

बिहार BIHAR 27 101 200

मुद्राक विक्रेता मधुवनी ला तनं 0 - 1/2/72

fementary Agreement of original Agreement No- 50SBD/2019-20

AGREEMENT Form:

Agreement No. 39 R.W.D (W) Division, Jaynagar of the one part, and Gopal Prasad, AT+P.O-Bela goath, Jaynagar, Madhubani, Bihar-847225. (hereinafter called "contractor" of the other part) Whereas the Employer is desirous that the Contractor execute Construction of PWD Donwari Gulam Kamat Ghar to Donwari Bharat Nepal Sima under MMGSY (SC) Head (hereinafter called "Work") and the Employer has accepted the Bid by the Contractor for the Execution and completion of such works and the remedying of any defects therein at cost of Rupees 02,64,181.00 (Rs. Two lacs Sixty four thousand one hundred Eighty one)

only

NOW THIS AGREEMENT WITHNESSETH AS FOLLOWS:-

- In this agreement, words and expressions shall have the same meanings as are 1. respectively assigned to them in the conditions of contract hereinafter referred to, and they shall be deemed to form and be read and construed as per part of this Agreement.
- In this Agreement of the payment to be made by the employer to the Contractor as 2. hereinafter mentioned, the Contractor hereby covenants with the employer to execute and complete the works and remedy any defects therein in conformity in all aspects with the provisions of the Contract.
- The Employer hereby covenants to pay the Contractor in consideration of the execution and completion of the works and the remedying the defect wherein the contract price or 3. such sum as may become payable under the provisions of the Contractor at the times and in the manner prescribed by the Contract.
- Following documents shall be deemed to form and be read and construed as part of this Agreement, viz:
 - Letter of Acceptance (i)
 - Notice of proceed with the works. (ii)
 - Contractor's Bid (iii)
 - Contract data (iv)
 - Special conditions of contract Special and general. (v)
 - Specification MORD (vi)
 - Drawings (vii)
 - Bill of Quantities. (viii)
 - Other document listed in the contract data as forming part of the contract. (ix)

day and year first before written. The common seal of Was hereunto affixed in the presence of Signed, Sealed and delivered by the said In the presence of: Binding Signature of Employer .. Binding Signature of Contractor ..

In witness where of the partied there to have caused this Agreement to be executed the

Dissiont dayunga

on, Jaynagar

ग्रामीण कार्य विभाग बिहार, पटना

पत्रांक:- RWD/GST CLAIM/2025-26/1842 - ५५५३ उन्तु पटना / दिनांक:- २२.०९. २०२५ प्रेषक.

अभय झा, भावपालीव अपर मुख्य कार्यपालक पदाधिकारी—सह—सचिव, ब्राडा।

सेवा में.

अधीक्षण अभियंता ग्रामीण कार्य विमाग, कार्य अंचल-मधुबनी।

विषय : MMGSY-SC योजनान्तर्गत एकरारनामा संख्या—50/SBD/2019-20 पथ— Construction of PWD Donwari Gulam kamat ghar to Donwari Bharat Nepal sima में जी0एस0टी0 दावा की स्वीकृति के संबंध में। प्रसंग— कार्य प्रमंडल—जयनगर का पत्रांक—1618 अनु0, दिनांक—02.11.2024

महाशय,

उपर्युक्त प्रासंगिक पत्र के माध्यम से विषयांकित पथ में GST अंतर राशि क्र 3,34,473 / — का दावा की जॉच हेतु अभिलेख समर्पित किया गया है जिसके आधार पर विमागीय GST परामर्शी फर्म M/s SKKSS & Co. द्वारा उक्त दावों की जाँच की गई तथा राशि क्र 2,64,181 / — मात्र की राशि दावें 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 नही हैं।

• संबंधित योजना में ATR लिम्बत 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।

वेश्वासभाजन

अपर मुख्य कार्यपालक पदाधिकारी—सह—सचिव, ब्राडा

ज्ञापांक- RWD/GST CLAIM/2025-26/1842 - ५५९ पटना / दिनांकः- २२.०९ ५५८५ प्रतिलिपि:-कार्यपालक अभियंता, ग्रामीण कार्य विभाग, कार्य प्रमण्डल-ज्यनगर को सूचनार्थ।

अपर मुख्य कार्यपालक पदाधिकारी-सहरू सैनिव्याबाडा

Rural Works Department Works Division, Jaynagar

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ग्रामीण कार्य विभाग, बिहार, पटना।

GST Claim के निष्पादन हेतु ग्रामीण कार्य विमाग द्वारा गठित समिति की दिनांक -.!। ११५.... को आहूत बैठक की कार्यवाही

MMGSY (SC) योजनान्तर्गत Construction of PWD Donwari Gulam विषय :-Kamat Ghar to Donwari Bharat Nepal Sima एकरारनामा संख्या 50 SBD/2019-20 MMGSY (SC) में जी एस.टी. दावा की स्वीकृति के संबंध में

कार्य प्रमंडल जयनगर का पत्रांक 1618 दिनांक 02.11.2024 पसंग :-

उपर्युक्त प्रासंगिक पत्र के आलोक में कार्यपालक अभियंता, कार्य प्रमंडल जयनगर द्वारा विषयांकित पथ में रु० 3,34,473/- 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 रु. 2,64,181/- मात्र की राशि के दावे के योग्य पाया गया है।

तदालोक में एकरारनामा 50 SBD/2019-20 MMGSY (SC) विषयांकित कार्य Construction of PWD Donwari Gulam Kamat Ghar to Donwari Bharat Nepal Sima under MMGSY (SC) के लिए दावे की राशि रु. 2,64,181/- रुपये मात्र संवेदक गोपाल प्रसाद को भुगतान की अनुशंसा की

जाती है।

सहायक वित्त प्रबंधक,

ब्राडा Consultant

Tel: +91 9263374200 Emall- rwdgst@gmail.com

24.07.2025

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

Re: Submission of GST Impact Report of Gopal Prasad vide agreement no. 50 SBD/2019-20 MMGSY (SC)

Ref: Our appointment as GST Consultant by Rural Works Department, vide agreement number BRRDA/01/GST Consultancy dated 24.02.2023 and EE, RWD Jaynagar letter no. 1618 dated 02.11.2024

Respected Sir,

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

	GST Impact Summary	
Agreement No.1	Name of Project	GST Impact in Rupees (Construction)
50 SBD/2019-20 MMGSY (SC)	Construction of PWD Donwari Gulam Kamat Ghar to Donwari Bharat Nepal Sima under MMGSY (SC)	2,64,181 (Annexure-I)

DARIYAPUR GOLA ROAD NALA ROAD, PATNA- 800004

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Tel: +91 9263374200 Email- rwdgst@gmail.com

We are therefore pleased to make our submission of GST Impact Report of Gopal Prasad for the following project with reference to Construction of PWD Donwari Gulam Kamat Ghar to Donwari Bharat Nepal Sima under MMGSY (SC)

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

 The impact being given is from RA Bill 01 to RA Bill 06. GST impact in later RA bills have to be verified and audited on submission of bill by Gopal Prasad 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;

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Tel: +91 9263374200 Email- rwdgst@gmail.com

3) Observation on GST claim as submitted by contractor-claimant:

We have gone through the submission made by the contractor claimant, and we have observed that the contractor has been awarded the contract for construction on 20.03.2020, wherein GST was in force.

From the rate analysis enclosed it has been observed that GST has been considered in the material component only at different applicable rates, and VAT/GST @ 4% has been considered in overhead component based on the RCD SOR Guidelines.

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 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. 3,34,473/- 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.

- 1) That the GST Impact calculation is made on the following premise:
 - a) That the above work is Construction of PWD Donwari Gulam Kamat Ghar to Donwari Bharat Nepal Sima under MMGSY (SC)

DARIYAPUR GOLA ROAD, NALA ROAD, PATNA - 800004

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Executive Engineer
Rural Works Department

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- 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

DARIYAPUR GOLA ROAD, NALA ROAD, PATNA - 800004

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- 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.
- 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) The Tax rates of Angle Iron was not mentioned in the Rate Analysis of similar Items. However, we have assumed embedded Tax as mentioned in rate analysis of similar items.
 - f) 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.
 - g) 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.

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Tel: +91 9263374200 Email- rwdgst@gmail.com

- 2) 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.
- 3) That the GST claim amount submitted for approval by the Contractor was Rs. 3,34,473/- while as per our calculation the GST claim amount shall be Rs. 2,64,181/which result in savings of Rs. 70,292/-
- 4) 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.

Authorized Signatory

Enclosed: -

1. GST claim computation

DARIYAPUR GOLA ROAD, NALA ROAD, PATNA - 800004

Annexure -1 **GST Impact Assessment of Gopal Prasad** Agreement No: 50 SBD/2019-20 MMGSY (SC) project Name: Construction of PWD Donwari Gulam Kamat Ghar to Donwari Bharat Nepal Sima under MMGSY (SC) Amount **Particulars** Total Work done till date (RA 06) [after 0.05% below] (Annexure-II) 6.619,840 Less; Pre-GST work done value Balance work done in GST period 6,619,840 Less: Work value for which rate analysis not found/Incomplete (Annexure-II) 114,799 6.505,040 Work value for which GST impact is calculated 233,020 Less: Extra GST added in rate analysis (Annexure-III) 228,073 Less: GST added in OH component (Annexure-IV) 6,043,947 Taxable Value 725,274 Add: GST @ 12% (1) 794,381 GST Paid as per GSTR-3B (2) 725,274 Lower of (1) or (2) 6,769,221 Revised work value (B) 264,181

Disclaimer: The above workings have been prepared on the basis of documents provided by the contractor



GST Claim recommended (B - A)

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Executive Engineer
Rural Works Department
Division, Jaynagar

Annexure-III

Gopal Prasad

Agreement No. : 50 SBD/2019-20 MMGSY (SC)

DETAILS OF GST COMPONENT CONSIDERED FOR THE CONSTRUCTION OF PWD DONWARI GULAM KAMAT GHAR TO DONWARI

BHARAT NEPAL SIMA UNDER MMGSY (SC) GST RATE Rate considered Description of Direct Material (As per Material **Quantity RA** (as per rate GST SI. Unit as per Rate nature of Contract) 01 to 06 Value analysis) No. analysis $8 = 6/(100\% + 7) \times$ 7 6 (4X5) 5 2 1 1,001 194 216.35 101,081 467.20 GSB 53 mm to 26.5 mm cum 1.404 196 278.17 141,775 509.67 GSB 26.5 mm to 4.75 mm cum 199 1% 20,065 123.63 162.30 GSB 2.36 mm below cum 1,339 135,223 Aggregate Grading III 53 mm to 22.4 mm 467.20 289.43 cum 200 19 20,207 57.41 351.99 stone screeing Type B cum 11,190 14% 91,120 2.02 45174.21 Bitumen Emulsion (SS-1) tonne 3,272 14% 26,643 0.62 42886.23 Bitumen Emulsion (RS-1) tonne 21,907 14% 178,386 4.30 41452.68 tonne Bitumen (S-90) 290 1% 29,309 61.15 479.28 Stone crushed aggregates cum 9 1% 948 7.98 118.84 Find Sand 692 10 1% 69,853 13056.60 5.35 No. 13,777 Bricks 14% 112,187 526.88 212.93 litre Hot applied thermoplastic 450 14% 12 3,661 52.69 69.48 kg Reflectorising glass beads 732 13 196 73,887 137.17 538.67 cum Crushed stone coarse aggregates 1,673 14% 13,621 838.24 16.25 sqm Polythene sheet 73 1% 7,356 182.89 40.22 m 9,052 16 Jute rope 24% 247.92 46,769 188.65 litre Plasticizer 1,318 24% 6,810 6.10 1117.12 sqm Joint filler board 18 125 14% 1,015 38.61 26.29 litre Bituminous scalant 115,490 24% 596,696 100.01 5966.38 tonne 20 Cement 215 198 21,718 133.81 162.30 cum Coarse Sand 21 278 28,094 196 50.00 561.89 cum 20 mm aggregate 151 1% 15,285 24.39 626.62 cum 23 10 mm aggregates 238.82 1% 24,121 53.64 449.67 24 40 mm aggregates 0.12 1% 0.08 12 154.73 25 cum 5.618 14% 45,751 3050.04 15.00 26 RCC pipe NP3 24% 27 381 190,767 Total

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Total (after OH, CP & LWC)

Total (after 0.05% below)

Executive Engineer
Rural Works Department

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233,136

233,020

Annexure-IV

Computation of Embedded Tax in Overhead as per RCD Guideline

Agreement No: 50 SBD/2019-20 MMGSY (SC)

project Name: Construction of PWD Donwari Gulam Kamat Ghar to Donwari Bharat Nepal Sima under MMGSY (SC)

Particulars	Amount
otal Work done till date (RA 06) [after 0.05% below] (Annexure-II)	6,619,840
ess: Pre-GST work done value	-
galance work to be in GST period	6,619,840
ess: Work value for which rate analysis not found (Annexure-II)	114,799
Work value for which GST impact is calculated	6,505,040
Less: Extra GST added in rate analysis (Annexure-III)	233,020
Work Value without taxes	6,272,021
Less: LWC @ 1%	62,099
Work Value without taxes & LWC (A)	6,209,922
Less: OH and CP @ 21% (A)/1.21 x 0.21	1,077,755
Work Value without taxes, OH,CP & LWC(B)	5,132,167
Embedded Taxes @ 4% on above (B) x 4%	205,287
Contractor Profit on above embedded taxes computed	20,529
LWC @ 1% on embedded taxes in CP and OH	2,258
Total Embedded taxes on OH ,CP & LWC	228,073



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57,905	57,905	965,086		965,086		Total		
57,905	57,905	965,086	Nov-21	865,319	Nov-21	865,319	5 30/10/2021	15
	Nil return	2		69,803	Oct-21			
	Nil return	III		29,964	Sep-21	i i		
88,602	88,602	1,476,697	Jun-21	1,476,697	Jun-21	1,476,697	4 10/6/2021	
66,183	66,183	1,103,043	Apr-21	1,103,043	Apr-21	1,103,043	3 24/3/2021	
197,756	197,756	3,295,934		3,295,934		lotal	THE REAL PROPERTY.	於三次禮房
197,756	197,756	3,295,934	Nov-20		Nov-20			
	Nil return	N		684,808	Sep-20	684,808	2 25/9/2020	
	Nil return	Z.		2,489,973	Aug-20	2,489,973	1 25/8/2020	
	Nil return	N.		121,153	Jul-20			
SGST	CGST	GSTR-3B return	Filling Month	TDS /TCS credit received		Payment Amount Filling Month	Date	SI No
		700		Payment Sheet				
				Sopai Flasau				
				Gonal Dracad				

Recountants *

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Prasad

Executive Engineer

(Aural Works Department Works Division, Jaynaga)

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अधीक्षण अभियन्ता का कार्यालय, ग्रामीण कार्य विभाग, कार्य अंचल, मध्यनी।

पत्रांक :--अनु० / मधुबनी । 949

विनांक :- 13 10 202

प्रेषक.

ई0 मनोज कुमार अधीक्षण अभियन्ता।

सेवा में,

कार्यपालक अभियंता, ग्रामीण कार्य विभाग, कार्य प्रमंडल. जयनगर।

विषयः

संवेदक, श्री गोपाल प्रसाद के द्वारा विमाग में GST की प्रतिपूर्ति (Reimbursement) हेतु समर्पित दावा की स्वीकृति के सम्यन्ध में।

प्रसंगः-

आपका पत्रांक—1619 अनु0, दिनांक—02.11.2024, पत्रांक—1617 अनु0, दिनांक-02.11.2024, पत्रांक-1615 अनु0, दिनांक-02.11.2024 एवं पत्रांक-1618 अनु0,

दिनांक-02,11,2024

उपर्युक्त विषयक प्रासंगिक पत्र के संदर्भ में कहना है कि आपके प्रमंडल अंतर्गत महाशय, निम्नलिखित योजनाओं में GST की प्रतिपूर्ति (Reimbursement) हेतु संवेदक, श्री गोपाल प्रसाद के द्वारा विमाग में समर्पित दावा की स्वीकृति ग्रामीण कार्य विभाग द्वारा गठित GST समिति द्वारा को GST Claim के निष्पादन हेतु आहुत बैठक में GST परामर्शी फर्म M/s SKKSS & Co, Patna के जॉच प्रतिवेदन के आधार पर समीक्षोपरांत निम्न विवरणी के कॉलम 4 में अंकित राशि की स्वीकृति प्रदान की गई है।

		स्वीकृति का प्रसंग	स्वीकृत राशि
क्रां० │	योजना का नाम	स्वाकृति प्राप्त प्र	4
1	2	अपर मुख्य कार्यपालक	Rs. 03,52,976/
1	MMGSY-SC अंतर्गत Construction of Ramasidh Pandit ke ghar Primary Vidyalaya Hote huye to Bairiya Birju Mandal ke ghar tak Agg. No 11 SBD/2021-22	पदाधिकारी—सह—सचिव, ब्राडा, पटना का पत्रांक—4550 अनु0, दिनांक—22.09.2025 अपर मुख्य कार्यपालक	Rs. 02,17,883/-
2	MMGSY-SC अंतर्गत Construction of road from PMGSY Road Fudan Rai ke ghar hote huye Ganipatti tak Agg. No 16 SBD/2021-22	पदाधिकारी—सह—सचिव, ब्राडा, पटना का पत्रांक—4669 अनु0, दिनांक—23.09.2025	
3	MMGSY-SC अंतर्गत Construction of road from (i) Umesh Mahto ke ghar to Khanua Tola (Chulai Mahto) (ii) Nathuni Yadav ke ghar to Nandkishore Yadav ke ghar tak Agg. No 15 SBD/2021-22	अपर मुख्य कार्यपालक पदाधिकारी—सह—सचिव, ब्राडा, पटना का पत्रांक—4570 अनु0, दिनांक—22.09.2025	Rs. 02,61,647/-
4	MMGSY-SC अंतर्गत Construction of PWD Donwarl Gulam Kamat Ghar to Donwari Bharat Nepal Sima Agg. No 50 SBD/2019-20	अपर मुख्य कार्यपालक पदाधिकारी—सह—सचिव, ब्राडा, पटना का पत्रांक—4493 अनु0, दिनांक—22.09.2025	Rs. 02,64,181/-

अतः GST परामर्शी फर्म M/s SKKSS & Co के जॉच प्रतिवेदन के आधार पर विमागीय GST समिति की अनुशंसा की छायाप्रति संलग्न करते हुए उक्त विवरणी के कॉलम 4 में भंकित राशि के भुगतान हेतु निम्न शर्तों के साथ अनुमित प्रदान की जाती है:-

1. किसी भी परिस्थिति में व्यय को प्रशासनिक स्वीकृति के अनुक्षेत्र सीमा के अन्तर्गत रखा

जाए।

2. यदि भविष्य में दावा नियमानुकूल नहीं पाया गया, तो उक्त सम्पूर्ण राशि एक मुस्त संवेदक के अगले विपन्न/अग्रधन की राशि से समायोजित कर ली जाय।

3. कॉलम 03 में उल्लेखित विमागीय प्रासंगिक पत्र में वर्णित सभी कंडिकाओं का अनुपालन अनिवार्य रूप से सुनिश्चित किया जाय।

अनु0:—यथोक्त ।

अधीक्षण अभियन्ता.

ग्रामीण कार्य विभाग, कार्य अंचल,