

ग्रामीण कार्य विभाग
बिहार, पटना

पटना / दिनांक:- 27.02.2025

पत्रांक:- RWD/GST CLAIM/2024-25/730 - 748 (अनु०)

प्रेषक,

उज्ज्वल कुमार सिंह, भाउपुत्र
अपर मुख्य कार्यपालक
पदाधिकारी-सह-सचिव, ब्राडा।

सेवा में,

अधीक्षण अभियंता
ग्रामीण कार्य विभाग,
कार्य अंचल-मुजफ्फरपुर।

विषय : MMGSY(SC) योजनान्तर्गत Construction of road Vishunpur Baidhanath
Ram House se Uphrauli REO road at Thakur Shop under में जी०एस०टी०
दावा की स्वीकृति के संबंध में।

प्रसंग- कार्य प्रमंडल-मुजफ्फरपुर पूर्वी-2 का पत्रांक-1013 अनु०, दिनांक-10.05.2024
महाशय,

उपर्युक्त प्रासंगिक पत्र के माध्यम से विषयांकित पथ में GST अंतर राशि
रु 6,35,636/- का दावा की जाँच हेतु अभिलेख समर्पित किया गया है जिसके आधार पर
विभागीय GST परामर्शी फर्म M/s SKSS & Co. द्वारा उक्त दावो की जाँच की गई तथा राशि
रु 4,69,910/- मात्र की राशि दावे के योग्य पाया गया है।

GST परामर्शी फर्म के प्रतिवेदन के आधार पर विभागीय GST समिति की अनुशंसा एवं
परामर्शी के प्रतिवेदन निम्न शर्तों के साथ अग्रेतर कार्रवाई हेतु प्रेषित की जा रही है:-
• कार्यपालक अभियंता GST Claim के भुगतान के पूर्व यह सुनिश्चित हो लेंगे कि संबंधित
योजनान्तर्गत GST Claim का भुगतान पूर्व में न हुआ हो।
• भुगतान से पूर्व State MIS पर भुगतान की राशि को अपलोड कर दिया गया है।
• जिस संवेदक को भुगतान किया जा रहा है, वह कालीसूची में नहीं हैं।
• संबंधित योजना में ATR लम्बित नहीं है।
• कार्यपालक अभियंता पूर्ण रूप से यह सुनिश्चित कर लेंगे कि GST Claim की अनुशंसित
राशि का भुगतान संबंधित संवेदक को संबंधित योजना में ही किया जा रहा है।
• एकरारनामा से अधिक राशि के भुगतान के लिए अतिरिक्त राशि का पूरक एकरारनामा कर
लिया गया है।

अनु०- यथोक्त।

विश्वासभाजन

अपर मुख्य कार्यपालक
पदाधिकारी-सह-सचिव, ब्राडा

पटना / दिनांक:- 27.02.2025

ज्ञापक- RWD/GST CLAIM/2024-25/730 - 748

प्रतिलिपि:- कार्यपालक अभियंता, ग्रामीण कार्य विभाग, कार्य प्रमंडल-मुजफ्फरपुर पूर्वी-2 को
सूचनार्थ।

अपर मुख्य कार्यपालक
पदाधिकारी-सह-सचिव, ब्राडा

ग्रामीण कार्य विभाग, बिहार, पटना।

GST Claim के निष्पादन हेतु ग्रामीण कार्य विभाग द्वारा गठित समिति की
दिनांक - 19/04/25 को आहूत बैठक की कार्यवाही

विषय :- MMGSY(SC) योजनान्तर्गत Construction of Road Vishunpur
Baidhanath Ram House se Uphrauli REO Road at Thakur Shop
Length-1.932 KM एकरारनामा संख्या MMGSY/SBD-80/2018-19
में जी.एस.टी. दावा की स्वीकृति के संबंध में।

प्रसंग :- कार्य प्रमंडल, मुजफ्फरपुर पूर्वी-2 का पत्रांक 1013 दिनांक 10.05.2024

उपर्युक्त प्रासंगिक पत्र के आलोक में कार्यपालक अभियंता, ग्रामीण कार्य विभाग, कार्य प्रमंडल,
मुजफ्फरपुर पूर्वी-2 द्वारा विषयांकित पथ में रु० 6,35,636 की जी.एस.टी. अंतर राशि का दावा
जाँच हेतु समर्पित किया गया है। विभागीय पत्रांक 43/2023-761, दिनांक 23.03.2023 के
आलोक में विभागीय जी.एस.टी. Consultant M/s SKKSS & Co. द्वारा दावे की जाँच की
गई तथा रु० 4,69,910/- मात्र की राशि के दावे के योग्य पाया गया है।

तदालोक में एकरारनामा MMGSY/SBD-80/2018-19 विषयांकित कार्य Construction of
Road Vishunpur Baidhanath Ram House se Uphrauli REO Road at Thakur Shop
Under MMGSY (SC), Length-1.932 KM के लिए दावे की राशि रु० 4,69,910/- मात्र
जदुबंश कुमार सिंह को भुगतान की अनुशंसा की जाती है।



Shweta Singh
19/04/25
विभागीय GST Consultant

Shravan Singh
19/04/25
सहायक वित्त प्रबंधक

Prabhu Singh
19/04/25
वित्त प्रबंधक

19/04/25
GST नोडल प्रदाधिकारी

To,
The Additional Chief Executive Officer,
Bihar Rural Roads Development Agency
Rural Works Department
Government of Bihar.

04.02.2025

Re: Submission of GST Impact Report of M/S Jadubansh Kumar Singh vide agreement no. MMGSY/SBD-80/2018-19

Ref: Our appointment as GST Consultant by Rural Works Department, vide agreement number BRRDA/01/GST Consultancy dated 24.02.2023 and EE, Muzaffarpur East-2, letter no. 1013 dated 10.05.2024

Respected Sir,

We are appointed to recommend payment of Impact arising on account of roll out of GST and change in taxation structure by analyzing claim of contractors as per Scope of Work.

GST Impact Summary			
Agreement No.	Name of Project	GST Impact in Rupees (Construction)	GST Impact in Rupees (Maintenance)
MMGSY/SBD-80/2018-19	Construction of Road Vishunpur Baidhanath Ram House se Uphrauli REO Road at Thakur Shop Under MMGSY (SC), Length-1.932 KM	4,69,910 (Annexure I)	-

DARIYAPUR GOLA ROAD,
NALA ROAD, PATNA - 800004



We are therefore pleased to make our submission of GST Impact Report of M/S Jadubansh Kumar Singh for the following project with reference to the:

1. Construction of Road Vishunpur Baidhanath Ram House se Uphrauli REO Road at Thakur Shop Under MMGSY (SC), Length-1.932 KM.

With this letter, we would like to draw your attention towards the following facts: -

- 1) The impact being given is from-

Name of Road	RA Bill (No.)
Construction of Road Vishunpur Baidhanath Ram House se Uphrauli REO Road at Thakur Shop Under MMGSY (SC), Length-1.932 KM	RA Bill 01 to RA Bill 06

GST impact in later RA bills have to be verified and audited on submission of bill by M/S Jadubansh Kumar Singh in future period.

That we have charged fees for entire contract and therefore as and when the new RA bills are submitted, the same should be sent to our office and sent via BRRDA for needful action. That a flat percentage cannot be applied for payment of future claims on RA bills and remaining amount of contract as the material & services components differs on every milestone of payment.

In our capacity as Indirect Consultant to you we therefore request you not to pay any adhoc GST reimbursement in future RA bills submitted as the same may cause loss to public exchequer, if the same is paid without proper analysis and auditing of

records. Kindly forward all communication with respect to GST for proper analysis and needful action from our end.

2) That the above impact has taken into cognizance that any additional benefit that the contractor is being entitled to due to enactment of GST is passed onto Rural Works Department in terms of anti-profiteering clause in the GST law;

3) We have gone through the submission made by the Contractor-claimant, and have observed that the contractor has been awarded the contract for construction on 04.02.2019, wherein GST was in force.

As per the GST law, GST is to be paid on the entire value of contract, however from the rate analysis enclosed it is observed that the GST has been provided only on material component and a provision of 4% has been made in overhead component by the department.

Hence, the contractor-claimant has raised GST claim of Rs. 6,35,636, due to non-provisioning of GST by the department on the entire value of contract, whereas the contractor submits that the GST has been paid on the entire value of contract as executed by him.

4) **That the GST Impact calculation is made on the following premise:**

a) That the above works is –

(i) Construction of Road Vishunpur Baidhanath Ram House se Uphrauli REO Road at Thakur Shop Under MMGSY (SC), Length-1.932 KM.

b) As per section 15 of the CGST and BGST Act, 2017

(1) The **value of a supply** of goods or services or both shall be the **transaction value**, which is the **price actually paid or payable** for the said supply of

goods or services or both where the supplier and the recipient of the supply are not related and the price is the sole consideration for the supply.

(2) The value of supply shall include-

- (a) any taxes, duties, cesses, fees and charges levied under any law for the time being in force other than this Act, the State Goods and Services Tax Act, the Union Territory Goods and Services Tax Act and the Goods and Services Tax (Compensation to States) Act, if charged separately by the supplier;
 - (b) any amount that the supplier is liable to pay in relation to such supply but which has been incurred by the recipient of the supply and not included in the price actually paid or payable for the goods or services or both;
 - (c) incidental expenses, including commission and packing, charged by the supplier to the recipient of a supply and any amount charged for anything done by the supplier in respect of the supply of goods or services or both at the time of, or before delivery of goods or supply of services;
 - (d) Interest or late fee or penalty for delayed payment of any consideration for any supply; and
 - (e) Subsidies directly linked to the price excluding subsidies provided by the Central Government and State Governments
- c) Further, in the BOQ rates of items has been taken from Road Construction department Schedule of rates (mentioned in BOQ). As per guidelines of RCD SOR, there has been inclusion of 4% in the name of VAT in the overhead



component, hence in our calculation also 4% in the name of VAT has been reduced and impact has been considered accordingly.

- d) The above said impact is derived by considering the contract as Works Contract as defined U/s 2(119) of the Central Goods and Services Act, 2017 taxable @ 12% (Heading 9954 (iv): Construction service - Composite supply of works contract as defined in clause (119) of section 2 of the Central Goods and Services Tax Act, 2017 other than that covered by items (i), (ia), (ib), (ic), (id), (ie) and (if) above, supplied by way of construction, erection, commissioning, installation, completion, fitting out, repair, maintenance, renovation, or alteration of, - (a) a road, bridge, tunnel, or terminal for road transportation for use by general public;
- e) Therefore, suitable adjustment should be made if there is any amendment in law till the payment is settled under this contract or if there is any departure in the premise mentioned above must be brought to our notice as it may bring deviation in the GST Impact to be passed on to the contractor.
- f) That GST impact is calculated on the basis of all documents and records produced by Contractor and duly verified & audited by us as per our scope of work.
- 5) That the GST Impact amount indicated in the table above is derived on the basis of the RA Bills submitted before us. Therefore, in any case no excess payment can be made over and above the amount mentioned in the Annexure attached with this letter for completing the project.
- 6) The GST claim as submitted by contractor is Rs. 6,35,636/- while as per our calculation it is Rs. 4,69,910/- which results in savings of Rs. 1,65,726/-



SKKSS & Co

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- 7) That at any later stage if it is brought to our notice that any fact/figures/calculation which was provided to us the basis of which has been our calculation, is misrepresented and which has a material effect on the above GST Claim amount, then the GST claim amount shall be void ab initio.

For any query or clarification, please contact the undersigned at earliest.

Therefore, kindly do the needful in this regard.

For and on behalf of
SKKSS & Co.

Shweta Singh
04/02/25
Authorized Signatory



Enclosed: -

1. GST claim computation

ANNEXURE - I

GST Impact Assessment of M/s Jadubansh kumar Singh

Agreement No: MMGSY/SBD-80/2018-19

Project Name: Construction of Road from Vishunpur Baidhanath Ram House se
Uphrauli REO Road at Thakur Shop

Particulars

Particulars	Amount (in Rs.)
Total Work done till date (RA 06)	
Less: Pre-GST work done value	1,23,99,316
Balance work to be in GST period	
	1,23,99,316
Less: Work value for which rate analysis not found	
Total Work value for which GST impact is calculated	3,73,729
Less: Extra GST added in rate analysis	1,20,25,587
Less: VAT added in Overhead-OH@10%	4,37,192
Taxable Value	4,21,396
Add: GST @ 12%	1,11,66,999
	13,40,040

Actual GST to be Paid [A]

13,40,040

GST paid as per GSTR 3B [B]

13,28,498

Embedded Tax [C]

8,58,588

Claim [(Lower of
A & B)-C]

4,69,910

Note 1 : Computation of tax paid as per GSTR 3B

RA Bill no.	Period	Payment certificate/MB	Taxable Value	CGST	SGST	Total Tax
1	MARCH,2019	15,39,374	13,74,441.07	82,466.46	82,466.46	1,64,932.93
2	JULY,2019	39,40,880	35,18,642.86	2,11,118.57	2,11,118.57	4,22,237.14
3	SEPTEMBER,2019	30,19,746	26,96,201.79	1,61,772.11	1,61,772.11	3,23,544.21
4	DECEMBER,2019	8,33,328	7,44,042.86	44,642.57	44,642.57	89,285.14
5	MARCH,2020	6,77,913	6,05,279.46	36,316.77	36,316.77	72,633.54
6	APRIL,2020	23,88,075	21,32,209.82	1,27,932.59	1,27,932.59	2,55,865.18
TOTAL		1,23,99,316.00	1,10,70,817.86	6,64,249.07	6,64,249.07	13,28,498

