Utilisation Certificates

Development and Panchayats				
140	1	Development and Panchayats	34	8 Irregular and wasteful expenditure on books
141	2	Development and Panchayats	73	62 Irregular release/non-utilization of grants
142	3	Development and Panchayats	75	57 Financial management in GPs
143	4	Development and Panchayats	80	35 Financial Management – Delay in release of funds
144	5	Development and Panchayats	80	39 Delay in furnishing utilization certificates
145	6	Development and Panchayats	81	55 Misappropriations, losses, defalcations, etc:
146	7	Development and Panchayats	82	61 Delay in furnishing utilisation certificates (S.F.)
147	8	Development and Panchayats	82	62 Misappropriations, losses, defalcations, etc. (S.F.)
148	9	Development and Panchayats	83	26 Misappropriations, losses, defalcations, etc. (S.F.)
District Gurgaon				
149	1	District Gurgaon	73	89 Perspective and annual Plan
150	2	District Gurgaon	73	90 Gaps in fund flow and expenditure incurred
151	3	District Gurgaon	73	91 Physical verification of selected schools
152	4	District Gurgaon	73	92 Girls' Education and Scheduled Caste/Scheduled Tribe Children
153	5	District Gurgaon	73	93 Allotment of civil works without requirement
154	6	District Gurgaon	73	94 Delay in completion of Civil works
155	7	District Gurgaon	73	95 Village Education Committee/School Management Committee Training
156	8	District Gurgaon	73	96 Internal control
157	9	District Gurgaon	73	97 Water quality
158	10	District Gurgaon	73	98 Non-handling over of tubewell based water supply scheme to Panchayats
159	11	District Gurgaon	73	99 Non-recovery of water and sewerage charges
160	12	District Gurgaon	73	100 Construction of haats
161	13	District Gurgaon	73	101 Incorrect ing of expenditure
162	14	District Gurgaon	73	102 Non-completion of dwelling units
163	15	District Gurgaon	73	103 Benefit given in contravention of the guidelines
164	16	District Gurgaon	73	104 Allotment of houses
165	17	District Gurgaon	73	105 Common irregularities noticed in Panchayati Raj Institutions
166	18	District Gurgaon	73	106 Physical verification
167	19	District Gurgaon	73	107 Excess expenditure over estimate
168	20	District Gurgaon	73	108 Non-revision of list of BPL/AAY beneficiaries
169	21	District Gurgaon	73	109 Fair price shops
170	22	District Gurgaon	73	110 Challans for violation of traffic rules
Education				
171	1	Education	48	29 Purchases without assessment of requirement
172	2	Education	56	4 Nutritional support to Primary Education
173	3	Education	58	56 Management cost in excess of norms
174	4	Education	58	57 Programme management.
175	5	Education	58	58 Civil Works
176	6	Education	58	60 Training
177	7	Education	62	67 CBI inquiry

178	8	Education	70	22	Los due to non-availing of full Central assistance
179	9	Education	71	27	Parking of funds outside Government Accounts
180	10	Education	74	4	Information and Communication Technology
181	11	Education	74	5	Opening of Government Model Schools
182	12	Education	74	6	Scheme for establishment of Government Model Sanskriti Schools
183	13	Elementary Education	77	17	MDM not provided to the students of Government Aided Schools
184	14	School Education (HSSPP)	81	26	Non-recovery of funds from defaulters
185	15	School Education (HSSPP)	81	27	Suspected embezzlement of funds
186	16	School Education (HSSPP)	81	28	Non-functional girls hostels:
187	17	School Education (HSSPP)	81	29	Poor/unsatisfactory functioning of ICT laboratories:
188	18	School Education (HSSPP)	82	26	Double disbursement of scholarships
189	19	School Education (HSSPP)	82	27	Misappropriations, losses, defalcations, etc. (S.F.)
190	20	School education	83	14	Delay in submission of Utilisation Certificates
191	21	School education	83	15	Misappropriations, losses, thefts, etc
Environment & Climate Change					
192	1	Environment	58	83	Implementation of environmental Acts and Rules relating to Water Pollution
193	2	Environment	58	84	Status of water pollution
194	3	Environment	58	85	Treatment of Industrial effluent
195	4	Environment	58	88	Environment training, education and awareness
196	5	Environment	60	67	Status of industrial pollution
197	6	Environment	60	69	Rice shelling units/solvent extraction plants
198	7	Environment	60	72	Waste Management
199	8	Environment	68	24	Assessment of waste and risks associated with it
200	9	Environment	74	45	Implementation of Bio Medical waste Management Rules in Haryana
201	10	Environment	74	46	Loss of interest due to blockade of funds
202	11	Environment	74	47	Delay in furnishing utilization certificates
203	12	Environment	77	37	Avoidable payment of Income Tax
204	13	Environment	77	38	Delay in furnishing utilization certificates
205	14	Environment	79	22	Operations without Consent to Establish and Consent to Operate
206	15	Environment	79	23	Lack of verification of EC compliance
207	16	Environment	79	24	Non-compliance of conditions of pollution control
208	17	Environment	79	25	Non-compliance of environment impact monitoring aspects
209	18	Environment	79	26	Environmental parameters for Air, Surface Water, Ground Water and Noise beyond permissible limits
210	19	Environment	79	27	Delay in furnishing utilization certificates
211	20	Environment	80	48	Delay in furnishing utilization certificates
212	21	Environment	81	51	Delay in furnishing utilization certificates:
213	22	Environment	83	24	Delay in submission of Utilisation Certificates
Excise and Taxation					
214	1	Excise and Taxation	22	54	Shortfall in duty.
215	2	Excise and Taxation	23	47	Uncollected Revenue

216	3	Excise and Taxation	23	55	Result of test audit in general
217	4	Excise and Taxation	23	57	Failure to initiate action to recover the licence fee
218	5	Excise and Taxation	23	59	Loss of duty on excess wastage in bottling operation
219	6	Excise and Taxation	25	54	Un-collected revenue
220	7	Excise and Taxation	25	67	Irregular allowance for wastage
221	8	Excise and Taxation	26	49	Uncollected revenue
222	9	Excise and Taxation	26	61	Duty not recovered on spirit loss in bottling operation in excess of norms
223	10	Excise and Taxation	28	44	Non-recovery of licence fee and interest
224	11	Excise and Taxation	29	50	Non-levy of penalty
225	12	Excise and Taxation	29	51	Non-levy of penalty
226	13	Excise and Taxation	29	53	Interest not charged
227	14	Excise and Taxation	32	61	Uncollected revenue
228	15	Excise and Taxation	34	63	Uncollected revenue
229	16	Excise and Taxation	34	66	Short-levy/non-levy of purchase tax
230	17	Excise and Taxation	34	69	Non-levy of penalty
231	18	Excise and Taxation	34	70	Non-filing the quarterly returns
232	19	Excise and Taxation	36	54	Uncollected Revenue (State Excise)
233	20	Excise and Taxation	36	58	Results of Audit (Sales Tax)
234	21	Excise and Taxation	38	71	Uncollected revenue
235	22	Excise and Taxation	38	79	Suppression of purchases
236	23	Excise and Taxation	38	81	Irregular stay of tax and interest
237	24	Excise and Taxation	38	87	Recovery at the instance of Audit
238	25	Excise and Taxation	40	51	Uncollected Revenue (Sales Tax)
239	26	Excise and Taxation	40	52	Uncollected Revenue (State Excise)
240	27	Excise and Taxation	40	55	Delay in re-assessment of remand cases
241	28	Excise and Taxation	40	57	Appeals entertained without deposit of tax
242	29	Excise and Taxation	40	60	Loss of revenue due to delays in assessment and demand of tax
243	30	Excise and Taxation	40	66	Incorrect deduction on account of sales to registered dealers
244	31	Excise and Taxation	40	68	Non-levy of penalty
245	32	Excise and Taxation	40	69	Interest not charged
246	33	Excise and Taxation	40	74	Non-recovery of duty on wastage in excess norms
247	34	Excise and Taxation	42	108	Uncollected Revenue
248	35	Excise and Taxation	42	109	Frauds and evasion of taxes
249	36	Excise and Taxation	42	113	Delay in taking up of appeal cases
250	37	Excise and Taxation	42	115	Stay of Sales Tax demands by the Appellate Authorities
251	38	Excise and Taxation	42	116	Recovery of Demands in arrears under Sales Tax
252	39	Excise and Taxation	42	118	Non-recovery of arrears due to delay in assessment
253	40	Excise and Taxation	42	119	Failure to verify the genuineness of dealers/sureties
254	41	Excise and Taxation	42	120	Irregular grant of exemption certificate
255	42	Excise and Taxation	42	121	Delay in initiating/non-pursuance of recovery proceedings
256	43	Excise and Taxation	42	125	Application of incorrect rate of tax
257	44	Excise and Taxation	42	126	Non/Short levy of interest

258	45	Excise and Taxation	42	127	Results of Audit
259	46	Excise and Taxation	42	129	Loss of revenue due to re-auction of vends
260	47	Excise and Taxation	42	130	Short recovery of composite fee
261	48	Excise and Taxation	42	132	Loss due to non-observance of prescribed procedure regarding auction of vends
262	49	Excise and Taxation	42	136	Uncollected Revenue
263	50	Excise and Taxation	42	138	Results of Audit
264	51	Excise and Taxation	42	139	Under assessment due to irregular grant of exemption to non-manufacturers
265	52	Excise and Taxation	42	142	Under assessment due to short levy of purchase tax and incorrect deduction
266	53	Excise and Taxation	42	144	Short levy of penalty
267	54	Excise and Taxation	42	145	Results of Audit
268	55	Prohibition, Excise and Taxation	44	92	Uncollected Revenue (Sales Tax)
269	56	Prohibition, Excise and Taxation	44	95	Non-registration of dealers liable to registration
270	57	Prohibition, Excise and Taxation	44	96	Grant of Certificates of registration without following proper procedure
271	58	Prohibition, Excise and Taxation	44	97	Non-observance of departmental instructions regarding cross verifications
272	59	Prohibition, Excise and Taxation	44	98	Non-observance of prescribed procedures for receipt and issue of declaration forms
273	60	Prohibition, Excise and Taxation	44	99	Non-observance of prescribed procedures for receipt and issue of declaration forms
274	61	Prohibition, Excise and Taxation	44	100	Irregular deduction allowed against stolen forms
275	62	Prohibition, Excise and Taxation	44	101	Incorrect deduction from turnover
276	63	Prohibition, Excise and Taxation	44	102	Incorrect levy of Concessional rate of Tax
277	64	Prohibition, Excise and Taxation	44	103	Other points of interest
278	65	Prohibition, Excise and Taxation	44	106	Results of Audit
279	66	Prohibition, Excise and Taxation	44	107	Interest not charged
280	67	Prohibition, Excise and Taxation	46	41	Arrears in revenue
281	68	Prohibition, Excise and Taxation	46	42	Results of Audit
282	69	Commercial Taxes	46	43	Arrears in revenue
283	70	Commercial Taxes	46	46	Outstanding inspection s and audit observations
284	71	Commercial Taxes	46	47	Results of Audit
285	72	Commercial Taxes	46	48	Sales Tax Check Barriers
286	73	Commercial Taxes	46	50	Short levy of Purchases Tax
287	74	Commercial Taxes	46	51	Non/Short levy of interest and penalty
288	75	Commercial Taxes	46	52	Results of Audit
289	76	Excise and Taxation	48	33	Arrears in revenue
290	77	Excise and Taxation	48	37	Results of Audit
291	78	Excise and Taxation	48	43	Irregular deduction allowed against invalid declaration forms
292	79	Excise and Taxation	48	44	Loss of revenue due to defray in finalization of assessment
293	80	Excise and Taxation	48	45	Non-levy of interest and penalty
294	81	Excise and Taxation	50	116	Arrears in revenue
295	82	Excise and Taxation	50	118	Under assessment due to inadmissible deduction from turnover

296	83	Excise and Taxation	50	120	Under assessment due to irregular deduction allowed against invalid declaration forms and non/short levy of purchase/sales tax
297	84	Excise and Taxation	50	122	Under assessment
298	85	Excise and Taxation	50	124	Under assessment due to application of incorrect rates of tax
299	86	Excise and Taxation	50	125	Non/short levy of purchase tax
300	87	Excise and Taxation	50	126	Results of Audit
301	88	Excise and Taxation	50	127	Internal control mechanism of receipts from distilleries and breweries
302	89	Excise and Taxation	50	128	Low yield of spirit
303	90	Excise and Taxation	50	129	Loss of spirit due to re-distillation
304	91	Excise and Taxation	50	133	Interest short charged
305	92	Excise and Taxation	50	134	Short realization of composite fee
306	93	Excise and Taxation	52	94	Arrears in revenue
307	94	Excise and Taxation	52	95	Arrears in assessment
308	95	Excise and Taxation	52	96	Frauds and evasions of taxes/duties
309	96	Excise and Taxation	52	97	Results of Audit
310	97	Excise and Taxation	52	101	Under assessment due to non-levy of tax on branch transfers/consignment sale
311	98	Excise and Taxation	52	102	Under assessment due to non-submission of declaration forms.
312	99	Excise and Taxation	52	104	Arrears in assessments
313	100	Excise and Taxation	52	105	Evasion of tax due to suppression of purchases
314	101	Excise and Taxation	52	106	Under assessment due to incorrect deduction allowed against invalid declaration forms
315	102	Excise and Taxation	52	107	Incorrect levy of concessional rate of tax
316	103	Excise and Taxation	52	108	Inadmissible deduction from turnover
317	104	Excise and Taxation	52	109	Non-levy of purchase tax.
318	105	Excise and Taxation	52	112	Non-levy of tax
319	106	Excise and Taxation	52	114	Under assessment due to excess rebate
320	107	Excise and Taxation	52	115	Non-levy of penalty
321	108	Excise and Taxation	52	116	Non-reconciliation of revenue deposits into treasury
322	109	Excise and Taxation	52	117	Results of Audit
323	110	Excise and Taxation	52	118	Short/non-recovery of passenger tax
324	111	Excise and Taxation	54	64	Arrears in revenue
325	112	Excise and Taxation	54	65	Arrears in assessment
326	113	Excise and Taxation	54	67	Results of Audit
327	114	Excise and Taxation	54	68	Disposal of appeal cases
328	115	Excise and Taxation	54	69	Delay in finalizing assessments
329	116	Excise and Taxation	54	70	Delay in finalization of remand cases
330	117	Excise and Taxation	54	72	Recovery certification cases
331	118	Excise and Taxation	54	73	Incorrect levy of concessional rate of tax
332	119	Excise and Taxation	54	74	Incorrect deduction allowed against invalid declaration forms
333	120	Excise and Taxation	54	75	Inadmissible deduction from turnover
334	121	Excise and Taxation	54	76	Short levy of tax on sales to Non-government bodies
335	122	Excise and Taxation	54	77	Excess refund due to incorrect exemption for payment of tax

336	123	Excise and Taxation	54	78	Under assessment due to excess rebate
337	124	Excise and Taxation	54	79	Results of Audit
338	125	Excise and Taxation	54	80	Incorrect levy of entertainments duty
339	126	Prohibition, Excise and Taxation	56	20	Fraudulent draws and embezzlement of Government money
340	127	Excise and Taxation	58	4	Arrears in revenue
341	128	Excise and Taxation	58	5	Arrears in assessment
342	129	Excise and Taxation	58	6	Frauds and evasions of taxes/duties
343	130	Excise and Taxation	58	8	Results of Audit
344	131	Excise and Taxation	58	9	Cross verification by Audit
345	132	Excise and Taxation	58	10	Incorrect deduction from turnover
346	133	Excise and Taxation	58	12	Non-levy of purchase tax
347	134	Excise and Taxation	58	13	Non-recovery of tax
348	135	Excise and Taxation	58	15	Non/short levy of purchase tax
349	136	Excise and Taxation	58	16	Non-levy of tax
350	137	Excise and Taxation	58	17	Results of Audit
351	138	Excise and Taxation	58	18	Short realization of passenger tax
352	139	Excise and Taxation	58	101	Arrears in revenue
353	140	Excise and Taxation	58	102	Arrears in assessment
354	141	Excise and Taxation	58	103	Frauds and evasions of taxes/duties
355	142	Excise and Taxation	58	105	Results of Audit
356	143	Excise and Taxation	58	106	Evasion in sales tax
357	144	Excise and Taxation	58	107	Non compliance of departmental instructions regarding cross verification
358	145	Excise and Taxation	58	108	Under assessment of 'notional' sales tax liability computed on taxable turnover
359	146	Excise and Taxation	58	109	Non-levy of purchase tax
360	147	Excise and Taxation	58	110	Non-recovery of tax
361	148	Excise and Taxation	58	111	Non-levy of interest
362	149	Excise and Taxation	58	112	Under assessment due to excess rebate
363	150	Excise and Taxation	58	113	Results of Audit
364	151	Excise and Taxation	58	114	Short realization of passengers tax towards expenditure
365	152	Excise and Taxation	58	115	Non-recovery of licence fee
366	153	Excise and Taxation	60	95	Arrears in revenue
367	154	Excise and Taxation	60	99	Outstanding inspection s and audit observations
368	155	Excise and Taxation	60	101	Results of Audit
369	156	Excise and Taxation	60	102	Recovery of sales tax in arrears
370	157	Excise and Taxation	60	103	Non-recovery due to delay in assessment
371	158	Excise and Taxation	60	104	Non-delay in raising of demands for the assessed dues
372	159	Excise and Taxation	60	105	Failure to initiate follow up action for recovery of arrears
373	160	Excise and Taxation	60	106	Disposal of recovery certificates
374	161	Excise and Taxation	60	107	Demands under stay
375	162	Excise and Taxation	60	108	Non-inclusion of interest in the demand sent to the liquidator
376	163	Excise and Taxation	60	109	Under assessment of notional sales tax liability
377	164	Excise and Taxation	60	110	Application of incorrect rate of tax

378	165	Excise and Taxation	60	111	Non-levy of purchase tax
379	166	Excise and Taxation	60	112	Non-recovery of tax
380	167	Excise and Taxation	60	113	Results of Audit
381	168	Excise and Taxation	62	3	Arrears in revenue
382	169	Excise and Taxation	62	4	Arrears in assessment
383	170	Excise and Taxation	62	5	Frauds and evasions of taxes/duties
384	171	Excise and Taxation	62	6	Results of Audit
385	172	Excise and Taxation	62	7	Assessment in arrear
386	173	Excise and Taxation	62	8	Irregularities in the grant of eligibility certificates
387	174	Excise and Taxation	62	9	Incorrect acceptance of applications
388	175	Excise and Taxation	62	10	Incorrect determination of zones
389	176	Excise and Taxation	62	11	Implementation of the Scheme by Sales Tax Department
390	177	Excise and Taxation	62	12	Excess availing of tax deferment
391	178	Excise and Taxation	62	13	Irregularities in assessment of exempted/deferred units
392	179	Excise and Taxation	62	14	Under-assessment due to application of concessional rate of tax
393	180	Excise and Taxation	62	15	Under-assessment tax due to irregular deduction
394	181	Excise and Taxation	62	16	Under assessment of notional sales tax liability
395	182	Excise and Taxation	62	17	Non-monitoring of exempted/deferred units
396	183	Excise and Taxation	62	18	Non-levy of purchase tax
397	184	Excise and Taxation	62	19	Non-levy of tax on lease rent
398	185	Excise and Taxation	62	20	Non-levy/under assessment of purchase tax due to application of incorrect rate of tax
399	186	Excise and Taxation	62	21	Irregular deduction allowed against invalid declaration forms
400	187	Excise and Taxation	62	22	Non-levy of interest and penalty
401	188	Excise and Taxation	62	23	Non-raising of demands for interest
402	189	Excise and Taxation	62	24	Non-realization of tax
403	190	Excise and Taxation	62	25	Results of Audit
404	191	Excise and Taxation	62	26	Receipts of excise duty from auction of venders
405	192	Excise and Taxation	62	27	Short recovery of licence fee and interest
406	193	Excise and Taxation	62	28	Loss of revenue due to re-auction of vends
407	194	Excise and Taxation	62	29	Non-recovery due to incorrect adjustment of security
408	195	Excise and Taxation	62	33	Results of Audit
409	196	Excise and Taxation	62	34	Non/short realization of passengers tax
410	197	Excise and Taxation	63	3	Arrears of revenue
411	198	Excise and Taxation	63	4	Evasion of tax
412	199	Excise and Taxation	63	5	Results of Audit
413	200	Excise and Taxation	63	6	Position of collection of revenue receipts and arrears
414	201	Excise and Taxation	63	7	Delay in finalizaion of remand cases
415	202	Excise and Taxation	63	8	Under assessment of tax due to incorrect deduction of subsequent sale under CST
416	203	Excise and Taxation	63	9	Under assessment of tax due to inadmissible deduction
417	204	Excise and Taxation	63	10	Non levy of purchase tax
418	205	Excise and Taxation	63	11	Non levy of interest and penalty

419	206	Excise and Taxation	63	12	Non recovery of tax
420	207	Excise and Taxation	63	13	Other tax receipts
421	208	Excise and Taxation	63	14	Non recovery of penalties
422	209	Excise and Taxation	63	15	Non/short realization of passengers tax
423	210	Excise and Taxation	63	16	Short/non recovery of entertainment duty
424	211	Excise and Taxation	64	25	Arrears of revenue
425	212	Excise and Taxation	64	26	Arrears in assessments
426	213	Excise and Taxation	64	27	Evasion of tax
427	214	Excise and Taxation	64	28	Write-off and waiver of revenue
428	215	Excise and Taxation	64	29	Results of Audit
429	216	Excise and Taxation	64	30	Delay in assessments and their impact on revenue and collection of sales tax demands
430	217	Excise and Taxation	64	31	Absence of provisions for finalizing assessments
431	218	Excise and Taxation	64	32	Recovery Certificates
432	219	Excise and Taxation	64	34	Delay in issue of demand notice
433	220	Excise and Taxation	64	35	Delay in finalization of assessment
434	221	Excise and Taxation	64	37	Under assessment due to incorrect deduction at first stage
435	222	Excise and Taxation	64	38	Non levy of purchase tax
436	223	Excise and Taxation	64	39	Non levy of interest
437	224	Excise and Taxation	64	40	Results of Audit
438	225	Excise and Taxation	64	41	Short recovery of licence fee and interest
439	226	Excise and Taxation	64	42	Non/short realization of passengers tax
440	227	Excise and Taxation	65	26	Arrears of revenue
441	228	Excise and Taxation	65	27	Arrears in assessments
442	229	Excise and Taxation	65	28	Evasion of tax
443	230	Excise and Taxation	65	29	Write-off and waiver of revenue
444	231	Excise and Taxation	65	30	Results of Audit
445	232	Excise and Taxation	65	31	Disposal of remand cases
446	233	Excise and Taxation	65	32	Non levy of penalty
447	234	Excise and Taxation	65	33	Delay in deciding cases in revision
448	235	Excise and Taxation	65	34	Under assessment due to incorrect deduction from gross turnover
449	236	Excise and Taxation	65	35	Non levy of purchase tax
450	237	Excise and Taxation	65	36	Application of incorrect rate of tax
451	238	Excise and Taxation	65	37	Irregular refund of tax
452	239	Excise and Taxation	65	38	Under assessment due to non levy of surcharge
453	240	Excise and Taxation	65	39	Results of Audit
454	241	Excise and Taxation	65	40	Non recovery of penalty
455	242	Excise and Taxation	65	41	Non imposition of fine
456	243	Excise and Taxation	65	42	Loss of revenue due to re-auction of vend
457	244	Excise and Taxation	67	40	Arrears of revenue
458	245	Excise and Taxation	67	41	Arrears in assessments
459	246	Excise and Taxation	67	42	Evasion of tax
460	247	Excise and Taxation	67	43	Write-off and waiver of revenue

461	248	Excise and Taxation	67	44	Refunds
462	249	Excise and Taxation	67	45	Results of Audit
463	250	Excise and Taxation	67	46	Evasion of tax by unregistered dealers/Non levy of tax on contractees
464	251	Excise and Taxation	67	47	Acceptance of incomplete/ invalid declaration forms
465	252	Excise and Taxation	67	48	Acceptance of incomplete/ invalid declaration forms
466	253	Excise and Taxation	67	49	Non compliance of departmental instructions regarding cross verification
467	254	Excise and Taxation	67	50	Non compliance of departmental instructions regarding cross verification
468	255	Excise and Taxation	67	51	Non compliance of departmental instructions regarding cross verification
469	256	Excise and Taxation	67	52	Non compliance of departmental instructions regarding cross verification
470	257	Excise and Taxation	67	54	Non levy of interest and penalty
471	258	Excise and Taxation	67	56	Incorrect allowance of concessional rate
472	259	Excise and Taxation	67	58	Under assessment due to application of incorrect rate of tax
473	260	Excise and Taxation	67	59	Under assessment due to application of incorrect rate of tax
474	261	Excise and Taxation	67	60	Results of Audit
475	262	Excise and Taxation	67	61	Uncollected Excise revenue
476	263	Excise and Taxation	67	62	Short recovery of licence fee and interest
477	264	Excise and Taxation	67	63	Non recovery of additional licence fee for lifting of short/additional quota
478	265	Excise and Taxation	67	64	Non imposition/recovery of compounding fee
479	266	Excise and Taxation	67	65	Non imposition/recovery of compounding fee
480	267	Excise and Taxation	67	66	Results of Audit
481	268	Excise and Taxation	67	67	Arrears of revenue
482	269	Excise and Taxation	67	68	Non-short realization of passengers tax/Transport co- operative societies
483	270	Excise and Taxation	67	69	Maxi cabs, taxis and auto rickshaws
484	271	Excise and Taxation	67	70	City bus service
485	272	Excise and Taxation	67	71	Non levy of interest
486	273	Excise and Taxation	67	72	Non realization of goods tax and additional tax
487	274	Excise and Taxation	67	73	Non registration of maxi cabs
488	275	Excise and Taxation	67	74	Non disposal of challans
489	276	Excise and Taxation	68	61	Arrears of revenue
490	277	Excise and Taxation	68	62	Arrears in assessments
491	278	Excise and Taxation	68	63	Evasion of tax
492	279	Excise and Taxation	68	64	Write-off and waiver of revenue
493	280	Excise and Taxation	68	65	Refunds
494	281	Excise and Taxation	68	66	Results of Audit
495	282	Excise and Taxation	68	67	Non levy of interest
496	283	Excise and Taxation	68	68	Non levy of interest and penalty
497	284	Excise and Taxation	68	69	Arrears of sales tax
498	285	Excise and Taxation	68	70	Non inclusion of interest in the demand sent to liquidator
499	286	Excise and Taxation	68	71	Under assessment of tax due to incorrect determination of gross turnover
500	287	Excise and Taxation	68	72	Under assessment of tax due to application of incorrect rate
501	288	Excise and Taxation	68	73	Non levy of tax on liquor
502	289	Excise and Taxation	68	74	Results of Audit

503	290	Excise and Taxation	68	75	Non/short realization of passengers tax
504	291	Excise and Taxation	68	76	Non/short realization of passengers tax
505	292	Excise and Taxation	68	77	Non levy/recovery of penalty
506	293	Excise and Taxation	68	78	Non levy/recovery of penalty
507	294	Excise and Taxation	68	102	Analysis of arrears of revenue
508	295	Excise and Taxation	68	103	Arrears in assessments
509	296	Excise and Taxation	68	104	Performance of assessments
510	297	Excise and Taxation	68	105	Evasion of tax
511	298	Excise and Taxation	68	106	Write off and waiver of revenue
512	299	Excise and Taxation	68	107	Refunds
513	300	Excise and Taxation	68	108	Compliance with the earlier Audit s
514	301	Excise and Taxation	68	109	Results of Audit
515	302	Excise and Taxation	68	110	Absence of mechanism to verify the tax deposited before allowing input tax credit
516	303	Excise and Taxation	68	111	Absence of a monitoring mechanism to ensure cross verification of purchase transactions
517	304	Excise and Taxation	68	112	Misuse of declaration forms STD-IV/VAT-DI and C
518	305	Excise and Taxation	68	113	Incorrect allowing of exemption/ concession without declarations/ documents or against incomplete declaration/documents
519	306	Excise and Taxation	68	114	Non-levy of penalty
520	307	Excise and Taxation	68	115	Non-levy of penalty
521	308	Excise and Taxation	68	116	Short recovery of lump sum tax on Works contract
522	309	Excise and Taxation	68	117	Excess allowing of input tax credit
523	310	Excise and Taxation	68	118	Underassessment of tax due to allowing of excess benefit of deferment
524	311	Excise and Taxation	68	119	Underassessment of tax due to application of incorrect rate
525	312	Excise and Taxation	68	120	Inadmissible allowing of input tax credit
526	313	Excise and Taxation	68	121	Results of Audit
527	314	Excise and Taxation	68	122	Non/short realization of passengers tax from Co-operative Transport Societies
528	315	Excise and Taxation	68	123	Non/short realization of passengers tax from educational institutions
529	316	Excise and Taxation	68	124	Non/short recovery of passengers tax from tax from City Bus Operators
530	317	Excise and Taxation	68	125	Results of Audit
531	318	Excise and Taxation	68	126	Non-realisation of differential licence fee
532	319	Excise and Taxation	68	127	Short recovery of licence fee and interest
533	320	Excise and Taxation	70	31	Analysis of arrears of revenue
534	321	Excise and Taxation	70	32	Arrears in assessments
535	322	Excise and Taxation	70	33	Evasion of tax
536	323	Excise and Taxation	70	34	Write off and waiver of revenue
537	324	Excise and Taxation	70	35	Refunds
538	325	Excise and Taxation	70	36	Result of Audit
539	326	Excise and Taxation	70	37	Disposal of attached property
540	327	Excise and Taxation	70	38	Issue of recovery certificates

541	328	Excise and Taxation	70	39	Non-recovery of inter-district and inter-state arrears due to lack of co-ordination between the departmental officers and revenue authorities
542	329	Excise and Taxation	70	40	Non-recovery of inter-district and inter-state arrears due to lack of co-ordination between the departmental officers and revenue authorities
543	330	Excise and Taxation	70	41	Absence of provisions under HVAT Act to entertain appeals only on pre-payment of additional demands in dispute
544	331	Excise and Taxation	70	42	Absence of provision regarding allowances in installments in payment of arrears due
545	332	Excise and Taxation	70	43	Disposal of appeal cases by JETCs
546	333	Excise and Taxation	70	44	Non-declaration of arrears under Punjab Land Revenue Act
547	334	Excise and Taxation	70	45	Failure to initiate follow up action for recovery of arrears within the district
548	335	Excise and Taxation	70	46	Disposal of immovable property during the currency of recovery of arrears
549	336	Excise and Taxation	70	47	Underassessment of tax due to allowing of excess benefit of deferment
550	337	Excise and Taxation	70	48	Incorrect allowing of input tax credit
551	338	Excise and Taxation	70	49	Underassessment of tax due to inadmissible deduction from gross turnover
552	339	Excise and Taxation	70	50	Result of audit
553	340	Excise and Taxation	70	51	Non-realization of differential license fee
554	341	Excise and Taxation	70	52	Short recovery of license fee and interest
555	342	Excise and Taxation	70	53	Short recovery of license fee and interest
556	343	Excise and Taxation	70	54	Non-recovery of penalty
557	344	Excise and Taxation	70	55	Result of audit
558	345	Excise and Taxation	70	56	Educational institutions
559	346	Excise and Taxation	70	57	Transport co-operative societies
560	347	Excise and Taxation	70	58	City bus operators
561	348	Excise and Taxation	71	34	Compliance with the earlier Audit s
562	349	Excise and Taxation	71	35	Analysis of arrears of revenue
563	350	Excise and Taxation	71	36	Position of Inspection s
564	351	Excise and Taxation	71	37	Results of audit
565	352	Excise and Taxation	71	38	Leased machinery and equipments
566	353	Excise and Taxation	71	39	Short/non-levy of purchase tax and penalty due misuse of VAT-DI
567	354	Excise and Taxation	71	40	Short levy of lump sum tax on works contract
568	355	Excise and Taxation	71	41	Underassessment of tax due inadmissible deduction from gross turnover
569	356	Excise and Taxation	71	42	Underassessment of tax due inadmissible deduction from gross turnover
570	357	Excise and Taxation	71	43	Evasion of value added tax due to Suppression of purchases and sales
571	358	Excise and Taxation	71	44	Analysis of arrears of revenue
572	359	Excise and Taxation	71	45	Position of Audit s
573	360	Excise and Taxation	71	46	Results of audit
574	361	Excise and Taxation	71	47	Non-recovery/levy of penalty on illicit liquor owners
575	362	Excise and Taxation	71	48	Non-recovery/levy of penalty on illicit liquor owners

576	363	Excise and Taxation	71	49	Short/non-recovery of license fee and interest
577	364	Excise and Taxation	71	50	Short/non-recovery of license fee and interest
578	365	Excise and Taxation	71	51	Short/non-recovery of license fee and interest
579	366	Excise and Taxation	71	52	Analysis of arrears of revenue\
580	367	Excise and Taxation	71	53	Position of Audit s
581	368	Excise and Taxation	71	54	Results of audit
582	369	Excise and Taxation	71	55	City bus operators
583	370	Excise And Taxation	72	63	Analysis of arrears of revenue
584	371	Excise And Taxation	72	66	Results of audit
585	372	Excise And Taxation	72	67	Lack of co-ordination between implementing Agencies to recover the demand on premature Closure of business
586	373	Excise And Taxation	72	74	Irregular grant of concession/ exemption on invalid Forms/forms issued to other dealers
587	374	Excise And Taxation	72	75	Short/non-accounting of goods imported through Use of declaration form
588	375	Excise And Taxation	72	76	Input tax credit allowed incorrectly
589	376	Excise And Taxation	72	78	Incorrect deductions of High sea sale and Transit Sale
590	377	Excise And Taxation	72	79	Transit sale
591	378	Excise And Taxation	72	80	Transit sale
592	379	Excise And Taxation	72	81	Evasion of value added tax due to Suppression Of purchases and sale
593	380	Excise And Taxation	72	82	Non-realisation of differential license fee on Re-actioun
594	381	Excise and Taxation	73	112	Evasion of tax
595	382	Excise and Taxation	73	113	Non-Production of records to Audit for scrutiny
596	383	Excise and Taxation	73	114	Arrears in assessments
597	384	Excise and Taxation	73	117	Material supplied by contractee to contractor
598	385	Excise and Taxation	73	118	Other interesting cases
599	386	Excise and Taxation	73	121	Evasion of tax due to suppression of sales
600	387	Excise and Taxation	73	123	Analysis of arrears of revenue
601	388	Excise and Taxation	73	124	Non-realisation of differential license fee on re-auction
602	389	Excise and Taxation	73	125	Non/short recovery of interest
603	390	Excise and Taxation	73	126	Non/short recovery of license fee and interest
604	391	Excise and Taxation	74	70	Arrears in assessments
605	392	Excise and Taxation	74	71	Evasion of tax detected by the Department
606	393	Excise and Taxation	74	72	ITC allowed on Petroleum Products
607	394	Excise and Taxation	74	74	Incorrect/less reversal of ITC
608	395	Excise and Taxation	74	76	Non levy of tax and penalty on bogus claim of ITC
609	396	Excise and Taxation	74	77	Excess benefit of ITC
610	397	Excise and Taxation	74	79	Non production of records
611	398	Excise and Taxation	74	83	Under assessment of tax due to application of incorrect rate of tax
612	399	Excise and Taxation	74	85	Evasion of tax by submitting fake declaration forms 'C'
613	400	Excise and Taxation	74	89	Non-realisation of differential amount of license fee on re- allotment of vends
614	401	Excise and Taxation	74	90	Non/short recovery of license fee and interest

615	402	Excise and Taxation	74	91	Non/short recovery of licence fee and interest
616	403	Excise and Taxation	74	92	Non levy / recovery of penalty for illegal possession and trade of liquor
617	404	Excise and Taxation	74	93	Non/short realization of passengers tax from taxi/maxi owners
618	405	Excise and Taxation	75	75	Cases finalized after a delay of six months (under HGST Act):
619	406	Excise and Taxation	75	76	Disposal of remand cases under Haryana Value Added Tax
620	407	Excise and Taxation	75	77	Disposal of remand cases under Haryana Value Added Tax Act
621	408	Excise and Taxation	75	78	Non compliance of directions of the Appellate Authority
622	409	Excise and Taxation	75	79	Non compliance of directions of the Appellate Authority
623	410	Excise and Taxation	75	80	Revision Cases
624	411	Excise and Taxation	75	82	Under assessment of tax due to application of incorrect rates of tax: Non/short levy of tax
625	412	Excise and Taxation	75	83	Non levy of penalty for bogus ITC claim/sale suppression
626	413	Excise and Taxation	75	84	Suppression of Sale – Non levy of penalty for bogus ITC claim
627	414	Excise and Taxation	75	85	Suppression of Sale – Non levy of penalty for bogus ITC claim
628	415	Excise and Taxation	75	87	Evasion of tax by registered dealers
629	416	Excise and Taxation	75	89	Non/short levy of interest
630	417	Excise and Taxation	75	90	Result of Audit
631	418	Excise and Taxation	75	91	Non / short recovery of license fee from the licensees
632	419	Excise and Taxation	75	92	Non/short recovery of license fee from the licensees
633	420	Excise and Taxation	75	93	Surety bonds not collected before the allotment of vends
634	421	Excise and Taxation	75	94	Non-realization of differential license fee on re-auction
635	422	Excise and Taxation	75	95	Non / short recovery of interest
636	423	Excise and Taxation	75	96	Non levy/realization of penalty for short lifting of quarterly quota of liquor
637	424	Excise and Taxation	75	97	Non levy/recovery of penalty for illegal possession and trade of liquor
638	425	Excise and Taxation	78	1	Evasion of tax detected by the Department
639	426	Excise and Taxation	78	2	Non production of records to audit for scrutiny
640	427	Excise and Taxation	78	3	Absence of provision for finalization of assessment besides cancellation of Registration Certificate (RC)
641	428	Excise and Taxation	78	4	Non registration of works contractors
642	429	Excise and Taxation	78	5	Reduction in number of scrutiny cases
643	430	Excise and Taxation	78	6	Underassessment/irregular refund of tax due to application of incorrect rate of tax
644	431	Excise and Taxation	78	7	Underassessment due to allowing benefit against fake forms
645	432	Excise and Taxation	78	8	Evasion of tax due to suppression of sales/purchases and failure to levy penalty thereon
646	433	Excise and Taxation	78	9	Evasion of tax due to suppression of sales/purchases and failure to levy penalty thereon
647	434	Excise and Taxation	78	10	Evasion of tax due to suppression of sales/purchases and failure to levy penalty thereon
648	435	Excise and Taxation	78	11	Underassessment due to non levy of tax/interest/surcharge and allowing excess benefit of tax concession
649	436	Excise and Taxation	78	12	Underassessment / Excess refund due to non / incorrect reversal of ITC
650	437	Excise and Taxation	78	13	Underassessment / Excess refund due to non / incorrect reversal of ITC
651	438	Excise and Taxation	78	14	Underassessment / Excess refund due to non / incorrect reversal of ITC

652	439	Excise and Taxation	78	15	Underassessment/irregular refund due to misuse of form VAT D-1/VAT D-2
653	440	Excise and Taxation	78	16	Underassessment/irregular refund due to misuse of form VAT D-1/VAT D-2
654	441	Excise and Taxation	78	17	Non-consideration of stock of Paddy/Rice purchased against form VAT-D2
655	442	Excise and Taxation	78	18	Non levy of penalty under Section 10A of CST Act
656	443	Excise and Taxation	78	19	Excess refund due to allowing deduction against invalid documents
657	444	Excise and Taxation	78	20	Irregular refund to contractors/traders
658	445	Excise and Taxation	78	21	Irregular refund to contractors of DMRC
659	446	Excise and Taxation	78	22	Non maintenance of Demand and Collection register (DCR) of returns (VAT G-8)
660	447	Excise and Taxation	78	23	Late servicing of assessment orders and demand notices
661	448	Excise and Taxation	78	24	Non examination of assessment cases by DETCs/JETCs
662	449	Excise and Taxation	78	25	Loss of revenue due to delay in re-assessment of the cases
663	450	Excise and Taxation	78	26	Recovery of demand created during the year
664	451	Excise and Taxation	78	27	Incorrect benefit of ITC on goods not sold
665	452	Excise and Taxation	78	29	Non/short levy of tax due to incorrect classification
666	453	Excise and Taxation	78	30	Excess allowance of deposit of tax
667	454	Excise and Taxation	78	31	Non levy of tax on sale of chemicals
668	455	Excise and Taxation	78	32	Short levy of tax on sale of pipes
669	456	Excise and Taxation	78	33	Non levy of additional tax/penalty for misuse of Form VAT D-1
670	457	Excise and Taxation	78	34	Evasion of tax due to suppression of Sales
671	458	Excise and Taxation	78	35	Results of audit
672	459	Excise and Taxation	78	36	Non/short levy of license Fee and interest
673	460	Excise and Taxation	78	37	Non/short levy of license Fee and interest
674	461	Excise and Taxation	78	38	Non levy/recovery of penalty for illegal possession and trade of liquor
675	462	Excise and Taxation	82	73	Non production of records to audit for scrutiny
676	463	Excise and Taxation	82	74	Non-disposal of attached property
677	464	Excise and Taxation	82	75	Deletion of demand against false forms
678	465	Excise and Taxation	82	76	Irregular deletion/concealment of arrears
679	466	Excise and Taxation	82	77	Failure to initiate follow up action
680	467	Excise and Taxation	82	78	Non levy of interest
681	468	Excise and Taxation	82	79	Under assessment of tax due to calculation mistake
682	469	Excise and Taxation	82	80	Short/Non levy of tax due to incorrect classification
683	470	Excise and Taxation	82	81	Short/Non levy of tax due to incorrect classification
684	471	Excise and Taxation	82	82	Short/Non levy of tax due to incorrect classification
685	472	Excise and Taxation	82	83	Non levy of interest
686	473	Excise and Taxation	82	84	Incorrect benefit of input tax credit on goods not sold
687	474	Excise and Taxation	82	85	Results of audit
688	475	Excise and Taxation	82	86	Non/short deposit of security and additional security
689	476	Excise and Taxation	82	87	Non/short recovery of license fee and interest
690	477	Excise and Taxation	82	88	Non/short recovery of license fee and interest

691	478	Excise and Taxation	82	89	Non-realisation of differential license fee on re-auction.
692	479	Excise and Taxation	82	90	Non-realisation of differential license fee on re-auction
693	480	Excise and Taxation	82	91	Non-levy of penalty/additional excise duty on short/excess lifting of quarterly basic quota
694	481	Excise and Taxation	82	92	Non-levy of penalty/additional excise duty on short/excess lifting of quarterly basic quota
695	482	Excise and Taxation	82	93	Non-recovery/levy of penalty for illegal possession and trade of liquor
696	483	Excise and Taxation	82	94	Non-recovery/levy of penalty for illegal possession and trade of liquor
697	484	Excise and Taxation	82	95	Internal control mechanism
698	485	Excise and Taxation	82	96	Inadequate coverage of internal audit
699	486	Excise and Taxation	82	97	Result of Audit
700	487	Excise and Taxation	84	1	Non production of records to audit for scrutiny.
701	488	Excise and Taxation	84	2	Under-assessment due to wrong exemption/concession against false form and allowing benefit of tax on sale to non existing dealers.
702	489	Excise and Taxation	84	3	Non adherence to provisions of exemption and concessions.
703	490	Excise and Taxation	84	4	Non-disposal of attached property
704	491	Excise and Taxation	84	5	Deletion of demand against false forms
705	492	Excise and Taxation	84	6	Irregular deletion/concealment of arrears
706	493	Excise and Taxation	84	7	Failure to initiate follow up action
707	494	Excise and Taxation	84	8	Non levy of interest
708	495	Excise and Taxation	84	9	Under assessment of tax due to calculation mistake
709	496	Excise and Taxation	84	10	Short/Non levy of tax due to incorrect classification
710	497	Excise and Taxation	84	11	Short/Non levy of tax due to incorrect classification
711	498	Excise and Taxation	84	12	Short/Non levy of tax due to incorrect classification
712	499	Excise and Taxation	84	13	Non levy of interest
713	500	Excise and Taxation	84	14	Incorrect benefit of input tax credit on goods not sold
714	501	Excise and Taxation	84	15	Results of audit
715	502	Excise and Taxation	84	16	Non/short deposit of security and additional security
716	503	Excise and Taxation	84	17	Non/short recovery of license fee and interest
717	504	Excise and Taxation	84	18	Non/short recovery of license fee and interest
718	505	Excise and Taxation	84	19	Non-realisation of differential license fee on re-auction.
719	506	Excise and Taxation	84	20	Non-realisation of differential license fee on re-auction
720	507	Excise and Taxation	84	21	Non-levy of penalty/additional excise duty on short/excess lifting of quarterly basic quota
721	508	Excise and Taxation	84	22	Non-levy of penalty/additional excise duty on short/excess lifting of quarterly basic quota
722	509	Excise and Taxation	84	23	Non-recovery/levy of penalty for illegal possession and trade of liquor
Finance					
723	1	Haryana State Lotteries	36	25	Suspended misappropriation of Government money
724	2	Haryana State Lotteries	46	36	Appointment of main stockists
725	3	Haryana State Lotteries	46	40	Other points of interest
726	4	Finance (Lotteries)	50	3	Printing of lottery tickets
727	5	Finance (Lotteries)	50	146	Results of Audit

728	6	Haryana State Lotteries	52	87	Short Deposit of State proceeds of lottery tickets
729	7	Finance	56	14	Overpayment of pensionary benefits
730	8	Finance	58	39	Non charging of interest and penal interest
731	9	Finance	58	40	Loans to Municipal Councils/ Municipal Committees
732	10	Finance	58	72	Overpayment of pensionary benefits
733	11	Finance and Justice	62	68	Recovery regarding appointment of daily wage workers
734	12	Finance	63	38	Results of Audit
735	13	Finance	63	39	Incorrect classification / non-collection of guarantee fee
736	14	Finance	63	40	Government guarantees
737	15	Finance	63	41	Conclusion/Recommendations
738	16	Finance	63	76	Mismatch of expenditure data in OTIS database
739	17	Finance	65	20	Overpayment of pensionary benefits
740	18	Finance	67	37	Overpayment of pensionary benefits
741	19	Finance	68	90	Non recovery of loans and interest
742	20	Finance	68	92	Non recovery of loans granted in lieu of deferment of sales tax and interest
743	21	Finance	68	93	Non reconciliation of outstanding loans and interest
744	22	Finance	71	75	Non-raising of demand of guarantee fee
745	23	Finance	74	48	Non-claiming of interest on unutilized funds
746	24	Finance	80	52	Misappropriations, losses, defalcations, etc.
747	25	Finance	81	56	Misappropriations, losses, defalcations, etc:
Food and Drug Administration					
748	1	Food and Drug Administration	79	28	Non-conducting of survey and non-registration of Food Business Operators
749	2	Food and Drug Administration	79	29	Inadequate infrastructure facilities in the food laboratories
750	3	Food and Drug Administration	79	30	Non-availability of infrastructure and equipment with FSOs/DOs for safe storage of food samples
751	4	Food and Drug Administration	79	31	Inspection of registered establishment
752	5	Food and Drug Administration	79	32	Non-achievement of targets for collection of samples
753	6	Food and Drug Administration	79	33	Non-adjudication against offenders of sub- standard/misbranded samples
754	7	Food and Drug Administration	79	34	Delay in adjudication of cases
755	8	Food and Drug Administration	79	35	Availability of manpower
756	9	Food and Drug Administration	79	36	Information, Education and Communication activities
757	10	Food and Drug Administration	79	37	Conclusion
Food, Civil supplies & Consumer Affairs					
758	1	Food, Civil supplies & Consumer Affairs	23	35	Haryana State Federation of Consumer Co-operative Wholesale Stores Limited, Chandigarh
759	2	Food, Civil supplies & Consumer Affairs	34	47	Under storage of wheat
760	3	Food, Civil supplies & Consumer Affairs	36	7	Loss due to storage of wheat.
761	4	Food, Civil supplies & Consumer	40	47	Damage caused to wheat in Storage

		<i>Affairs</i>			
762	5	<i>Food, Civil supplies & Consumer Affairs</i>	42	42	<i>Loss due to negligence</i>
763	6	<i>Food, Civil supplies & Consumer Affairs</i>	60	90	<i>Loss due to delay in supply of wheat to Food Corporation of India</i>
764	7	<i>Food, Civil supplies & Consumer Affairs</i>	63	68	<i>(i) Food Security, Subsidy and Management of Foodgrain (ii) Financial arrangements</i>
765	8	<i>Food, Civil supplies & Consumer Affairs</i>	63	69	<i>Loss of interest due to delay in deposit of cheques</i>
766	9	<i>Food, Civil supplies & Consumer Affairs</i>	63	70	<i>Loss due to non adherence of the instructions of FCI</i>
767	10	<i>Food, Civil supplies & Consumer Affairs</i>	63	71	<i>Millers had not supplied the rice after milling of paddy</i>
768	11	<i>Food, Civil supplies & Consumer Affairs</i>	63	72	<i>Loss due to damage of wheat</i>
769	12	<i>Food, Civil supplies & Consumer Affairs</i>	63	73	<i>Suspected misappropriation/pilferage of wheat due to short accounting of moisture gain</i>
770	13	<i>Food, Civil supplies & Consumer Affairs</i>	65	14	<i>State/District Consumer Protection Councils not functional</i>
771	14	<i>Food, Civil supplies & Consumer Affairs</i>	65	16	<i>Excess consumption of gunny bags</i>
772	15	<i>Food, Civil supplies & Consumer Affairs</i>	68	30	<i>Loss due to lack of supervision and improper storage of wheat stock</i>
773	16	<i>Food, Civil supplies & Consumer Affairs</i>	72	47	<i>Loss of interest due to delay in claiming refund of Bonus paid to farmers</i>
774	17	<i>Food, Civil supplies & Consumer Affairs</i>	75	58	<i>Loss due to distribution of food grains to ineligible ration card holders</i>
775	18	<i>Food, Civil supplies & Consumer Affairs</i>	77	39	<i>Avoidable payment of interest due to delay in realization of bills from Food Corporation of India</i>
776	19	<i>Food, Civil supplies & Consumer Affairs</i>	77	40	<i>Compliance of terms and conditions of milling agreements for Custom Milled Rice</i>
777	20	<i>Food, Civil supplies & Consumer Affairs</i>	77	41	<i>Non-delivery of rice by millers</i>
778	21	<i>Food, Civil supplies & Consumer Affairs</i>	77	42	<i>Non-recovery from the millers</i>
779	22	<i>Food, Civil supplies & Consumer Affairs</i>	77	43	<i>Non-recovery of amount of value cut and moisture cut from millers</i>
780	23	<i>Food, Civil supplies & Consumer Affairs</i>	77	44	<i>Non-adherence of guidelines</i>
781	24	<i>Food, Civil supplies & Consumer Affairs</i>	80	13	<i>Non-realisation of claims from FCI and extra burden of interest</i>
782	25	<i>Food, Civil supplies & Consumer Affairs</i>	80	14	<i>Delay in furnishing utilization certificates</i>
783	26	<i>Food, Civil supplies & Consumer Affairs</i>	81	14	<i>Extra burden of interest</i>
784	27	<i>Food, Civil supplies & Consumer Affairs</i>	81	15	<i>Loss due to suspected misappropriation of paddy</i>
785	28	<i>Food, Civil supplies & Consumer Affairs</i>	81	16	<i>Delay in furnishing utilization certificates</i>

		<i>Affairs</i>			
786	29	<i>Food, Civil supplies & Consumer Affairs</i>	82	28	<i>Misappropriation of paddy due to violation of laid down norms by the department</i>
787	30	<i>Food, Civil supplies & Consumer Affairs</i>	82	29	<i>Extra burden of interest due to delay in claiming diriage charges.</i>
788	31	<i>Food, Civil supplies & Consumer Affairs</i>	82	30	<i>Delay in furnishing utilisation certificate (S.F.)</i>
789	32	<i>Food, Civil supplies & Consumer Affairs</i>	83	1	<i>Loss to the State Exchequer due to delayed claim of lower interest charges</i>
790	33	<i>Food, Civil supplies & Consumer Affairs</i>	83	2	<i>Irregular expenditure on watch and ward</i>
791	34	<i>Food, Civil supplies & Consumer Affairs</i>	83	3	<i>Delay in submission of Utilisation Certificates</i>
Forest & Wildlife					
792	1	<i>Forest</i>	56	5	<i>Rehabilitation of common lands in Aravali Hills</i>
793	2	<i>Forest</i>	58	3	<i>Rehabilitation of common lands in Aravalli Hills</i>
794	3	<i>Forest</i>	58	41	<i>Short Recovery of royalty on forest produce</i>
795	4	<i>Forest</i>	58	130	<i>Loss due to delay in harvesting of poplar trees</i>
796	5	<i>Forest</i>	58	132	<i>Absence of physical verification of timer</i>
797	6	<i>Forest</i>	63	79	<i>Nugatory expenditure</i>
798	7	<i>Forest</i>	80	15	<i>Unfruitful expenditure on water harvesting structure</i>
799	8	<i>Forest</i>	82	31	<i>Encroachment of forest land</i>
800	9	<i>Forest</i>	82	33	<i>Poor/inadequate control Failur</i>
801	10	<i>Forest</i>	82	34	<i>Delay in furnishing utilisation certificates (SF)</i>
802	11	<i>Forest</i>	83	20	<i>Delay in submission of Utilisation Certificates</i>
General					
803	1	<i>General</i>	52	65	<i>Write-off of losses etc</i>
804	2	<i>General</i>	58	44	<i>Results of Audit</i>
805	3	<i>General</i>	58	97	<i>Write-off of losses, etc</i>
806	4	<i>General</i>	61	28	<i>Misappropriations, defalcations, etc.</i>
807	5	<i>General</i>	61	31	<i>Lack of accountability</i>
808	6	<i>General</i>	63	84	<i>Financial assistance to local bodies and other institutions</i>
809	7	<i>General</i>	63	85	<i>Misappropriations, defalcations, etc.</i>
810	8	<i>General</i>	63	86	<i>Write-off of losses, etc.</i>
811	9	<i>General</i>	64	9	<i>Financial assistance to local bodies and others institutions</i>
812	10	<i>General</i>	64	10	<i>Misappropriations, defalcations etc.</i>
813	11	<i>General</i>	64	11	<i>Write-off losses etc.</i>
814	12	<i>General</i>	65	23	<i>Financial assistance to local bodies and other institutions</i>
815	13	<i>General</i>	65	24	<i>Misappropriations, defalcations, etc.</i>
816	14	<i>General</i>	65	25	<i>Write-off of losses, etc.</i>
Health & Family Welfare					
817	1	<i>Medical and Health</i>	38	18	<i>Stores and Stock</i>
818	2	<i>Medical and Health</i>	56	6	<i>Working of Medical and Health Department including Manpower</i>

					Management
819	3	Medical and Health	56	7	Hospitals and dispensaries
820	4	Medical and Health	56	9	Hospital Waste Management
821	5	Medical and Health	58	68	Working of Pandit Bhagwat Dayal Sharma Post Graduate Institute of Medical Sciences, Rohtak
822	6	Medical and Health	58	69	Implementation of Prevention of Food Adulteration Act
823	7	Medical and Health	60	3	Prevention and Control of Diseases.
824	8	Medical and Health	62	56	Manpower
825	9	Medical and Health	62	57	Manufacturing and selling units
826	10	Medical and Health	62	59	Statistics of prosecutions vis-à-vis cases filed
827	11	Family welfare	65	22	Lack of response to Audit findings and observations resulting in erosion of accountability
828	12	Health	68	44	Avoidable payment due to non-insurance of vehicles
829	13	Health	68	45	Unauthorized retention of the departmental receipts outside the Consolidated Fund of the State
830	14	Health	68	47	Follow up on Audit s
831	15	Health	70	3	Financial Management
832	16	Health	70	4	Shortage of staff at CHC and PHC level
833	17	Health	70	6	Unfruitful expenditure on purchase of food testing equipment
834	18	Health	72	4	Outstanding loans and advances
835	19	Health and Family Welfare	73	70	Embezzlement due to inadequate internal control
836	20	Health	74	15	Construction of CHCs, PHCs and SCs
837	21	Health	74	16	Improper-functioning of PHCs/Sub-Centres
838	22	Health	74	17	Lack of basic amenities in Sub-Centres
839	23	Health	74	19	Dispensing adulterated/spurious medicines to the patients
840	24	Health	74	20	Unfruitful expenditure on non-functional Drug Testing Laboratory and State Ayurvedic Pharmacy
841	25	Health	74	21	Embezzlement due to inadequate financial control
842	26	Health	75	59	Non-recovery of bond money
843	27	Health	77	45	Utilization of funds by Red cross Society
844	28	Health	77	46	Training to the handicapped persons
845	29	Health	81	17	Award of rate contract to ineligible firms
846	30	Health	81	18	Purchase of medicines from blacklisted firms
847	31	AYUSH(Health)	82	25	Loss of revenue
Higher Education					
848	1	Higher Education	52	6	Extra expenditure on purchase of paper
849	2	Higher Education	72	12	Performance evaluation
850	3	Higher Education	72	13	Misappropriations, losses, defalcations, etc.
851	4	Higher Education	77	22	Implementation of reservation / fee concession policy
852	5	Higher Education	77	23	Infrastructure
853	6	Higher Education	77	24	Internal control mechanism
854	7	Higher Education	80	2	Non-adjustment of temporary advances
855	8	Higher Education	80	3	Avoidable payment of Service Tax

856	9	Higher Education	80	4	Computerisation of University Activities
Home					
857	1	Home(Jail)	50	9	Injudicious purchase
858	2	Home	56	18	Stores and Stock
859	3	Home	63	49	Arrears of revenue
860	4	Home	63	50	Results of Audit
861	5	Home	63	77	Wasteful expenditure on creation of Haryana State Industrial Security Force
862	6	Home	67	38	Inadmissible payment of conveyance allowance to the newly recruited constables during basic training period
863	7	Home	68	37	Extra expenditure on account of delayed payment of land, compensation and interest thereon
864	8	Home	68	94	Arrears of revenue
865	9	Home	68	95	Results of Audit
866	10	Home	68	161	Analysis of arrears of revenue
867	11	Home	70	11	Delay/non-completion of building works
868	12	Home	70	72	Non-realization of police cost from Railways
869	13	Home	70	73	Non-existence of system to monitor the raising of claims for incentive money for passport verification s
870	14	Home	70	75	Non-short raising of bills
871	15	Home	70	76	Non-short raising of bills
872	16	Home	70	77	Non-disposal of arms and ammunition
873	17	Home	73	65	Non-forfeiture of surely bonds
874	18	Home and Administration of Justice	75	61	Management of properties of Haryana Wakf Board
875	19	Home	77	49	Non-implementation of Outdoor Surveillance System
876	20	Home(Jail)	80	8	Outstanding recoveries on account of job work/sales by jail factories
877	21	Home(Jail)	80	12	Non-constitution of Board of Visitors for inspection of Jails
878	22	Home	82	35	Unauthorised use of golf course on Government land
Housing					
879	1	Housing (Housing Board)	81	20	Avoidable expenditure on abandoned housing project
880	2	Housing (Housing Board)	82	36	Avoidable payment of income tax and non-realisation of interest
Skill Development & Industrial Training					
881	1	Industrial Training	62	80	Delay in issue of Inspection s and settlement of old objections
882	2	Industrial Training and Vocational Education	77	50	Blockade of funds due to injudicious selection of site
883	3	Industrial Training	79	39	Purchases without tendering process
884	4	Industrial Training	79	40	Non-utilization of surplus machinery and tools
885	5	Industrial Training	80	53	Misappropriations, losses, defalcations, etc.
886	6	Industrial Training	82	66	Delay in furnishing utilisation certificates (S.F.)
887	7	Skill development Industrial training	83	27	Delay in submission of Utilisation Certificates
Industries and Commerce					
888	1	Industries and Commerce	16	2(d)	Supply of setting up industries unit in selected backward areas
889	2	Industries and Commerce	22	10	Industrial Estate

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890	3	Industries and Commerce	32	4	Development of small industries
891	4	Industries and Commerce	36	13	Non-utilization of loan
892	5	Industries and Commerce (Supplies and Disposal)	40	49	Extra expenditure due to retendering
893	6	Industries and Commerce	50	5	Capital investment subsidy
894	7	Industries and Commerce	64	66	Results of Audit
895	8	Industries and Commerce	72	117	Non/short recovery of interest free loan
896	9	Industries and Commerce	73	87	Delay in furnishing utilization certificates (STATE FINANCES)
897	10	Industries and Commerce	79	43	Non-recovery of grants-in-aids - Irregularities in conducting entrepreneurship development programmes
898	11	Industries and Commerce (Supplies and Disposal)	81	21	Information Technology Audit of e-Procurement system
899	12	Industries and Commerce(Supplies and Disposal)	81	22	Delay in furnishing utilization certificates
Information, Public Relations and Cultural Affairs					
900	1	Information, Public Relations and Cultural Affairs	75	63	Irregularities in the functioning of the Information, Public Relations and Cultural Affairs Department
901	2	Public Relations	80	17	Effectiveness of advertisement on TV channels
Irrigation and Water Resources					
902	1	Irrigation and Water Resources	46	34	Procurement of sub-standard cement
903	2	Irrigation and Water Resources	54	90	Short recovery of lease rent
904	3	Irrigation and Water Resources	60	39	Land under unauthorized possessions
905	4	Irrigation and Water Resources	60	41	Recoverable amount
906	5	Irrigation and Water Resources	60	42	Store management
907	6	Irrigation and Water Resources	60	46	Recoverable amount from HUDA.
908	7	Irrigation and Water Resources	60	51	Monitoring
909	8	Irrigation and Water Resources	68	98	Results of Audit
910	9	Irrigation and Water Resources	71	21	Extra expenditure due to non-finalisation of tenders within the validity period
911	10	Irrigation and Water Resources	71	22	Unfruitful expenditure on incomplete drainage scheme
912	11	Irrigation and Water Resources	71	81	Results of Audit
913	12	Irrigation and Water Resources	72	36	Excess payment due to adoption of incorrect Wholesale price index of steel
914	13	Irrigation and Water Resources	73	6	Planning
915	14	Irrigation and Water Resources	73	10	Damage of head regulator costing Rs.1.35 crore
916	15	Irrigation and Water Resources	73	13	Non-recovery of balance amount from LAO
917	16	Irrigation and Water Resources	73	15	Non-recovery/adjustment of amount lying in MPWA against staff and others
918	17	Irrigation and Water Resources	73	20	Utilisation of Acquired/Allotted Land and Management of Government Land
919	18	Irrigation and Water Resources	73	22	Extra voidable expenditure due to non-use of excavated earth in dam embankments
920	19	Irrigation and Water Resources	75	64	Unfruitful expenditure on construction of a minor

921	20	Irrigation and Water Resources	75	65	Irregularities and deficiencies in construction of Dam across river Kaushalya near Panchkula
922	21	Irrigation and Water Resources	75	66	Miscellaneous Public Works Advances
923	22	Irrigation and Water Resources	77	53	Avoidable expenditure on acquisition of land
924	23	Irrigation and Water Resources	80	50	Misappropriations, losses, defalcations, etc.
925	24	Irrigation and Water Resources	81	23	Incomplete Irrigation Project
926	25	Irrigation and Water Resources	81	24	Misappropriations, losses, defalcations, etc.
927	26	Irrigation and Water Resources	82	63	Misappropriations, losses, defalcations, etc. (S.F.)
928	27	Irrigation and Water Resources	83	18	Delay in submission of Utilisation Certificates
929	28	Irrigation and Water Resources	83	19	Misappropriations, losses, thefts, etc
Labour					
930	1	Labour and Employment	72	48	Non-achievement of objectives due to non- Utilization of cess funds
931	2	Labour	73	3	Short realization of cess
932	3	Labour	73	4	Short collection of cess
933	4	Labour	73	5	Delayed/non-deposit of cess
934	5	Labour	79	45	Delay in construction of Workers' Facilitation Centres
935	6	Labour	80	18	Non-utilization of funds on Welfare Schemes for Construction Workers and avoidable payment of Income Tax
936	7	Labour (ESI)	81	53	Delay in furnishing utilization certificates:
937	8	Labour	82	64	Misappropriations, losses, defalcations, etc. (S.F.)
938	9	Labour	83	8	Recoverable amount from employers against declined cheques
939	10	Labour	83	9	Misappropriations, losses, thefts, etc
Medical Education and Research					
940	1	Medical Education and Research	77	27	Irregularities noticed in respect of bank guarantees
941	2	Medical Education and Research	79	10	Deficiencies in maintenance of records and suspected embezzlement
942	3	Medical Education and Research	79	11	Non-adjustment of advances
943	4	Medical Education and Research	79	14	Implementation of Schemes - Pradhan Mantri Swasthya Suraksha Yojana
944	5	Medical Education and Research	79	16	Avoidable payment of Service Tax
945	6	Medical Education and Research	79	17	Improper evaluation of bids
Mines and Geology					
946	1	Mines and Geology	29	71	Results of Audit
947	2	Mines and Geology	32	47	Uncollected revenue
948	3	Mines and Geology	32	48	Results of Audit
949	4	Mines and Geology	34	55	Uncollected revenue
950	5	Mines and Geology	38	50	Results of Audit
951	6	Mines and Geology	38	51	Receipts from Mines and Minerals
952	7	Mines and Geology	40	93	Outstanding Inspection s.
953	8	Mines and Geology	40	94	Results of Audit
954	9	Mines and Geology	44	48	Uncollected Revenue
955	10	Mines and Geology	44	50	Results of Audit
956	11	Mines and Geology	44	53	Short Calculation of interest

957	12	Mines and Geology	44	54	Uncollected Revenue
958	13	Mines and Geology	44	56	Results of Audit
959	14	Mines and Geology	44	57	Non-realisation of contract money and interest
960	15	Mines and Geology	44	58	Non-recovery of dead rent and interest thereon
961	16	Mines and Geology	44	59	Interest not charged on delayed payments
962	17	Mines and Geology	44	60	Uncollected revenue.
963	18	Mines and Geology	44	61	Results of Audit
964	19	Mines and Geology	44	62	Non-recovery of contract money and interest
965	20	Mines and Geology	44	63	Non-recovery/Short-recovery of royalty
966	21	Mines and Geology	44	64	Interest not charged
967	22	Mines and Geology	48	14	Arrears in revenue
968	23	Mines and Geology	48	15	Outstanding inspection s and audit observations
969	24	Mines and Geology	50	112	Results of Audit
970	25	Mines and Geology	50	139	Arrears in revenue
971	26	Mines and Geology	54	97	Arrears in revenue
972	27	Mines and Geology	54	98	Results of Audit
973	28	Mines and Geology	54	99	Short recovery of contract money and interest
974	29	Mines and Geology	58	19	Arrears in revenue
975	30	Mines and Geology	58	20	Results of Audit
976	31	Mines and Geology	58	21	Receipts from Mines and Minerals
977	32	Mines and Geology	58	22	Non/Short recovery of dead rent, royalty and interest
978	33	Mines and Geology	58	23	Non/Short recovery of royalty from Brick Kiln Owners
979	34	Mines and Geology	58	24	Non-recovery of lease fee on short term permits
980	35	Mines and Geology	58	25	Non recovery of interest on belated payments
981	36	Mines and Geology	63	47	Arrears of revenue
982	37	Mines and Geology	63	48	Results of Audit
983	38	Mines and Geology	65	65	Arrears of revenue
984	39	Mines and Geology	65	66	Arrears of revenue
985	40	Mines and Geology	65	67	Non/short recovery of royalty and interest
986	41	Mines and Geology	67	75	Non recovery of royalty and interest
987	42	Mines and Geology	68	79	Results of Audit
988	43	Mines and Geology	70	81	Result of audit
989	44	Mines and Geology	70	82	Non-recovery of royalty and interest
990	45	Mines and Geology	71	82	Results of audit
991	46	Mines and Geology	71	83	Non-recovery of royalty and interest
992	47	Mines and Geology	72	121	Non-recovery of royalty and interest
993	48	Mines and Geology	73	144	Rusults of Audit
994	49	Mines and Geology	73	145	Non/short realisation of bid money
995	50	Mines and Geology	74	117	Non/short realisation of bid money
996	51	Mines and Geology	78	49	Non/short recovery of royalty and interest
997	52	Mines and Geology	82	110	Result of Audit
998	53	Mines and Geology	82	111	Non/short recovery of royalty and interest

999	54	Mines and Geology	84	37	Result of Audit
1000	55	Mines and Geology	84	38	Non recovery of contract money and interest.
1001	56	Mines and Geology	84	39	Non/short recovery of royalty and interest.
Other Administrative Services					
1002	1	Other administrative services	83	25	Delay in submission of Utilisation Certificates
Power (Chief Electrical Inspector)					
1003	1	Power (Chief Electrical Inspector)	52	76	Non-charging of electricity duty on extended load
1004	2	Power (Chief Electrical Inspector)	52	77	Short realization of electricity duty due to application of incorrect rates
1005	3	Power (Chief Electrical Inspector)	52	78	Electricity duty not charged after expiry of exemption period
1006	4	Power (Chief Electrical Inspector)	70	85	Analysis of arrears of revenue
Printing and Stationery					
1007	1	Printing and Stationery	58	82	Excess issue of paper to private printers
1008	2	Printing and Stationery	60	90A	Overpayment to private printer
Public Health Engineering					
1009	1	Public Health Engineering	61	12	Shortage of material
1010	2	Public Health Engineering	64	3	Non-recovery of loans and non-contribution of share by MCs
1011	3	Public Health Engineering	64	4	Recoverable amount from HUDA
1012	4	Public Health Engineering	64	6	Yamuna Action Plan
1013	5	Public Health Engineering	71	18	Blocking of funds on purchase of stores in excess of requirement
1014	6	Public Health Engineering	71	85	Non-recovery of water charges
1015	7	Public Health Engineering	75	1	Expenditure in excess of estimates
1016	8	Public Health Engineering	75	3	Irregular splitting of works
1017	9	Public Health Engineering	77	4	Irregular splitting of works
1018	10	Public Health Engineering	77	11	Blockade of funds on unutilized pipes
1019	11	Public Health Engineering	80	22	Non-completion of the projects within stipulated period
1020	12	Public Health Engineering	80	23	Irregular enhancement of scope of works
1021	13	Public Health Engineering	82	37	Unfruitful expenditure on incomplete work.
1022	14	Public Health Engineering	82	38	Misappropriations, losses, defalcations, etc. (S.F.)
1023	15	Public Health Engineering	83	12	Wasteful expenditure on non-functional water works
1024	16	Public Health Engineering	83	13	Misappropriations, losses, thefts, etc
Public Works Department (Building & Roads)					
1025	1	Public Works Department (Building & Roads)	38	61	Arrears of rent
1026	2	Public Works Department (Building & Roads)	50	47	Construction of major building including Staff Quarters
1027	3	Public Works Department (Building & Roads)	50	49	Execution of works without technical sanction of cost estimates
1028	4	Public Works Department (Building & Roads)	50	57	Reimbursement claims
1029	5	Public Works Department (Building & Roads)	50	61	Release of advances not covered by agreement
1030	6	Public Works Department	50	63	Excess payment of price increase on diesel

		(Building & Roads)			
1031	7	Public Works Department (Building & Roads)	52	43	Miscellaneous Public Works Advances
1032	8	Public Works Department (Building & Roads)	54	22	Avoidable payment of interest
1033	9	Public Works Department (Building & Roads)	58	136	Utilization of departmental receipts towards expenditure
1034	10	Public Works Department (Building & Roads)	60	64	Non-responsiveness to Audit findings and observations resulting in erosion of accountability
1035	11	Public Works Department (Building & Roads)	61	8	Execution of Works
1036	12	Public Works Department (Building & Roads)	62	77	Irregular/un-authorized expenditure of storage charges
1037	13	Public Works Department (Building & Roads)	62	78	Non-recovery of difference of sales tax
1038	14	Public Works Department (Building & Roads)	63	61	Deficient agreements
1039	15	Public Works Department (Building & Roads)	63	62	Execution of works without technical sanctions
1040	16	Public Works Department (Building & Roads)	63	65	Supply of Portland pozzolona cement instead of ordinary Portland Cement
1041	17	Public Works Department (Building & Roads)	68	39	Irregular expenditure on operation of excess ex-cadre posts
1042	18	Public Works Department (Building & Roads)	72	39	Undue financial aid to contractor
1043	19	Public Works Department (Building & Roads)	73	36	Status of Acquisition and Allotment of Land at State Level
1044	20	Public Works Department (Building & Roads)	73	37	Acquisition of land
1045	21	Public Works Department (Building & Roads)	73	38	Conducting of physical verification of Government land
1046	22	Public Works Department (Building & Roads)	73	39	Non-mutation of land acquired
1047	23	Public Works Department (Building & Roads)	75	68	Incomplete works
1048	24	Public Works Department (Building & Roads)	75	69	Miscellaneous Public Works Advances
1049	25	Public Works Department (Building & Roads)	77	55	Avoidable expenditure on acquisition of land
1050	26	Public Works Department (Building & Roads)	79	46	Maintenance of Roads
1051	27	Public Works Department (Building & Roads)	79	47	Contract management - Non-recovery of liquidated damages
1052	28	Public Works Department (Building & Roads)	79	48	Excess payment to agencies
1053	29	Public Works Department (Building & Roads)	79	49	Unfruitful expenditure on incomplete work
1054	30	Public Works Department	80	24	Premature deposit of funds with Railways

		(Building & Roads)			
1055	31	Public Works Department (Building & Roads)	80	25	<i>Time and cost overrun</i>
1056	32	Public Works Department (Building & Roads)	82	39	<i>Unfruitful expenditure on widening and strengthening of link road.</i>
Renewable Energy					
1057	1	Renewable Energy	38	16	<i>Evaluation and monitoring.</i>
1058	2	Renewable Energy	74	60	<i>Implementation of Solar Street Lighting Systems Programme</i>
Revenue and Disaster Management					
1059	1	Revenue and Disaster Management	26	10	<i>Gratuitous relief for crops/houses damaged</i>
1060	2	Revenue and Disaster Management	29	62	<i>Results of Audit</i>
1061	3	Revenue and Disaster Management	34	29	<i>Land reforms</i>
1062	4	Revenue and Disaster Management	34	30	<i>Compensation to landowner</i>
1063	5	Revenue and Disaster Management	34	31	<i>Consolidation of holdings</i>
1064	6	Revenue and Disaster Management	34	84	<i>Under valuation of immovable property</i>
1065	7	Revenue and Disaster Management	40	80	<i>Results of Audit</i>
1066	8	Revenue and Disaster Management	40	81	<i>Under valuation of immovable property</i>
1067	9	Revenue and Disaster Management	40	82	<i>Misclassifications of instruments</i>
1068	10	Revenue and Disaster Management	40	83	<i>Irregular grant of exemption</i>
1069	11	Revenue and Disaster Management	40	89	<i>Embezzlement of Government revenue</i>
1070	12	Revenue and Disaster Management	42	103	<i>Results of Audit</i>
1071	13	Revenue and Disaster Management	42	104	<i>Irregular exemption of stamp duty</i>
1072	14	Revenue and Disaster Management	44	46	<i>Mewat Development Board</i>
1073	15	Revenue and Disaster Management	44	66	<i>Uncollected Revenue (Land Revenue)</i>
1074	16	Revenue and Disaster Management	44	68	<i>Short levy of Stamp duty</i>
1075	17	Revenue and Disaster Management	44	70	<i>Evasion of Stamp duty and registration fee through power of attorney</i>
1076	18	Revenue and Disaster Management	44	72	<i>Misclassification of instruments</i>
1077	19	Revenue and Disaster Management	44	73	<i>Uncollected Revenue</i>
1078	20	Revenue and Disaster Management	44	76	<i>Results of Audit</i>
1079	21	Revenue and Disaster Management	50	95	<i>Internal Audit</i>
1080	22	Revenue and Disaster Management	50	100	<i>Short levy of stamp duty</i>
1081	23	Revenue and Disaster Management	50	105	<i>Outstanding audit objections in Internal Audit</i>
1082	24	Revenue and Disaster Management	50	107	<i>Short recovery of stamp duty on mortgage deed</i>
1083	25	Revenue and Disaster Management	50	108	<i>Evasion of stamp and registration fees through power of attorney</i>
1084	26	Revenue and Disaster Management	50	137	<i>Arrears in revenue</i>
1085	27	Revenue and Disaster Management	52	69	<i>Results of Audit</i>
1086	28	Revenue and Disaster Management	52	71	<i>Evasion of Stamp Duty due to under valuation of immovable property</i>
1087	29	Revenue and Disaster Management	54	17	<i>Inadmissible payment of cash compensation to manufacturing units/industry owners</i>
1088	30	Revenue and Disaster Management	54	18	<i>Fictitious payment of gratuitous relief</i>
1089	31	Revenue and Disaster Management	54	19	<i>Drawal of funds without requirement</i>
1090	32	Revenue and Disaster Management	54	49	<i>Arrear in revenue</i>
1091	33	Revenue and Disaster Management	54	50	<i>Results of Audit</i>

1092	34	Revenue and Disaster Management	54	51	<i>Results of Audit</i>
1093	35	Revenue and Disaster Management	54	52	<i>Non/Short recovery of Stamp duty</i>
1094	36	Revenue and Disaster Management	54	53	<i>Incorrect exemption of Stamp duty</i>
1095	37	Revenue and Disaster Management	54	54	<i>Evasion of stamp duty due to undervaluation of immovable property</i>
1096	38	Revenue and Disaster Management	54	57	<i>Evasion of stamp duty and registration fees through power of attorney</i>
1097	39	Revenue and Disaster Management	54	59	<i>Results of Audit</i>
1098	40	Revenue and Disaster Management	54	60	<i>Internal Controls in Land Revenue Department for recovery of dues treated as arrears of land revenue</i>
1099	41	Revenue and Disaster Management	54	61	<i>Procedure for receipt and disposal of revenue recovery cases</i>
1100	42	Revenue and Disaster Management	54	62	<i>Return of RRCs</i>
1101	43	Revenue and Disaster Management	56	21	<i>Loss of interest due to delayed refund of unspent amount</i>
1102	44	Revenue and Disaster Management	56	22	<i>Excess payment of Gratuitous Relief</i>
1103	45	Revenue and Disaster Management	58	29	<i>Results of Audit</i>
1104	46	Revenue and Disaster Management	58	30	<i>Stamp Duty and Registration Fees</i>
1105	47	Revenue and Disaster Management	58	116	<i>Results of Audit</i>
1106	48	Revenue and Disaster Management	58	117	<i>Short levy of stamp duty on exchange of property</i>
1107	49	Revenue and Disaster Management	58	119	<i>Evasion of stamp duty</i>
1108	50	Revenue and Disaster Management	60	24	<i>Fraudulent drawals and embezzlement of Government money</i>
1109	51	Revenue and Disaster Management	60	25	<i>Drawal of funds in advance of requirement</i>
1110	52	Revenue and Disaster Management	60	114	<i>Results of Audit</i>
1111	53	Revenue and Disaster Management	60	115	<i>Outstanding inspection s and audit observations</i>
1112	54	Revenue and Disaster Management	60	117	<i>Short levy of stamp duty on exchange of property</i>
1113	55	Revenue and Disaster Management	60	119	<i>Short levy of stamp duty on lease deed</i>
1114	56	Revenue and Disaster Management	60	120	<i>Embezzlement/evasion of stamp duty</i>
1115	57	Revenue and Disaster Management	62	36	<i>Results of Audit</i>
1116	58	Revenue and Disaster Management	62	38	<i>Evasion of stamp duty due to under valuation of immovable property</i>
1117	59	Revenue and Disaster Management	62	39	<i>Non-levy of stamp duty on exchange of property</i>
1118	60	Revenue and Disaster Management	62	41	<i>Short levy of stamp duty</i>
1119	61	Revenue and Disaster Management	62	42	<i>Inadmissible exemption of stamp duty</i>
1120	62	Revenue and Disaster Management	63	17	<i>Results of Audit</i>
1121	63	Revenue and Disaster Management	63	18	<i>Evasion of stamp duty due to under valuation of immovable property</i>
1122	64	Revenue and Disaster Management	63	19	<i>Short levy of stamp duty on exchange of property</i>
1123	65	Revenue and Disaster Management	63	20	<i>Evasion of stamp duty on release deeds</i>
1124	66	Revenue and Disaster Management	63	66	<i>Policy for recovery of beneficiaries share not formulated</i>
1125	67	Revenue and Disaster Management	64	7	<i>Organizational set up</i>
1126	68	Revenue and Disaster Management	64	43	<i>Results of Audit</i>
1127	69	Revenue and Disaster Management	64	45	<i>Sales and utilization of non judicial stamps</i>
1128	70	Revenue and Disaster Management	64	46	<i>Defects noticed in Sub-Registrar Offices</i>
1129	71	Revenue and Disaster Management	64	47	<i>Indents for supply of non-judicial stamps</i>
1130	72	Revenue and Disaster Management	64	48	<i>Short receipt of stamps</i>
1131	73	Revenue and Disaster Management	64	49	<i>Non-disposal of obsolete/damaged stamps</i>

1132	74	Revenue and Disaster Management	64	50	<i>Evasion of stamp duty due to misclassification of sale deeds into release deeds</i>
1133	75	Revenue and Disaster Management	64	51	<i>Failure to cross verify the transactions</i>
1134	76	Revenue and Disaster Management	64	52	<i>Short levy of stamp duty</i>
1135	77	Revenue and Disaster Management	64	53	<i>Under valuation of immovable properties</i>
1136	78	Revenue and Disaster Management	64	54	<i>Short levy of stamp duty due to incorrect application of rates</i>
1137	79	Revenue and Disaster Management	64	56	<i>Incorrect grant of exemption</i>
1138	80	Revenue and Disaster Management	64	57	<i>Incorrect grant of exemption</i>
1139	81	Revenue and Disaster Management	64	58	<i>Misclassification of instruments</i>
1140	82	Revenue and Disaster Management	64	59	<i>Short levy of stamp duty on lease deeds</i>
1141	83	Revenue and Disaster Management	64	60	<i>Short levy of stamp duty</i>
1142	84	Revenue and Disaster Management	64	61	<i>Non/short levy of registration fee</i>
1143	85	Revenue and Disaster Management	64	62	<i>Results of Audit</i>
1144	86	Revenue and Disaster Management	64	63	<i>Failure of senior officials to enforce accountability and protect interest of Government</i>
1145	87	Revenue and Disaster Management	65	44	<i>Short levy of stamp duty and registration fee</i>
1146	88	Revenue and Disaster Management	65	45	<i>Non realization of stamp duty</i>
1147	89	Revenue and Disaster Management	65	47	<i>Short levy of stamp duty due to incorrect application of rate of tax</i>
1148	90	Revenue and Disaster Management	67	82	<i>Results of Audit</i>
1149	91	Revenue and Disaster Management	67	83	<i>Short levy of stamp duty due to misclassification of deeds</i>
1150	92	Revenue and Disaster Management	67	84	<i>Irregular exemption of stamp duty & registration fee on mortgage deeds executed & registered by the Agriculturists</i>
1151	93	Revenue and Disaster Management	67	85	<i>Miscellaneous irregularities, i.e. the detail of stamp papers issued by Treasury Office was not mentioned on the office copies of the instruments registered</i>
1152	94	Revenue and Disaster Management	67	88	<i>Misclassification of documents</i>
1153	95	Revenue and Disaster Management	67	89	<i>Short levy of stamp duty due to under valuation of properties</i>
1154	96	Revenue and Disaster Management	67	90	<i>Short levy of stamp duty due to under valuation of properties</i>
1155	97	Revenue and Disaster Management	67	91	<i>Unauthorized retention of receipts</i>
1156	98	Revenue and Disaster Management	68	41	<i>Misappropriation, losses, defalcation, etc.</i>
1157	99	Revenue and Disaster Management	68	86	<i>Results of Audit</i>
1158	100	Revenue and Disaster Management	68	87	<i>Short levy of stamp duty due to application of incorrect rates of immovable property</i>
1159	101	Revenue and Disaster Management	68	142	<i>Absence of mechanism to detect availing of irregular exemption by not presenting documents for registration</i>
1160	102	Revenue and Disaster Management	68	143	<i>Contracts for catching fish from public ponds</i>
1161	103	Revenue and Disaster Management	68	144	<i>Incorrect grant of exemption on instrument of SEZ/real estate developer</i>
1162	104	Revenue and Disaster Management	68	145	<i>Exemption of SD on collusive decrees</i>
1163	105	Revenue and Disaster Management	68	146	<i>Remission of SD on instruments of compensation awards</i>
1164	106	Revenue and Disaster Management	68	147	<i>Incorrect grant of remission of SD</i>
1165	107	Revenue and Disaster Management	68	149	<i>Delay in implementation of enhanced rates</i>
1166	108	Revenue and Disaster Management	68	150	<i>Evasion of stamp duty due to undervaluation of immovable property</i>

1167	109	Revenue and Disaster Management	68	151	<i>Loss of stamp duty due to misclassification of documents</i>
1168	110	Revenue and Disaster Management	68	152	<i>Short levy duty due to application of incorrect rates of immovable property</i>
1169	111	Revenue and Disaster Management	68	153	<i>General controls</i>
1170	112	Revenue and Disaster Management	68	154	<i>Audit findings/General controls</i>
1171	113	Revenue and Disaster Management	68	155	<i>Inadequacy of input controls & validation checks</i>
1172	114	Revenue and Disaster Management	68	156	<i>Disputed lands and properties</i>
1173	115	Revenue and Disaster Management	68	157	<i>Non-allotment of unique ID number to land owner/cultivator</i>
1174	116	Revenue and Disaster Management	68	158	<i>Absence of provision in HARIS to capture serial number of stamp papers</i>
1175	117	Revenue and Disaster Management	68	159	<i>Other points of interest</i>
1176	118	Revenue and Disaster Management	70	28	<i>Non-refund of un-utilized balance of CRF</i>
1177	119	Revenue and Disaster Management	70	29	<i>Payment of gratuitous relief on contradictory s</i>
1178	120	Revenue and Disaster Management	70	30	<i>Fraud in distribution and double payment of CRF</i>
1179	121	Revenue and Disaster Management	70	59	<i>Result of audit</i>
1180	122	Revenue and Disaster Management	70	60	<i>Evasion of stamp duty due to undervaluation of immovable property</i>
1181	123	Revenue and Disaster Management	70	61	<i>Evasion of stamp duty due to misclassification of documents</i>
1182	124	Revenue and Disaster Management	70	62	<i>Short levy of stamp duty due to application of incorrect rates of immovable property</i>
1183	125	Revenue and Disaster Management	70	63	<i>Exemption of stamp duty on collusive decrees</i>
1184	126	Revenue and Disaster Management	71	58	<i>Absence of mechanism to detect evasion of stamp duty by not presenting documents for registration</i>
1185	127	Revenue and Disaster Management	71	59	<i>Contracts for collection of toll by private entrepreneurs</i>
1186	128	Revenue and Disaster Management	71	60	<i>Sale of industrial units through public auction by Haryana Financial Corporation (HFC)</i>
1187	129	Revenue and Disaster Management	71	61	<i>Failure to levy stamp duty on land sold with less than 1,000 square yards as residential property and the market value of immovable properties</i>
1188	130	Revenue and Disaster Management	71	62	<i>Failure to levy stamp duty on land sold with less than 1,000 square yards as residential property and the market value of immovable properties</i>
1189	131	Revenue and Disaster Management	71	63	<i>Absence of time limit for disposal of undervaluation cases referred to the Collector</i>
1190	132	Revenue and Disaster Management	71	64	<i>Short levy of stamp duty and registration feedue to misclassification of documents</i>
1191	133	Revenue and Disaster Management	71	65	<i>Delay in implementation of enhanced rates of registration fee</i>
1192	134	Revenue and Disaster Management	71	66	<i>Evasion of stamp duty due to undervaluation of immovable property</i>
1193	135	Revenue and Disaster Management	71	67	<i>Non-levy of stamp duty on collusive decrees 18</i>
1194	136	Revenue and Disaster Management	72	110	<i>Evasion of stamp duty due to misclassification of Documents</i>
1195	137	Revenue and Disaster Management	72	111	<i>Evasion of stamp duty due to undervaluation of immovable property</i>
1196	138	Revenue and Disaster Management	72	112	<i>Short levy of stamp duty due to application of incorrect rates of immovable property</i>
1197	139	Revenue and Disaster Management	72	113	<i>Suspected misappropriation of stamp duty</i>

1198	140	Revenue and Disaster Management	72	114	Short levy of stamp duty on partition deed
1199	141	Revenue and Disaster Management	72	115	Irregular exemption of stamp duty
1200	142	Revenue and Disaster Management	73	67	Audit Findings
1201	143	Revenue and Disaster Management	73	68	Misappropriations, losses, defalcations, etc.(STATE FINANCES)
1202	144	Revenue and Disaster Management	73	137	Evasion of stamp duty due to undervaluation of immovable property
1203	145	Revenue and Disaster Management	73	138	Non-levy of stamp duty on plant and machinery
1204	146	Revenue and Disaster Management	73	139	Evasion of stamp duty due to misclassification of documents
1205	147	Revenue and Disaster Management	73	140	Short levy of stamp duty and registration fee due to misclassification of documents
1206	148	Revenue and Disaster Management	73	141	Short levy of stamp duty due to application of incorrect rates of immovable property
1207	149	Revenue and Disaster Management	73	142	Irregular exemption of stamp duty
1208	150	Revenue and Disaster Management	74	94	Results of audit
1209	151	Revenue and Disaster Management	74	95	Misclassification of sale deeds
1210	152	Revenue and Disaster Management	74	96	Critical fields left blank
1211	153	Revenue and Disaster Management	74	97	Measurement units
1212	154	Revenue and Disaster Management	74	98	Wrong input of construction year
1213	155	Revenue and Disaster Management	74	99	Incomplete data capturing
1214	156	Revenue and Disaster Management	74	100	Acceptance of junk data input
1215	157	Revenue and Disaster Management	74	101	Non-capturing of second property details
1216	158	Revenue and Disaster Management	74	102	Non-mapping of locations falling within/outside MC limits
1217	159	Revenue and Disaster Management	74	103	Non-digitisation of prime Khasra master
1218	160	Revenue and Disaster Management	74	104	Transactions by farmers and minus data in case of land purchased against compensation
1219	161	Revenue and Disaster Management	74	105	Transactions on Agricultural land within municipal Omits
1220	162	Revenue and Disaster Management	74	106	HUDA plots having preferential number 'P'
1221	163	Revenue and Disaster Management	74	107	Continued dependence on manual procedures
1222	164	Revenue and Disaster Management	74	108	Non recording of Khasra numbers in the Collector rate list
1223	165	Revenue and Disaster Management	74	109	Non-disposal/recovery of pending cases of under- valuation referred to the Collectors
1224	166	Revenue and Disaster Management	74	110	Short levy of stamp duty due to undervaluation of immovable property
1225	167	Revenue and Disaster Management	74	111	Improper maintenance of record
1226	168	Revenue and Disaster Management	74	112	Short levy of stamp duty due to misclassification of sale deeds into collaboration agreement
1227	169	Revenue and Disaster Management	74	113	Evasion of stamp duty due to undervaluation of immovable property
1228	170	Revenue and Disaster Management	74	114	Short levy of stamp duty due to application of incorrect rates of immovable property
1229	171	Revenue and Disaster Management	74	115	Undue benefit through reduction in stamp duty
1230	172	Revenue and Disaster Management	74	116	Exemption of stamp duty on collusive decrees
1231	173	Revenue and Disaster Management	75	70	Delay in release of annuity payment to the beneficiaries
1232	174	Revenue and Disaster Management	75	98	Short levy of stamp duty due to misclassification of sale deeds into collaboration agreement

1233	175	Revenue and Disaster Management	75	99	<i>Absence of time limit for disposal of cases of undervaluation referred to the Collector under Section 47-A of IS Act</i>
1234	176	Revenue and Disaster Management	75	100	<i>Short levy of stamp duty due to application of incorrect rates of immoveable property</i>
1235	177	Revenue and Disaster Management	75	101	<i>Short levy of stamp duty due to undervaluation of immoveable property</i>
1236	178	Revenue and Disaster Management	75	102	<i>Evasion of stamp duty due to misclassification of documents</i>
1237	179	Revenue and Disaster Management	75	103	<i>Evasion of stamp duty due to undervaluation of immoveable property</i>
1238	180	Revenue and Disaster Management	75	104	<i>Undue benefit through reduction in Stamp Duty</i>
1239	181	Revenue and Disaster Management	75	105	<i>Position of arrears</i>
1240	182	Revenue and Disaster Management	75	106	<i>Non/delayed accountal of Revenue Recovery Certificates (RRCs)</i>
1241	183	Revenue and Disaster Management	75	107	<i>Non-follow up/delayed action</i>
1242	184	Revenue and Disaster Management	75	108	<i>Failure to follow up the RRCs sent to other Collectors</i>
1243	185	Revenue and Disaster Management	78	39	<i>Results of audit:</i>
1244	186	Revenue and Disaster Management	78	40	<i>Short realization of stamp duty due to misclassification of documents</i>
1245	187	Revenue and Disaster Management	78	41	<i>Short levy of stamp duty due to application of incorrect rates of immoveable properties</i>
1246	188	Revenue and Disaster Management	78	42	<i>Short levy of stamp duty due to application of non prime rates on land containing prime khasras</i>
1247	189	Revenue and Disaster Management	78	43	<i>Short realization of stamp duty due to registration of documents on the basis of old agreement</i>
1248	190	Revenue and Disaster Management	78	44	<i>Evasion of stamp duty due to undervaluation of immovable property</i>
1249	191	Revenue and Disaster Management	78	45	<i>Irregular exemption of stamp duty</i>
1250	192	Revenue and Disaster Management	78	46	<i>Undue benefit through reduction in stamp duty</i>
1251	193	Revenue and Disaster Management	80	26	<i>Extra burden of interest due to parking of funds outside the Government Account violating government instructions</i>
1252	194	Revenue and Disaster Management	81	25	<i>Payment of inadmissible compensation for damaged crops</i>
1253	195	Revenue and Disaster Management	82	24	<i>Suspected embezzlement</i>
1254	196	Revenue and Disaster Management	82	98	<i>Result of audit</i>
1255	197	Revenue and Disaster Management	82	99	<i>sub-para of 4.2 Short levy of stamp duty due to under-valuation of immovable property</i>
1256	198	Revenue and Disaster Management	82	100	<i>sub-para of 4.2 Short levy of stamp duty due to under-valuation of immovable property</i>
1257	199	Revenue and Disaster Management	82	101	<i>Short levy of stamp duty in 14 deeds amounting to Rs. 2.46 crore in 6 SRs due to misclassification of collaboration agreement.</i>
1258	200	Revenue and Disaster Management	82	102	<i>Short levy of stamp duty due to application of non prime rates on land containing prime khasras</i>
1259	201	Revenue and Disaster Management	82	103	<i>Misclassification of 'conveyance on sale' as release deeds</i>
1260	202	Revenue and Disaster Management	82	104	<i>Irregular remission of stamp duty</i>
1261	203	Revenue and Disaster Management	82	105	<i>Incorrect grant of exemption</i>
1262	204	Revenue and Disaster Management	82	106	<i>Short realisation of stamp duty due to application of incorrect rates</i>
1263	205	Revenue and Disaster Management	82	107	<i>Irregular exemption of stamp duty</i>
1264	206	Revenue and Disaster Management	82	108	<i>Short levy of stamp duty on lease deeds</i>
1265	207	Revenue and Disaster Management	84	24	<i>Result of Audit</i>

1266	208	Revenue and Disaster Management	84	25	Short levy of stamp duty and registration fees due to underevaluation of residential.commercial properties as agriculture properties.,.
1267	209	Revenue and Disaster Management	84	26	Short levy of stamp duty and registration fees due to application of incorrect rates of immovable property.
1268	210	Revenue and Disaster Management	84	27	Short levy of stamp duty due to misclassification of sale deeds as collaboration agreement.
1269	211	Revenue and Disaster Management	84	28	Short levy of stamp duty on lease deeds.
1270	212	Revenue and Disaster Management	84	29	Short levy of stamp duty due to under-evvaluation of immovable property.
1271	213	Revenue and Disaster Management	84	30	Irregular exemption of stamp duty.
1272	214	Revenue and Disaster Management	84	31	Misclassification of 'Conveyence on sale' as release deeds.
1273	215	Revenue and Disaster Management	84	32	Irregular remission of stamp duty.
1274	216	Revenue and Disaster Management	84	33	Short levy of stamp duty due to application of nonprime rates on land containing prime khasra.
Rural Development					
1275	1	Rural Development	44	36	Integrated Rural Development Programme
1276	2	Rural Development	50	78	Non-recovery/non-adjustment of advances to Ex-Sarpanches
1277	3	Rural Development	50	79	Non-recovery of misutilised subsidy
1278	4	Rural Development	61	16	Other irregularities
1279	5	Rural Development	65	17	Misappropriation of wheat under Sampoma Grameen Rozgar Yojana
1280	6	Rural Development	65	18	Advances from former Sarpanches not recovered/adjusted
1281	7	Rural Development	70	13	Financial performance
1282	8	Rural Development	70	14	Programme management
1283	9	Rural Development	70	15	Abnormal delay in completion of projects
1284	10	Rural Development	70	17	Execution of works
1285	11	Rural Development	70	18	Other topics of interest
1286	12	Rural Development	70	19	Maintenance of record
1287	13	Rural Development	73	53	Execution of forest works
1288	14	Rural Development (Transferred from Social Justice and Empowerment)	80	42	Delay in furnishing utilization certificates
1289	15	Rural Development	81	48	Delay in furnishing utilization certificates:
1290	16	Rural Development	82	65	Delay in furnishing utilisation certificates (S.F.)
1291	17	Rural Development (Transferred from Social Justice and Empowerment)	82	67	Delay in furnishing utilisation certificates (S.F)
1292	18	Rural Development	83	22	Delay in submission of Utilisation Certificates
Science and Technology					
1293	1	Science & Technology	83	23	Delay in submission of Utilisation Certificates
Social Justice and Empowerment					
1294	1	Social Welfare	44	23	Payment of pension to ineligible persons
1295	2	Social Welfare	52	60	Embezzlement of Rs.3.99 lakh
1296	3	Social Welfare	60	26	Fraudulent payment of Old Age Pension
1297	4	Social Justice and Empowerment	73	69	Disbursement of old age summan allowances to ineligible persons

1298	5	Social Justice and Empowerment	79	59	Misappropriations, losses, defalcations, etc
1299	6	Social Justice and Empowerment	80	43	Misappropriations, losses, defalcations, etc.
1300	7	Social Justice and Empowerment	81	45	Misappropriations, losses, defalcations, etc:
1301	8	Social Justice and Empowerment	82	68	Misappropriation, losses, defalcation, etc.
1302	9	<i>Social justice & empowerment</i>	83	16	<i>Delay in submission of Utilisation Certificates</i>
1303	10	<i>Social justice & empowerment</i>	83	17	<i>Misappropriations, losses, thefts, etc</i>
Sports and Youth Affairs					
1304	1	Sports and Youth Affairs	77	59	Irregular payment and Non-recovery from the students
1305	2	Sports and Youth Affairs	82	69	Delay in furnishing utilisation certificates (S.F)
1306	3	Sports and Youth Affairs	83	4	<i>Parking of government funds</i>
1307	4	Sports and Youth Affairs	83	5	<i>Delay in submission of Utilisation Certificates</i>
Technical Education					
1308	1	Technical Education	73	80	Special coaching for competition/placement for SC Students
1309	2	Technical Education	73	85	Financial Irregularities
1310	3	<i>Technical Education</i>	83	28	<i>Delay in submission of Utilisation Certificates</i>
Town & Country Planning					
1311	1	Town and Country Planning	44	41	Functioning of State Planning Cell
1312	2	Town and Country Planning	44	43	Avoidable payment of interest
1313	3	Town and Country Planning	50	24	Construction of Building and Roads by HUDA
1314	4	Town & Country Planning	50	25	Construction of Building
1315	5	Town and Country Planning	50	28	Non-recovery of compounding fee
1316	6	Town and Country Planning	50	29	Avoidable payment of interest
1317	7	Town and Country Planning	50	81	Non-recovery of auction money
1318	8	Town and Country Planning	52	53	Non-recovery of rent from the lessees due to non-observance of conditions of lease deed
1319	9	Town and Country Planning	54	34	Non-utilization of land
1320	10	Town and Country Planning	54	35	Loss due to non-recovery of rebate
1321	11	Town and Country Planning	58	93	Non-recovery of enhanced compensation of land
1322	12	Town and Country Planning	60	27	Non-collection of External Development Charges (EDCs)
1323	13	Town and Country Planning	60	29	Less recovery of plan scrutiny fee
1324	14	Town and Country Planning	60	30	Avoidable loss due to delay in handling over possession of plots
1325	15	Town and Country Planning	61	26	Non recovery of external development charges
1326	16	Town and Country Planning	62	70	Exemption of Sales Tax
1327	17	Town and Country Planning	65	3	Outstanding recovery of Planning water sewerage charges
1328	18	Town and Country Planning	65	6	Avoidable payments of Planning interest due to delay making payment of enhanced Acquisition to land owners
1329	19	Town and Country Planning	65	9	Occupation of shops by Planning Government departments
1330	20	Town and Country Planning	65	10	Land under unauthorized Planning possession
1331	21	Town and Country Planning	67	25	Estate Officer, HUDA Faridabad
1332	22	Town and Country Planning	68	33	Due to slackness on the part of EO's HUDA, Faridabad, Gurgaon and Panchkula in revision of rent after every three years and non-charging of

				rent for additional filling points of petrol pumps installed subsequently, HUDA was deprived of the revenue of Rs.1.49 Crore (2003-Civil)
1333	23	Town and Country Planning	68	34 Extra expenditure on account of delayed payment of land, compensation and interest thereon
1334	24	Town and Country Planning	68	35 Unfruitful expenditure on incomplete work
1335	25	Town and Country Planning	71	76 Results of audit
1336	26	Town and Country Planning	71	77 Non recovery / realization of licence fee
1337	27	Town and Country Planning	71	78 Non recovery / realization of licence fee
1338	28	Town and Country Planning	73	25 Recovery of external development charges
1339	29	Town and Country Planning	73	26 Delays in payment of Annuity to landowners
1340	30	Town and Country Planning	73	27 Non-maintenance of records
1341	31	Town and Country Planning	73	28 Payments made without updating the revenue records
1342	32	Town and Country Planning	73	29 Wrong calculation of Income Tax at source
1343	33	Town and Country Planning	73	30 Deduction of Income Tax at source
1344	34	Town and Country Planning	73	31 Conclusions
1345	35	Town and Country Planning	73	32 Audit Findings
1346	36	Town and Country Planning	73	33 Non-recovery of lease rent from petrol pumps
1347	37	Town and Country Planning	73	34 Undue favour to the Society
1348	38	Town and Country Planning	73	35 Grant of licenses to private colonizers
1349	39	Town and Country Planning	74	22 Planning not done in consonance with the Regional Plan of NCRPB
1350	40	Town and Country Planning	74	23 Extra payment of interest due to delay in referring the cases to Courts
1351	41	Town and Country Planning	74	24 Infructuous expenditure on development of auto market
1352	42	Town and Country Planning	74	25 Non development of acquired land
1353	43	Town and Country Planning	74	26 Abnormal rates allowed to a contractor
1354	44	Town and Country Planning	74	27 Execution of works not in the ambit of HUDA
1355	45	Town and Country Planning	74	28 Sewer and storm water drainage works
1356	46	Town and Country Planning	74	29 Water supply works in Gurgaon
1357	47	Town and Country Planning	74	30 Development of roads
1358	48	Town and Country Planning	74	31 Non-development of land for commercial complexes
1359	49	Town and Country Planning	74	33 Irregularities in allotment of plots under reserve categories
1360	50	Town and Country Planning	74	34 Issues related to private colonizers
1361	51	Town and Country Planning	74	35 Inadequate control over colonizers
1362	52	Town and Country Planning	74	36 Non-completion of low cost/affordable housing colonies
1363	53	Town and Country Planning	74	37 Non-renewal of licences
1364	54	Town and Country Planning	74	38 Non-approval of building plans
1365	55	Town and Country Planning	74	39 Time schedule for completion of projects as a whole
1366	56	Town and Country Planning	74	40 Non-submission of accounts statements
1367	57	Town and Country Planning	74	41 Non-recovery of EDC/IDC
1368	58	Town and Country Planning	74	42 Non-recovery of lease money and other charges

1369	59	Town and Country Planning	75	71	Construction of Buildings and their utilization
1370	60	Town and Country Planning	75	72	Status of utilisation of land acquired by HUDA
1371	61	Town and Country Planning(HUDA)	79	53	Non-recovery of unearned increase in value of land and annual ground rent
1372	62	Town and Country Planning	80	27	Failure to recover Government dues from a defaulter developer
1373	63	Town and Country Planning	80	28	Purchase of pipes in excess of requirement
1374	64	Town and Country Planning (HSVP)	81	31	Grant of licences without assessing financial adequacy:
1375	65	Town and Country Planning (HSVP)	81	32	Non-initiation of action against defaulters:
1376	66	Town and Country Planning (HSVP)	81	33	Non-auction of originally un-allotted properties in developed sectors:
1377	67	Town and Country Planning (HSVP)	81	34	Non-reconciliation leading to non-detection of fraud:
1378	68	Town and Country Planning (HSVP)	81	35	Lack of perspective plan for time bound development of acquired land:
1379	69	Town and Country Planning (HSVP)	81	36	Non-recovery of external development charges:
1380	70	Town and Country Planning (HSVP)	81	37	Management of recovery of land enhanced compensation:
1381	71	Town and Country Planning (HSVP)	81	38	Continuance of business in resumed properties:
1382	72	Town and Country Planning (HSVP)	81	39	Outstanding recovery of water and sewerage charges:
1383	73	Town and Country Planning (HSVP)	81	40	Outstanding rent against leased property:
1384	74	Town and Country Planning (HSVP)	81	41	Irregularities in execution of Sports Complex Project:
1385	75	Town and Country Planning (HSVP)	81	42	Allotment of works to an ineligible contractor through enhancement:
1386	76	Town and Country Planning	82	40	Growth of unauthorised colonies
1387	77	Town and Country Planning	82	41	Licences granted in excess of permissible area
1388	78	Town and Country Planning	82	42	Delay in initiation of action for cancellation of licence.
1389	79	Town and Country Planning	82	43	Lack of action against defaulting developer
1390	80	Town and Country Planning	82	44	Part occupation certificate issued without recovering EDC
1391	81	Town and Country Planning	82	45	Non-development of colonies of cancelled licences
1392	82	Town and Country Planning	82	46	Short-transfer of Economically Weaker Sections plots/ flats
1393	83	Town and Country Planning	82	47	Non-recovery of External Development Charges/ Infrastructure Development Charges
1394	84	Town and Country Planning	82	48	Non-recovery of revised licence fee
1395	85	Town and Country Planning	82	49	Bank-guarantees not obtained from colonisers
1396	86	Town and Country Planning	82	50	Non-revalidation of bank guarantees
1397	87	Town and Country Planning	82	51	Non-recovery of demolition charges
1398	88	Town and Country Planning	82	52	Grant of CLU permissions in violation of rules and regulations
1399	89	Town and Country Planning	82	53	Violations of conditions of CLU permission
1400	90	Town and Country Planning	82	54	Non-recovery of External Development Charges
1401	91	Town and Country Planning	82	55	Grant of Occupation Certificate to incomplete building
1402	92	Town and Country Planning	82	56	Irregular utilisation of agriculture warehouse
1403	93	Town and Country Planning	82	57	Excess payment to contractor (HSVP)
1404	94	Town and Country Planning	82	58	Execution of works irregularly and without calling tenders (HSVP)
1405	95	Town and Country Planning	83	6	<i>Loss due to non-recovery of lease money</i>

1406	96	Town and Country Planning	83	7	Non-recovery of compensation from contractor
Transport					
1407	1	Transport	48	20	Outstanding audit objections in internal audit
1408	2	Transport	58	34	Non deposit of token tax
1409	3	Transport	58	121	Taxes on Motor Vehicles
1410	4	Transport	58	123	Short realization of permit/countersignature fee
1411	5	Transport	58	125	Non-recovery of token tax in respect of Stage carriage buses
1412	6	Transport	60	129	Non/short charging of fitness fee (Passing fee)
1413	7	Transport	60	130	Non-realization of fees
1414	8	Transport	62	43	Non-realization of token tax
1415	9	Transport	63	25	Non deposit of token tax
1416	10	Transport	65	50	Non recovery of token tax in respect of stage carriage buses
1417	11	Transport	65	51	Short charging of driving licence fee
1418	12	Transport	65	52	Short realization of Registration fees
1419	13	Transport	65	54	Private Service Vehicles
1420	14	Transport	67	79	Non realization of token tax from private service vehicles
1421	15	Transport	67	80	Short realization of bid money on stage carriage permits
1422	16	Transport	68	80	Lack of control over monitoring of duplicate engine/chassis number
1423	17	Transport	68	81	Same registration numbers were allotted to two vehicles
1424	18	Transport	68	129	Non-charging of permit transfer fee
1425	19	Transport	68	130	Non-realisation of bid money on stage carriage permits
1426	20	Transport	68	131	Non/short recovery of token tax from stage carriage bus owners
1427	21	Transport	68	132	Short realization of conductor's licence fee
1428	22	Transport	70	69	Stage carriage buys owners
1429	23	Transport	70	70	Short realization of permit transfer fee
1430	24	Transport	70	71	Non-realization of additional fee for retention of choice registration
1431	25	Transport	71	72	Stage carriage bus owners
1432	26	Transport	71	74	Non-realisation of additional fee for retention of choice registration mark
1433	27	Transport	72	109	City bus owners
1434	28	Transport	73	143	Non/short realization of bid money on stage carriage permits
1435	29	Transport	74	63	Avoidable loss due to procurement of buses violating CMVR
1436	30	Transport	74	119	Non collection of Adda fees
1437	31	Transport	75	110	Non/short levy of penalty on over loading of vehicles
1438	32	Transport	75	111	Non/short recovery of token tax from private/goods vehicles
1439	33	Transport	75	112	Short deposit/loss of interest on delayed deposit of Government revenue and non-attestation/verification of of DCR/CTR register
1440	34	Transport	80	29	Undue favour to Agency
1441	35	Transport	81	43	Under utilization of buses
1442	36	Transport	82	59	Excess expenditure due to award of work at higher rates
1443	37	Transport	84	34	Results of Audit
1444	38	Transport	84	35	Non/Short realization of Goods Tax

1445	39	Transport	84	36	Non/Short realization of Token Tax
Urban Local Bodies					
1446	1	Urban Development	58	90	Urban Employment Generation Programme
1447	2	Urban Development	62	66	Non-collection of fire tax
1448	3	Urban Development	63	42	Results of Audit
1449	4	Urban Development	63	43	Non recovery of 832 supervision charges
1450	5	Urban Local Bodies	68	59	Non-submission of Accounts
1451	6	Urban Local Bodies	73	66	Audit Findings
1452	7	Urban Local Bodies	75	11	Non-recovery of supervision charges
1453	8	Urban Local Bodies	75	13	Split-up of estimates
1454	9	Urban Local Bodies	75	17	Non-recovery of Labour Cess
1455	10	Urban Local Bodies	75	19	Non-recovery of old outstanding taxes, fees etc
1456	11	Urban Local Bodies	75	20	Non-allotment of EWS houses constructed under JNNURM
1457	12	Urban Local Bodies	75	21	Solid Waste Management
1458	13	Urban Local Bodies	75	22	Urban wage employment programme
1459	14	Urban Local Bodies	75	23	Payment made without execution of works
1460	15	Urban Local Bodies	75	25	Internal Control
1461	16	Urban Local Bodies	75	26	Loss due to non-recovery of outstanding lease money
1462	17	Urban Local Bodies	82	72	Delay in furnishing utilisation certificates (S.F.)
1463	18	Urban Local Bodies	83	10	Excess payment to professional services providers
1464	19	Urban Local Bodies	83	11	Delay in submission of Utilisation Certificates
Welfare of SC and BC					
1465	1	Welfare of SC and BC (Transferred from Social Justice and Empowerment)	44	26	Liberation of scavengers
1466	2	Welfare of SC and BC	80	40	Suspected fraudulent payment of scholarships
1467	3	Welfare of SC and BC	82	1	<i>Annual work plan and database of eligible beneficiaries not prepared.</i>
1468	4	Welfare of SC and BC	82	2	<i>Decline in number of SC beneficiaries</i>
1469	5	Welfare of SC and BC	82	3	<i>Non-payment of scholarship to SC students</i>
1470	6	Welfare of SC and BC	82	4	<i>Timelines for scholarship disbursement not prescribed</i>
1471	7	Welfare of SC and BC	82	5	<i>Budget allocation and expenditure</i>
1472	8	Welfare of SC and BC	82	6	<i>Irregularities in financial administration</i>
1473	9	Welfare of SC and BC	82	7	<i>Non-reconciliation of bank balances with response files</i>
1474	10	Welfare of SC and BC	82	8	<i>Irregularities in disbursement of scholarship</i>
1475	11	Welfare of SC and BC	82	9	<i>Payment of scholarship to students not registered with Universities</i>
1476	12	Welfare of SC and BC	82	10	<i>Disbursement of scholarship to students not registered with DMER</i>
1477	13	Welfare of SC and BC	82	11	<i>Payment of scholarship in excess of prescribed limit</i>
1478	14	Welfare of SC and BC	82	12	<i>Double payment of scholarship</i>
1479	15	Welfare of SC and BC	82	13	<i>Lack of scrutiny regarding income, caste, education qualification, etc</i>
1480	16	Welfare of SC and BC	82	14	<i>Suspected fraudulent payment to students studying outside the State</i>
1481	17	Welfare of SC and BC	82	15	<i>Scholarship paid for same stage of education</i>

1482	18	Welfare of SC and BC	82	16	<i>Doubtful payment of scholarship</i>
1483	19	Welfare of SC and BC	82	17	<i>Payment made to students who were not residents of Haryana</i>
1484	20	Welfare of SC and BC	82	18	<i>Excess payment of Scholarship</i>
1485	21	Welfare of SC and BC	82	19	<i>Payment to overage students</i>
1486	22	Welfare of SC and BC	82	20	<i>Monitoring and evaluation</i>
1487	23	Welfare of SC and BC	82	21	<i>Evaluation of the scheme</i>
1488	24	Welfare of SC and BC	82	22	<i>Recommendations</i>
Women and Child Development					
1489	1	Women and Child Development (Transferred from Social Justice and Empowerment)	50	8	Panjiri Plants
1490	2	Women and Child Development	71	13	Pre-school education kits
1491	3	Women and Child Development	77	60	Extra expenditure on purchase of utensils
1492	4	Women and Child Development	79	54	Occupancy in Homes and lack of awareness
1493	5	Women and Child Development	79	56	Follow up action and monitoring
1494	6	<i>Women & child development</i>	83	29	<i>Misappropriations, losses, thefts, etc</i>

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