



SUPREME AUDIT INSTITUTION OF INDIA
लोकहितार्थं सत्यनिष्ठा
Dedicated to Truth in Public Interest

Report of the Comptroller and Auditor General of India for the period ended March 2023



Government of Bihar
Report No. 2 of 2025
(Performance and Compliance Audit-Civil and Commercial)

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Comptroller and Auditor General of India
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Preface

This Report of the Comptroller and Auditor General of India for the period ended 31 March 2023 has been prepared for submission to the Governor of Bihar under Article 151 of the Constitution of India.

The Report contains significant findings of audit of Receipts and Expenditure of major revenue earning Departments and State Public Sector Enterprises (SPSEs) conducted under the Comptroller and Auditor General of India (Duties, Powers and Conditions of Service) Act, 1971.

The instances mentioned in this Report are those, which came to notice in the course of test audit during the period 2022-23 as well as those which came to notice in earlier years, but could not be reported in the previous Audit Reports; instances relating to the period subsequent to 2022-23 have also been included, wherever necessary.

The audit has been conducted in conformity with the Auditing Standards issued by the Comptroller and Auditor General of India.



OVERVIEW

OVERVIEW

PART A: REVENUE SECTOR

This part contains one Performance Audit on “Electronic Way Bill System under Goods and Service Tax”, one Subject Specific Compliance Audit (SSCA) on “Department’s Oversight on GST payments and Returns Filing (Phase-II)” and three paragraphs. Some of the major findings in this part are summarised below:

1. General

The total revenue receipts of the Government of Bihar for the year 2022-23 amounted to ₹ 1,72,688.02 crore. Of this, revenue raised by the State Government from its own sources was ₹ 48,152.63 crore, an increase of ₹ 9,313.75 crore (23.98 *per cent*) over the previous year. The share of receipts from the Government of India amounting to ₹ 1,24,535.39 crore (72.12 *per cent* of the total receipts) comprised State’s share of divisible Union taxes of ₹ 95,509.85 crore (55.31 *per cent* of the total receipts) and grants-in-aid of ₹ 29,025.54 crore (16.81 *per cent* of the total receipts). The average annual growth rate in respect of tax revenues and non-tax revenues were 14.29 *per cent* and 8.60 *per cent*, respectively during FYs 2018-23.

(Paragraph 1.1)

Arrears of revenue as on 31 March 2023 on taxes on sales, trade *etc.*, taxes on goods and passengers, taxes and duties on electricity, other taxes and duties on commodities and services, state excise, non-ferrous mining and metallurgical industries, taxes on vehicles, land revenue and Stamps Duty and Registration Fees amounted to ₹ 4,884.86 crore, of which ₹ 1,430.32 crore was outstanding for more than five years.

(Paragraph 1.2)

The Public Accounts Committee discussed 12 selected paragraphs pertaining to the Audit Reports for the years 2011-12 to 2020-21 of Commercial Taxes Department, Prohibition, Excise and Registration Department, Revenue and Land Reforms Department, Mines and Geology Department and Transport Department and issued recommendations on 10 paragraphs incorporated in the aforesaid Reports, on which no Action Taken Notes had been received from the Departments (July 2024).

(Paragraph 1.3)

Review of IRs issued during the period 2013-14 to 2022-23 revealed that 18,106 paragraphs relating to 1,783 IRs remained outstanding at the end of June 2023. Even the first replies, required to be received from the heads of offices were not received (June 2023) for 1,073 IRs (10,356 audit observations) involving potential revenue of ₹ 46,922.73 crore, issued from 2013-14 to 2022-23.

(Paragraph 1.4.1)

Audit observed under assessment/ short levy/loss of revenue aggregating to ₹ 4,719.19 crore in 1,764 cases. The departments concerned accepted (between April 2022 and March 2023) under assessment and other deficiencies of ₹ 23.09 crore in 263 cases, which were pointed out during previous years. The departments reported (between April 2022 and March 2023) recovery of ₹ 1.57 crore in 82 cases.

(Paragraph 1.5)

2. Commercial Taxes

Performance Audit on Electronic-Way Bills system under Goods and Service Tax

The Performance Audit on EWB system under GST was conducted with a view to ascertain whether (i) EWB mechanism is effective in protecting revenue interest of Government; and (ii) the enforcement/preventive activities of the Department in enforcing EWB mechanism are efficient and effective.

Audit selected a sample of 160 EWBs generated by 51 taxpayers pertaining to 10 circles based on the Key Problem Area, for conducting substantive audit. The KPA-wise observations brought out non-discharge of tax aggregating ₹ 6.23 crore.

Significant observations are given below:

Nine EWBs transactions involving assessable value of ₹ 2.93 crore related to nine taxpayers of seven circles were risky, as these transactions were made by two-wheelers, stolen and scrapped vehicles. Out of these nine EWBs, tax and interest amounting to ₹ 0.21 crore was payable in respect of five EWBs.

(Paragraph 2.3.10.4)

Nine taxpayers pertaining to six circles had generated 302 EWBs during 2018-19 to 2019-20 for taxable supplies with assessable value of ₹ 8.17 crore but they had filed NIL GSTR-1/3B returns for the relevant tax period. Out of these 302 EWBs, tax and interest amounted to ₹ 1.29 crore was payable in respect of 211 EWBs.

(Paragraph 2.3.10.5)

Six taxpayers of five circles who were non-filers had generated 457 EWBs during 2018-19 to 2020-21 for outward supply. Out of these 457 EWBs, tax and interest amounting to ₹ 1.51 crore was payable in respect of 447 EWBs.

(Paragraph 2.3.10.6)

Five taxpayers pertaining to three circles had generated 209 EWBs for effecting outward supplies of ₹ 34.65 crore during 2018-19 to 2021-22 but they did not report it to their GSTR-1 returns and thus, did not discharge their tax liability. The non-discharge of tax liability in these cases worked out to ₹ 2.82 crore including interest.

(Paragraph 2.3.10.7)

The IBs did not have specific targets for conducting EWB verifications. They also did not have a system for sharing analytical reports with the taxpayer's jurisdictional authorities for scrutiny.

(Paragraph 2.3.13.2)

Out of total 1,36,062 EWBs verified in the State during 2018-19 to 2021-22, final inspection reports were recorded in only 3,100 cases (2.28 per cent).

(Paragraph 2.3.14.3)

Recommendations

1. *The Department may ensure the incorporation of validation controls in the EWB system to:

 - i. *prevent the Composite levy scheme taxpayer for generating EWB for inter-state outward supply.*
 - ii. *prevent generation of EWBs by cancelled taxpayers; the use of same/similar invoice in generation of multiple EWBs; and the use of risky vehicles for generation of EWBs and transportation of goods.*
 - iii. *block the EWB generation facilities for the taxpayers who have not filed returns for the prescribed period.**
2. *The Department may issue guidelines for verification of EWBs and scrutiny of returns of taxpayers having multiple registrations with the same PAN.*
3. *The Department may utilise the analytical reports of EWB generated by NIC to ascertain deficiencies in tax compliance by the taxpayers and share the same with the Jurisdictional authorities for use in the scrutiny of returns.*
4. *The Department may devise a system for using the input received from the cases booked for further investigation and passing on information to the jurisdictional authorities.*
5. *The Department may ensure compliance with relevant provisions of Bihar GST Act, 2017 for timely recording of the verification reports of every inspection of goods in transit.*

Subject Specific Compliance Audit on “Department’s Oversight on GST payments and Returns Filing (Phase-II)”

Audit of “Department’s oversight on GST Payments and Return filing” was taken up to seek an assurance on: (i) Whether the rules and procedures were being duly observed by tax payers; and (ii) Whether the scrutiny procedures, internal audit and other compliance functions of the circles were adequate and effective.

Audit noticed deviations from the provisions of the BGST Act in 589 cases involving tax/ inconsistencies of ₹ 4,600.90 crore constituting 87.78 *per cent* of the 671 inconsistencies/ mismatches in data, for which the Department provided responses. In 349 cases (59.25 *per cent*) involving ₹ 690.30 crore, Department accepted audit observations. Of this, the department reported recovery of ₹ 11.01 crore in 41 cases. Relatively higher rates of deviations were noticed in risk parameters such as short/non-payment of interest, ITC mismatch, incorrect turnover declarations and short payment of tax.

Significant cases are highlighted below:

In 12 circles, 22 taxpayers in 32 cases had availed ITC of ₹ 1,167.89 crore through GSTR-3B, whereas, ITC of ₹ 914.51 crore only was available in their GSTR-2A for the year 2018-21 leading to excess availing of ITC of ₹ 253.38 crore.

(Paragraph 2.4.7.3 (A)(I))

Five taxpayers in seven cases of four circles had availed excess ITC amounting ₹ 9.50 crore without supplier remitting tax during the period 2018-19 and 2020-21.

(Paragraph 2.4.7.3 (A)(II))

In 26 cases of 15 circles 20 taxpayers had availed ITC amounting ₹ 29.40 crore on GSTR-3B filed after the limitation period, for the period 2018-19 and 2020-21.

(Paragraph 2.4.7.3 (A)(III))

In 11 cases of six circles, nine taxpayers had availed excess ISD credit for ₹1.31 crore for the year 2018-19 to 2020-21.

(Paragraph 2.4.7.4 (A)(IV))

In 23 cases of five circles, 12 taxpayers had availed excess ITC of ₹ 20.29 crore under reverse charge mechanism for the year 2018-19 to 2020-21.

(Paragraph 2.4.7.4 (A)(V))

In six cases of four circles, five taxpayers had declared unreconciled ITC of ₹ 4.69 crore in Table-12F of GSTR-9C, being ITC claimed in annual return (GSTR-9) in excess of eligible ITC as per audited annual financial statements.

(Paragraph 2.4.7.4 (A)(VI))

There was unreconciled ITC for ₹ 12.01 crore in three cases of three circles of three taxpayers for the year 2018-19 and 2020-21.

(Paragraph 2.4.7.4 (A)(VII))

Twenty-one taxpayers in 32 cases of 12 circles had paid ₹ 153.98 crore, against the tax liability of ₹ 315.55 crore, resulting in mismatch of tax liability of ₹ 161.57 crore for the year 2018-21.

(Paragraph 2.4.7.4 (A)(VIII))

Against the EWB tax liability of ₹ 501.78 crore in respect of 20 taxpayers in 28 cases of 16 circles, the taxpayer admitted tax liability in GSTR-3B was ₹ 439.76 crore only, resulting in mismatch of EWB tax liability of ₹ 62.02 crore for the year 2018-21.

(Paragraph 2.4.7.4 (A)(IX))

There was unreconciled payment of tax for ₹ 25.13 crore in Table-9R of GSTR-9C in six cases of six taxpayers in six circles.

(Paragraph 2.4.7.4 (A)(X))

There was mismatch of tax liability of TDS/TCS of ₹ 64.91 crore in 12 cases of eight taxpayers in seven circles.

(Paragraph 2.4.7.4(A)(XI))

Inconsistency of taxable turnover of ₹ 561.31 crore in Table-5B and Table-5H of GSTR-9C, in 11 cases of seven taxpayers in six circles was noticed.

(Paragraph 2.4.7.4(A)(XII))

For three taxpayers in four cases under three circles, there was unreconciled taxable turnover for ₹ 1,090.99 crore as declared in Table-7G of GSTR-9C.

(Paragraph 2.4.7.4(A)(XIII))

In 34 cases of 14 circles, 23 taxpayers had filed GSTR-1 and declared tax liability of ₹ 17.53 crore for the year 2018-21, without filing GSTR-3B return.

(Paragraph 2.4.7.4(A)(XVI))

In 109 cases of 22 circles, 40 taxpayers had short payment of interest on delayed payment of tax amounting ₹ 16.68 crore for the year 2018-19 to 2020-21.

(Paragraph 2.4.7.4(A)(XVII))

Audit observed compliance deficiencies of ₹ 449.46 crore in 244 cases. The main causative factors were availing of incorrect ITC, incorrect turnover declarations, non/short payment of interest on delayed payment of tax and short payment of tax. The Department recovered ₹ 2.02 crore.

In 54 cases of 15 circles, 25 taxpayers had filed their returns with delays of one to 654 days but the interest payments of ₹ 2.01 crore were not discharged.

(Paragraph 2.4.8.(B))

Recommendations

1. *The Department may strengthen the monitoring mechanism in circles and ensure due diligence is followed in procedures for cancellation, issue of show cause notices and recovery.*
2. *The Department may pursue the inconsistencies and deviations, for which responses have not been provided and take corrective action wherever needed. Also, Department may suitably incorporate the algorithms used in identifying mismatches during their regular scrutiny of returns.*
3. *Department may strengthen tax compliance, improve data accuracy, and enhance monitoring and review processes to reduce deviations and inconsistencies.*
4. *The Department may initiate remedial actions for all the compliance deviations brought out in this chapter before they get time barred.*
5. *Department may ensure compliance with regulatory requirements and provide granular records to audit as per Section 18(2) of the Comptroller and Auditor General's DPC Act, 1971, and Regulation 19(6) of the Audit and Accounts Regulations, 2020.*

3. Revenue and Land Reforms

In disregard to guidelines of Ministry of Road Transport and Highways, GoI and the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, District Land Acquisition Office (DLAO), Sitamarhi, applied Multiplication Factor of 1.5 instead of two, for calculating the compensation of land acquired/ under acquisition in rural areas in Sitamarhi district. This led to short payment of compensation of ₹ 8.84 crore to 517 affected families.

(Paragraph 3.3)

Revenue and Land Reforms Department issued instructions in June 2000, for realisation of Road, Education, Health and Agriculture Cess at the total rate of 145 *per cent* of the annual rent of the land. In 2018, the Department further instructed that, in cases of land acquisition, cess should be collected based on the rent payable for 25 years. However, the DLAO did not follow these instructions, resulting in a shortfall of ₹1.15 crore in cess collection.

(Paragraph 3.4)

4. Stamps Duty and Registration Fees

Twenty Registering Authorities could not detect undervaluation of land in 42 instruments which resulted in undervaluation of property/instrument and consequently short levy of Stamp Duty and Registration Fee for ₹ 4.45 crore.

(Paragraph 4.3 (A))

District Sub-Registrar, Nawada applied incorrect category i.e, “Developing area” instead of ‘Residential away from road (*Vikashshil*)’ resulting in short levy of Stamp Duty and Registration Fee of a total amount of ₹ 1.80 crore.

(Paragraph 4.3 (B))

PART B: STATE PUBLIC SECTOR ENTERPRISES

This Part contains two chapters, one chapter (Chapter V) relates to functioning of State Public Sector Enterprises (SPSEs) and the other chapter (Chapter VI) includes two Paragraphs on Compliance Audit Observations.

5. Functioning of State Public Sector Enterprises

This chapter elaborates on the financial performance of SPSEs of Government of Bihar for the year 2022-23 including loss making SPSEs, arrears of accounts, etc. The impact of significant audit comments, issued as a result of supplementary audit of the Financial Statements of the SPSEs conducted by the CAG of India, for the year 2022-23 (or of earlier years, finalised during the current year), have also been discussed.

(Paragraph 5.1)

As on 31 March 2023, there were 76 SPSEs (including three statutory corporations) in Bihar which included 37 working SPSEs and 39 non-working/ inactive SPSEs. The contribution of 37 working SPSEs, to the Gross State Domestic Product (GSDP) of Bihar was 3.50 *per cent*, in 2022-23.

(Paragraph 5.5.1 and Paragraph 5.5.2)

The total investment in the form of equity and long term loans (including loans given by State Government), in 37 working SPSEs was ₹ 62,145.24 crore, as on 31 March 2023. Such investments were mainly concentrated in the Power Sector SPSEs, which received as much 89.97 *per cent* (₹ 55,909.69 crore) of the total investment.

(Paragraph 5.6)

Out of 37 working SPSEs, 18 SPSEs earned profit of ₹ 327.20 crore in 2022-23, which was 29 *per cent* lower than the profit earned by these SPSEs during 2021-22 (₹ 462.53 crore).

Of these, only four SPSEs (Bihar State Warehousing Corporation, Bihar Rajya Pul Nirman Nigam Limited, Bihar State Road Development Corporation Limited, and Bihar State Educational Infrastructure Development Corporation Limited) declared dividend of ₹ 321.15 crore.

(Paragraphs 5.7.1 and 5.7.2)

Out of 37 working SPSEs, 13 SPSEs had incurred losses, as per their latest finalised accounts, during 2022-23. However, the losses incurred by 13 SPSEs had decreased to ₹ 2,159.69 crore in 2022-23, from ₹ 2,759.43 crore in 2021-22.

(Paragraph 5.9.1)

As on 31 March 2023, there were 14 SPSEs, with accumulated losses of ₹27,307.96 crore. The net worth of 10 out of these 14 SPSEs was completely eroded by accumulated losses as per latest finalised accounts as on March 2023 and their net worth was negative.

(Paragraph 5.9.2)

Out of 76 SPSEs (including three statutory corporations) under the audit jurisdiction of CAG, Financial Statements for the year 2022-23 were received from only three SPSEs.

(Paragraph 5.12.2)

The financial impact of significant comments, issued during August 2022 to September 2023, on the Financial Statements of SPSEs, was ₹ 610.36 crore on profitability and ₹ 5,863.08 crore on the financial position.

(Paragraph 5.13.2)

6. Compliance Audit Observations

Compliance Audit observations included in this Report highlight deficiencies in the management of State Public Sector Enterprises involving serious financial implications.

Due to the lackadaisical approach, the Company (Bihar State Educational Infrastructure Development Corporation Limited) could not properly monitor renewal and verify the genuineness of Bank Guarantees submitted. This resulted in undue favour to contractors amounting to ₹ 94.25 lakh as the Bank Guarantees (BGs) obtained against Performance Security/ Security Deposit could not be forfeited. Further, Mobilization Advances of ₹ 64.07 lakh extended to the contractors and interest of ₹ 33.01 lakh accrued thereon could not be recovered due to non-forfeiture of BGs obtained against these Mobilisation Advances. This resulted in a loss of ₹ 97.08 lakh to the Company.

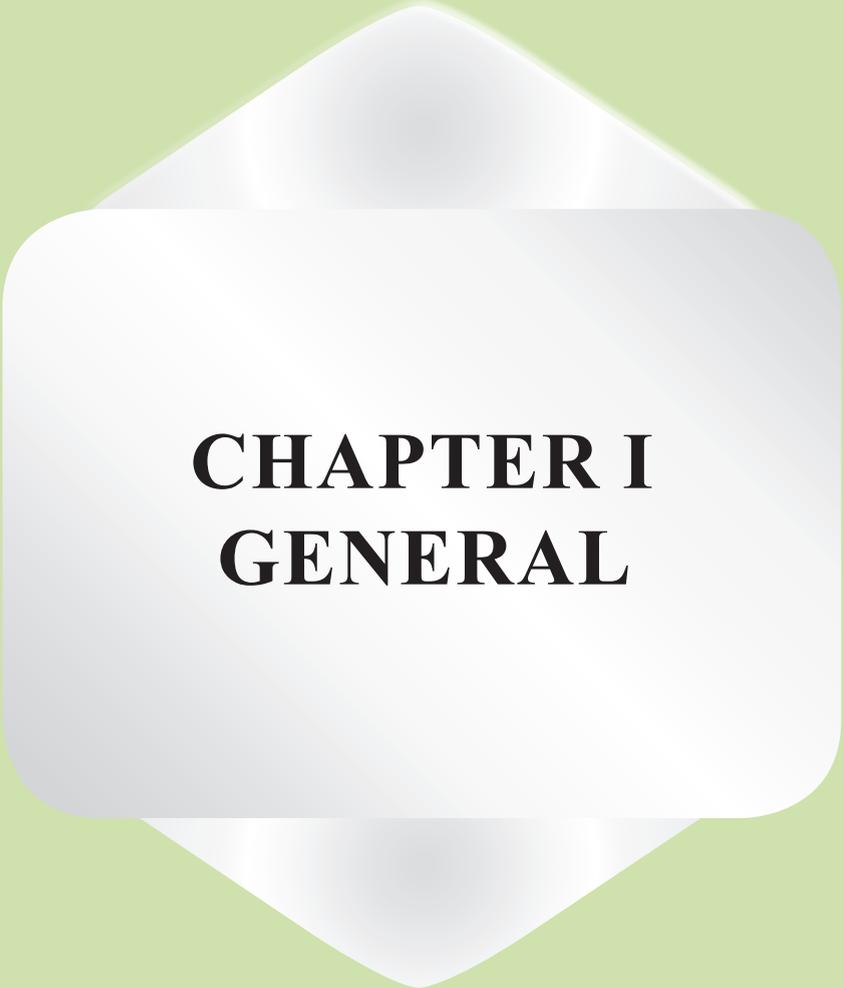
(Paragraph 6.1)

The Company (Bihar Rajya Pul Nirman Nigam Limited) incurred an infructuous expenditure of ₹ 5.35 crore on construction of a bridge which has been lying incomplete due to overlooking the mandatory compliance requirements of the AMASR Act, 1958, during project planning.

(Paragraph 6.2)



PART A
REVENUE SECTOR



**CHAPTER I
GENERAL**

CHAPTER I : GENERAL

1.1 Trend of Revenue receipts

1.1.1 Revenue receipts of the State are made up of tax revenue, non-tax revenues raised by the Government of Bihar (GoB), the State's share of net proceeds of divisible Union taxes and duties and Grants-in-aid received from Government of India (GoI). The details of such revenues of the State, during the period from financial year (FY) 2018-19 to 2022-23 are depicted in **Table 1.1**.

Table 1.1
Trend of receipts

(₹ in crore)

Sl. No.	Particulars	2018-19	2019-20	2020-21	2021-22	2022-23
1.	Revenues raised by the State Government					
	• Tax revenues	29,408.14	30,157.98	30,341.67	34,854.54	44,017.73
	Percentage of growth compared to previous year	27.11	2.55	0.61	14.87	26.29
	• Non-tax revenues	4,130.56	3,699.60	6,201.38	3,984.34	4,134.90
	Percentage of growth compared to previous year	17.79	(-) 10.43	67.62	(-)35.75	3.78
	Total	33,538.70	33,857.58	36,543.05	38,838.88	48,152.63
2.	Receipts from the Government of India					
	• Share of net proceeds of divisible Union taxes and duties	73,603.13	63,406.33	59,861.41	91,352.62	95,509.85 ¹
	• Grants-in-aid ²	24,651.62	26,968.62	31,763.88	28,605.83	29,025.54 ³
	Total	98,254.75	90,374.95	91,625.29	1,19,958.45	1,24,535.39
3.	Total revenue receipts (1 and 2)	1,31,793.45	1,24,232.53	1,28,168.34	1,58,797.33	1,72,688.02
4.	Percentage of 1 to 3	25	27	29	24	28
5.	Percentage of tax revenue to total revenue receipts	22	24	24	22	25

(Source: Finance Accounts, GoB)

The above table indicates that the total revenue receipts of the Government of Bihar for the year 2022-23 amounted to ₹ 1,72,688.02 crore. Of this, revenue raised by the State Government from its own sources was ₹ 48,152.63 crore, an increase of ₹ 9,313.75 crore (23.98 per cent) over the previous year. The share of receipts from the Government of

¹ For details, please see Statement No. 14 - Detailed accounts of revenue by minor heads in the Finance Accounts of Government of Bihar for the year 2022-23. Figures under Minor Head 901 - Share of net proceeds assigned to the State under the Major Heads – 0005-Central Goods and Services Tax (₹ 26,989.02 crore), 0020-Corporation Tax (₹ 32,019.47 crore), 0021-Taxes on income other than Corporation Tax (₹ 31,262.19 crore), 0037 – Customs (₹ 3,754.66 crore), 0038 - Union Excise Duties (₹ 1,178.03 crore), 0044 - Service Tax (₹ 149.28 crore) and 0045 – Other taxes and duties on commodities and services (₹ 157.20 crore).

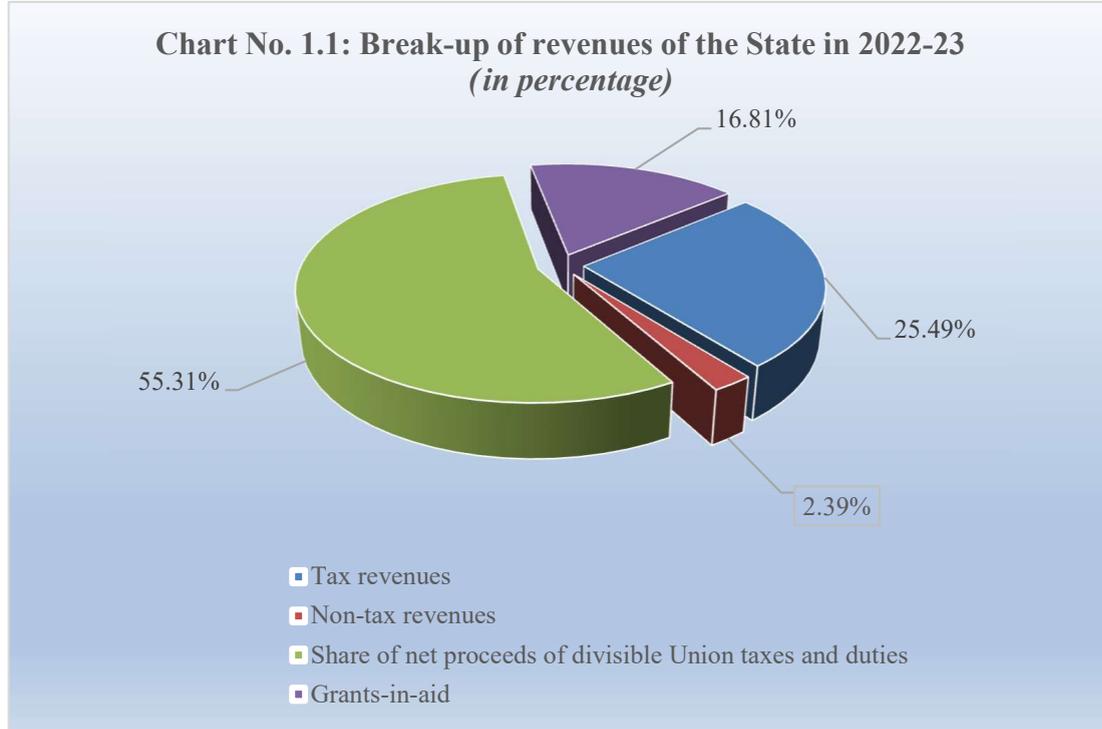
² Centrally sponsored schemes, Finance Commission grants and other transfer/grants (also includes compensation on GST received from GoI).

³ Includes compensation of ₹ 183.66 crore towards loss of revenue due to implementation of GST.

India amounting to ₹ 1,24,535.39 crore comprised State's share of divisible Union taxes of ₹ 95,509.85 crore and grants-in-aid of ₹ 29,025.54 crore.

The average annual growth rate in respect of tax revenues and non-tax revenues were 14.29 per cent and 8.60 per cent, respectively during FYs 2018-23.

Break-up of revenue of the State for the financial year 2022-23 is given in **Chart 1.1**:



1.1.2 Details of Budget Estimates (BEs) and tax revenues raised during the period 2018-19 to 2022-23 are given in **Table 1.2**.

**Table 1.2
Details of Tax Revenues**

(₹ in crore)

Sl. No.	Head of revenue	2018-19	2019-20	2020-21	2021-22	2022-23	Percentage of increase (+)/ decrease (-) in actuals of 2022-23 in comparison to BE of 2022-23
		BE Actuals					
1..	State Goods and Services Tax	15,000.00 15,288.06	17,812.00 15,800.53	20,800.00 16,050.23	20,621.00 19,264.15	24,721.00 23,242.93	-5.98
2.	Taxes on sales, trade etc.	7,890.00 6,584.24	7,150.00 6,121.43	5,830.00 6,031.43	6,010.00 6,871.70	7,210.00 9,881.25	37.05
3.	Taxes on goods and passengers	0.00 398.74	50.00 22.86	20.00 5.68	19.00 (-0.01)	19.00 1.32	-93.05
4.	Other taxes and duties on commodities and services	0.02 1.16	(-) 0.01 14.33	0.00 1.41	0.00 0.03	0.00 0.38	-
5.	State excise	0.00 (-) 9.63	0.00 (-) 4.14	0.00 (-) 4.42	0.00 (-)1.29	0.00 1.19	-
6.	Stamp Duty and Registration Fees	4,700.00 4,188.61	4,700.00 4,660.98	4,700.00 4,206.32	5,000.00 5,223.98	5,500.00 6,451.06	17.29

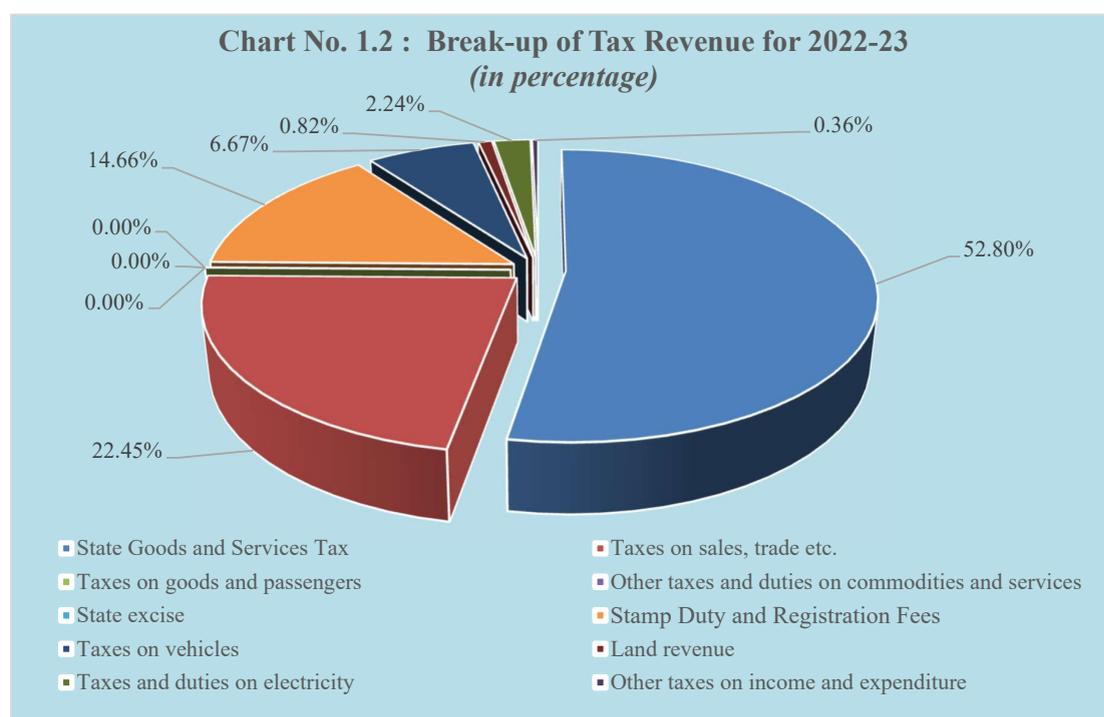
Sl. No.	Head of revenue	2018-19	2019-20	2020-21	2021-22	2022-23	Percentage of increase (+)/ decrease (-) in actuals of 2022-23 in comparison to BE of 2022-23
		BE Actuals					
7.	Taxes on vehicles	2,000.00 2,085.94	2,500.00 2,712.75	2,500.00 2,267.75	2,500.00 2,475.09	3,000.00 2,935.47	-2.15
8.	Land revenue	1,000.00 476.80	1,100.00 275.28	500.00 302.37	500.00 284.20	500.00 360.57	-27.89
9.	Taxes and duties on electricity	310.00 269.17	350.00 439.54	250.00 1,355.09	250.00 595.71	287.00 987.06	243.92
10.	Other taxes on income and expenditure- taxes on professions, trades, callings and employment	102.00 125.05	138.00 114.42	150.00 125.81	150.00 140.98	150.00 156.50	4.33
Total		31,002.02 29,408.14	33,799.99 30,157.98	34,750.00 30,341.67	35,050.00 34,854.54	41,387.00 44,017.73	

(Source: Finance Accounts, GoB and Revenue and Capital Receipts)

It may be seen from **Table 1.2** that there were variations between the budget estimates and actuals during FY 2022-23 under different heads of tax revenue, which indicated that the budget was not prepared on a realistic basis.

In case of taxes on goods and passengers and land revenue the actual revenue collection was less by 93.05 and 27.89 *per cent* respectively, during 2022-23. On the other hand, the actual revenue collection in respect of taxes and duties on electricity and taxes on sales, trade etc. was higher by 243.92 and 37.05 *per cent* respectively. Overall, actual revenue collection exceeded the budgeted figure by ₹ 2,630.73 crore (6.36 *per cent*).

Break-up of tax revenues of the State for 2022-23 is given in **Chart No. 1.2**:



The increase in 'SGST' was mainly due to more receipts under 'Tax and input tax credit cross-utilisation of 'SGST' and 'IGST' and 'apportionment of IGST'.

There was increase in Stamp Duty and Registration Fee by 23.49 per cent, over the previous year, mainly due to increase in collection of duty on impressing of documents and fee for registering the documents and sale of stamps.

1.1.3 Non-tax revenue consists of interest receipts, dividends and profits, non-ferrous mining receipts, departmental receipts, etc. Details of budget estimates and non-tax revenues raised during the period 2018-19 to 2022-23 are indicated in **Table 1.3**.

Table 1.3
Details of Non-tax Revenues

(₹ in crore)

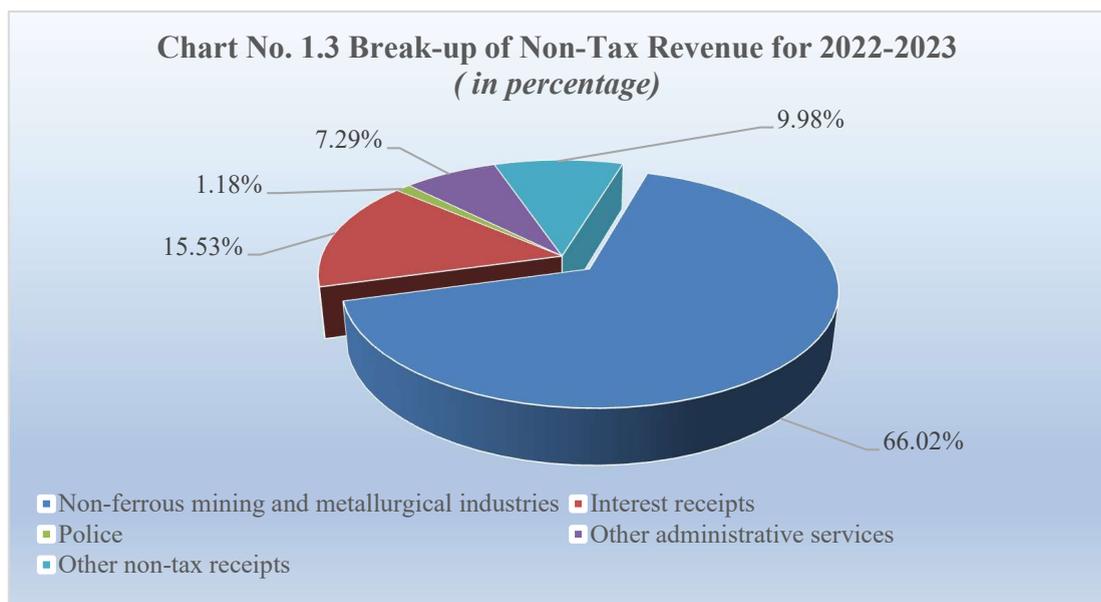
Sl. No.	Head of Revenue	2018-19	2019-20	2020-21	2021-22	2022-23	Percentage of increase (+)/ decrease (-) in actual of 2022-23 in comparison to BE of 2022-23
		BE Actual					
1.	Non-ferrous mining and metallurgical industries	1,600.00	1,600.00	2,450.00	2,450.00	3,000.00	(-)9.01
		1,560.65	1,572.07	1,708.93	1766.14	2,729.73	
2.	Interest receipts	2,187.39	2,293.84	2,080.55	2,108.10	2,218.78	(-)71.06
		1,371.94	1,416.48	3241.97	722.47	642.03	
3.	Police	46.19	52.50	32.00	32.00	41.50	17.98
		30.41	96.31	122.87	33.77	48.96	
4.	Other administrative services	20.10	22.62	63.79	114.37	84.64	256.03
		46.80	137.39	26.53	578.12	301.34	
5.	Dividend and profit	3.75	1.75	0.25	0.25	0.32	365.63
		13.67	1.62	663.01	6.54	1.49	
6.	Other non-tax ⁴ receipts	588.46	835.76	612.69	800.75	790.38	-47.96
		1,107.09	475.35	438.07	877.30	411.35	
Total Receipts		4,130.56	3,699.60	6,201.38	3,984.34	4,134.90	

(Source: Actual receipts as per Finance Accounts and budget estimates as per Statement of Revenue and Capital Receipts of GoB).

Revenue from Non-ferrous mining under Mining Department increased by ₹ 963.59 crore over the previous year and constituted highest percentage share (66.02 per cent) in the State's Non-tax Revenue.

Break-up of non-tax revenues of the State for 2022-23 is given in **Chart No. 1.3**:

⁴ Other non-tax receipts includes actual receipts during 2022-23 under the following heads: Road and bridges (₹-0.35 crore), Medical and public health (₹ 31.60 crore), Other rural development programmes (₹ 28.14 crore), Forestry and wild life (₹ 61.58 crore), Education, sports, arts and culture (₹ 5.83 crore), Public service commission (₹ 67.83 crore), Other general economic services (₹ 35.23 crore), Contribution and recoveries towards pension and other retirement benefits (₹ 1.85 crore), Crop husbandry (₹ 5.42 crore), Major irrigation (₹ 83.00 crore), Medium irrigation (₹ 0.06 crore), Labour employment (₹ 10.75 crore), Jail (₹ 16.49 crore), Fisheries (₹ 18.77 crore), Miscellaneous general service (₹ 1.15 crore), Water supply and sanitation (₹ 2.70 crore), Housing (₹ 4.55 crore), Urban development (₹ 03.47 crore), Information and publicity (₹ 0.21 crore), Social security and welfare (₹ 0.07 crore), Animal husbandry (₹ 0.59 crore), Cooperation (₹ 6.85 crore), Land reforms (₹ -0.05 crore), Minor irrigation (₹ 3.20 crore), Civil aviation (₹ 1.43 crore), Road transport (₹ 0.19 crore), Tourism (₹ 2.90 crore), Village and small industries (₹ 0.01 crore), Industries (₹ 0.41 crore), Civil supplies (₹ 0.09 crore), Public Works (₹ 17.22 crore) and Stationary and Printing (₹ 0.16 crore).



Reasons for wide variations are discussed below:

Non-ferrous mining and metallurgical industries: Audit noticed that there was an increase in actual receipts during 2022-23 over actual receipts of 2021-22 by 55 *per cent*; the main reason for the same was more receipts under the minor-head Major Mineral Concession Fees, Rents and Royalties.

Other Non-tax receipts Audit noticed that there was a decrease in actual receipts during 2022-23 over actual receipts of 2021-22 by 53 *per cent*; the main reason for the same was lesser receipts mainly under the head Education, Sports, Art and Culture (Secondary Education).

1.2 Analysis of arrears of revenue

The arrears of revenue as on 31 March 2023 in respect of the principal heads of revenue amounted to ₹ 4,884.86 crore, of which, ₹ 1,430.32 crore was outstanding for more than five years as detailed in **Table 1.4**.

Table 1.4
Arrears of revenue

(₹ in crore)

Sl. No.	Heads of revenue	Total amount outstanding as on 31 March 2023	Amount outstanding for more than five years as on 31 March 2023	Stages of pendency as stated by the Departments concerned
1.	Taxes on sales, trade etc.	2,371.90	1,289.39	Out of ₹ 2,371.90 crore, demands for ₹ 278.69 crore were certified for recovery as arrears of land revenue, recoveries of ₹ 468.32 crore and ₹ 166.76 crore were stayed by the courts and the Government respectively, ₹ 5.04 crore was held up due to assesseees/dealers becoming insolvent, ₹ 7.94 crore was likely to be written off and ₹ 1,445.15 crore was pending at other stages.

Sl. No.	Heads of revenue	Total amount outstanding as on 31 March 2023	Amount outstanding for more than five years as on 31 March 2023	Stages of pendency as stated by the Departments concerned
2.	Taxes on goods and passengers	248.58	103.07	Out of ₹ 248.58 crore, demand for ₹ 0.02 crore was certified for recovery as arrears of land revenue, recoveries of ₹ 22.36 crore was stayed by the courts, ₹ 0.08 crore was held up due to assesseees/dealers becoming insolvent and ₹ 226.11 crore was pending at other stages.
3.	Taxes and duties on electricity	0.20	0.20	Out of ₹ 19.76 lakh, recovery of ₹ 5.61 lakh was certified for recovery as arrear of land revenue and ₹ 14.15 lakh was pending at other stages.
4.	Other taxes and duties on commodities and services	3.25	2.62	Out of ₹ 3.25 crore, demands for ₹ 1.67 crore were certified for recovery as arrears of land revenue and ₹ 1.58 crore was pending at other stages.
5.	State excise	54.30	35.04	Out of ₹ 54.30 crore, demands for ₹ 37.47 crore were certified for recovery as arrears of land revenue, recovery of ₹ 9.50 crore was stayed by the courts, ₹ 0.14 crore was held up due to assesseees/dealers becoming insolvent, ₹ 0.39 crore was likely to be written off and ₹ 6.80 crore was pending at other stages.
6.	Non-ferrous mining and metallurgical industries	1,505.16	381.10	The Mines and Geology Department did not provide details of arrears outstanding for more than five years. Total demand for ₹ 1505.16 crore was certified for recovery as arrears of land revenue
7.	Taxes on vehicles	183.39	-	The Transport Department did not provide details of arrears outstanding for more than five years. The Department also did not provide stages of pendency of outstanding arrears.
8.	Land revenue	302.47	-	The Revenue and Land Reforms Department did not provide details of arrears outstanding for more than five years. The Department also did not provide stages of pendency of outstanding arrears.
9.	Stamp Duty and Registration Fees	215.61	-	The Prohibition, Excise and Registration (Registration) Department did not provide details of arrears outstanding for more than five years. The Department also did not provide stages of pendency of outstanding arrears.
TOTAL		4,884.86	1,430.32	

(Source: Information received from the concerned Departments)

1.3 Follow up on Audit Reports– summarised position

In terms of the Manual of Instructions (1998) of the Finance Department, Departments are required to initiate action on the audit paragraphs contained in the Reports of the Comptroller and Auditor General of India (CAG) within two months of their laying in the Legislative Assembly.

The Government shall submit explanatory notes thereon for consideration by the Public Accounts Committee (PAC). However, explanatory notes (replies of the

Departments) were submitted with inordinate delays in respect of 337 paragraphs (including performance audits) appearing in the CAG's Revenue Audit Reports for the years 2011-12 to 2020-21 placed before the State Legislature between August 2013 and December 2022. Details of pending explanatory notes as on June 2023 pertaining to various Departments⁵ are given in **Table 1.5**.

Table 1.5
Pending explanatory notes

Sl. No.	Audit Report ending on	Date of presentation in the legislature	No. of paragraphs	No. of paragraphs where explanatory notes received	No. of paragraphs where explanatory notes not received
1	31 March 2012	01.08.2013	38	37	01
2	31 March 2013	21.02.2014	41	39	02
3	31 March 2014	24.12.2014	44	39	05
4	31 March 2015	18.03.2016	39	35	04
5	31 March 2016	27.03.2017	42	25	17
6	31 March 2017	29.11.2018	36	20	16
7	31 March 2018	16.03.2020	28	13	15
8	31 March 2019	29.07.2021	13	08	05
9	31 March 2020	30.03.2022	07	05	02
10	31 March 2021	16.12.2022	49	01	48
Total			337	222	115

It was observed that though the Departments initiated action for recovery of revenue in the instances pointed out by Audit, corrective measures to prevent persistent irregularities were not addressed by the Departments.

The PAC discussed 12 out of 258 selected paragraphs pertaining to the Audit Reports for the years 2011-12 to 2020-21 of Commercial Taxes Department, Prohibition, Excise and Registration Department, Revenue and Land Reforms Department, Mines and Geology Department and Transport Department and issued recommendations on 10 paragraphs incorporated in the aforesaid Reports on which no Action Taken Notes (ATNs) had been received from the Departments.

Pr. Accountant General (Audit) requested Chief Secretary, Government of Bihar (April 2024) to instruct the concerned Departments for timely submission of explanatory notes on audit observations and ATNs on PAC's recommendations. Reply of the Government is awaited (July 2024).

Recommendation 1: The State Government may initiate action to address the shortcomings and system defects pointed out by Audit to plug the leakage of revenue and ensure that all Departments promptly prepare ATNs on recommendations of PAC.

⁵ Commercial Taxes (64 paragraphs); Prohibition, Excise and Registration (7 paragraphs); Transport (1 paragraph) and Mines and Geology Department (43 paragraphs).

1.4 Response of the Departments/Government to Audit

1.4.1 Position of outstanding Inspection Reports

On completion of audit of Government Departments and offices, Audit issues Inspection Reports (IRs) to the concerned Heads of offices, with copies to their superior officers for corrective action and their monitoring. Serious financial irregularities are reported to the head of the Departments and the Government. Review of IRs issued during the period 2013-14 to 2022-23 revealed that 18,106 paragraphs relating to 1,783 IRs remained outstanding at the end of June 2023. Details of IRs relating to major revenue earning Departments of the State Government are given in **Table 1.6**.

Table 1.6
Department-wise details of Inspection Reports

(₹ in crore)

Sl. No.	Names of Department	Nature of receipts	Number of outstanding IRs	Number of outstanding audit observations	Money value
1	Commercial Taxes	Taxes on sales, trade etc.	286	7,431	10,042.86
		Entry tax			
		Electricity duty			
		Entertainment tax etc.			
2	Excise and Prohibition	State excise	173	881	215.77
3	Revenue and Land Reforms	Land revenue	620	4,863	38,237.13
4	Transport	Taxes on vehicles	213	2,094	1,919.27
5	Registration	Stamp Duty and Registration Fees	293	1,405	1,322.98
6	Mines and Geology	Mining receipts	198	1,432	3,291.21
Total			1,783	18,106	55,029.22

Even the first replies, required to be received from the Heads of offices, were not received (June 2023) for 1,073 IRs (10,356 audit observations) involving potential revenue of as much as ₹ 46,922.73 crore, issued from 2013-14 to 2022-23. Department-wise details are given in **Table 1.7**.

Table 1.7
Details of Inspection Reports pending first reply

(₹ in crore)

Sl. No.	Names of Department	Nature of receipts	Number of outstanding IRs	Number of outstanding audit observations	Money value
1.	Commercial Taxes	Taxes on sales, trade etc.	134	2,819	5,128.00
		Entry tax			
		Electricity duty			
		Entertainment tax etc.			
2.	Excise and Prohibition	State excise	52	317	130.27

Sl. No.	Names of Department	Nature of receipts	Number of outstanding IRs	Number of outstanding audit observations	Money value
3.	Revenue and Land Reforms	Land revenue	501	4,086	37,477.28
4.	Transport	Taxes on vehicles	151	1,539	1715.77
5.	Registration	Stamp Duty and Registration Fees	134	818	1,137.07
6.	Mines and Geology	Non-ferrous mining and metallurgical industries	101	777	1,334.34
Total			1,073	10,356	46,922.73

Recommendation 2: The State Government may introduce a mechanism to ensure that departmental officers respond to Audit Inspection Reports promptly, take corrective action, and work closely with Audit to bring about early settlement of audit observations.

1.5 Results of Audit

Position of the local audit conducted during the year

Audit covered six Departments of the State Government and test-checked records of 145 units out of 1,375 auditable units (10.55 per cent) relating to Commercial Taxes, State excise, Taxes on vehicles, Stamp Duty and Registration Fees, Land Revenue and mining receipts during the year 2022-23.

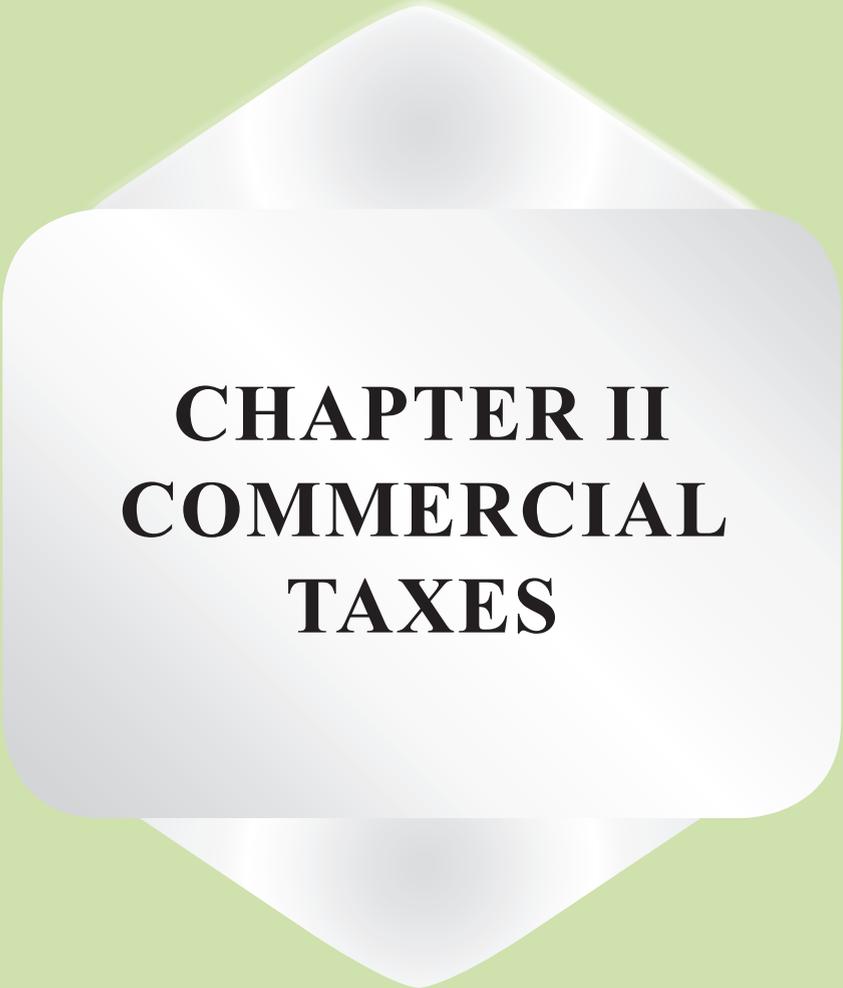
Audit observed underassessment/short levy/loss of revenue aggregating to ₹ 4,719.19 crore in 1,764 cases, which were communicated to the Departments through Inspection Reports. The Departments concerned accepted (between April 2022 and March 2023) underassessment and other deficiencies of ₹ 23.09 crore in 263 cases, which were pointed out in the previous year. The Departments reported (between April 2022 and March 2023) recovery of ₹ 1.57 crore in 82 cases pertaining to previous years.

1.6 Coverage of this Report

This part contains three paragraphs and one Performance Audit on “Electronic-Way Bill System under Goods and Service Tax” and one Subject Specific Compliance Audit (SSCA) on “Department’s Oversight on GST payments and Returns Filing (Phase-II)”. Total financial implication of this Report is ₹ 865.50 crore.

The departments have accepted audit observations involving ₹ 865.00 crore. These audit observations are discussed in **Chapters 2 to 4** of this Report.

The errors/omissions pointed out are on the basis of a test audit. The Department/Government may, therefore, undertake a thorough review of all units to check whether similar errors/omissions have taken place elsewhere and, if so, to rectify them; and to put a system in place that would prevent such errors/omissions.



**CHAPTER II
COMMERCIAL
TAXES**

CHAPTER II: COMMERCIAL TAXES

2.1 Tax administration

The Commercial Taxes Department (CTD) in the State is primarily responsible for Tax Administration under different Acts, such as the Bihar Goods and Services Tax (BGST) Act, 2017; Bihar Electricity Duty Act, 1948; Bihar Professional Tax Act, 2011; Bihar Value added Tax Act, 2005; Central Sales Tax (CST) Act, 1956; Bihar Entertainment Tax Act, 1948; Bihar Advertisement Tax Act, 2007 etc.

At the apex level, the Department is headed by the Commissioner of State Tax (CST), who is assisted by Special Commissioners of State Tax, Additional Commissioners of State Tax, Joint Commissioners of State Tax (JCST), and Deputy Commissioners of State Tax (DCST)/Assistant Commissioners of State Tax (ACST). At the field level, the State is divided into administrative, appeals and audit (nine divisions¹ each) as they were under the VAT period, each headed by an Additional Commissioner of State Tax. The administrative divisions are further sub-divided into 50 circles, each headed by a JCST/DCST, who is assisted by Assistant Commissioners of State Tax.

2.2 Results of Audit

During 2022-23, Audit test-checked records of 47, out of 90 units of CTD and observed irregularities involving ₹ 630 crore in 371 cases, which fall under the categories detailed in Table 2.1.

Table 2.1
Results of audit

Sl. No.	Category	No. of cases	Amount (₹ in crore)
GST			
1.	Non-levy and short levy of taxes	22	7.66
2.	Suppression of turnover	04	1.80
3.	Excess allowance of ITC	48	112.76
4.	Other cases	297	507.81
Total		371	630.03

During 2022-23, the Department accepted underassessment and other deficiencies of ₹ 7.67 crore in 104 cases and recovered ₹ 0.60 crore in 48 cases, pointed out prior to 2022-23. The replies, with regard to the remaining cases of previous years and for the cases pointed out in 2022-23, were not received (September 2024).

2.3 Performance Audit on Electronic-Way Bill System under Goods and Services Tax

2.3.1 Introduction to Electronic-Way Bills

Goods and Services Tax (GST) has been introduced with effect from 01 July 2017, subsuming a wide range of indirect taxes based on the paradigm of 'One Nation One

¹ Bhagalpur, Darbhanga, Magadh, Patna Central, Patna East, Patna West, Purnea, Saran and Tirhut.

Tax'. One of the intended objectives of GST regime was to improve efficiency in movement of goods and services by reducing process related time delays. Electronic-Way Bills (EWBs) was also present in the pre-GST regimes wherein movement of goods was administered through manually governed (revenue) check posts. EWB² is conceived as a shift from Government-monitored tax administration model to a self-reporting model by the taxpayer. Automation and standardisation of the entire EWB process was intended to help check tax evasion and to dissolve the non-trade barriers, so, that transit time is reduced and supply chain efficiency is improved.

The EWB was introduced with effect from 01 April 2018 for all inter-state movement of goods having value exceeding ₹ 50,000. The EWB was made mandatory by the State Government for intra-state movement of goods with value exceeding the threshold limit³. The information on the consignment is to be furnished prior to the movement of goods and the EWB is to be issued irrespective of whether the movement is in relation to supply or for reasons other than supply. The provisions relating to implementation of EWB are contained in Section 68 of the Bihar Goods and Services Tax Act (BGST Act), 2017 read with Rule 138 of the Bihar Goods and Services Tax Rules (BGST Rules), 2017 (amended from time to time).

2.3.2 Organisational structure of the Department

The Commercial Taxes Department (CTD), Government of Bihar, is the apex body implementing GST for State administered taxpayers across the State. The Department is headed by the Commissioner-cum-Secretary of State Tax. At the field level, the State is divided into nine administrative divisions⁴, nine appeals divisions⁵ and nine audit divisions⁶ as they were under the VAT period, each headed by an Additional Commissioner of State Tax. The nine administrative divisions are further sub-divided into 50 circles and nine Bureau of Investigation (IB). The organisational chart of the Department is given below:

² EWB (Form GST EWB-01) is an electronic document required for movement of goods. Part-A of the EWB comprises details of supplier, recipient, place of supply, documents, Harmonised System of Nomenclature (HSN), value of goods etc. while Part-B has the details of transport/vehicle.

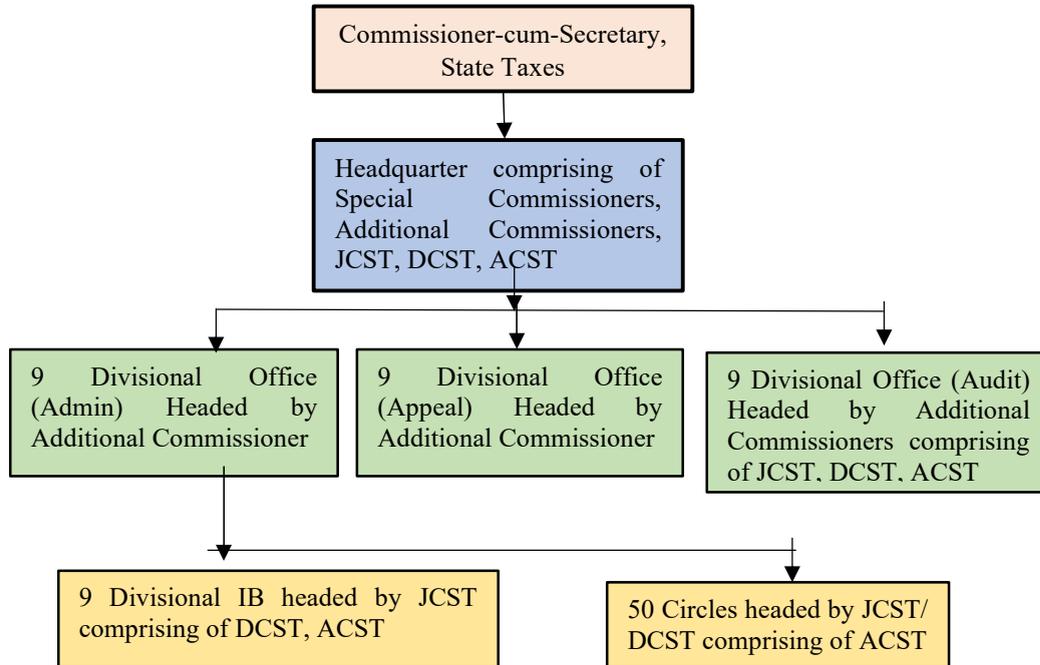
³ In Bihar, intra-state movement threshold is ₹1,00,000 with effect from 21 January 2019. It was ₹2,00,000 for the period 01 April 2018 to 20 January 2019.

⁴ Bhagalpur, Darbhanga, Magadh, Patna Central, Patna East, Patna West, Purnea, Saran and Tirhut.

⁵ Bhagalpur, Darbhanga, Magadh, Patna Central, Patna East, Patna West, Purnea, Saran and Tirhut.

⁶ Bhagalpur, Darbhanga, Magadh, Patna Central, Patna East, Patna West, Purnea, Saran and Tirhut.

Chart 1
Organisational set-up of the Department



(Source: Commercial Taxes Department, Government of Bihar)

EWBs (effected for supplies) are accounted under the GSTR-1 return⁷ and GSTR-4/ CMP-08 return⁸ by the normal and composition taxpayers⁹ respectively and are required to be verified by the Circle Officers under Section 61 of the BGST Act, 2017.

2.3.3 Information Systems used for EWBs

The EWB Common portal (www.ewaybillgst.gov.in) is managed by the National Informatics Centre (NIC) based in Karnataka. In February 2020, EWB portal was integrated with the VAHAN system of the Ministry of Road Transport and Highways, so that vehicle registration number can be validated at the time of generation of EWBs. FASTag system was integrated with the EWB system with effect from 01 January 2021. On the EWB Common portal, one-time registration of the taxpayer is required for the purpose of generation, extension, cancellation and rejection of EWBs. The Proper Officers can access the EWB portal through two means: (i) logging into EWB Common Portal through a web browser using the login credentials (ii) logging into GST EWB System Mobile App. The functions performed by the Proper Officers are verification of EWBs, unblocking of EWBs generation facility, viewing and accessing MIS reports etc.

2.3.4 Process involved in the EWB system

The EWB system involves various EWB processes such as enrolment of the required persons in the portal, generation of EWB, extension, cancellation and rejection of the EWBs generated, as discussed in the following paragraphs.

⁷ Monthly return contains details of outward supplies to be furnished by normal taxpayers.

⁸ Quarterly returns containing details of outward supplies to be furnished by composition taxpayers.

⁹ The taxpayers under Composition scheme, pay GST of a fixed percentage of their turnover instead of regular GST rates applicable to various goods and services.

2.3.4.1 Enrolment in the Portal

GST registered persons, transporters and unregistered persons/ citizens are required to enroll themselves in the EWB portal by providing necessary details such as State, GSTIN, Legal Name, PAN, Mobile number etc., to generate EWB. The unregistered transporters who cause the movement of goods for their clients, need to enroll on the EWB portal and get a 15-digit Unique Transporter Id.

2.3.4.2 Generation of EWB

EWB can be generated electronically by furnishing details in Part-A of Form GST EWB-01 by the: (i) consignor, or (ii) transporter in the case of authorisation by the consignor or, if the consignor is an unregistered person, or (iii) consignee. Part-B of the Form GST EWB-01 is to be updated by the transporter by providing information relating to the conveyance. Consolidated EWB can be generated in Form GST EWB-02 in the case of multiple EWBs generated for the multiple consignments but transported in the same vehicle.

2.3.4.3 Validity of EWB

Validity of the EWB depends upon the distance and the type of shipment, the goods to be transported. Validity is calculated from the date on which the EWB has been generated (relevant date) and the period of validity shall be counted until the period expiring midnight of the day immediately following the date of generation of EWB.

2.3.4.4 Extension of EWB

The validity can be extended under circumstances wherein the goods cannot be transported within the validity period, within eight hours from the time of its expiry. The validity of the EWB can also be extended by the Commissioner, on the recommendations of the Council, by notification for certain categories of specified goods.

2.3.4.5 Cancellation of EWB

Where an EWB has been generated under the BGST Rules, 2017, but goods are either not transported or are not transported as per the details furnished in the EWB, the same may be cancelled electronically on the common portal, within 24 hours of generation of the EWB. However, an EWB cannot be cancelled if it has been verified in-transit in accordance with the provisions of Rule 138B of the Rule *ibid*.

2.3.4.6 Rejection of EWB

The details of EWB generated will be communicated electronically to the supplier and the recipient, and the consignee is required to communicate his acceptance or rejection of the goods being transported. If the consignee does not communicate his acceptance or rejection within 72 hours of the said communication or the time of delivery of goods whichever is earlier, the EWB shall be deemed to be accepted.

2.3.5 Audit Objectives

The Performance Audit (PA) on ‘‘EWB system under GST’’ was conducted with a view to ascertain whether:

- (i) EWB mechanism is effective in protecting revenue interest of Government.
- (ii) the enforcement/preventive activities of the Department in enforcing EWB mechanism are efficient and effective.

2.3.6 Audit Criteria

The audit criteria of PA on ‘‘EWB system under GST’’ were derived from the following sources:

- Sections 10, 17, 25, 29, 37, 39, 44, 68, 73, 74, 129, 130, etc. of BGST Act, 2017;
- Rules 59, 60, 61, 62, 80, 138 of BGST Rules, 2017;
- Notifications/Circulars/Instructions authorised by GST council and issued by Central Board of Indirect Taxes and Customs (CBIC)/ Commercial Taxes Department, Government of Bihar (GoB); and
- Advisories/ Standard Operating Procedures issued by NIC, CBIC and CTD.

2.3.7 Audit Scope and Methodology

EWB transactions of the persons registered in the EWB portal between 01 April 2018 and 31 March 2022 were covered. Audit has carried out critical examination of the overall performance of the EWB system in the GST regime with reference to audit objectives. EWB data (generated) for the audit period was extracted from GSTN and analysed. Movement of conveyances by roadways alone was considered for this audit and movement of conveyances by Railway/Airway was excluded from the scope of this audit.

The scope of audit also involved evaluation of the preventive functions of the Department with reference to the EWBs viz., interception of vehicles, verification of documents, inspection of goods and action taken thereof.

The GST returns that were considered for the purpose of identifying deviations, inconsistencies and mismatches between EWBs data and GST returns data are given in **Appendix 2.1**.

Entry conference was held on 19 April 2023 with the Commissioner-cum-Secretary of State Taxes, Bihar in which the audit objectives, sample selection, audit scope and methodology were discussed. The audit was conducted between May 2023 and October 2023. The Exit conference was held on 8 April 2024 with the Commissioner-cum-Secretary of State Taxes, Bihar in which the audit findings were discussed. The views expressed by the Commissioner-cum-Secretary of State Taxes, Bihar during the exit conference and the written replies to the draft report have been suitably incorporated in the relevant paragraphs.

2.3.8 Audit Sampling

A Problem centric approach was attempted, as EWB generation under GST is a necessary condition preceding any movement of goods subject to the threshold limit. Samples for Audit Objective **(AO)-1** were evolved based on the identified Key Problem Areas (KPAs)/ Risk dimensions. The KPAs that may constrain revenue realisation for the Government are provided in **Appendix 2.2**. A total number of 160 EWBs pertaining to 51 taxpayers were taken as sample. The samples were selected based on weighted-risk approach. Besides, a sample of nine EWBs comprising five consignors who had transactions with the same PAN consignees and four consignees who had transactions with the same PAN consignors were also selected. The scope of audit was extended to the period 2018-19 to 2021-22 where any discrepancies were noticed.

Further, a larger set of samples based on six KPAs (shown in **Table 2.4** of **Paragraph 2.3.11**) were also selected from the database relating to EWBs in respect of taxpayers falling under the State jurisdiction to ascertain the efficiency and effectiveness of both the EWB mechanism as also the Departmental machinery, in protecting the revenue of the State Government.

Audit Objective **(AO)-2** evaluated the problems associated with enforcement/preventive activities *viz.*, operational preparedness, effectiveness of anti-evasion measures and intra-department and inter-department co-ordination. For 50 *per cent* of the preventive units *i.e.*, five units¹⁰ were selected on stratified sampling method on the number of EWBs verified by the Department. Further, 199 cases were taken as sample from the selected five preventive units on stratified sampling method (based on the money value of cases verified by them) for detailed audit. Further, additional 22 EWBs generated by 10 unregistered suppliers having assessable value exceeding ₹ 40 lakh (being the uppermost registration threshold for Bihar) were also selected to confirm and verify monitoring of movement of goods in respect of unregistered suppliers by the Department and action initiated to get them registered.

2.3.9 Trend Analysis of EWBs

During the audit period (2018-19 to 2021-22), total 93.75 lakh EWBs of ₹ 2,38,241.40 crore were generated by the taxpayers in the State Jurisdiction, out of which 1.06 lakh EWBs of ₹ 6,145.63 crore were cancelled. Further, the validity of 9.40 lakh EWBs were extended and 0.01 lakh EWBs were rejected by the consignees. The overall trend on usage of EWBs in the State with reference to generation, extension, cancellation and rejection of EWBs during the period 2018-19 to 2021-22 is given in **Table 2.2** and depicted in graphical presentations below:

¹⁰ CIB - Patna, IB - Magadh, IB - Patna East, IB - Purnea and IB - Saran.

Table 2.2
Uses of EWBs during 2018-19 to 2021-22

(₹ in crore)

Financial Year	Generation of EWBs		Extension of EWBs		Cancellation of EWBs		Rejection of EWBs	
	Number of EWBs	Amount	Number of EWBs	Amount	Number of EWBs	Amount	Number of EWBs	Amount
2018-19	15,88,341	44,126.57	13,164	394.78	23,052	1,508.75	530	18.12
2019-20	24,25,085	54,820.85	1,75,218	2,174.57	27,581	1,140.29	411	14.57
2020-21	24,45,018	62,803.40	2,25,105	4,498.89	27,846	2,027.56	223	11.35
2021-22	29,16,850	76,490.58	5,26,499	9,290.81	27,390	1,469.03	317	23.79
Total	93,75,294	2,38,241.40	9,39,986	16,359.05	1,05,869	6,145.63	1,481	67.83

(Source: Data made available by GSTN)

Audit Findings

2.3.10 Substantive Audit Findings

Audit selected a sample of 160 EWBs generated by 51 taxpayers pertaining to 10 circles¹¹ based on the KPA, for conducting substantive audit. The KPA-wise observations are given in Table 2.3 below:

Table 2.3
Details of observations

(₹ in crore)

Sl. No.	Key Problem Area	Number of taxpayers	Amount involved
1	Generation of Inter-state outward EWBs by composition taxpayers leading to non-discharge of tax	5	0.03
2	Generation of EWBs by cancelled taxpayers leading to non-discharge of tax	3	0.08
3	Generation of multiple EWB on single/similar invoice leading to non-discharge of tax	4	0.07
4	Generation of EWBs with risky vehicles leading to incorrect passing of ITC	5	0.21
5	Generation of EWBs by NIL filers of GST returns leading to non-discharge of tax	7	1.29
6	Generation of EWBs by Non-filers of GST returns leading to non-discharge of tax	4	1.51
7	EWB generated by DGARM/ other agencies identified taxpayers leading to non-discharge of tax	4	1.63
8	EWB generated using invalid PIN codes leading to non-discharge of tax	1	0.10
9	Same PAN transactions	1	1.09
10	EWB generated by non-filers of return leading to availment of ineligible ITC	1	0.08
11	Disproportionate outward/inward supply leading to non-generation of EWBs for invoices reported in returns	3	0.14
Total		38	6.23

¹¹ Begusarai, Darbhanga, Gaya, Katihar, Patliputra, Patna City West, Patna South, Patna Special, Purnea and Sasaram.

The systemic issues noticed during the audit are discussed under each KPA in paragraphs 2.3.10.1 to 2.3.16 to highlight the impact of the risks identified along with recommendations for corrective action. The Compliance deficiencies are given in paragraphs along with case-wise details for taking further course of action by the Department. In cases where systemic deficiencies were noted, the same have been highlighted and suitable recommendations suggested for preventing their recurrence.

Audit Objective 1: Audit findings related to effectiveness of EWB mechanism for protecting revenue interest of the Government.

2.3.10.1 Ineligible taxpayers continuing under composition scheme

Nine composite taxpayers of six circles undertook inter-state outward supply of goods through 21 EWBs. Out of these 21 EWBs, tax and interest of ₹ 2.52 lakh was payable in respect of 17 EWBs.

In terms of Section 10(1) of the BGST Act, a registered person whose aggregate turnover in the preceding financial year did not exceed the threshold limit¹² may opt to pay tax under composition scheme. As per Section 10(3) of the BGST Act, the option availed of by a registered person for composition scheme shall lapse with effect from the day on which his aggregate turnover during a financial year exceeds the limit specified. Further, Section 10(2) (c) of the BGST Act, provides that a registered person shall not be eligible to opt for composition scheme, if he is engaged in making any inter-state outward supplies of goods.

As per Section 61 of the BGST Act, 2017, various returns filed by the taxpayers have to be scrutinised by the Proper Officers to verify the correctness of the returns, and suitable action has to be taken on any discrepancy or inconsistency reflected in the returns. The Proper Officer designated for this purpose is the circle officer.

Audit noticed that despite the BGST Act, 2017 prohibiting inter-state outward supply by composite taxpayers, the EWB system could not prevent the generation of EWBs for inter-state supply by the composite taxpayers as observed from the following cases.

It was observed that composite taxpayers of six circles¹³ had undertaken inter-state outward supply of goods through 21 EWBs. Out of these 21 EWBs, tax and interest of ₹ 2.52 lakh was payable in respect of 17 EWBs¹⁴. These taxpayers were required to be brought out of the composition scheme as they were liable to pay tax at normal rate with effect from the date of effecting inter-state outward supply. These are detailed in **Appendix 2.3.**

¹² Threshold limit per year for becoming eligible for composition scheme was ₹1 crore for the period 1 July 2017 to 31 March 2019 and ₹1.5 crore thereafter.

¹³ Darbhanga, Gaya, Patna City West, Patna South, Purnea and Sasaram.

¹⁴ There was no output tax impact in respect of the remaining four EWBs though systemic deficiency existed in these cases.

On this being pointed out (January 2024), the Department stated (April 2024) that the notice to one taxpayer in Darbhanga circle has been issued and letters have been sent to the five circles for taking action as per law.

Recommendation 1: Necessary validation control in the EWB system needs to be incorporated to prevent generation of EWBs by the Composite levy scheme taxpayer for inter-state outward supply.

2.3.10.2 Generation of EWBs by cancelled taxpayers

Six taxpayers of five circles had generated 222 EWBs after the effective date of cancellation of GST registration but they had not discharged their tax liability. Out of these 222 EWBs, tax and interest of ₹ 8.06 lakh was payable in respect of 169 EWBs.

As per Section 63 of the BGST Act where a taxable person whose registration has been cancelled, but who was liable to pay tax, the Proper Officer may proceed to assess the tax liability of such taxable person to the best of his judgement. A cancelled taxpayer cannot generate EWBs, as he will be passing on ITC without filing of returns resulting in non-payment of tax.

Audit noticed that EWB portal allowed generation of EWB by cancelled taxpayers due to system deficiencies as observed from the following cases.

It was observed that taxpayers of five circles¹⁵ had generated 222 EWBs after effective date of cancellation of GST registration but they had not discharged their tax liability. Out of these 222 EWBs, tax and interest of ₹ 8.06 lakh was payable in respect of 169 EWBs¹⁶. However, the Department did not assess the tax liability under section 63 of the Act *ibid* and thereby could not protect the revenue interest of the Government. These are detailed in **Appendix 2.4**.

On this being pointed out (January 2024), the Department stated (April 2024) that DRC-01 notice has been issued to the concerned taxpayer in Patna South Circle and letters have been sent to the four circles for taking action as per law. Further, request is being made for blocking of EWBs on NIC portal of cancelled taxpayers.

An illustrative case is detailed below:

A taxpayer registered under Gaya circle had generated 164 EWBs of ₹ 2.49 lakh during April 2018 to December 2018 though his registration was already cancelled with effect from 31 March 2018 by the Proper Officer on an application by the taxpayer. Thus, the EWBs were generated upto nine months from the effective date of cancellation of registration.

Recommendation 2: Suitable validation controls in the EWB system need to be incorporated to prevent generation of EWBs by cancelled taxpayers.

¹⁵ Gaya, Katihar, Patliputra, Patna South and Sasaram.

¹⁶ There was no output tax impact in respect of the remaining 53 EWBs though systemic deficiency existed in these cases.

2.3.10.3 Generation of multiple EWBs on the same/similar invoices

Nine taxpayers pertaining to six circles had generated 42 EWBs for movement of goods using the same invoices (by mentioning same invoice numbers in multiple EWBs). The number of multiple EWBs ranged from two to nine on a single invoice. Out of these 42 EWBs, tax and interest amounted to ₹ 7.47 lakh was payable in respect of eight EWBs.

As per Rule 46(b) of BGST Rules a tax invoice shall be issued by the registered person containing consecutive serial number, not exceeding sixteen characters, unique for a financial year. As per para 5-1 of User Manual issued by the NIC, the taxpayer while generating the EWB is required to enter the Unique Document Number relating to the consignment. Invoice number is the Unique Document number in respect of consignments relating to supplies. Hence, only one EWB is to be generated for each invoice.

Audit noticed that there was a lack of validation controls in the EWB common portal to restrict generation of multiple EWBs using the same or similar invoices as observed from the following cases.

It was observed that nine taxpayers pertaining to six circles¹⁷ had generated 42 EWBs for movement of goods using the same invoices (by mentioning same invoice numbers in multiple EWBs)¹⁸. The number of multiple EWBs ranged from two to nine on a single invoice. Out of these 42 EWBs, tax and interest amounting to ₹ 7.47 lakh was payable in respect of eight EWBs¹⁹. Though, this resulted in multiple consignments, the taxpayers either did not report any consignment or reported only one consignment in their returns which led to non/short discharge of tax liability. These are detailed in **Appendix 2.5**.

On this being pointed out (January 2024), the Department stated (April 2024) that DRC-01 notice has been issued to the concerned taxpayer in Patna City West Circle and letters have been sent to five circles for taking action as per law. Further, request is being made to NIC regarding this issue.

Recommendation 3: Suitable validation controls in the EWB system need to be incorporated to prevent use of same/similar invoice in generation of multiple EWBs.

¹⁷ Gaya, Patliputra, Patna City West, Patna South, Patna Special and Purnea.

¹⁸ For example- in Patna Special Circle (GSTIN- 10XXXXXXXXXX1ZT) two different EWBs (no. 671042766874 and 631048041830) generated on 30.09.2018 and 19.10.2018 respectively on same invoice (invoice number- OS0010001552)

¹⁹ There was no output tax impact in respect of the remaining 34 EWBs though systemic deficiency existed in these cases.

2.3.10.4 Generation of EWBs for the transactions effected through risky vehicles

Nine EWBs transactions involving assessable value of ₹ 2.93 crore related to nine taxpayers of seven circles were risky, as these transactions were made by two-wheelers, stolen and scrapped vehicles. Out of these nine EWBs, tax and interest amounting to ₹ 0.21 crore was payable in respect of five EWBs.

As per Rule 138(2) of BGST Rules, 2017, where the goods are transported by the registered person as a consignor, whether in his own conveyance or a hired one or a public conveyance, by road, the said person shall generate the EWB in Form GST EWB-01 electronically on the common portal after furnishing information in Part-B of Form GST EWB-01. Where the goods are handed over to a transporter for transportation by road, the registered person shall furnish the information relating to the transporter on the common portal and the EWB shall be generated by the transporter based on the information furnished by the registered person in Part-A of Form GST EWB-01. Vehicle number is required to be provided in Part-B of EWB-01. NIC had integrated VAHAN Database with EWB Portal and tracked the movement of vehicles with Fast-tag database. NIC also provides with effect from 01 January 2021, the movement details of the vehicles concerned (in the Map) indicating the origin and destination of all the EWBs based on the source and destination PIN codes.

Audit noticed that EWB system could not detect the risky vehicle numbers as per m-parivahan app despite integration of EWB portal with the VAHAN software due to which, generation of EWBs related to risky vehicles could not be blocked as observed from the following cases.

It was observed that nine EWBs transactions involving assessable value of ₹ 2.93 crore from nine taxpayers of seven circles were risky, as these transactions were made by two-wheelers, stolen and scrapped vehicles. Out of these nine EWBs, tax and interest amounted to ₹ 0.21 crore was payable in respect of five EWBs²⁰. These are detailed in **Appendix 2.6**.

On verification of vehicle numbers mentioned in the EWBs on (VAHAN portal/ M-parivahan app) it was noticed that the vehicle status was mentioned as scrapped, cancelled registration and two-wheeler. Out of nine EWBs, two EWB were generated after January 2021 but, the movement of vehicle was not recorded by the NIC. However, as noticed from the GSTR-1 returns filed by these taxpayers, they had reported the said transactions in their GSTR-1 returns and thereby possibly passed on ITC of ₹ 0.21 crore. This also point towards possible Bill Trading.

On this being pointed out (January 2024), the Department stated (April 2024) that DRC-01 notice has been issued to the concerned taxpayer by the Patna City West Circle while letters have been sent to the three circles for taking action as per law.

²⁰ There was no output tax impact in respect of the remaining four EWBs though systemic deficiency existed in these cases.

An illustrative case is given below:

A taxpayer registered under Patna City West Circle had generated an EWB on 03 June 2019 for effecting intra-state outward supply of goods worth ₹ 2.32 crore with tax value of ₹ 19.61 lakh. On checking of the vehicle number mentioned in the EWB on VAAHAN portal/ M-parivahan app it was found that the vehicle class was 'two-wheeler'. Further, the transaction was reported in GSTR-1 of the consignor. Since, transportation of goods worth ₹ 2.32 crore with two-wheeler vehicle was not possible, the taxpayer had incorrectly passed on ITC of ₹ 19.61 lakh to the consignee.

Recommendation 4: Suitable validation controls in the EWB system need to be incorporated to prevent use of risky vehicles for generation of EWBs and transportation of goods.

2.3.10.5 Generation of EWBs by the taxpayers who had filed NIL GST Returns

Nine taxpayers pertaining to six circles had generated 302 EWBs during 2018-19 to 2019-20 for taxable supplies with assessable value of ₹ 8.17 crore but they had filed NIL GSTR-1/3B returns for the relevant tax period. Out of these 302 EWBs, tax and interest amounting to ₹ 1.29 crore was payable in respect of 211 EWBs.

As per Section 37 of the BGST Act, 2017, every registered person other than composition taxpayers shall furnish the details of outward supplies of goods or services or both effected during a tax period in GSTR-1 and discharge tax liability thereon in GSTR-3B. The taxpayers, who have opted for composition scheme, shall pay tax in GSTR-4/ GST CMP-08 returns.

Audit noticed weakness in coordination between the EWB and GSTN portals as the latter was unable to detect nil filing by the taxpayers generating EWBs, thereby allowing suppression of turnover by the taxpayers as observed from the following cases.

It was observed that nine taxpayers pertaining to six circles²¹ had generated 302 EWBs during 2018-19 to 2019-20 for taxable supplies with assessable value of ₹ 8.17 crore but they had filed NIL GSTR-1/3B returns for the relevant tax period. Out of these 302 EWBs, tax and interest amounted to ₹ 1.29 crore was payable in respect of 211 EWBs²². These are detailed in **Appendix 2.7**.

Incidentally, it may be mentioned that the scope of inconsistencies between GSTR-3B and GSTR-1 and deficiencies in auto-generation of supply figures in GSTR-3B based on GSTR-1 had been repeatedly brought to the notice of the CBIC through successive CAG Audit Reports No. 1 of 2021, 5 of 2022 and 7 of 2024. The CTD, Government of Bihar should take up the matter with CBIC for strengthening the mapping of GSTR-3B vis-à-vis GSTR-1 and instant flagging of mismatch between both the return forms.

²¹ Begusarai, Darbhanga, Patna City West, Purnea, Patna South and Sasaram.

²² There was no output tax impact in respect of the remaining 91 EWBs though systemic deficiency existed in these cases.

On this being pointed out (January 2024), the Department stated (April 2024) that the DRC-01 notices have been issued to concerned taxpayers by Darbhanga Circle and Patna City West Circles and letters have been sent to the four circles for taking action as per law.

2.3.10.6 Generation of EWBs by Non-filers of GST returns

Six taxpayers of five circles who were non-filers had generated 457 EWBs during 2018-19 to 2020-21 for outward supply. Out of these 457 EWBs, tax and interest amounting to ₹ 1.51 crore was payable in respect of 447 EWBs.

Rule 138E of BGST Rules, 2017 as amended in January 2019 imposes restrictions on persons including consignors, consignees, transporter, E-commerce operator or a courier agency to generate EWBs in respect of a registered person who has not filed relevant GST returns for prescribed periods²³. The blocking of EWB generation functionality was enabled on the EWB common portal with effect from 01 December 2019.

Audit noticed deficiencies in blocking generation of EWBs beyond 01 December 2019 as observed from the following cases.

It was observed that six taxpayers of five circles²⁴ who were non-filers had generated 457 EWBs during 2018-19 to 2020-21 for outward supply.

Out of these 457 EWBs, tax and interest amounting to ₹ 1.51 crore was payable in respect of 447 EWBs²⁵. These are detailed in **Appendix 2.8**.

Out of these six cases, one taxpayer registered under Patna South Circle had generated an EWB on 16 July 2020 for effecting outward supplies i.e., EWB was generated after 01 December 2019 even though he had not filed GST returns for consecutive two tax periods.

On this being pointed out (January 2024), the Department stated (April 2024) that DRC-01 and DRC-07 notices have been issued to two taxpayers of Patna City West and Patna South Circle respectively and letters have been sent to three circles for taking action as per law. Further, request is being made for blocking of EWBs on NIC portal of non-filers of GST returns.

Recommendation 5: The Department may consider strengthening the validation control in the EWB system to block the EWB generation facilities for taxpayers who have not filed returns for the prescribed period.

²³ Form GST CMP-08 for two consecutive quarters (composition taxpayer) and GSTR-3B for two consecutive tax periods (normal taxpayers).

²⁴ Begusarai, Patna City West, Patna South, Purnea and Sasaram.

²⁵ There was no output tax impact in respect of the remaining 10 EWBs though systemic deficiency existed in these cases.

2.3.10.7 Non-discharge of tax liability by taxpayers

Six taxpayers pertaining to three circles had generated 209 EWBs for effecting outward supplies of ₹ 34.65 crore during 2018-19 to 2021-22 but they did not report it to their GSTR-1 returns and thus, did not discharge their tax liability. The non-discharge of tax liability in these cases worked out to ₹ 2.82 crore including interest.

As per Section 37 of the BGST Act, every registered person other than composition taxpayers shall furnish the details of outward supplies of goods or services or both effected during a tax period in GSTR-1 and discharge tax liability thereon in GSTR-3B. The taxpayers, who have opted for composition scheme, shall pay tax in GSTR-4/ GST CMP-08 returns. As per Section 31 of the BGST Act, 2017 a registered person supplying taxable goods shall, issue a tax invoice showing the description, quantity and value of goods, the tax charged thereon, and such other particulars as may be prescribed. Rule 138 of the BGST Rules, provides that for generating EWB, every registered person who causes movement of goods of consignment shall furnish information relating to the said goods, electronically, on the common portal. Section 50(1) of the BGST Act, 2017 stipulates that every person who is liable to pay tax, but fails to pay the tax or any part thereof remains unpaid, shall pay interest as such rate, not exceeding eighteen *per cent*, as may be notified by the Government.

During Audit it was observed that six taxpayers pertaining to three circles²⁶ had generated 209 EWBs for effecting outward supplies during 2018-19 to 2021-22 but they did not report the outward supplies of ₹ 34.65 crore in their GSTR-1 returns and thus, did not discharge their tax liability as detailed in **Appendix 2.9**. The non-discharge of tax liability in these cases worked out to ₹ 2.82 crore including interest.

On this being pointed out (January 2024), the Department stated (April 2024) that letters have been sent to concerned circles for taking action as per law.

An illustrative case is given below:

(i) A taxpayer registered under Patna Special Circle was identified as risky taxpayer by the Maharashtra Tax Authority and the Directorate General of Analytics and Risk Management (DGARM). Audit noticed that the taxpayer had generated two EWBs in December 2018 with assessable value of ₹ 51.09 lakh for effecting inter-state outward supply. However, the taxpayer had not reported these transactions in his GSTR-1 returns for the relevant tax period. Thus, he had undischarged tax liability of ₹ 16.97 lakh (including interest).

2.3.10.8 Availing of ineligible Input Tax Credit

As per Section 16 of the BGST Act, 2017 every registered person shall be entitled to take credit of input tax charged on any supply of goods or services or both to him which are used or intended to be used in the course or furtherance of his business and the said amount shall be credited to the electronic credit ledger of such person. Further, Section

²⁶ Begusarai, Munger and Patna Special.

42 of the Act *ibid* read with Rule 60 of BGST Rules, 2017 provides for matching, reversal and reclaim of ITC. GSTR-2A is a purchase related dynamic tax return which is automatically generated by the GST portal. When a supplier files his GSTR-1 return, the information regarding tax paid by the purchaser is auto populated in his GSTR-2A. The ITC availability as per GSTR-2A should match with the ITC availed by the taxpayer through the GSTR-3B return or the annual GSTR-9 return. Section 50(3) of the BGST Act, 2017 stipulates that, the taxpayers who makes undue or excess claim of ITC, shall pay interest at such rate, not exceeding 24 *per cent*, as may be notified by the Government.

Audit observed that a taxpayer pertaining to the Patna City West Circle had availed ITC of ₹ 8.75 lakh as per GSTR-3B return of April 2018 and paid his tax liability using the ITC but there was no ITC available in the GSTR-2A of the taxpayer. Audit noticed that there was no inward EWB in the month of April 2018. Further, the taxpayer had not filed annual return for the period 2018-19. Thus, the availing of ITC by the taxpayers was not in order and the incorrect ITC availed amount ₹ 8.75 lakh was required to be recovered along with interest of ₹ 8.46 lakh under Section 50(3) of the Act.

On this being pointed out (January 2024), the Department stated (April 2024) that DRC-01A notice has been issued to the concerned taxpayers by the circle.

2.3.10.9 Non-generation of EWBs for invoices included in GSTR-1

As per Section 122(1)(xiv) of BGST Act, 2017, a taxable person who transports any taxable goods, without the cover of specified documents shall be liable to pay a penalty of ₹ 10,000 or the amount of tax sought to be evaded, whichever is greater. Further, as per Rule 138(A) of the BGST Rules, 2017 EWB is one of the specified documents.

Audit noticed that the two taxpayers of two circles had not generated EWBs against the 119 invoices of outward supplies reported in the GSTR-1 returns. Further, in one case of Patna City West Circles, no EWBs were found against 19 invoices of Inward supplies as reflected in the GSTR-2A.

Total invoice value of these transaction was ₹ 28.86 crore and each of these invoices had a value of more than the threshold limit for generation of EWB.

As the taxpayers had made the above supplies without EWBs, they were liable to pay penalty of ₹ 13.80 lakh (138 cases at the rate of ₹ 10,000 at each instance).

On this being pointed out (January 2024), the Department stated (April 2024) that DRC-07 notices have been issued in two cases by the Patna City West Circle while letter has been issued to the concerned circle for taking action as per law.

2.3.10.10 EWB transactions without movement of goods

A taxpayer pertaining to the Patna Special Circle had purchased goods using 61 invoices worth ₹ 74.30 lakh in April 2019 including purchases made through 37 invoices from the same PAN consignors. However, the details of vehicles mentioned in the EWBs was not found on *VAAHAN* portal/*M-Parivahan* app. Further, the taxpayer

had availed ITC on these transactions as details of these invoices were available in his GSTR-2A for the said period.

On this being pointed out (January 2024), the Department stated (April 2024) that the letters have been issued to the concerned circles for taking action as per law.

Recommendation 6: The Department may issue guidelines for verification of EWBs and scrutiny of returns of taxpayers having multiple registrations with the same PAN.

2.3.10.11 Action taken on unblocking EWB requests from Taxpayers

As per Rule 138(E) of BGST Rules, 2017, no person (including a consignor, consignee, transporter, E-commerce operator or a courier agency) shall be allowed to furnish the information in part A of Form GST EWB-01 who, whether as a supplier or a recipient, has not furnished the returns for two consecutive tax periods with effect from 01 December 2019. Further, the commissioner may on receipt of an application from a registered person in Form GST EWB-05, on sufficient cause being shown, and reasons to be recorded in writing, by order, in GST EWB-06, allow furnishing of the said information in Part A of GST EWB-01.

As per MIS data available on the GST portal, at the State level total 86 unblocking applications were filed by the taxpayers during 2020-21 to 2021-22, out of which 85 applications were pending for unblocking as on 29 May 2023. Audit observed that the four taxpayers of three circles²⁷ had filed applications for unblocking of EWB generation facilities in December 2020, but their applications were pending with tax officer. The reasons for pending applications were not available in the circles concerned.

On this being pointed out (January 2024), the Department stated (April 2024) that letters have been sent to three circles for taking action as per law.

2.3.11 Observations detected in data analysis of EWBs (Totality Audit Observations)

A risk-based sample of 5,552 taxpayers (excluding the substantive audit sample) falling under the jurisdiction of 49 circle²⁸ were selected from the database analysis centrally relating to EWBs. Audit analysed the data of EWBs generated during 2018-19 to 2021-22 based on the KPAs. The data extracted under the KPAs were forwarded to the Department as Totality Observations for considering further course of remedial action and to submit summary report on action taken. The details of Totality Observations shared with the Department are given in the **Table 2.4** below:

²⁷ Begusarai (10XXXXXXXXXX1Z8, 10XXXXXXXXXX1Z8), Katihar (10XXXXXXXXXX1Z3) and Patna South (10XXXXXXXXXX1ZK).

²⁸ Aurangabad, Bagha, Barh, Begusarai, Bhabhua, Bhagalpur, Bettiah, Biharsharif, Buxar, Danapur, Darbhanga, Forbesganj, Gandhi Maidan, Gaya, Gopalganj, Hajipur, Jamui, Jehanabad, Jhanjharpur, Kadamkuan, Katihar, Khagaria, Kihsanganj, Lakhisarai, Madhepura, Madhubani, Motihari, Munger, Muzaaffarpur East, Muzaaffarpur West, Nawada, Patliputra, Patna Central, Patna City West, Patna North, Patna South, Patna Special, Patna West, Purnea, Raxaul, Saharsa, Samastipur, Saran, Sasaram, Shahabad, Sitamarhi, Siwan, Supaul and Teghra.

Table 2.4
Totality Audit Observations

Sl. No.	Nature of Totality Observation	Number of Taxpayers
1.	Generation of Inter-state outward EWBs by composition taxpayers	190
2.	Generation of EWBs by composition taxpayers who had crossed prescribed threshold limit	1
3.	Generation of EWBs by Non-filer of GST returns	772
4.	Generation of EWBs by NIL-filers of GST returns	3,864
5.	Generation of EWBs by cancelled taxpayers	38
6.	Generation of duplicate EWBs using same invoice	687
Total		5,552

On this being pointed out (January 2024), the Department stated (April 2024) that regional offices have been directed to take necessary action as per law.

Recommendation 7: The Department may utilise the analytical reports of EWB generated by NIC to ascertain deficiencies in tax compliance by the taxpayers and share the same with the jurisdictional authorities for use in the scrutiny of returns.

Audit Objective 2: Audit findings on efficiency and effectiveness of preventive/enforcement activities of the Department related to EWBs provisions.

2.3.12 Preventive/ Enforcement activities of the Department

As per Rule 138 to 141 of the BGST Rules, 2017, the Commissioner or an officer empowered by him in this behalf may authorise any officer to intercept any conveyance to verify the EWBs for inter-state and intra-state movement of goods. The physical verification of a conveyance can also be carried out by any officer, on receipt of specific information on evasion of tax, after obtaining approval of the Commissioner or an officer authorised by him in this behalf.

Once physical verification of goods being transported on any conveyance has been done during transit at one place within the State or Union Territory in any other State or Union Territory, no further physical verification of the said conveyance shall be carried out again in the State or Union Territory, unless a specific information relating to evasion of tax is made available subsequently.

Commercial Taxes Department, GoB had issued (May 2018 to October 2018) circulars relating to the procedure for interception of conveyances for inspection of goods in transit and detention, release and confiscation of contravening goods and conveyances. Section 129 and 130 of BGST Act, 2017 shall apply to the preventive activities performed by the Department in relation to verification of EWBs and/or conveyances.

In connection with the second objective, Audit examined the EWB related to preventive/enforcement functions of the Department with specific focus on-(i) Operational preparedness, (ii) Effectiveness of anti-evasion measures, and (iii) Intra-departmental co-ordination in monitoring EWB related transactions. During the

period of 2018-19 to 2021-22, preventive/enforcement functions like interception of vehicles and verification of EWBs, invoices, delivery chalangans etc., were done by the nine Bureau of Investigation²⁹ (IBs) at the division level. The IBs are headed by the Joint Commissioners of State Taxes (JCST).

On verification of records relating to the period 2018-19 to 2021-22 maintained in the selected five IBs³⁰, several deficiencies/shortcomings were noticed, which are detailed in the following paragraphs:

2.3.13 Operational preparedness of the Department

2.3.13.1 Inadequacy of manpower

The sanctioned and working strength of all the nine IBs³¹ during 2018-19 to 2021-22 in respect of adjudicating authorities³² is given in **Table 2.5** below:

Table 2.5
Sanctioned and actual strength of manpower

Financial Year	Number of sanctioned posts	Actual strength	Number of vacant posts	Percentage of vacant posts
2018-19	107	36	71	66
2019-20	107	35	72	67
2020-21	107	26	81	76
2021-22	107	23	84	79

(Source: Information provided by the Commercial Taxes Department, Government of Bihar)

The table above shows that, the vacant posts in respect of adjudicating authority in the IBs ranged between 66 per cent to 79 per cent.

Further, the overall vacancy of employees' strength in selected IBs ranged from 51 per cent to 62 per cent during 2018-19 to 2021-22.

Due to the shortage, manpower resources were drafted from the executive formations for conducting the verification of EWBs.

On this being pointed out (January 2024), the Department stated (April 2024) that many important works have been affected due to shortage of manpower to resolve the same, action is being taken by the Department.

2.3.13.2 Targets and achievements

Audit called for the details of targets fixed by the Department for verification of EWBs through vehicle interceptions and achievements against them, from the selected five IBs. It was observed that four IBs³³ did not have specific targets for conducting verification of EWBs. The reply from CIB-Patna was awaited.

²⁹ Bhagalpur, CIB -Patna, Darbhanga, Magadh, Patna East, Purnea, Patna West, Saran and Tirhut.

³⁰ CIB-Patna, Magadh, Patna East, Purnea and Saran.

³¹ Bhagalpur, CIB-Patna, Darbhanga, Magadh, Patna east, Purnea, Patna West, Saran, Tirhut.

³² Special Commissioner of State Tax, Additional Commissioner of State Tax, Joint Commissioner of State Tax, Deputy Commissioner of State tax and Assistant Commissioner of State Tax.

³³ Magadh, Patna East, Purnea and Saran.

On this being pointed out (January 2024), the Department stated in the Exit conference (April 2024) that the targets for enforcement have been fixed in monetary terms, but specific target would be fixed for verification of EWBs.

2.3.13.3 Usage of MIS Reports/DGARM/ other agencies reports

NIC generates various intelligence and analytical reports on EWBs and provides a comprehensive platform for the officers to perform the activities related to the EWB verification, analysis and monitoring purposes.

During audit it was observed that the access to analytics reports of NIC was provided to the Additional/Joint Commissioners in charge of the IBs. However, these reports were not utilised by IBs for planning and verification of EWB. The observations are given below:

(i) It was noticed that the analytical reports of NIC were not being used for planning interception of vehicles by IBs.

The JCST, IB Patna East stated (September 2023) that the vehicle movements were checked for genuineness, while the Additional Commissioner of State Taxes, CIB-Patna stated (July 2023) that the matter was concerned with nodal officer, EWB. The JCST of IB Magadh, Purnea and Saran stated (June 2023 to October 2023) that they had very restricted access to the analytical reports of NIC.

(ii) Three IBs (CIB-Patna, Patna East and Purnea) did not share the analytical reports with the taxpayer jurisdictional officers for using them in scrutiny of returns. The JCST, IB Magadh and Saran stated (June 2023 to September 2023) that they had very restricted access to the analytical reports of NIC.

However, the Department stated (April 2024) that 48 officers of Data analytical wing and CIB officers at the headquarter level have been given access to the comprehensive analytics on EWB portal for data analytic work. The JCSTs could have utilised these resources to obtain the required data.

(iii) Three IBs (Magadh, Purnea and Saran) stated that analytical reports from DGARM/ other agencies were not available. The JCST, IB Patna East stated (September 2023) that EWB portal is examined for any kind of analysis. However, the reply was silent on the frequency at which the analytical reports are examined and course of action taken on the reports. These were called for separately and were still awaited (October 2023) from the CIB-Patna.

On this being pointed out (January 2024), the Department stated (April 2024) that DGARM reports are not available with the Department. At the headquarter level, the transactions of taxpayers are regularly examined and related information is shared with the concerned circles for Scrutiny/adjudication/ enforcement under GST Act. The Department should ensure regular access to and utilisation of analytical reports from DGARM/other agencies to enhance scrutiny and enforcement under the GST Act.

2.3.13.4 Intra Departmental co-ordination in monitoring EWB related transactions

EWB is directly linked with the movement of goods and the preventive units were entrusted with the enforcement functions related to EWBs. NIC had generated various analytical reports and the preventive wings have access to those reports through the NIC Portal. The tax liability on the EWB transactions is discharged by the taxpayers through periodical returns and the Circle Officer is the Proper Officer for scrutiny of returns and assessment. Audit was to ascertain the effectiveness of the usage of analytical reports by the preventive units and to what extent intra-departmental co-ordination exists in the Department. The findings are discussed in the following paragraphs.

2.3.13.4(I) Sharing of information on blocked credits

As per section 129 of the BGST Act, 2017 whenever any discrepancies are found during the interception of the vehicles, tax and penalty was leviable (upto 31 December 2021³⁴). In terms of Section 17(5) of BGST Act, 2017 the ITC shall not be available on any tax paid under the provisions of Section 129 of the BGST Act, 2017. Thus, whenever any tax was collected under Section 129 of the BGST Act, 2017 there should be a mechanism in GSTN to send an alert message to the recipients and the Proper Officer concerned.

Audit noticed that in 79 cases pertaining to four IBs,³⁵ a sum of ₹ 88.41 lakh was collected during April 2018 to December 2021 as tax under Section 129 of the Act during interception of vehicles for verification of EWBs. However, information on interception of vehicles and levy of taxes were not shared by the Proper Officers of the concerned IBs with the Jurisdictional GST authorities for verification of the availment of ITC.

On this being pointed out (January 2024), the Department stated (April 2024) that the directions have been issued to IBs of Patna East, Saran and Magadh division for taking action as per law while action in respect of CIB-Patna is being taken separately.

2.3.13.4(II) Monitoring movement of goods by unregistered taxpayers

As per Section 22 of the BGST Act, 2017, every supplier whose aggregate turnover in a financial year exceeds ₹ 20 lakh for a supplier of services and ₹ 40 lakh for supplier shall be liable to be registered under BGST Act, 2017. In terms of Rule 16 of BGST Rules, 2017 where, pursuant to any survey, enquiry, inspection, search or any other proceedings under BGST Act, 2017, the Proper Officer finds that a person liable to registration under BGST Act, 2017 has failed to apply for such registration, such officer may register the said person on a temporary basis and issue an order in Form GST REG-12.

³⁴ With effect from 01 January 2022, only Penalty equal to 200 per cent of the tax payable was levied.

³⁵ CIB-Patna (23 cases), Magadh (8 cases), Patna East (28 cases) and Saran (20 cases).

Audit observed through data analysis that 22 EWBs were generated by or on behalf of the unregistered persons in the State with an assessable value of ₹ 27.89 crore during the period 2018-19 to 2021-22 for making outward supplies. Each of these EWBs had assessable value of more than ₹ 40 lakh. The data of these EWBs was forwarded to the Department (June 2023) for examination and taking necessary action to bring the unregistered persons under the tax net.

On this being pointed out (January 2024), the Department stated (April 2024) that the action is being taken by the CIB-Patna.

2.3.13.4(III) Monitoring the non-movement of goods

One of the analytical reports created by the NIC is the report on non-movement of vehicles on which EWBs were generated (B-1 Report) in respect of critical commodities³⁶. Such information was not shared by the IBs with the jurisdictional circle offices for use in the scrutiny of returns.

Audit noticed that nine taxpayers under the jurisdiction of two IBs³⁷ had generated 44 EWBs during 2021-22 for outward supplies having assessable value of ₹ 6.47 crore against which vehicle movement was not recorded (as per B-1 Report). Audit cross verified the invoices mentioned in these EWBs, with the related GSTR-1 returns and found that in respect of eight taxpayers, all the invoices were reported in the GSTR-1 returns.

Since, the taxpayers had reported these invoices in their GSTR-1 returns, it would have auto populated the GSTR-2A returns of the consignees/recipients of goods. Thus, taking into consideration NIC's B-1 Reports, there was a possibility of passing on ITC of ₹ 0.53 crore without the actual movement of goods to the consignees as given in **Table 2.6** below:

Table 2.6
Passing of ITC without movement of goods

(₹ in crore)					
IB	No. of taxpayers	No. of EWBs	Assessable value	Tax amount	Amount of ITC passed on
Patna East	5	19	2.36	0.27	0.27
Saran	4	25	4.11	0.60	0.26
Total	9	44	6.47	0.87	0.53

(Source: Data/information available on EWB and GST common portal)

In the case of one taxpayer, Audit could not ascertain that whether the invoices mentioned in the EWBs were included in the GSTR-1 return or not, due to non-availability of invoice wise details of outward supply.

On this being pointed out (January 2024), the Department stated (April 2024) that the directions have been issued to IBs Patna East and Saran division for taking action as per law.

³⁶ Biscuit, Coal, edible oil, electrical, footwear, iron and steel, textile and tobacco.

³⁷ Patna East (19 EWBs, assessable value – ₹ 2.36 crore) and Saran (25 EWBs, assessable value – ₹ 4.11 crore).

An illustrative case is given below:

A taxpayer registered under Siwan Circle (under Saran IB) had generated (2021-22) two EWBs for intra-state supply and five EWBs for inter-state outward supply of goods for an assessable value of ₹ 1.19 crore. But, as per B-1 Report there was no movement of vehicles mentioned in the EWBs. As, there was no vehicle movement, there was a possibility of passing on of ITC of ₹ 21.49 lakh to the consignees by reporting the invoices in the GSTR-1 return.

Recommendation 8: The Department may devise a system for using the inputs received from the cases booked for further investigation and passing on relevant information to the jurisdictional authorities.

2.3.14 Effectiveness of anti-evasion measures

2.3.14.1 Guidelines for interception of vehicles

The Department had issued two guidelines³⁸ in May 2018 and October 2018 elaborating the procedure for interception of conveyances for inspection of goods in transit and verification of EWBs. As per the guidelines, when a vehicle is intercepted, the Proper Officer shall record a statement of the Person-in-Charge (PIC) of the conveyance in Form GST MOV-01 and shall issue order for physical verification in Form GST MOV-02. The Proper Officer, within 24 hours of the issue of Form GST MOV-02, shall upload a report in Part-A of Form GST EWB-03 on common portal. The Proper Officer shall prepare physical verification/inspection report in Form GST MOV-04 and shall record final inspection report in Part-B of Form GST EWB-03 on common portal within three days of physical verification.

If no discrepancy is found in the inspection, release order in Form GST MOV-05 shall be issued and the conveyance shall be allowed to move further. In case the goods and conveyance need to be detained under Section 129 of the BGST Act, 2017 the Proper Officer shall issue an order of detention in Form GST MOV-06 and serve a notice in Form GST MOV-07 and demand order in Form GST MOV-09 to the PIC, specifying the tax and penalty payable under Section 129(1) of the BGST Act, 2017. Where the proposed tax and penalty is not paid within seven days from the date of issue of Form GST MOV-06, the action to confiscate the goods and conveyance under section 130 of the BGST Act, 2017 shall be initiated.

Audit attempted to ascertain the extent of adherence to the prescribed procedures by the IBs. For this, 199 booked cases pertaining to test-checked IBs were selected for scrutiny and the deviations noticed in 50 cases are given in **Table 2.7** below:

³⁸ (i) Circular no.- Bikri-kar/ Vividh-28/2018/1360; dated-18 May 2018.

(ii) Circular no.- Bikri-kar/Vividh-28/2018/3030; dated-11 October 2018.

Table 2.7
Deficiencies noticed in interception of vehicles

Number of cases verified	Number of cases in which deficiency noticed	Details of deficiencies noticed	IBs in which deficiency noticed
1	2	3	4
159	47	Delay of Two to 18 days in recording final inspection report in GST EWB-03 (Part-B).	CIB-Patna and Patna East
40	3	Delay of 10 to 14 days in setting of liabilities in electronic cash ledger.	Magadh

On this being pointed out (January 2024), the Department stated (April 2024) that the directions have been issued to IBs of Patna East and Magadh division for taking action as per law while action in respect of CIB-Patna is being taken separately.

Illustrative cases are detailed below:

(i) A vehicle was intercepted (24 December 2020) by the Proper Officer of IB, Patna East and physical inspection of the vehicle was done on 28 December 2020. But, final inspection report in Part-B of the Form GST EWB-03 was recorded on 27 June 2022 instead of within three days of physical verification. Thus, the final inspection report was recorded with delay of more than 18 months.

(ii) A vehicle was intercepted by the Proper Officer of IB, Magadh on 24 February 2021 and the order for demand of tax and penalty in Form GST MOV-09 for ₹ 1.52 lakh was issued (03 March 2021) directing the PIC to make payment within seven days and the liability for ₹ 1.52 lakh was created 04 March 2021 in his electronic liability register. It was observed that the PIC had deposited the demand amount on 19 April 2021, and the same was credited in his Electronic Cash Ledger (ECL) on the same day. However, the liability was set off on 03 May 2021 by debiting his ECL i.e., after 14 days of credit in the ECL. As mere availability of credit in the ECL cannot be assumed as payment of tax liability unless it is debited for discharging the tax liability, ₹ 1.52 lakh remained out of Government account for 14 days.

2.3.14.2 Short levy of tax and penalty during EWB verification

As per Section 129(1) of BGST Act, 2017 where any person transports any goods in contravention of the provisions of this Act or the rules made thereunder, all such goods and conveyance used as a means of transport for carrying the said goods and documents relating to such goods and conveyance shall be liable to detention or seizure and after detention or seizure shall be released – (a) on payment of applicable tax and penalty equal to hundred *per cent* of the tax payable on such goods, where owner of the goods comes forward for payment of such tax and penalty, (b) on payment of applicable tax and penalty equal to fifty *per cent* of the value of the goods or two hundred *per cent* of the tax payable on such goods, whichever is higher, where the owner of the goods does not come forward for payment of such tax and penalty.

Audit noticed that in four cases of three IBs³⁹, the excess quantity of goods as mentioned in the physical verification report (Form MOV-4) were not taken into account by the

³⁹ CIB-Patna, Saran and Purnea.

Proper Officers while determining the tax and penalty to be imposed during interception of vehicles. This resulted in short-levy of tax liability amounting to ₹ 1.79 lakh as detailed in **Appendix 2.10**.

On this being pointed out (January 2024), the Department stated (April 2024) that the directions have been issued to IBs of Saran and Purnea division for taking action as per law while action in respect of CIB-Patna is being taken separately.

2.3.14.3 Non-recording of final report on interception of goods in transit

Under Rule 138C(1) of the BGST Rules, 2017 a summary report of every inspection of goods in transit shall be recorded online by the Proper Officer in Part-A of Form GST EWB-03 within 24 hours of inspection and the final report in Part-B of Form GST EWB-03 shall be recorded within three days of such inspection.

Audit observed that out of total 1,36,062 EWBs verified in the State during 2018-19 to 2021-22, final inspection report in Part-B of the Form GST EWB-03 were recorded in only 3,100 cases (2.28 per cent). Further, in test check of five IBs, it was observed that total 3,173 number of vehicles were intercepted for inspection of EWBs during 2018-19 to 2021-22, out of which verification reports in only 1,127 cases (36 per cent) were submitted in Part-B of EWB-03 as detailed in the **Table 2.8** below:

Table 2.8
Recording of Final report in intercepted cases

(₹ in crore)				
Sl. No.	IB	Number of vehicles intercepted for inspection of EWBs	Number of verification report submitted in form EWB-03	Amount involved
1.	CIB-Patna	695	255	8.60
2.	Magadh	1,259	232	3.37
3.	Purnea	245	243	6.80
4.	Patna East	197	197	6.12
5.	Saran	777	200	6.57
Total		3,173	1,127	31.46

(Source: Information provided by the Commercial Taxes Department, Government of Bihar)

Further, during audit of intercepted cases in selected IBs, it was observed that in 47 cases⁴⁰, the final report was recorded with delays of two days to 18 months. The reason for the same was not placed on record.

Non-recording of verification reports indicated that the prescribed rules on the interception of goods in transit were not followed and the higher authorities did not monitor the same.

On this being pointed out (January 2024), the Department stated (April 2024) that the directions have been issued to IBs of Patna East, Saran, Magadh and Purnea division for taking action as per law while action in respect of CIB-Patna is being taken separately.

⁴⁰ CIB-Patna-13 cases and Patna East- 34 cases.

Recommendation 9: Department may ensure compliance with relevant provisions of Bihar GST Act, 2017, for timely recording of the verification reports of every inspection of goods in transit.

2.3.15 Conclusion

The existing EWB system has substantial systemic deficiencies related to interlinking of EWB and GSTN portals which remained undetected by the system. These deficiencies allowed ineligible taxpayers to continue under the composition scheme without being brought under the ambit of a normal taxpayer of GST, generation of EWBs by cancelled taxpayers, multiple EWBs on the same invoices, EWBs for transactions effected through risky vehicles, EWBs by non-filers of return & by composition taxpayers for inter-state outward supply etc.

In addition to system deficiencies, substantive audit resulted in detection of non-discharge of tax liability (29 cases), availment of ineligible ITC (one case), incorrect passing of ITC (five cases) and non-generation of EWBs (three cases). involving potential tax effect of ₹ 6.23 crore. Besides, in 5,552 cases deficiencies related to generation of EWBs by composition/cancelled taxpayers, Non/NIL filers of GST returns and generation of duplicate EWBs using same invoice were also detected centrally, through data analysis of EWBs.

Thus, vulnerabilities/deviations having revenue impact were detected during audit despite the fact that the system was designed to monitor non-compliance with statutory provisions.

Regarding preventive mechanism, there was acute shortage of manpower in all the IBs and the vacancy position in respect of adjudicating authority ranged between 66 and 79 *per cent*. The IBs did not have specific targets for conducting EWB verifications. They also did not have a system for sharing analytical reports with the taxpayer's jurisdictional authorities for scrutiny. Out of total 1,36,062 EWBs verified in the State during 2018-19 to 2021-22, final inspection reports were recorded in only 3,100 cases (2.28 *per cent*).

2.3.16 Summary of Recommendations

Based on the audit findings the Department may consider the following recommendations.

- 1) ***Validation control in the EWB system may be incorporated to prevent generation of EWBs by the Composite levy scheme taxpayer for inter-state outward supply.***
- 2) ***Suitable validation control in the EWB system may be incorporated to prevent generation of EWBs by cancelled taxpayers.***
- 3) ***Suitable validation control in the EWB system may be incorporated to prevent use of same/similar invoice in generation of multiple EWBs.***
- 4) ***Suitable validation control in the EWB system may be incorporated to prevent use of risky vehicles for generation of EWBs and transportation of goods.***

- 5) *Validation control in the EWB system may be strengthened to block the EWB generation facilities for the taxpayers who have not filed returns for the prescribed period.*
- 6) *The Department may issue guidelines for verification of EWBs and scrutiny of returns of taxpayers having multiple registrations with the same PAN.*
- 7) *The Department may utilise the analytical reports of EWB generated by NIC to ascertain deficiencies in tax compliance by the taxpayers and share the same with the Jurisdictional authorities for use in the scrutiny of returns.*
- 8) *System needs to be devised for using the input received from the cases booked for further investigation and passing on information to the jurisdictional authorities.*
- 9) *Department may issue instructions for timely recording of the verification reports of every inspection of goods in transit.*

2.4 Subject Specific Compliance Audit on “Department’s Oversight on GST payments and Returns Filing (Phase-II)”

2.4.1 Introduction

Introduction of Goods and Services Tax (GST) has replaced multiple taxes levied and collected by the Centre and States. GST, which came into effect from 01 July 2017, is a destination based consumption tax on the supply of goods or services or both levied on every value addition. The Centre and States simultaneously levy GST on a common tax base. Central Goods and Services Tax (CGST) and State Goods and Services Tax (SGST)/Union Territory Goods and Services Tax (UTGST) are levied on intra state supplies and Integrated Goods and Services Tax (IGST) is levied on inter-state supplies.

Section 59 of the Bihar Goods and Services Tax Act (BGST), 2017, stipulates GST as a self-assessment based tax, whereby the responsibility for calculating tax liability, discharging the computed tax liability and filing returns is vested on the taxpayer. The GST returns must be filed online regularly on the common GST portal, failing which penalties will be payable. Even if the business has had no tax liability during a particular tax period, it must file a nil return mandatorily. Further, Section 61 of the BGST Act read with Rule 99 of Bihar Goods and Services Tax Rules 2017 stipulate that the Proper Officer may scrutinise the return and related particulars furnished by taxpayers, communicate discrepancies to the taxpayers and seek an explanation.

This Subject Specific Compliance Audit (SSCA) was taken up considering the significance of the control mechanism envisaged for tax compliance and the oversight mechanism of the Commercial Taxes Department (CTD), Bihar in this new tax regime.

2.4.2 Audit objectives

This audit was oriented towards providing reasonable assurance on the adequacy and effectiveness of systems and procedures adopted by the Department with respect to tax compliance under GST regime. Audit of “Department’s oversight on GST Payments and Return filing” was taken up with the following audit objective to seek an assurance on:

- i. Whether the rules and procedures were being duly observed by tax payers; and
- ii. Whether the scrutiny procedures, internal audit and other compliance functions of the circles were adequate and effective.

2.4.3 Audit methodology and scope

This SSCA was predominantly conducted based on data analysis, which highlighted risk areas and red flags pertaining to the period 2018-19 to 2020-21. Through data analysis, a set of 17 deviations were identified across the domains of ITC, discharge of tax liability, registration and return filing etc. Such deviations were followed up through a **Centralised Audit**⁴¹, whereby these deviations were communicated to the

⁴¹ Centralised audit did not involve seeking taxpayer’s granular records such as financial statements

relevant State departmental field formations (circles) and action taken by the circles on the identified deviations was ascertained without involving field visits.

The Centralised Audit was supplemented by a **Detailed Audit** involving field visits for verification of records available with the jurisdictional circles. Returns and related attachments and information were accessed through the GST portal (the back-end system) using Single Signed On User ID (SSOID) provided by the Commercial Taxes Department, Bihar, to examine data/documents relating to taxpayers viz., registration, tax payment, returns etc.

The Detailed Audit also involved accessing relevant granular records from the taxpayers such as invoices through the respective field formations. This apart, compliance functions of the departmental formation such as scrutiny of returns, were also reviewed in selected circles.

The review of the scrutiny of returns by the Department and verification of taxpayers' records covered the period from 2018-19 to 2020-21, while audit of the oversight functions of selected circles covered the period 2020-21.

The SSCA covered only the state administered taxpayers. The field audit was conducted from July 2023 to November 2023.

Entry conference of this SSCA was held on 19 April 2023 with the Commissioner of State Taxes, Bihar in which the audit objectives, sample selection, audit scope and methodology were discussed. The Exit Conference was held on 8 April 2024 with the Commissioner of State Taxes, Bihar in which the audit findings were discussed. The views expressed by the Commissioner of State Taxes, Bihar during the Exit Conference and the written replies to the draft report have been suitably incorporated in the relevant paragraphs.

2.4.4 Audit sample

There were three distinct parts of this SSCA as under:

(i) Part I- Audit of Circles

Eight circles⁴² and selected taxpayers were considered as sample for evaluation.

(ii) Part II- Centralised Audit

The sample for Centralised Audit was selected by identification of high value or high-risk deviations and inconsistencies between returns through data analysis. Accordingly, 369 taxpayers were selected for Centralised Audit under this SSCA and 671 deviations were communicated to the State tax authorities.

related ledger accounts, invoices, agreements etc.

⁴² Danpaur, Gandhi Maidan, Gopalganj, Muzaffarpur West, Patna City East, Patna South, Patna West and Supaul.

(iii) Part III- Detailed Audit

100 taxpayers pertaining to 24 circles⁴³ comprising of Large (L1 and L2)⁴⁴, Medium⁴⁵ and Small⁴⁶ strata taxpayers as well as taxpayers selected randomly, were sampled for detailed audit scrutiny.

2.4.5 Audit criteria

The source of audit criteria comprised the provisions contained in the BGST Act, IGST Act and Rules made thereunder. The significant provisions are given in **Table 2.9** below:

Table 2.9
Source of criteria

Sl. No.	Subject	Act and Rules
1	Levy and collection	Section 9 of BGST Act.
2	Reverse charge mechanism	Section 9(3) of BGST Act and Section 5 (3) of IGST Act.
3	Availing and utilising ITC	Sections 16 to 21 under Chapter V of BGST Act; Rules 36 to 45 under Chapter V of BGST Rules.
4	Registrations	Sections 22 to 25 of BGST Act; Rules 8 to 26 of BGST Rules.
5	Supplies	Sections 7 and 8 and Schedule I, II and III of the BGST Act.
6	Place of supply	Sections 10 to 13 of IGST Act.
7	Time of supply	Sections 12 to 14 of BGST Act.
8	Valuation of supplies	Section 15 of BGST Act; Rules 27-34 of BGST Rules.
9	Payment of tax	Sections 49 to 53 under Chapter X of BGST Act; Rules 85-87 under Chapter IX of BGST Rules.
10	Filing of GST returns	Sections 37 to 47 under Chapter IX of BGST Act; Rules 59 to 68 and 80 to 81 under Chapter VIII of BGST Rules (format of returns).
11	Zero rated supplies	Section 16 of IGST Act.
12	Scrutiny, Assessment and audit functions	Sections 61 to 66 under Chapter XII and XIII of BGST Act; Rules 99 to 102 under Chapter XI of BGST Rules.

In addition, the notifications and circulars issued by CBIC/State tax department relating to filing of returns, notifying the effective dates of filing of various returns, extending due dates for filing returns, rates of tax on goods and services, payment of tax, availing and utilising ITC, scrutiny of returns and oversight of tax compliance etc., also formed part of the audit criteria.

⁴³ Aurangabad, Bhagalpur, Danapur, Darbhanga, Gandhi Maidan, Gaya, Gopalganj, Hajipur, Jehanabad, Madhubani, Muzaffarpur West, Patliputra, Patna Central, Patna City East, Patna City West, Patna North, Patna South, Patna Special, Patna West, Saharsa, Samastipur, Sasaram, Shahabad and Supaul.

⁴⁴ First category comprising large taxpayers – top 0.25 per cent of taxpayers based on turnover (L1 category). Second category comprising the next set of large taxpayers – next 0.25 per cent of taxpayers based on turnover (L2 category).

⁴⁵ Third category comprising medium taxpayers – remaining taxpayers with a minimum turnover of ₹ 20 crore/₹ 10 crore/ ₹ 7.5 crore (minimum thresholds are defined to cater to varying levels of activity in state jurisdictions).

⁴⁶ Fourth category comprising small taxpayers – remaining taxpayers with a minimum turnover of ₹ 5 crore/₹ 2.5 crore (minimum thresholds are defined to cater to varying levels of activity in state jurisdictions).

Audit findings

This SSCA was oriented towards evaluating the oversight mechanism of the Department. Audit findings have been categorised into the following groupings:

- a. Circle Audit,
- b. Centralised Audit,
- c. Detailed Audit.

2.4.6 Circle Audit

2.4.6.1 Lack of action on late-filers and non-filers

Section 46 of the BGST Act, 2017 read with Rule 68 of BGST Rules, 2017 stipulates issue of a notice in Form GSTR-3A requiring filing of return within fifteen days if the taxpayer had failed to file the return within the due date. In case the taxpayer fails to file the returns even after such notice, the Proper Officers may proceed to assess the tax liability of the said person to the best of their judgment, taking into account all the relevant material which is available or gathered and issue an assessment order in Form ASMT-13. Filing of returns is related to payment of tax as the due date for both the actions are the same, which implies risk of non-payment of tax/penalty in the case of non-filers of returns.

During Circle Audit, as per information made available⁴⁷/information available on GST-BO web portal⁴⁸, it was noticed that total 2,777 cases of Non-filers/late filers cases were there during 2020-21. Out of which, GSTR-3A was issued in only 346 cases. As evident from GST-BO web portal no follow up was initiated in all remaining cases.

The Department replied (April 2024) that notice regarding non-filers i.e. GSTR-3A (November 2020 onwards) is system generated. Department does take action against non-filers of return (Top taxpayers) as per the provisions of the law and demand is also created.

The fact that the system could not issue notice in 2,431 cases points towards deficiencies in the system which need to be examined by the Department.

2.4.6.2 Inadequate monitoring mechanism

Rule 22(3) of the CGST/SGST Rules provides that where a person who has submitted an application for cancellation (REG-16) of his registration is no longer liable to be registered, the Proper Officer shall cancel the registration with effect from a date to be determined by him and notify the taxable person, directing him to pay arrears of any tax, interest or penalty including the amount liable to be paid under Sub-Section (5) of Section 29. In any case the effective date should not be a date earlier than the date of application for the same.

Rule 21A of the CGST/SGST Rules states that where a registered person has applied for cancellation of registration, the registration shall be deemed to be suspended from the date of submission of the application or the date from which the cancellation is

⁴⁷ Gopalganj, Patna City East and Patna South.

⁴⁸ Danapur, Gandhi Maidan, Muzaffarpur West, Patna West and Supaul.

sought, whichever is later, pending the completion of proceedings for cancellation of registration.

In test check of 75 taxpayers of five circles whose registration was cancelled by the Proper Officer, audit observed that there was undischarged tax liability ₹ 21.18 crore⁴⁹ lying against these taxpayers in the Electronic liability Register at the time of audit.

On this being pointed out, the Department replied (April 2024) that in cases of taxpayers whose intention is only to pass fake ITCs, the field officers cancel the registration from the preceding date. The reply is not acceptable as there was undischarged tax liability against the cancelled taxpayers and recovery was still pending.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX1ZT) under Gandhi Maidan Circle, whose registration was cancelled by Proper Officer on 08.06.2020, had undischarged tax liability amount of ₹ 3.69 crore lying in Electronic Liability Register of taxpayer as on 20 July 2023.

2.4.6.3 Delays in cancellation

The cancellation order in REG-19 under Rule 22 (3) of BGST Rules has to be issued within 30 days from the date of application (taxpayers request) or the date of reply to REG-17 in case of *suo moto* cancellation.

Out of 1,793 cases of cancellation (taxpayer's request) and 2,849 cases of *suo moto* cancellation, Audit noticed that in 854 cases falling under five circles⁵⁰, the cancellations were delayed beyond the stipulated period ranging from 1 to 875 days. The details of such cases are brought out in **Appendix 2.11**.

2.4.6.4 Inadequate follow up on non-filing of GSTR-10

As per Section 45 of the BGST Act, the final return i.e. GSTR-10 has to be filed within three months of the effective date of cancellation or the date of order of cancellation, whichever is later.

Audit observed in five circles⁵¹ that out of 4,642 cases where the registration was cancelled by the Proper Officer, GSTR-10 was not filed by 3,977 taxpayers. This indicates compliance deficiencies in filing of GSTR-10 across five circles as detailed in **Appendix 2.12**.

On this being pointed out (September-October 2023), the Department replied (April 2024) that they had issued a circular no. 1436 dated 21 March 2024 to its circle office for compliance.

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Sl. No.	Name of Circle	No. of cases	Undischarged tax liability (₹ in crore)
1	Danapur	26	3.68
2	Gandhi Maidan	5	3.79
3	Muzaffarpur West	36	12.98
4	Patna West	7	0.49
5	Supaul	1	0.24
	Total	75	21.18

⁵⁰ Danapur, Gandhi Maidan, Muzaffarpur West, Patna West and Supaul.

⁵¹ Danapur, Gandhi Maidan, Muzaffarpur West, Patna West and Supaul.

Recommendation 1: The Department may strengthen its monitoring mechanism and ensure due diligence in procedures for cancellation, issue of Show Cause Notices and recovery.

2.4.7 Centralised Audit

Compliance risk management is a continuous process demanding proactive action. With technology undergirding the entire process of return filing and tax administration, not only can the oversight on tax payments be maintained at different levels but a substantial part of it can also be non-intrusive and better targeted. The audit findings are discussed in the ensuing paragraphs:

2.4.7.1 Inconsistencies in GST returns- Centralised audit

Audit analysed GST returns data pertaining to 2018-19 to 2020-21 as made available by GSTN. Rule based deviations and logical inconsistencies between GST returns filed by taxpayers were identified on a set of 17 parameters, which can be broadly categorised into five domains, viz., ITC, turnover and tax payments, registration, return filing and short payment of interest.

Out of the 13 prescribed GST returns,⁵² the following basic returns that apply to normal taxpayers were considered for the purpose of identifying deviations, inconsistencies and mismatches between GST returns and data:

- **GSTR-1:** monthly return furnished by all normal and casual registered taxpayers making outward supplies of goods and services or both and contains details of outward supplies of goods and services.
- **GSTR-3B:** monthly summary return of outward supplies and ITC claimed, along with payment of tax by the taxpayer to be filed by all taxpayers except those specified under Section 39(1) of the BGST Act. This is the return that populates the credit and debits in the respective Electronic Credit Ledger.
- **GSTR-6:** monthly return for input service distributors providing the details of their distributed ITC and inward supplies.
- **GSTR-7:** monthly return to be filed by the persons who deduct tax at the time of making/crediting payment to suppliers towards the inward supplies received.
- **GSTR-8:** monthly return to be filed by the E-commerce operators who are required to deduct TCS (Tax collected at source) under GST, introduced in October 2018.
- **GSTR-9:** annual return to be filed by all registered persons other than an Input Service Distributor (ISD), tax deductor at source/tax collector at source, casual taxable person and non-resident taxpayer. This document contains the details of all supplies made and received under various tax heads (CGST,

⁵² *GSTR-1, GSTR-3B, GSTR-4 (Taxpayers under the composition scheme), GSTR-5 (Non-resident taxable person), GSTR-5A (Non-resident OIDAR service providers), GSTR-6 (Input service distributor), GSTR-7 (Taxpayers deducting TDS), GSTR-8 (E-commerce operator), GSTR-9 (Annual return), GSTR-10 (Final return), GSTR-11 (person having UIN and claiming a refund), CMP-08, and ITC-04 (Statement to be filed by a principal/job-worker about details of goods sent to/received from a job-worker).*

SGST and IGST) during the entire year along with turnover and audit details for the same.

- **GSTR-9C:** annual audit form for all taxpayers having a turnover above ₹ 5 crores in a particular financial year. It is basically a reconciliation statement between the annual returns filed in GSTR-9 and the taxpayer's audited annual financial statements.
- **GSTR-2A:** a system-generated statement of inward supplies for a recipient. It contains the details of all B2B transactions of suppliers declared in their Form GSTR-1/5, ISD details from GSTR-6, details from GSTR-7 and GSTR-8 respectively by the counterparty and import of goods from overseas on bill of entry, as received from ICEGATE Portal of Indian Customs.

The pan-State data analysis pertaining to State jurisdiction against identified parameters and extent of deviations/inconsistencies observed are summarised in **Table 2.10**.

Table 2.10
Summary of Pan-State data analysis

Sl. No.	Parameter	Algorithm used	No. of deviations	Mismatch ⁵³ Amount (₹ in crore)
Domain: ITC				
1	ITC mismatch between GSTR-2A and GSTR-3B	ITC available as per GSTR-2A with all its amendments was compared with the ITC availed in GSTR-3B in Table-4A (5) (accrued on domestic supplies) considering the reversals in Table-4B (2) but including the ITC availed in subsequent year from Table-8C of GSTR-9.	70	518.41
2	ITC availed without supplier remitting tax	ITC in GSTR-9, Table-8A was compared with ITC availed after amendments in GSTR-2A	53	210.59
3	ITC availed on GSTR-3B filed after limitation period	ITC availed in GSTR-3B, Table 4 filed by the taxpayer beyond the due dates (September) of GSTR-3B return of the following year	46	57.59
4	Incorrectly availing ISD credits	ISD transferred in GSTR-9, Table-6G or GSTR-3B, Table-4(A)(4) was compared with the sum of Table-5A, Table-8A and Table-9A of GSTR-6 of respective ISD.	35	7.69
5	ITC mismatch on RCM without payment	RCM payments in GSTR-9, Table-4G (tax payable) was compared with ITC availed in GSTR-9, Table-6C, 6D and 6F. In cases where GSTR-9 was not available, Reverse Charge Mechanism (RCM) payment in GSTR-3B, Table-3.1(d) was compared with GSTR-3B, Table- 4(A) (2) and 4A (3).	45	51.99
6	Unreconciled ITC in Table-12F of GSTR-9C	Positive figure in GSTR-9C, Table-12F and examination of reasons provided in Table- 13 for mismatch.	14	18.04
7	Unreconciled ITC in Table-14T of GSTR-9C	Positive figure in GSTR-9C, Table-14T and examination of reasons provided in Table-15 for mismatch.	11	36.62

⁵³ Tentative tax impact involved in the deviation cases prima-facie as a result of data analysis. These are subject to further verification of tax-payer's records and confirmation of tax demand by the Department.

Sl. No.	Parameter	Algorithm used	No. of deviations	Mismatch ⁵³ Amount (₹ in crore)
Domain: Tax payments				
8	Undischarged tax liability	Greater of tax liability between GSTR-1 (Tables-4 to 11) and GSTR-9 (Tables- 4N, 10 and 11) was compared with tax paid details in GSTR-3B, Tables-3.1(a) & 3.1(b). In cases where GSTR-9 was not available GSTR-3B tax paid was compared with GSTR-1 liability. The amendments and advance adjustments declared in GSTR-1 and 9 were duly considered.	78	3,578.23
9	Mismatch of taxable value in comparison with EWBs	Tax liability in GSTR-3B, Table-3.1(a) + 3.1(b) was compared with disclosures made in EWB tax liability.	55	0
10	Unreconciled taxable turnover in Table-9R of GSTR-9C	Negative figure in GSTR-9C, Table-9R and examination of reasons provided in Table-10 for mismatch.	12	50.04
11	Mismatch of taxable value identified through TDS/TCS declaration	Taxable value declared on account of outward taxable supplies (other than zero rated, nil rated and exempted) in GSTR-3B was compared with the net amount liable for Tax Collected at Source (TCS) and Tax Deducted at Source (TDS) credit as per GSTR-2A, Table-9.	26	252.04
12	Mismatch of taxable value (Unbilled Revenue)	Table 5B of GSTR-9C was compared with Table-5H of the previous GSTR-9C returns	16	0
13	Unreconciled taxable turnover in Table-7G of GSTR-9C	Negative figure in GSTR-9C, Table-7G and examination of reasons provided in Table-8 for mismatch.	22	0
Domain: Registration				
14	Composition taxpayers availed E-commerce facility	E-commerce GSTR-8 became effective from 01.10.2018 when TCS provisions became effective. GSTINs declared in GSTR-8 who are also filing GSTR-4 under composition scheme.	5	0.00
15	Ineligible composition levy due to incorrect turnover	Turnover of Composition taxpayers under all GSTINs of the same PAN have crossed the turnover limit of ₹ 1 crore in 2018-19 and ₹ 1.5 crore in 2019-20, but still availing the benefit of composition levy.	4	0.00
Domain: Returns				
16	GSTR-3B was not filed but GSTR-1 is available	Taxpayers who had not filed GSTR-3B but filed GSTR-1 or where GSTR-2A available, indicating taxpayers had carried the business without discharging tax.	50	28.15
Domain: Short payment of interest				
17	Interest not paid for delayed payments of tax	Interest calculated at the rate of 18 <i>per cent</i> on cash portion of tax payment on delayed filing of GSTR-3B vis-à-vis interest declared in GSTR-3B.	129	20.47
Total			671	4,829.86

2.4.7.2 Non-submission of reply by the Department

Audit selected a sample of 369 taxpayers against whom 671 audit queries on deviations/inconsistencies cases with respect to 17 parameters, (for 2018-19 to 2020-21) were issued to the respective circles. The audit checks in these cases were limited

to verifying the Department's action on the identified deviations/mismatches. Initial responses for 82 inconsistencies were yet to be received (as of June 2024), involving a mis-match of ₹ 248.34 crore. Details of these cases are listed in **Appendix 2.13**.

Recommendation 2: The Department may pursue inconsistencies and deviations, for which responses have not been provided and take corrective action wherever needed. Also, the Department may suitably incorporate the algorithms used in identifying mismatches in course of their regular scrutiny of returns.

2.4.7.3 Results of Centralised Audit

Based on responses received from the Department to audit queries, the extent to which the 17 identified parameters translated into compliance deviations are summarised as follows:

- **Summary of Centralised Audit**

Audit noticed deviations from the provisions of the Act in 589 cases involving tax/ inconsistencies of ₹ 4,600.90 crore constituting 87.78 per cent of the 671 inconsistencies/ mismatches in data, for which the Department provided responses. Relatively higher rates of deviations were noticed in risk parameters such as short/non-payment of interest, ITC mismatch, incorrect turnover declarations and short payment of tax.

Further, in 349 cases amounting to ₹690.30 crore, constituting 59.25 per cent, Department accepted audit observations. Of this, the department reported recovery of ₹ 11.01 crore in 41 cases, ASMT-10/SCN were issued in 256 cases, while in 52 cases correspondences were under process with the taxpayers. Data entry errors by taxpayers comprised 29 cases, department proactively had taken action in 88 cases and other valid explanations were provided in 123 cases. The details are given in **Appendix 2.14**.

During the Exit conference held on 8 April 2024, the Department provided replies to the audit observations which have been appropriately incorporated.

Dimension wise audit findings under Centralised audit are described below:

A. Deviations from GST laws and rules (349 cases)

(I) Input Tax Credit mismatch between GSTR-2A and GSTR-3B

In 12 circles, 22 taxpayers in 32 cases had availed ITC of ₹ 1,167.89 crore through GSTR-3B, whereas, ITC of ₹ 914.51 crore only was available in their GSTR-2A for the year 2018-21 leading to excess availing of ITC of ₹ 253.38 crore.

GSTR-2A is a purchase related dynamic tax return that is automatically generated for each business by the GST portal, whereas GSTR-3B is a monthly return in which summary of outward supplies along with ITC declared and payment of tax are self-declared by the taxpayer.

To analyse the veracity of ITC utilisation, relevant data were extracted from GSTR-3B and GSTR-2A for the year 2018-19 to 2020-21, and the ITC paid as per suppliers' details

was matched with the ITC credit availed by the taxpayer. The methodology adopted was to compare the ITC available as per GSTR-2A with all its amendments and the ITC availed in GSTR-3B in Table-4A (5)⁵⁴ considering the reversals in Table-4B(2)⁵⁵ but including the ITC availed in the subsequent year from Table-8C of GSTR-9.

Audit observed that 22 taxpayers in 32 cases under 12 circles⁵⁶, had availed ITC of ₹ 1,167.89 crore through GSTR-3B whereas ITC of ₹ 914.51 crore only was available in their GSTR-2A for the year 2018-21. This resulted in mismatch of ITC availed amounting to ₹ 253.38 crore as detailed in **Appendix 2.15**.

The Department replied (April 2024), that amount of ₹ 1.94 lakh was recovered in one case of Saran Circle, while in 21 cases of nine circles⁵⁷ notice/ASMT-10/DRC-01 was issued, in seven cases under four circles⁵⁸ Demand and Recovery Certificate (DRC)-07 were issued. Further, three cases of two circles⁵⁹, were under process.

An illustrative case is mentioned below:

A taxpayer (GSTIN- 10XXXXXXXXXX1ZD) under Patna City East Circle for the year 2018-19 had availed ITC worth ₹ 12.19 crore in Table-4A (5) of GSTR-3B, (considering the reversals in Table-4B (2) from Table-4A(5) of GSTR-3B but including the ITC availed in the subsequent year 2019-20 from Table-8C of GSTR-9) whereas the ITC available as per GSTR-2A with all its amendments was Nil. This resulted in mismatch of ITC availed amounting to ₹ 12.19 crore. In response to the audit query, the Department stated that DRC-07 was issued.

(II) Input Tax Credit availed without supplier remitting tax

Five taxpayers in seven cases of four circles had availed excess ITC amounting ₹ 9.50 crore without supplier remitting tax during the period 2018-19 and 2020-21.

While GSTR-2A is generated based on the disclosures made by the suppliers in their GSTR-1, the Table 8A of the GSTR-9 is auto-populated (non-editable) from Tables 3, 4, 5 and 6 of the GSTR-2A (Tables-3 and 5 of the old GSTR-2A format) and considers GSTR-2A as available on 31 October of the following financial year. Therefore, the following are not reflected in Table-8A:

1. GSTR-1/5 filed after the cut-off date (though details are available in GSTR-2A) as ITC availment is limited to GSTR-1/5 filed by the suppliers up to the tax period of September of the following financial year.
2. Supplies indicated as RCM in GSTR-1.
3. When the supplier has amended the GSTIN, credit is available to the amended GSTIN only.

⁵⁴ All other eligible ITC.

⁵⁵ Other ITC reversed.

⁵⁶ Forbesganj, Gandhi Maidan, Hajipur, Muzaffarpur East, Patliputra, Patna Central, Patna City East, Patna Special, Purnea, Saran, Sasaram and Shahabad.

⁵⁷ Forbesganj, Gandhi Maidan, Hajipur, Muzaffarpur East, Patliputra, Patna Central, Patna Special, Sasaram and Shahabad.

⁵⁸ Hajipur, Patna City East, Purnea and Saran.

⁵⁹ Patna Central and Patna Special.

4. Supplies pertaining to the period when the supplier was under the composition scheme.
5. Documents dated after the effective date of cancellation of the supplier.
6. Invoices, where the place of supply differs from the State of the recipient.

Audit observed that five taxpayers in seven cases of four circles⁶⁰ had availed ITC ₹ 9.50 crore without supplier remitting tax under GSTR-3B, as detailed in **Appendix 2.16**.

The Department replied (April 2024) that in four cases of three circles⁶¹ notice/DRC-01A/DRC-01 was issued, in two cases of Lakhisarai Circle DRC-07 was issued. In one case of Patna West Circle, action is under process.

An illustrative case is mentioned below:

A taxpayer (GSTIN- 10XXXXXXXXXX1ZC) registered in Patna Central Circle had ITC worth ₹ 9.44 crore available in GSTR-9 (Table-8A) during 2019-20. However, as per amended GSTR-2A, the taxpayer availed ITC of ₹ 13.39 crore without supplier remitting tax in GSTR-3B.

Thus, the taxpayer had availed excess ITC of ₹ 3.95 crore without supplier remitting tax. In response to the audit query, the Department stated that DRC-01 was issued.

(III) Input Tax Credit availed on GSTR-3B filed after limitation period

In 26 cases of 15 circles 20 taxpayers had availed ITC amounting ₹ 29.40 crore on GSTR-3B filed after limitation period for the period 2018-19 and 2020-21.

Section 16(4) of BGST Act provides for availing of ITC only till the due date of furnishing GSTR-3B for the month of September following the end of the Financial Year to which such ITC pertains or furnishing of relevant Annual Return, whichever is earlier. Accordingly, if any GSTR-3B is furnished after such time, ITC availed therein becomes inadmissible.

Audit observed that 20 taxpayers in 26 cases of 15 circles⁶² had availed ITC ₹ 29.40 crore on GSTR-3B filed after the limitation period as detailed in **Appendix 2.17**.

The Department replied (April 2024) that in eight cases of seven circles⁶³, DRC-07 was issued. In 18 cases of eight circles⁶⁴, notices/DRC-01 were issued.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX1ZW) registered in Khagaria Circle had availed ITC worth ₹ 1.16 crore in GSTR-3B (Table-4) though the GSTR-3B was filed after limitation period during 2018-19.

⁶⁰ Lakhisarai, Patliputra, Patna Central and Patna West.

⁶¹ Lakhisarai, Patliputra and Patna Central.

⁶² Bettiah, Bhagalpur; Biharsharif, Buxar, Danapur, Gandhi Maidan, Khagaria, Muzaffarpur West, Patna Central, Patna South, Raxaul, Saharsa, Saran, Sasaram and Shahabad.

⁶³ Bhagalpur; Biharsharif; Buxar; Khagaria, Raxaul, Saran and Shahabad.

⁶⁴ Bettiah, Danapur, Gandhi Maidan, Muzaffarpur West, Patna Central, Patna South, Saharsa and Sasaram.

(IV) Incorrect availing of Input Service Distributor credit by the recipients

In 11 cases of six circles, nine taxpayers had availed excess ISD credit for ₹ 1.31 crore for the year 2018-19 to 2020-21.

To analyse whether the ITC availed by the taxpayer is in excess of that transferred by the Input Service Distributor (ISD), ITC availed as declared in the returns of the taxpayer is compared with the ITC transferred by the ISD in their GSTR-6. The methodology adopted was to compare Table-6G⁶⁵ of GSTR-9 or Table-4(A)(4)⁶⁶ of GSTR-3B of the recipient taxpayers under the jurisdiction of this State with the sum of Table-5A⁶⁷, Table-8A⁶⁸ and Table-9A⁶⁹ of GSTR-6 of the respective ISD.

Audit observed that nine taxpayers in 11 cases under six circles⁷⁰, had availed excess ISD credit for ₹ 1.31 crore for the year 2018-19 to 2020-21 as detailed in **Appendix 2.18**.

The Department replied (April 2024) that in six cases of four circles⁷¹ DRC-01 were issued and in two cases of two circles⁷² DRC-07 was issued. In three cases of Patna Central Circle, the proceedings were under process.

An illustrative case is mentioned below:

A taxpayer (GSTIN- 10XXXXXXXXXX2ZX) under Patliputra Circle, had availed ISD credit of ₹ 0.33 crore for the year 2018-19 as declared in Table-6(G) minus nil reversal of ITC in table 7(H) of GSTR-9, but ITC of ₹ 0.17 crore only was transferred by the ISD in Table-(5A+8A+9A) of GSTR-6 return. This resulted in excess availing of ISD credit for ₹0.16 crore.

(V) Incorrect availing of Input Tax Credit/tax paid under Reverse Charge Mechanism

In 23 cases of five circles, 12 taxpayers had availed excess ITC of ₹ 20.29 crore under reverse charge mechanism for the year 2018-19 to 2020-21.

In Reverse Charge Mechanism (RCM), the liability to pay tax is fixed on the recipient of supply of goods or services instead of the supplier or provider in respect of certain categories of goods or services or both under Section-9(3) or Section-9(4) of BGST Act, 2017 and under sub-section (3) or sub-section (4) of Section-5 of IGST Act, 2017.

GSTR-9 is an annual return to be filed once for each financial year, by the registered taxpayers who were regular taxpayers, including Special Economic Zone (SEZ) units and SEZ developer. The taxpayers are required to furnish details of purchases, sales, ITC or refund claimed or demand created etc.

⁶⁵ ITC received from ISD.

⁶⁶ Inward supplies from ISD.

⁶⁷ Distribution of the amounts of eligible ITC for the tax period.

⁶⁸ Mismatch of ITC reclaimed and distributed.

⁶⁹ Redistribution of ITC distributed to a wrong recipient.

⁷⁰ Gandhi Maidan, Patliputra, Patna Central, Patna City West, Patna North and Patna West.

⁷¹ Gandhi Maidan, Patliputra, Patna City West and Patna West.

⁷² Patna North and Patna West.

In order to analyse the veracity of tax paid under RCM, the datasets in GSTR-3B and annual return GSTR-9 pertaining to RCM was compared to check whether the tax has been discharged fully on the activities/transactions under RCM. In cases where GSTR-9 was filed, the RCM payments in Table-4G was compared with ITC availed in Table-6C, 6D and 6F. In cases where GSTR-9 was not available, RCM payments in GSTR 3B Table-3.1(d) was compared with GSTR-3B 4(A)(2) and 4A(3).

Audit observed that 12 taxpayers in 23 cases of five circles⁷³ had incorrectly availed ITC ₹ 20.29 crore under RCM as detailed in **Appendix 2.19**.

The Department replied (October-November 2023) that amount of ₹ 2.42 lakh was recovered in three case of Patna South Circle, in nine cases of three circles⁷⁴ ASMT-10/DRC 01/01A was issued, in three cases of Patna Central Circle action was yet to be taken, and in eight cases of Darbhanga Circle, reply was not specific.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX2ZV) registered in Patna North Circle had availed ITC worth ₹ 1.86 crore in GSTR-9 under RCM during 2020-21 without payment of tax under reverse charge mechanism.

(VI) Unreconciled Input Tax Credit in Table-12F of GSTR-9C

In six cases of four circles, five taxpayers had declared unreconciled ITC of ₹ 4.69 crore in Table-12F of GSTR-9C, being ITC claimed in annual return (GSTR-9) in excess of eligible ITC as per audited annual financial statements.

Table-12 of GSTR-9C reconciles ITC declared in annual return (GSTR-9) with ITC availed as per audited annual financial statement or books of accounts. Column-12F of this Table deals with unreconciled ITC. The certified reconciliation statement submitted by the taxpayer as required under the Rule 80(3) of BGST Rules in form GSTR-9C for the year 2018-19 to 2020-21 was analysed at data level to review the extent of identified mismatch in ITC declared in the annual return with the financial statements.

Audit observed that five taxpayers in six cases of four circles⁷⁵ had declared unreconciled ITC of ₹ 4.69 crore in Table-12F of GSTR-9C, being ITC claimed in annual return (GSTR-9) in excess of eligible ITC, as per audited annual financial statements as detailed in **Appendix 2.20**.

The Department replied (October 2023 and March 2024) that in five cases of four circles⁷⁶, notices (DRC-01A/DRC-01/DRC-07) were issued. In one case of Patna South Circle, proceedings were underway.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX1ZB) registered in Patna South Circle had claimed ITC worth ₹ 10.61 crore in GSTR-9 (as per Table-12E of GSTR-9C) in

⁷³ Begusarai, Darbhanga, Patna Central, Patna North and Patna South.

⁷⁴ Begusarai, Patna North and Patna South.

⁷⁵ Begusarai, Patna Central, Patna South and Saran.

⁷⁶ Begusarai, Patna Central, Patna South and Saran.

the year 2018-19 whereas the taxpayer had availed ITC of ₹ 10.11 crore only as per financial statements (Table-12D of GSTR-9C). Thus, the taxpayer had availed excess ITC of ₹ 0.50 crore over the ITC availed as per audited financial statements which resulted in unreconciled ITC.

(VII) Unreconciled Input Tax Credit on expenses (Table-14T of GSTR-9C)

Un-reconciled ITC for ₹ 12.01 crore in three cases of three circles for the year 2018-19 and 2020-21.

Table-14 captures the expenses incurred by the taxpayer, which can be in the form of inputs, capital goods or services and reconciles the expenses incurred with the ITC availed. Any excess availed on account of ineligibility, blocked credits, composition scheme is highlighted in Table-14T.

Audit observed that in respect of three taxpayer in three cases under three circles⁷⁷, there was non-reconciliation of ITC of ₹ 12.01 crore as detailed in **Appendix 2.21**.

The Department replied (October 2023) that DRC-01 was issued in all three cases of the three circles.

An illustrative case is mentioned below:

In case of taxpayer (GSTIN- 10XXXXXXXXXX1ZQ) under Patna South Circle, there was non-reconciliation of ₹ 2.09 crore for the year 2020-21.

(VIII) Undischarged tax liability

Mismatch of tax liability of ₹ 161.57 crore in 32 cases of 21 taxpayers in 12 circles for the year 2018-21.

GSTR-1 depicts the monthly details of outward supplies of Goods or Services. This detail is also assessed by the taxpayer and mentioned in annual return GSTR-9 in the relevant columns. Further, taxable value and tax paid thereof is also shown in GSTR-3B.

To analyse the undischarged tax liability, relevant data were extracted from GSTR-1, and GSTR-9 for the years 2018-19 to 2020-21, and the tax payable in these returns was compared with the tax paid declared in GSTR-9. Where GSTR-9 was not available, a comparison of tax payable between GSTR-1 and those shown to be paid in GSTR-3B was resorted to. The amendments and advance adjustments declared in GSTR-1 and 9 were also considered for this purpose. For the algorithm, Tables-4 to 11 of GSTR-1 and Tables-4G, 4N, 10, and 11 of GSTR-9 were considered. The greater of tax liability between GSTR-1 and GSTR-9 was compared with the tax paid declared in Tables-9 and 14 of GSTR-9 to identify the short payment of tax. In the case of GSTR-3B, Tables-6.1 minus Table-3.1(d) were taken into account.

Audit observed that 21 taxpayers in 32 cases of 12 circles⁷⁸ had paid ₹ 153.98 crore only, against the tax liability of ₹ 315.55 crore. This resulted in mismatch of tax liability of ₹ 161.57 crore for the year 2018-21 as detailed in **Appendix 2.22**.

⁷⁷ Begusarai, Patna South and Shahabad.

⁷⁸ Bhabhua, Bhagalpur, Danapur, Jehanabad, Patna Central, Patna North, Patna South, Raxaul, Samastipur, Sasaram, Shahabad and Siwan.

The Department replied that the amount of ₹ 3.64 crore was recovered in seven cases of five circles⁷⁹, and in 16 cases of six circles⁸⁰, notices/ DRC-01/DRC-01A were issued to the taxpayers. In two cases of two circles⁸¹, DRC-07 were issued and in seven cases of two circles⁸², proceedings were initiated.

In response to the Samastipur Circle case, the Department replied (October 2023) that the DRC-01 was issued for ₹ 0.70 crore as the taxpayer had already paid his tax ₹ 9.01 crore through GSTR-3B

An illustrative case is mentioned below:

A taxpayer (GSTIN- 10XXXXXXXXXX1ZC) under Samastipur Circle had shown tax liability of ₹ 9.52 crore in GSTR-1 and nil in GSTR-9 for the year 2020-21. However, the taxpayer had not paid his tax liability as per Table-9 of GSTR-9. This resulted in undischarged tax liability of ₹ 9.52 crore (greater of the tax liability between GSTR-1 and GSTR-9).

IX) Mismatch of taxable value in comparison with EWBs

Mismatch of EWB tax liability of ₹ 62.02 crore in 28 cases of 20 taxpayers in 16 circles for the year 2018-21.

EWB system is for GST registered person/enrolled transporter for generating the waybill electronically on commencement of movement of goods⁸³ exceeding the value of ₹ 50,000 in relation to supply or for reasons other than supply or due to inward supply from an unregistered person.

To analyse the extent of short-payment of tax, relevant data related to tax liability declared in GSTR-3B for the years 2018-19 to 2020-21 were compared with disclosures made in EWB. For the algorithm, the cases where GSTR-3B Table-3.1 (a) + 3.1 (b) tax payable were less than the tax liability declared in the EWB were chosen.

Audit observed that 20 taxpayers in 28 cases of 16 circles⁸⁴, against the EWB tax liability of ₹ 501.78 crore, the taxpayer admitted tax liability in GSTR-3B amount was ₹ 439.76 crore only. This resulted in mismatch of EWB tax liability of ₹ 62.02 crore for the year 2018-21 as detailed in **Appendix 2.23**.

On this being pointed out, the Department replied (April 2024) that amount of ₹ 39.66 lakh was recovered in one case of Patna North Circle, while in 12 cases of seven circles⁸⁵ notices/ DRC-01 were issued to the taxpayers. Further, in seven cases of five circles⁸⁶

⁷⁹ Bhabhua, Bhagalpur, Jehanabad, Raxaul and Siwan.

⁸⁰ Danapur, Jehanabad, Patna Central, Patna South, Samastipur and Shahabad.

⁸¹ Patna North and Patna South.

⁸² Patna South and Sasaram.

⁸³ EWB for intra-state if the consignment value exceed ₹ 1.00 lakh and for inter-state, the consignment value exceed ₹ 50,000.

⁸⁴ Begusarai, Danapur, Gopalganj, Hajipur, Khagaria, Kishanganj, Muzaffarpur East, Patliputra, Patna Central, Patna City West, Patna North, Patna South, Patna Special, Saran, Sasaram and Shahabad.

⁸⁵ Danapur, Hajipur, Muzaffarpur East, Patna Central, Patna North, Patna Special and Saran.

⁸⁶ Hajipur, Kishanganj, Patna City West, Patna South and Shahabad.

DRC-07 were issued and in six cases of four circles⁸⁷ proceedings were initiated. The Department also stated that in two cases of two circles⁸⁸ taxpayers are non-existent.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX1ZB) under Patna South Circle had shown tax liability of ₹ 17.48 crore in GSTR-3B while ₹ 25.74 crore of tax liability was shown in EWB for the same period. This resulted in mismatch in tax liability of ₹ 8.26 crore.

(X) Unreconciled tax liability in Table-9R of GSTR-9C

Unreconciled payment of tax for ₹ 25.13 crore in Table-9R of GSTR-9C in six cases of six taxpayers in six circles.

The certified reconciliation statement submitted by the taxpayer as required under Rule 80(3) of BGST Rules in form GSTR-9C for the year 2018-21 was analysed at data level to review the extent of identified mismatch in tax paid between the annual return and the books of account. Table-9 of the form GSTR-9C attempts to reconcile the tax paid by segregating the turnover rate-wise and comparing it with the tax discharged as per annual return (GSTR-9). The unreconciled amounts could potentially indicate tax levied at incorrect rates, incorrect depiction of taxable turnover as exempt or *vice versa* or incorrect levy of CGST/BGST/IGST/cess. There could also be situations wherein supplies/tax declared are reduced through amendments (net of debit notes/credit notes) in respect of the 2018-21 transactions carried out in the subsequent year from April to September. Consequential interest payments for both short payments and payments under incorrect heads were also examined in this regard.

Audit observed that in case of six taxpayers of six circles⁸⁹, there was unreconciled payment of tax for ₹ 25.13 crore in Table-9R of GSTR-9C as detailed in **Appendix 2.24**.

On this being pointed out, the Department replied (April 2024) that amount of ₹ 0.09 lakh was recovered in one case of Kishanganj Circle, while in three cases of three circles⁹⁰ DRC-01/notices were issued to the taxpayer. In two cases of two circles,⁹¹ proceedings were under process.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX1Z8) under Bagaha Circle had unreconciled payment of tax of ₹ 4.98 crore as declared in Table-9R of GSTR-9C for the year 2019-20.

⁸⁷ Begusarai, Patliputra, Patna Special and Sasaram.

⁸⁸ Gopalganj and Khagaria.

⁸⁹ Bagaha, Kishanganj, Patna Central, Patna Special, Saran and Shahabad.

⁹⁰ Bagaha, Saran and Shahabad.

⁹¹ Patna Central and Patna Special.

(XI) Mismatch of taxable value identified through TDS/TCS declaration**Mismatch of tax liability of TDS/TCS of ₹ 64.91 crore in 12 cases of eight taxpayers in seven circles.**

TDS and TCS details are declared in GSTR-7 and GSTR-8 respectively and communicated to the registered person in Table-9 of GSTR-2A. The cases where the taxable value declared on account of outward taxable supplies (other than zero rated, nil rated and exempted) in GSTR-3B were less than the net amount liable for TCS and TDS credit as per Table-9 of GSTR-2A have been identified.

Audit observed that with regard to eight taxpayers in 12 cases of seven circles⁹², there was mismatch in tax liability for ₹ 64.91 crore in GSTR-3B and Table-9 of GSTR-2A as detailed in **Appendix 2.25**.

The Department replied (April 2024) that in two cases of Patna Central Circle, amount of ₹ 3.81 crore was recovered. Further, in three cases of three circles⁹³ notices (ASMT-10/DRC-01) were issued to the taxpayers, while in six cases of four circles⁹⁴ DRC-07 were issued.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX1ZT) under Bihar Sharif Circle had unreconciled payment of tax of ₹ 3.22 crore for the year 2018-19 as the taxpayer's declared outward taxable supplies of ₹ 0.11 crore in GSTR-3B were less than the net amount liable for TDS credit of ₹ 3.33 crore as per Table-9 of GSTR-2A. In response to the audit query, the DRC-01 was issued by the circle.

(XII) Mismatch of taxable value (unbilled revenue)**Inconsistency of taxable turnover of ₹ 561.31 crore in Table-5B and Table-5H of GSTR-9C, in 11 cases of seven taxpayers in six circles.**

Table-5B figures of GSTR-9C for the years 2018-19 to 2020-21 which captures the unbilled revenue at the beginning of the financial year was compared with Table-5H of the previous GSTR-9C returns which captures the unbilled revenue of the end of the year to review the extent of identified mismatch in turnover declared in the Annual Return with the Financial Statements.

Unbilled revenue accounts for that part of transactions that are recorded in the books of accounts on an accrual basis but against which, no invoices have been issued till the close of the financial year. Ideally, the unbilled revenue at the beginning of the year in GSTR-9C Table-5B should tally with the unbilled revenue of the previous GSTR-9C shown in Table-5H. Any mismatch could be an indication of suppression of taxable turnover. Since the taxpayers have been provided with an option of not declaring these figures separately and just reporting the adjustments in Table-5O, only cases where both 5B and 5H figures are declared are considered.

⁹² Bihar Sharif, Danapur, Hajipur, Madhepura, Patna Central, Patna City East and Patna North.

⁹³ Bihar Sharif, Patna Central and Patna North.

⁹⁴ Danapur, Hajipur, Madhepura and Patna City East.

Audit observed that with regard to seven taxpayers in 11 cases under six circles⁹⁵, there was unreconciled taxable turnover for ₹ 561.31 crore as declared in Table-5B and Table-5H of GSTR-9C as detailed in **Appendix 2.26**.

On this being pointed out, the Department replied (April 2024) that amount of ₹ 7.87 lakh was recovered in one case of Patna North Circle, and in nine cases of six circles⁹⁶ DRC-01 was issued. In one case of Sasaram Circle, proceedings had been initiated.

An illustrative case is highlighted below:

A taxpayer (GSTIN-10XXXXXXXXXX1ZR) under Biharsharif Circle for the year 2020-21 had unbilled revenue of ₹ 0.21 crore in Table-5H of previous year's GSTR-9C but not taken in 5B of GSTR-9C. In response to the audit query, the Department stated (October 2023) that ASMT-10 was issued to the taxpayer.

(XIII) Unreconciled taxable turnover in Table-7G of GSTR-9C

Inconsistency of taxable turnover of ₹ 1,090.99 crore was declared in Table-7G of GSTR-9C, in four cases of three taxpayers in three circles.

Table-7 of GSTR-9C is the reconciliation of taxable turnover. Column- 7G of this table captures the unreconciled taxable turnover between the annual return (GSTR-9) and that declared in the financial statement for the year after the requisite adjustments.

The certified reconciliation statement submitted by the taxpayer as required under the Rule 80(3) of BGST Rules in Form GSTR-9C for the year 2018-21 was analysed at data level to review the extent of identified mismatch in taxable turnover reported in the annual return *vis-à-vis* the financial statements. The unreconciled amount in cases where the turnover in GSTR-9 is less than the financial statement indicates non-reporting, short-reporting, omission, error in reporting of taxable supplies. It could also be on account of non-reporting of both taxable and exempted supplies.

Audit observed that for three taxpayers in four cases under three circles⁹⁷, there was unreconciled taxable turnover for ₹ 1,090.99 crore as declared in Table-7G of GSTR-9C as detailed in **Appendix 2.27**.

The Department replied (April 2024) that amount of ₹ 1.66 lakh was recovered in one case of Bhagalpur Circle, and in three cases of two circles⁹⁸ notices/ DRC-01/ASMT-10 were issued.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX1ZH) under Patna City West Circle for the year 2020-21 had declared unreconciled taxable turnover of ₹ 41.43 crore in Table-7G of GSTR-9C. In response to the audit query, ASMT-10 was issued to the taxpayer.

⁹⁵ Biharsharif, Danapur, Patna Central, Patna North, Patna Special and Sasaram.

⁹⁶ Biharsharif, Danapur, Patna Central, Patna North, Patna Special and Sasaram.

⁹⁷ Bhagalpur, Patna City West and Patna West.

⁹⁸ Patna City West and Patna West.

(XIV) Composition taxpayers also availing E-commerce facility

Two composition taxpayers were availing E-commerce facility in two cases of two circles.

As per section 10(2) of BGST Act, 2017, a registered person was eligible to opt for composition levy if he was not engaged in making any supply of goods through electronic commerce (E-commerce) operator. In order to identify those composition taxpayers⁹⁹ who had availed the E-commerce facility, the data of GSTR-8¹⁰⁰ filed by the E-commerce operators and GSTR-4¹⁰¹ filed by the composition taxpayers were compared to check whether the recipient GSTINs mentioned in GSTR-8 return had also filed GSTR-4 return. Since the GSTR-8 return became effective only from 1 October 2018, this exercise was undertaken under the presumption that these taxpayers would also have availed the facility of E-commerce operators in 2018-19 to 2020-21.

Audit observed that, two composition taxpayers were also availing E-commerce facility in two cases under two circles¹⁰² for the year 2018-21 as detailed in **Appendix 2.28**.

Further, the Department also replied (April 2024) that in two cases of two circles¹⁰³, DRC-01 had been issued.

An illustrative case is mentioned below:

A composition taxpayer (GSTIN-10XXXXXXXXXX1ZB) under Patna South Circle was availing E-commerce facility during 2020-21. In response, it was stated that DRC-01A was issued.

(XV) Irregular availing of the benefit of Composition Levy

In Buxar Circle, one taxpayer had availed benefits of composition levy despite the fact that turnover of composition taxpayers had crossed the limit of ₹ one crore in 2018-19 and ₹ 1.50 crore in 2019-20.

The composition levy is an alternative method of levy of tax designed for small taxpayers whose turnover is up to ₹ 75 lakh. The objective of composition scheme is to bring simplicity and to reduce the compliance cost for small taxpayers. Moreover, it is optional and the eligible person opting to pay tax under this scheme can pay tax at a prescribed percentage of his turnover every quarter, instead of paying tax at normal rate. The turnover limit for the year 2018-19 and 2019-20 to 2020-21 was increased to ₹ 1.00 crore and ₹ 1.50 crore respectively.

Audit observed that one taxpayer in three cases (in three different years) of Buxar Circle had availed benefits of composition levy despite having crossed the specified turnover limit for the year 2018-19 to 2020-21 as detailed in **Appendix 2.29**.

⁹⁹ A manufacturer, trader or service provider whose aggregated turnover is less than ₹ 1.50 crore (₹ 75 lakhs for the Special Category States) who have opted for composition levy-an alternate method of levy designed for small taxpayers.

¹⁰⁰ It is a monthly return to be filed by e-commerce operators registered under GST.

¹⁰¹ It is a return that is filed by the taxpayers opting for composition scheme on an annual basis though until the financial year 2018-19, the return was filed every quarter which got replaced by CMP-08.

¹⁰² Patna Central and Patna South.

¹⁰³ Patna Central and Patna South.

On this being pointed out, the Department replied (April 2024) that in one case of Buxar Circle, amount of ₹ 0.70 lakh was recovered while in two other cases DRC-01 were issued.

(XVI) Cases where GSTR-3B not filed but GSTR-1 available

In 34 cases of 14 circles, 23 taxpayers had filed GSTR-1 and declared tax liability of ₹ 17.53 crore for the year 2018-21, without filing GSTR-3B return.

Section 39 of the BGST Act, 2017, read with Rule 61(5) of the BGST Rules, 2017 provides for filing of GSTR-3B returns. At the data level, Audit attempted to identify those taxpayers who had not filed GSTR-3B but had filed GSTR-1 or whose GSTR-2A was available. GSTR-3B return is an instrument through which the liability is offset and ITC is availed. The very availability of GSTR-1 and GSTR-2A and non-filing of GSTR-3B indicated that the taxpayers had undertaken/carried on the business during the period but had not discharged their tax liability. The data relating to GSTR-1 and GSTR-3B were analysed, and those cases where GSTR-3B was not filed were extracted.

Audit observed that 23 taxpayers in 34 cases under 14 circles¹⁰⁴ had filed GSTR-1 and declared tax liability of ₹17.53 crore for the years 2018-19 to 2020-21 but they had not filed GSTR-3B return. This resulted in undischarged tax liability of ₹ 17.53 crore. It was also observed that the registrations of these taxpayers were cancelled as detailed in **Appendix 2.30**.

On this being pointed out, the Department replied (April 2024) that amount ₹ 25.06 lakh was recovered in one case of Patna South Circle, and in eight cases of three circles¹⁰⁵ notices/ DRC-01 were issued. Further, in 22 cases of nine circles¹⁰⁶ DRC-07 were issued and in three cases of two circles¹⁰⁷, it was stated that the proceedings were under process.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX1ZI) under Patna City East Circle had admitted tax liability of ₹1.20 crore in GSTR-1, but the taxpayer had not filed GSTR-3B return and did not pay tax. This resulted in undischarged tax liability of ₹ 1.20 crore. In response, the Department replied that the DRC-01 was issued.

(XVII) Short Payment of interest on delayed payments

In 109 cases of 22 circles, 40 taxpayers had short payment of interest on delayed payment of tax amounting ₹ 16.68 crore for the year 2018-19 to 2020-21

The extent of short payment of interest on account of delayed remittance of tax during 2018-19 to 2020-21 was identified through the tax paid details in GSTR-3B and the

¹⁰⁴ Aurangabad, Begusarai, Buxar, Gandhi Maidan, Gaya, Khagaria, Madhepura, Motihari, Patna Central, Patna City East, Patna City West, Patna South, Patna West and Sasaram.

¹⁰⁵ Begusarai, Patna City East and Sasaram.

¹⁰⁶ Buxar, Gandhi Maidan, Gaya, Khagaria, Madhepura, Motihari Patna City East, Patna City West and Patna West.

¹⁰⁷ Aurangabad and Patna Central.

date of filing of the GSTR-3B. The due date of filing of GSTR-3B for the respective months (including any extension provided) and the actual date of filing of GSTR-3B were taken into account to work out the interest liability and only the net tax liability (cash component) was considered to work out the interest payable.

All the relaxations, and reduced rate of interest extended to the industries during the COVID -19 Phase I from January to April 2020 and Phase II for March 2021 returns were considered while working out the interest component. It may also be noted that the interest worked out is only minimum, as for the supplies made prior to the tax period and declared in the return for the said tax period, the interest has to be discharged on the entire tax component. Due to the non-availability of such bifurcation, the interest on such supplies have also been worked out only on the cash component.

Audit observed that with regard to 40 taxpayers in 109 cases of 22 circles¹⁰⁸, there was short payment of interest amounting to ₹ 16.68 crore on delayed payments of tax for the year 2018-19 to 2020-21 as detailed in **Appendix 2.31**.

On this being pointed out, the Department replied (April 2024) that amount of ₹ 2.76 crore was deposited through DRC-03 in 22 cases of eight circles¹⁰⁹, while in 46 cases of 11 circles¹¹⁰ notices/ ASMT-10/DRC-01 had been issued. Besides this, in 31 cases of nine circles¹¹¹ the Department replied that the demand notice/ DRC-07 was issued and in 10 cases of two circles¹¹² the reply was not specific.

An illustrative case is mentioned below:

A taxpayer (GSTIN-10XXXXXXXXXX1ZO) registered in Supaul Circle had short paid of interest amounting ₹ 0.15 crore on delayed payment of tax for the year 2018-19. Amount was deposited through DRC 03 on 13-10-2023.

B) Data entry errors by taxpayers (29 cases)

Data entry errors constituted five *per cent* (29 out of 589 cases) of the total responses received and eight *per cent* (29 out of 349 cases) of cases where the Department's responses were accepted by Audit. These data entry errors did not have any revenue implication. Most of the data entry errors related to RCM, undischarged tax and tax paid as detailed in **Appendix 2.32**.

An illustrative case is mentioned below:

A deviation amounting to ₹ 45.63 crore was identified as there was EWB tax liability ₹ 46.77 crore during year 2020-21 in comparison of GSTR-3B tax liability ₹ 1.14 crore of a taxpayer (GSTIN-10XXXXXXXXXX1ZA) under Patna City West Circle and communicated to the Department. The Department replied that the deviation

¹⁰⁸ Aurangabad, Bagaha, Barh, Begusarai, Bhabhua, Buxar, Danapur, Gandhi Maidan, Gaya, Gopalganj, Hajipur, Katihar, Lakhisarai, Motihari, Muzaffarpur East, Patna Central, Patna North, Patna South, Saran, Sasaram, Shahabad and Supaul.

¹⁰⁹ Aurangabad, Bhabhua, Buxar, Gandhi Maidan, Gaya, Muzaffarpur East, Patna North and Supaul.

¹¹⁰ Aurangabad, Begusarai, Buxar, Danapur, Gandhi Maidan, Hajipur, Patna North, Patna South, Saran, Sasaram and Shahabad.

¹¹¹ Bagaha, Barh, Begusarai, Gandhi Maidan, Gopalganj, Katihar, Lakhisarai, Motihari and Patna South.

¹¹² Patna Central and Supaul.

amounting ₹ 46.16 crore was generated in EWB for Cess value due to a typographical error by the taxpayer.

C) Action taken before issue of audit queries (88 cases)

The Department had already taken action in 88 cases, constituting 15 per cent of the 589 responses received. Top five circles that had proactively addressed the deviations/inconsistencies are indicated in **Table 2.11**.

Table 2.11
Action taken before audit query

Circle	Action taken before audit query (No. of cases)	Total number of audit queries	Responses received (No. of cases)	Percentage of action taken before audit queries
Patliputra	12	33	27	36
Muzaffarpur west	7	13	13	54
Begusarai	6	27	27	22
Danapur	6	16	16	38
Shahabad	6	26	25	23
Total	37	115	108	32

Recommendation 3: The Department may strengthen tax compliance, improve data accuracy, and enhance monitoring and review processes to reduce deviations and inconsistencies.

2.4.8 Detailed Audit of GST returns

From an external audit perspective, Audit also focused on a data driven risk-based approach. Thus, apart from identifying inconsistencies/deviations in GST returns through a pan-State data analysis, a detailed audit of GST returns was also conducted as a part of this review. A risk-based sample of 100 taxpayers was selected for this part of the review. The methodology to be adopted was to initially conduct a desk review of GST returns and financial statements filed by the taxpayers as part of the GSTR-9C and other records available in the back-end system to identify potential risk areas, inconsistencies/deviations and red flags. Based on desk review results, detailed audit was to be conducted in the circles by requisitioning corresponding granular records of taxpayers such as financial ledgers, invoices etc., to identify causative factors for the identified risks and to evaluate compliance by taxpayers.

A) Scope limitation (partial production of records)

During the desk review of taxpayers' records, available in the back-end system, Audit identified the risks related to excess ITC and tax liability mismatches for detailed examination. On the ITC dimension, the mismatches were identified by comparing GSTR-3B with GSTR-2A and GSTR-9, and the declarations made in Table-12 and 14 of GSTR-9C. On the tax liability dimension, the mismatches were identified by comparing GSTR-3B with GSTR-1 and GSTR-9 and the declarations in Table-5, Table-7 and Table-9 of GSTR-9C.

Audit requisitioned the granular records of the taxpayers through the respective circles such as the supplementary financial ledgers, invoices, agreement copies etc., for examining the causative factors for mismatches of ITC and tax liability. However, the Department did not produce the corresponding granular records of taxpayers in 98 cases out of 100 cases. The Circle wise partial production of records is detailed in **Appendix 2.33**.

On this being pointed out in audit, the Proper Officers of five circles¹¹³ stated that there is no mechanism to call for records from the taxpayer under GST Act. The Proper Officers of four circles¹¹⁴ stated that the matter will be examined while in case of two circles¹¹⁵ it was stated that records available on GST portal have been provided. The Proper Officers of two circles¹¹⁶ stated that records will be sought from the taxpayers and will be made available to Audit and no replies were received from nine circles¹¹⁷.

The Department replied (April 2024) that the granular records were not available on GST Portal or as MIS Report and there was no compulsion for taxpayers to upload such records on the GST Portal.

The reply is not acceptable as apart from the records uploaded along with GST returns by taxpayers, additional granular records sought for by Audit were based on identified discrepancies/mismatches, which the Department needs to obtain from the taxpayers and provide to Audit. In this regard, Regulation 19 (6) of Regulations on Audit and Accounts, 2020 provides that it is the statutory obligation, of the officer-in-charge of the auditable entity, as per Section 18 (2) of the DPC Act, 1971 to comply with requests by Audit for data, information and documents.

B) Detailed Audit findings

Due to non/partial production of records as discussed in preceding paragraph, audit was constrained to carry out detailed audit of the selected cases based on the mismatches identified between GSTR-3B, GSTR-2A and GSTR-9, and the declarations made in relevant Tables of GSTR-9C. The summary of Detailed Audit findings is given in **Table 2.12** and discussed in the succeeding paragraphs:

Table 2.12
Summary of Detailed Audit findings

Sl. no.	Parameter	No. of deviations	Amount (₹ in crore)	Amount recovered (₹ in crore)
1	Short/non-payment of interest by taxpayers	54	2.01	0.08
2	Mismatch of ITC as per supplier's details with ITC availed by the taxpayers	55	42.29	1.88
3	Mismatch of availing ITC in GSTR-3B and the amount declared in annual return (Table-6J of GSTR-9)	42	386.62	0

¹¹³ Aurnagabad, Gandhi Maidan, Gaya, Patliputra and Supaul.

¹¹⁴ Gopalganj, Madhubani, Patna Special and Saharsa.

¹¹⁵ Jehanabad and Patna South.

¹¹⁶ Hajipur and Patna City East.

¹¹⁷ Bhagalpur, Danapur, Muzaffarpur West, Patna Central, Patna City West, Patna North, Patna West, Sasaram and Shahabad.

Sl. no.	Parameter	No. of deviations	Amount (₹ in crore)	Amount recovered (₹ in crore)
4	ITC availed on GSTR-3B filed after limitation period	2	4.08	0
5	Non/short payment of tax and discrepancy between ITC availed and payment made under reverse charge mechanism	13	0.38	0
6	Excess availing of ITC on import of goods	2	0.20	0
7	Short reversal of ITC	5	0.74	0
8	Short admittance of tax liability in GSTR-9/3B as compared to GSTR-1	29	7.25	0.01
9	Short payment of Tax	20	4.61	0
10	Non-payment of tax due under Reverse Charge Mechanism	15	0.72	0.05
11	Mismatch of turnover (Unbilled Revenue)	5	0	0
12	Mismatch of taxable value identified through Tax Deducted at Source declaration	2	0.56	0
Total		244	449.46	2.02

In absence of granular records, the audit findings are categorised under (I) Utilisation of ITC, (II) Discharge of tax liability and (III) short/non-payment of interest.

I. Utilisation of Input Tax Credit

ITC means the Goods and Services Tax paid by a taxable person on purchase of goods and/or services that are used in the course of furtherance of business. To avoid cascading effect of taxes, credit of taxes paid on input supplies can be used to set-off payment of taxes on outward supplies.

Section 16 and 17 of the BGST Act prescribe the eligibility and conditions to avail ITC. Credit of CGST cannot be used for payment of SGST/UTGST and *vice-versa*. Rules 36 to 45 of the BGST Rules prescribe the procedures for availing and reversal of ITC.

Table 2.13
Utilisation of Input Tax Credit

Sl. No.	Risk parameter	No. of instances	No. of circles	Amount of mismatches (₹ in crore)	Remarks
1.	Mismatch of Input Tax Credit as per supplier's details with Input Tax Credit availed by the taxpayers	55	12	42.28	When this was pointed out, the Department replied (April 2024) that the amount of ₹1.88 crore was recovered in four cases of two circles ¹¹⁸ , and in 20 cases of 8 (eight) circles ¹¹⁹ notices/order were issued. In 31 cases of seven circles ¹²⁰ , the reply was awaited (June 2024).
		Details are in Appendix 2.34(A) and B			

¹¹⁸ Patna Special and Patliputra.

¹¹⁹ Gopalganj, Patna Central, Patna City East, Patna City West, Patliputra, Patna North, Patna South and Patna Special.

¹²⁰ Aurangabad, Danapur, Gaya, Muzaffarpur West, Patna Central, Patna Special and Patna City East.

Sl. No.	Risk parameter	No. of instances	No. of circles	Amount of mismatches (₹ in crore)	Remarks
2.	Mismatch of the Input Tax Credit in GSTR-3B in comparison to the annual return	27	06	156.76	The Department replied (April 2024) that in 10 cases of four circles ¹²¹ notices/order were issued. In 17 cases of five circles, the reply was awaited (June 2024).
		Details are in Appendix 2.35			
3.	Input Tax Credit availed on GSTR-3B filed after Limitation period	02	02	04.08	The concerned circles replied that the matter would be examined. Further reply of the Department was awaited (June 2024)
		Details are in Appendix 2.36			
4.	Non/short payment of tax and discrepancy between Input Tax Credit availed and payment made under reverse charge mechanism	13	06	0.38	When this was pointed out, the Department replied (April 2024) that DRC-01 was issued in five cases of four circles ¹²² . In eight cases of three circles ¹²³ , the reply was awaited (June 2024).
		Details are in Appendix 2.37 (A) and (B)			
5.	Excess availing of Input Tax Credit on Import of Goods	02	01	0.20	On being pointed out, the concerned circle replied that the matter would be examined. Further reply of the Department was awaited (June 2024).
6.	Short reversal of Input Tax Credit	05	03	0.74	On being pointed out the Department replied (April 2024) that DRC-01/DRC-07 had been issued.
		Details are in Appendix 2.38			

II. Discharge of tax liability

Other cases of mismatch affecting discharge of tax liabilities are listed in **Table 2.14** below:

Table 2.14
Discharge of Tax liability

Sl. No.	Risk parameter	No. of instances	No. of circles	Amount of mismatches (₹ in crore)	Remarks
1.	Short admittance of tax liability on GSTR-9/3B as compared to GSTR-1	29	09	7.25	On being pointed out, the Department replied (April 2024) that amount of ₹ 1.15 lakh was recovered in one case of Patna Special Circle. The notices (ASMT-10/DRC-01/DRC-07) were issued in 13 cases of five circles ¹²⁴ . In 15 cases of six circles ¹²⁵ , the reply was awaited (June 2024).
		Details are in Appendix 2.39			

¹²¹ Danapur, Patna Central, Patna Special and Patna West.

¹²² Patna Central, Patna South, Bhagalpur and Supaul.

¹²³ Danapur, Patna Central and Patna Special.

¹²⁴ Patliputra, Patna Central, Patna City East, Patna North and Patna South.

¹²⁵ Gaya, Patliputra, Patna Central, Patna Special, Samastipur and Shahabad.

Sl. No.	Risk parameter	No. of instances	No. of circles	Amount of mismatches (₹ in crore)	Remarks
2.	Short payment of tax	20	08	4.62	On being pointed out, the Department replied (April 2024) that amount ₹ 0.05 lakh was recovered in one case of Patna Special Circle, while notice (ASMT-10/DRC-01) was issued in eight cases of five circles ¹²⁶ . In 11 cases of five circles ¹²⁷ , the reply was awaited (April 2024).
		Details are in Appendix 2.40 (A) and (B)			
3.	Short payment of tax due under Reverse Charge Mechanism	15	03	0.72	The Department replied (April 2024) that the amount of ₹ 5.01 lakh was recovered in two cases of two circles and in three cases of Patliputra Circle, notices were issued. In 10 cases of two circles ¹²⁸ , replies were awaited (June 2024).
		Details are in Appendix 2.41			
4.	Mismatch of turnover (Unbilled Revenue)	05	04	219.38	On being pointed out, the Department replied (April 2024) that DRC-01/DRC-07 were issued in three cases of two circles ¹²⁹ . In two cases of two circles ¹³⁰ , the reply was awaited (June 2024).
		Details are in Appendix 2.42			
5.	Mismatch of taxable value identified through Tax Deducted at source declaration	02	02	4.68	On this being pointed out (September-October 2023), the Department replied (April 2024) that notices (ASMT-10/DRC-07) were issued.
		Details are in Appendix 2.43			

III. Short/non-payment of interest by taxpayers

In 54 cases of 15 circles, 25 taxpayers had filed their returns with delays of 1 to 654 days but the interest payments of ₹ 2.01 crore were not discharged.

As per section 50(1) of BGST Act, 2017, a taxpayer had to pay interest at the rate of 18 *per cent* per annum if he failed to pay the tax or any part thereof within the stipulated period. The extent of short payment of interest on account of delayed remittance of tax during 2018-21 was identified using the tax paid details in GSTR-3B and the date of filing of the GSTR-3B return. Only the net tax liability (cash component) was considered to work out the interest payable.

Audit observed in 54 cases of 15 circles¹³¹, constituting 18 *per cent* of the 300 cases audited, 25 taxpayers had filed their returns with delay of 1 to 654 days but the interest payments were not discharged amounting to ₹ 2.01 crore as detailed in **Appendix 2.44**.

The top five cases are given in **Table 2.15**.

¹²⁶ Patliputra, Patna South, Bhagalpur, Patna Central and Patna North.

¹²⁷ Gaya, Patna Special, Muzaffarpur West, Patna Central and Patna North.

¹²⁸ Patna Special and Sasaram.

¹²⁹ Muzaffarpur West and Patna City West.

¹³⁰ Patna Central and Patna Special.

¹³¹ Aurangabad, Bhagalpur, Danapur, Gaya, Gopalganj, Hajipur, Muzaffarpur West, Patliputra, Patna Central, Patna City East, Patna South, Patna Special, Saharsa, Shahabad, and Supaul.

Table 2.15
Top five cases of non-payment of interest

(₹ in crore)

Sl. No.	GSTIN	Circle	Period	Amount involved
1.	10XXXXXXXXXX1Z4	Gopalganj	2018-19	0.46
2.	10XXXXXXXXXX1Z4	Gopalganj	2019-20	0.40
3.	10XXXXXXXXXX2ZS	Shahabad	2018-19	0.19
4.	10XXXXXXXXXX2ZS	Shahabad	2020-21	0.17
5.	10XXXXXXXXXX1ZY	Gaya	2019-20	0.09

The Department replied (April 2024) that the amount of ₹ 8.34 lakh was recovered in five cases of five circles¹³² and in 24 cases of eight circles¹³³ notices/order were issued. In 25 cases of eight circles¹³⁴ the reply was awaited (June 2024).

Two illustrative cases are mentioned below:

- i. A taxpayer (GSTIN-10XXXXXXXXXX1Z4) under Gopalganj Circle, had filed the GSTR-3B monthly returns for the year 2018-19 with delay ranging between 190 and 654 days. However, interest liability of ₹ 0.46 crore on delayed payment of tax of ₹ 2.48 crore was not discharged. On this being pointed out by Audit, the Department stated that DRC-07 was issued.
- ii. A taxpayer (GSTIN-10XXXXXXXXXX1ZY) under Bhagalpur Circle had interest liability of ₹ 0.06 crore for delayed filing of return for the year 2018-19 whereas he had paid interest of ₹0.04 crore only. Thus, the taxpayer was liable to pay interest of ₹ 0.02 crore for delay payment of tax. On this being pointed out by Audit, the Department stated that DRC-01 was issued.

Recommendation 4: The Department may initiate remedial action for compliance to deviations brought out in this chapter, before they become time barred.

Recommendation 5: The Department may ensure compliance with regulatory requirements and provide granular records to audit as per Section 18 (2) of the Comptroller and Auditor General's (DPC) Act, 1971, and Regulation 19(6) of the Audit and Accounts Regulations, 2020.

2.4.9 Conclusion

The SSCA disclosed that documentation for essential oversight functions of the circles such as monitoring of return filing and taxpayer compliance was deficient. Also, granular records such as financial statements, invoices etc., were not produced in 98 cases out of a sample of 100 taxpayers selected for detailed audit, which constituted a significant scope limitation.

Further, out of the 671 high value data inconsistencies identified in Central Audit, the Department responded to 589 cases. Out of these, 349 cases (constituting 59.25 per cent) amounting to ₹ 690.30 crore were accepted by the Department. The Department

¹³² Gopalganj, Patliputra, Patna City East, Patna South and Patna Special.

¹³³ Bhagalpur, Gopalganj, Hajipur, Patliputra, Patna City East, Patna South, Saharsa and Supaul.

¹³⁴ Aurangabad, Danapur, Gaya, Muzaffarpur West, Patna Central, Patna City East, Patna Special and Sahabad.

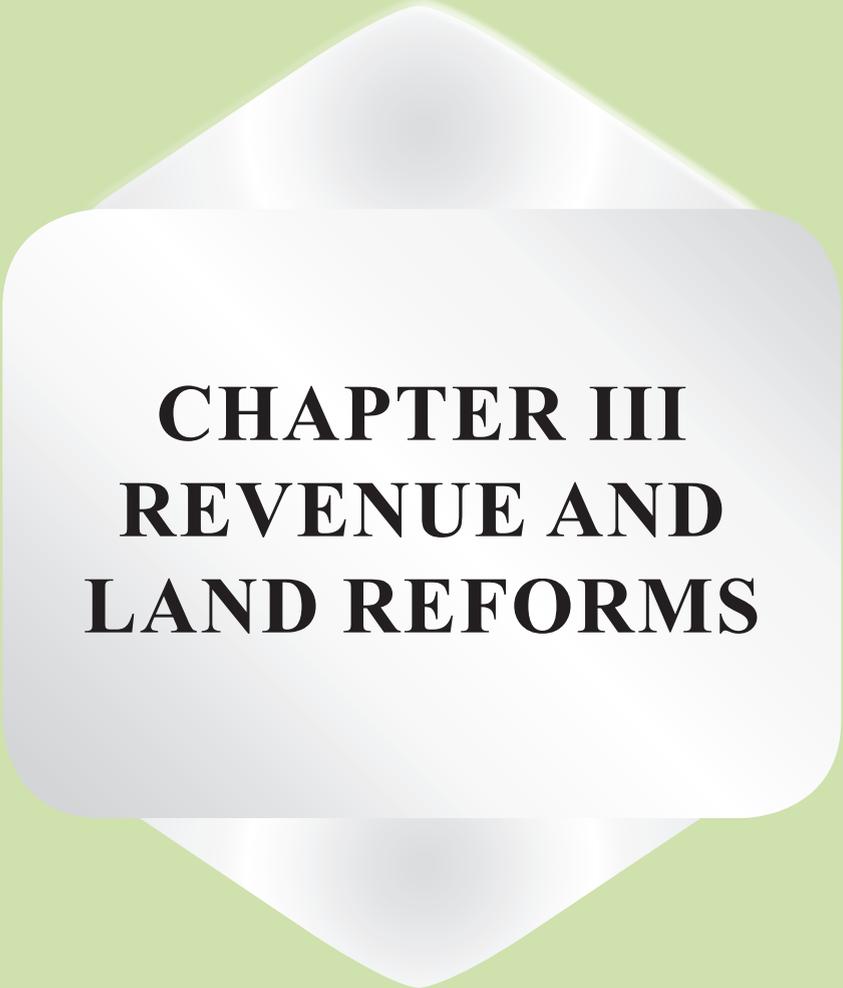
recovered ₹ 11.01 crore in 41 cases. A relatively higher rate of deficiencies was noticed in short/non-payment of interest, ITC mismatch, incorrect turnover declarations and short payment of tax. Data entry errors caused inconsistencies in five *per cent* of the cases and in 15 *per cent* of the cases, the Department had already taken proactive action. The Department did not respond to 82 cases of inconsistencies, which had an identified risk exposure of ₹ 228.96 crore (including mismatch).

Detailed audit of GST returns also revealed significant non-compliance issues. However, from the limited records made available, Audit observed compliance deficiencies of ₹ 449.46 crore in 244 cases. The main causative factors were availing of incorrect ITC, incorrect turnover declarations, non/short payment of interest on delayed payment of tax and short payment of tax. The Department recovered ₹ 2.02 crore till July 2024.

2.4.10 Summary of Recommendations

Considering the compliance deficiencies brought out in this Report, the Department must initiate remedial action related to all the compliance deviations pointed out by Audit, before they get time barred with specific action on the following:

- 1. The Department may strengthen the monitoring mechanism in circles and ensure due diligence is followed in procedures for cancellation, issue of show cause notices and recovery.*
- 2. The Department may pursue the inconsistencies and deviations, for which responses have not been provided and take corrective action wherever needed. Also Department may suitably incorporate the algorithms used in identifying mismatches during their regular scrutiny of returns.*
- 3. The Department may strengthen tax compliance, improve data accuracy, and enhance monitoring and review processes to reduce deviations and inconsistencies.*
- 4. The Department may initiate remedial actions for all the compliance deviations brought out in this chapter before they get time barred.*
- 5. The Department may ensure compliance with regulatory requirements and provide granular records to audit as per Section 18 (2) of the Comptroller and Auditor General's DPC Act, 1971, and Regulation 19(6) of the Audit and Accounts Regulations, 2020.*



**CHAPTER III
REVENUE AND
LAND REFORMS**

CHAPTER III: REVENUE AND LAND REFORMS

3.1 Tax administration

The Revenue and Land Reforms Department acquires and alienates land and levies and collects land revenue in Bihar. The Collector is responsible for the land acquisition, who is assisted by the District Land Acquisition Officer (DLAO).

The Principal Secretary-cum-Commissioner is the administrative head and assisted by three Directors and Special Secretary, Joint Secretary, Deputy Secretary at the Headquarters level. The Divisional Commissioners, Collectors, Additional Collectors, District Land Acquisition Officer (DLAO), Deputy Collectors and Circle Officers are responsible to carry out the work at the field level. Circle Officers are responsible for maintenance of land records and collection of land revenue.

3.2 Results of Audit

During 2022-23, Audit test checked records of 66 out of 961 units of the Revenue and Land Reforms Department. Audit scrutiny revealed non-settlement of *Sairats*¹ and other irregularities involving ₹ 3,546.95 crore in 789 cases as shown in Table 3.1 below:

Table 3.1
Results of Audit

Sl. No.	Categories	No. of observations	Amount (₹ in lakh)
1.	Cases of Non-levy and short levy and/or interest on arrears	5	427.22
2.	Non settlement of vested land	3	0
3.	Non settlement of <i>sairats</i>	26	1,406.20
4.	Other cases	755	3,52,861.83
	Total	789	3,54,695.25

No recovery was carried out by the Department during 2022-23. The replies in all the cases of 2022-23 and those of earlier years were awaited (January 2025).

3.3 Short payment of compensation amount and interest

Short payment of compensation of ₹ 8.84 crore to 517 affected families due to incorrect application of Multiplication Factor.

As per Section 26(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, the market value of land was to be multiplied by a factor as specified in the First Schedule of the Act. As per First Schedule, the 'factor', in case of rural areas, was 1.00 (one) to 2.00 (two), based on the distance of project from urban area, as may be notified by the State Government.

¹ The rights and interests in respect of revenue earning hat, bazaar, mela, tree, fisheries, jalkars, falkars, ferries etc.

The Department of Revenue and Land Reforms, in exercise of the powers conferred under Section 26 (2) and provisions contained in the First Schedule of RFCTLARR Act, 2013, issued (May 2014) a Resolution² and keeping the multiplication factor at 'two', for calculating the compensation of land acquired/under acquisition in rural areas.

Further, as per Paragraph 6.9 (ii) of Manual of guidelines on land acquisition for National Highways issued by Ministry of Road Transport and Highways (MoRTH), GoI, the multiplication factor (M.F) by which the market value was to be multiplied in case of rural areas (from the end-point of the urban limit) shall be the one, as notified by the concerned State Government.

Audit test-checked (January 2023) records related to land acquisition for construction (widening/furlaning) of National Highway 527-C, maintained in the District Land Acquisition Office (DLAO), Sitamarhi. The notification for acquisition of land of three³ *maujas*⁴ of Sitamarhi district was published (12 January 2017); estimates, applying MF at the rate of 1.5, were prepared (June 2018) by DLAO, Sitamarhi and approved (July 2019) by the National Highways Authority of India (NHAI).

Due to non-adherence to MoRTH guidelines and RFCTLARR Act, 2013, DLAO, Sitamarhi, applied Multiplication Factor of 1.5 instead of 2 (Two), while preparing the estimates, which led to short payment of compensation of ₹ 8.84 crore to 517 affected families⁵ (**Appendix 3.1**).

Section 80 of RFCTLARR Act, 2013, stipulated that, when the compensation is not paid before taking possession of the land, the collector was to pay interest thereon at the rate of nine *per cent* per annum from the date of possession of such land to the date of payment of compensation and after expiry of the said period of one year, interest at the rate of fifteen *per cent* per annum, on the amount of compensation or part thereof. Due to incorrect application of provisions under Section 26(2) of RFCTLARR Act, 2013, the interest liability of ₹ 3.47 crore has also been created. Had these provisions applied correctly, while preparing the estimates, the interest liability, to this extent, could have been avoided.

Thus, non-adherence to MoRTH guidelines and RFCTLARR Act, 2013, resulted in unavoidable interest payable of ₹ 3.47 crore. Further, 517 affected families of three *maujas* received lower amount of compensation than what was due to them of ₹ 8.84 crore (**Appendix 3.1**).

On this being pointed out by Audit, DLAO, Sitamarhi, stated (August 2023) that, a revised estimate had been prepared on the basis of Multiplication Factor 2 (Two) and had been sent (July 2023) to NHAI for seeking approval. The approval of the proposal, was yet to be received (as on 31 May 2024).

The matter was reported (May 2023) to the Department. The reply of the Department was, however, awaited (May 2024).

² *Vide memo no.-14/ डी.एल.ए.-एल.ए.-नीति-(मुआवजा)-03/2014-675/रा0, पटना-15 दिनांक-20.05.2014.*

³ *Simiyahi, Hardiya and Jhanjhat.*

⁴ *Mauja: A village, recognised and mapped separately, at the time of revenue survey, vide Section 3(10) of the Bihar Tenancy Act.*

⁵ *Simiyahi (165), Hardiya (178) and Jhanjhat (174).*

3.4 Non-levy of Cess on the capitalised value of rent

Cess of ₹1.15 crore on the capitalised value of the annual rent for 25 year of the land under acquisition, was not levied.

Revenue and Land Reforms Department (June 2000) instructions, provide for realisation of Road Cess, Education Cess, Health Cess and Agriculture Cess at the rate of 25 per cent, 50 per cent, 50 per cent and 20 per cent respectively of the annual rent of the land. Further, Format of Rate Report under Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (BRFCTLARR) Rules 2014 stipulates that estimate of cost of acquisition of land shall include rent payable for 25 years. Further, the department also issued an instruction (2018) regarding collection of Cess on rent payable for 25 years, in the case of land acquisition.

Scrutiny of approved estimates (November 2021 to September 2022) of 527 *maujas*⁶ of 26 land acquisition projects maintained in 13 District Land Acquisition Offices (DLAO)⁷ and one Directorate Land Acquisition, Patna, revealed that 145 per cent cess on capitalised value of annual rent for 25 years of the land under acquisition, was not assessed while finalising the estimates for the concerned projects. Thus the DLAO did not comply with the instructions issued by the Department. This resulted in non-levy of cess for an amount of ₹1.15 crore on the capitalised value of rent of ₹ 79.21 lakh as detailed in **Appendix 3.2**.

On being pointed out, three⁸ DLAOs stated (March to August 2022) that, action would be taken after verification, five⁹ DLAOs stated (December 2021 to May 2022), that realisation of cess amount would be deposited in the concerned head, whereas three¹⁰ DLAOs stated (February to November 2022), that after getting direction/guidance from higher authority action would be taken. The Directorate Land Acquisition Patna stated that (September 2021), Audit would be informed after correspondence with concerned DLAOs. The DLAO, Kishanganj and DLAO, Darbhanga did not furnish any reply.

The matter was reported (May 2022 to February 2023) to the Department; the reply was awaited (November 2023).

⁶ *Mauja: a village, recognised and mapped separately, at the time of revenue survey, vide Section 3(10) of the Bihar Tenancy Act.*

⁷ *DLAO Araria, DLAO Bhabhua (Kaimur), DLAO Buxar, DLAO Chhapra, DLAO Darbhanga, DLAO Gaya, DLAO Jehanabad, DLAO Kishanganj, DLAO Munger, DLAO Nalanda, DLAO Nawada DLAO Rohtas and DLAO Sheikhpura.*

⁸ *DLAO Araria, DLAO Jehanabad and DLAO Shiekhpora.*

⁹ *DLAO Buxar, DLAO Chhapra, DLAO Gaya, DLAO Nawada and DLAO Munger.*

¹⁰ *DLAO Bhabhua(Kaimur), DLAO Nalanda and DLAO Rohtas.*

**CHAPTER IV
STAMP DUTY AND
REGISTRATION
FEES**

CHAPTER IV: STAMP DUTY AND REGISTRATION FEES

4.1 Tax administration

The levy and collection of Stamp Duty and Registration Fees in the State is governed by the provisions of the Indian Stamp Act, 1899, the Registration Act, 1908, the Bihar Stamp Rules, 1991 and the Bihar Stamp (Prevention of Undervaluation of Instruments) Rules, 1995.

The Prohibition, Excise and Registration Department (Registration) is headed by the Inspector General, Registration (IGR). The Department functions under the administrative control of the Additional Chief Secretary/ Principal Secretary of the Registration Department. The IGR is assisted by an Additional Secretary, two Deputy Inspectors General (DIGs) and four Assistant Inspectors General (AIGs) at the Headquarters level. Further, there are nine Assistant Inspectors General (AIGs) at the divisional level. At the field level, 38 District Sub-Registrars (DSRs), 88 Sub-Registrars (SRs) and 26 Joint Sub-Registrars (JSRs) at the districts/primary units are responsible for levy and collection of stamp duty and registration fees.

4.2 Results of Audit

During 2022-23, Audit test checked records of 50 units out of 162 units of Stamp Duty and Registration Fees Department, in which irregularities involving ₹19.90 crore in 327 cases were observed which fall under the following categories as detailed in Table 4.1.

Table 4.1
Results of Audit

Sl. No.	Categories	No. of cases	Amount (₹ in lakh)
1.	Blocking of Government revenue due to non-disposal of referred cases	15	509.14
2.	Blocking of Government revenue due to non-disposal of impounded cases	NIL	NIL
3.	Short levy due to misclassification of documents	276	1,198.28
4.	Other cases	36	282.18
Total		327	1,989.60

During 2022-23, the Department accepted underassessment and other deficiencies of ₹2.31 crore in 159 cases and recovered ₹0.97 crore in 34 cases which were pointed out during 2022-23. The replies to the remaining cases of previous years and all cases of 2022-23 were not received (January 2025).

4.3 Short realisation of Stamp Duty and Registration Fee

(A) Short realisation of Stamp Duty and Registration Fee due to undervaluation of property

Twenty Registering Authorities could not detect undervaluation of land in 42 instruments which resulted in undervaluation of property/instrument and consequently short levy of Stamp Duty and Registration Fee for ₹ 4.45 crore.

Section 47(A) of the Indian Stamp (IS) Act 1899, provides that, where the registering authority has reason to believe that, the market value of the property has not been rightly

set forth in the instrument, he may refer the same, to the Collector, for determination of the market value of such property.

As per Section 3 of Bihar Instruments Valuation Rules, 1991, in Bihar, land is categorised as commercial, residential, irrigated *etc.* The minimum rate of land¹, in a district is determined through the Minimum Value Register (MVR)², in every district, on the basis of the category of land and MVR may be revised by the State Government based on the necessity for revision.

During test-check of records (May 2022 to September 2023) of instruments executed (March 2017 to May 2023) in ten District Sub Registrar³ (DSR) and ten Sub Registrar⁴ (SR) offices, it was noticed that in 41 instruments (36 sale deeds, two lease deeds and three gift deeds), the concerned DSR and SR, had wrongly assessed the value of land by taking into consideration or applying the incorrect category of land.

This resulted into short levy⁵ of Stamp Duty (SD) and Registration Fee (RF) in the payments of above-mentioned 41 instruments to the extent of ₹ 4.28 crore, as detailed in **Appendix 4.1**.

Further, in one case in DSR, Gaya, it was noticed that, the value of Hotel Heritage (Building) was calculated, based on category of 'RCC Main Road' instead of 'Deluxe Principal Road', which resulted into short levy of SD and RF for ₹ 0.17 crore as detailed in **Appendix 4.2**.

These irregularities resulted in undervaluation of property/instrument and consequently short levy of SD and RF for ₹ 4.45 crore.

On this being pointed out by Audit: (i) two SRs⁶ and two DSRs⁷ stated (March 2023) that, the demand notices had been issued in this regard (ii) five DSRs⁸ and SR Forbesganj⁹, stated (May 2023 to November 2023) that, necessary action would be taken after verification of plot (iii) SR, Patna City and DSR, Sasaram, accepted (August 2023 and March 2024, respectively) the case (iv) two SRs¹⁰ and two DSRs¹¹ stated (March 2023) that, the matter had been forwarded to competent authority for direction, (v) in one case (Hotel Heritage) DSR, Gaya, accepted (May 2023) that, the category of land was

¹ The 'estimated minimum value' as stipulated in the Rule 6 of Bihar Stamp (Prevention of Under valuation of instruments) Rules, 1995

² As per Section 2(V) (Chapter 1) of the Bihar Registration Rule, 2008, Minimum Value Register to be referred herein as 'MVR' means the Guidelines register of minimum estimated value of land as prepared under the Bihar Stamp (Prevention of under-valuation of Instruments) (Amendment) Rules 2006 for implementation of Sec 47(A) of the Indian Stamp Act, 1899.

³ Gaya, Jamui, khagariya, Motihari, Purnea, Patna Sadar, Samastipur, Sasaram, Vaishali and West Champaran (Bettiah).

⁴ Bagaha, Bikram, Danapur, Dalsingsarai, Forbesganj, Masaurhi, Mirganj, Patna City, Phulwaria and Pupri (Sitamarhi).

⁵ As per Section 3 of The Indian Stamp Act 1899 and section 78 of The Registration Act, 1908.

⁶ One case each in Bagaha and Phulwaria.

⁷ Motihari (One case) and West Champaran (Bettiah) (Two case).

⁸ Gaya (Two cases), Jamui (Two cases), Patna Sadar (One case), Purnea (Three cases) and Sasaram (Two cases).

⁹ Forbesganj (Two cases).

¹⁰ Mirganj (One case) and Phulwaria (One case).

¹¹ Vaishali (Two cases) and West Champaran (Bettiah) (One case).

Deluxe Principal Road and (vi) Two DSR¹² and six SR¹³ accepted (September 2024) the matter and stated that demand notices have been issued for ensuring necessary recovery.

The matter was reported (February 2024) to the Department. The reply of the Department was, however, awaited (as of June 2024).

(B) Short realisation of Stamp Duty and Registration Fee due to misclassification of instruments

DSR, Nawada applied incorrect category i.e, 'Developing area' instead of 'Residential away from road (Vikashshil)' resulting into short levy of Stamp Duty and Registration Fee of a total amount of ₹ 1.80 crore.

Section 47(A) of the Indian Stamp (IS) Act 1899 provides that where the registering authority has reason to believe that the market value of the property has not been rightly set forth in the instrument, he may refer the same to the Collector for determination of the market value of such property.

As per Section 3 of Bihar Instruments Valuation Rules, 1991, in Bihar, land is categorised as commercial, residential, irrigated land, etc. The minimum rate of land¹⁴ is determined by the Minimum Value Register (MVR)¹⁵, in every district, on the basis of the category of land. The MVR may be revised as per the decision of the State Government, depending upon the necessity of revision.

As per Bihar Stamp (Prevention of undervaluation of instruments) Amendment Rules 2013, in every district there shall be a District Valuation Committee to prepare the MVR headed by Principal Secretary, Department of Registration, Excise and Prohibition.

The District Collector-cum-Chairman of the District Valuation Committee, Nawada, revised the MVR of the town and peripheral areas of Nawada w.e.f. 01 February 2016. As per revised MVR, the village-wise per decimal rate of peripheral area of Nawada Circle was fixed under four categories viz. (i) Industrial/Commercial land, (ii) Residential (roadside), (iii) Residential away from road (Developing), and (iv) Developing area (subject to transfer of more than 20 decimal land of same *Khesra*¹⁶ by single seller to single buyer).

During test-check of records (February 2024) at the office of District Sub Registrar (DSR), Nawada, it was observed that the sale of land having more than 20 decimal

¹² *Khagaria and Samastipur.*

¹³ *Bikram, Danapur, Dalsinghsarai, Forbesganj, Masaurhi and Pupri (Sitamarhi).*

¹⁴ *The 'estimated minimum value' as stipulated in the Rule 6 of Bihar Stamp (Prevention of Under valuation of instruments) Rules, 1995.*

¹⁵ *As per Section 2(V) (Chapter 1) of the Bihar Registration Rule, 2008, Minimum Value Register to be referred herein as 'MVR' means the Guidelines register of minimum estimated value of land as prepared under the Bihar Stamp (Prevention of under-valuation of Instruments) (Amendment) Rules 2006 for implementation of Sec 47(A) of the Indian Stamp Act, 1899.*

¹⁶ *As per Section 2((2)(viii)) of the Bihar Special Survey and Settlement 2011 "Khesra" means the list showing plots serially numbered according to the map depicting the occupants, area and classification, plot by plot.*

area in same *khesra* was executed through seven sale deeds by single/multiple sellers to multiple buyer in the villages Budhaul and Nanaura.

However, DSR, Nawada applied the incorrect category i.e, “Developing area” instead of ‘Residential away from road (Vikashshil)’ and the rates of Stamp Duty and Registration Fees were levied¹⁷ accordingly. Thus the rates of ₹35,000 (for Budhaul) and ₹20,000 (for Nanaura) were applied, instead of the stipulated rates of ₹1,75,000 and ₹90,000, respectively.

Hence, the rates of land selected as per the MVRs were undervalued leading to short levy of Stamp Duty and Registration Fee for a total amount of ₹1.80 crore, as detailed in **Appendix 4.3**.

On this being pointed out, the Department stated (August 2024) that the matter has been referred to the District Collector for recovery.

¹⁷ As per section 3 of The Indian Stamp Act 1899 and section 78 of The Registration Act, 1908.



**PART B
STATE PUBLIC
SECTOR
ENTERPRISES**

**CHAPTER V
FUNCTIONING
OF STATE
PUBLIC SECTOR
ENTERPRISES**

CHAPTER V: FUNCTIONING OF STATE PUBLIC SECTOR ENTERPRISES

5.1 Introduction

This Chapter elaborates on the financial performance of State Public Sector Enterprises (SPSEs) of the Government of Bihar which comprises Government Companies, Statutory Corporations and Government Controlled Other Companies (GCOCs), for the year 2022-23. These SPSEs were established to carry out activities of commercial nature keeping in view the welfare of people and boost the growth of State Gross Domestic Product (GSDP).

The impact of significant audit comments, issued as a result of supplementary audit of the Financial Statements of the SPSEs conducted by the Comptroller and Auditor General (CAG) of India, for the year 2022-23 (or of earlier years, finalised during the current year), have also been discussed.

5.2 Definition of Government Companies

A Government Company is defined in Section 2(45) of the Companies Act, 2013, as a company in which not less than 51 *per cent* of the paid-up share capital is held by the Central Government, or by any State Government or Governments, or partly by the Central Government and partly by one or more State Governments and includes a company which is a subsidiary of a Government Company.

Besides, any other companies¹ owned or controlled, directly or indirectly, by the Central Government, or by any State Government or Governments, or partly by the Central Government and partly by one or more State Governments are referred to in this Report as Government Controlled Other Companies.

5.3 Mandate of Audit

Audit of Government Companies and GCOCs is conducted by the CAG of India under the provisions of Section 143(5) to 143(7) of the Companies Act, 2013, read with Section 19 of the CAG's (Duties, Powers, and Conditions of Service) Act, 1971, and the Regulations made thereunder. Under the Companies Act, 2013, the CAG appoints Chartered Accountants as Statutory Auditors for Companies and gives directions on the manner in which the accounts are to be audited. In addition, the CAG has the right to conduct a supplementary audit of the company's financial statements. The Statutes governing some Statutory Corporations require their accounts to be audited only by the CAG.

5.4 Accountability framework

The process of auditing Government companies is governed by respective provisions of Section 139 and 143 of the Companies Act, 2013 (Act).

¹ *Companies (Removal of Difficulties) Seventh Order, 2014 issued by Ministry of Corporate Affairs vide Gazette Notification dated 4 September 2014.*

Further, as per Section 143 (7) of the Act, the CAG may, in case of any Company covered under sub Section (5) or sub Section (7) of Section 139, if he considers necessary, by an order, cause test audit to be conducted on the accounts of such Company. The provisions of Section 19 (A) of the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971, shall apply to the report of such test audit. Thus, a Government Company or any other Company owned or controlled, directly or indirectly, by the Central Government, or by any State government/ Governments or partly by Central Government and partly by one or more State Governments, is subject to audit by the CAG. An audit of the financial statements of a Company in respect of the financial year that commenced on or before 31 March 2014, shall continue to be governed by the provisions of the Companies Act, 1956.

5.5 Summary of Financial Performance of State Public Sector Enterprises

5.5.1 Number of State PSEs

SPSEs consist of both State Government Companies and Statutory Corporations. As on 31 March 2023, there were 76 SPSEs in Bihar which included 37 working SPSEs and 39 non-working/ inactive SPSEs. These 76 SPSEs comprised three² Statutory Corporations, 69 Government Companies (including 39³ inactive government companies⁴) and four⁵ GCOs. The names of these SPSEs are given in **Appendix 5.1**. None of the SPSEs from the State was listed on the stock exchange.

Details of SPSEs in Bihar as on 31 March 2023 are shown in **Table 5.1**.

Table 5.1
Details of State PSEs in Bihar

Type of SPSEs	Working SPSEs	Non-working/inactive SPSEs	Total
Government Companies	30	39	69
Statutory Corporations	03	00	03
Government Controlled other Companies	04	00	04
Total	37	39	76

5.5.2 Contribution to the GSDP of the State

The ratio of turnover of the SPSEs to the Gross State Domestic Product (GSDP) shows the extent of activities of the SPSEs in the State economy. Details of the turnover of 37 working SPSEs, are given in **Appendix 5.2**. The turnover of working SPSEs as a percentage of GSDP, as of 31 March 2023, is given in **Table 5.2**.

² Bihar State Warehousing Corporation, Bihar State Road Transport Corporation and Bihar State Financial Corporation.

³ There were 40 inactive SPSEs as on 31 March 2022. During the year 2022-23, one SPSE viz., Scada Agro Business & Industries Company Khagaul Limited was struck off.

⁴ Inactive SPSEs are those which have ceased to carry out their operations.

⁵ Bhagalpur Smart City Limited, Muzaffarpur Smart City Limited, Bihar Sharif Smart City Limited and Patna Smart City Limited.

Table 5.2
Details of turnover of working SPSEs vis-à-vis GSDP of Bihar

(₹ in crore)

Particulars	Turnover	Percentage of turnover to GSDP
Turnover		
Power Sector SPSEs	24,099.39	3.21
Agriculture and Allied sector SPSEs	341.20	0.05
Other SPSEs	1,890.09	0.25
Total	26,330.68	3.50
GSDP of Bihar	7,51,396	

(Source: Compilation based on Turnover figures as per latest finalised accounts of SPSEs and GSDP figures as per Economic and Statistical Organisation, Government of Bihar)

The contribution of 37 working SPSEs, to the GSDP of Bihar was 3.50 per cent, in 2022-23. The contribution of Power Sector SPSEs to the GSDP was 3.21 per cent, while Agriculture and Allied sector SPSEs contributed 0.05 per cent.

Although contribution of the 24 ‘Other’ sector SPSEs to the GSDP, was minimal (0.25 per cent), they had staff of 4,356 employees (permanent/on deputation/ employed on contract basis), including staff in district offices. As on 31 March 2023, State Government had investment of ₹ 2,848.51 crore (Equity: ₹ 1,096.65 crore and Long term loans: ₹ 1,751.86 crore) in these 24 ‘Other’ sector SPSEs.

There are 39 non-working/ inactive SPSEs (including five under liquidation) in the State. These inactive SPSEs⁶, have an investment towards Capital ₹ 196.71 crore (State Government: ₹ 156.15 crore and Others: ₹ 40.56 crore) and Long term loans ₹ 590.21 crore (State Government: ₹ 540.56 crore and Others: ₹ 49.65 crore).

As these 39 SPSEs remained inactive for more than five years, their actual contribution to the economy of the State and their financial performance could not be assessed. Therefore, these 39 inactive SPSEs have not been covered in this Chapter and financial performance of only 37 working SPSEs has been covered which is discussed in the subsequent paragraphs.

5.6 Investment in State PSEs and Budgetary support

The sector-wise investment in the form of total equity, equity contribution by State Government and Long term loans (including loans given by State Government), in 37 working SPSEs, as on 31 March 2023, is given in **Table 5.3**.

⁶ As per latest finalized accounts.

Table 5.3
Sector-wise investment in SPSEs

(*₹ in crore*)

Particulars	Investment ⁷					Percentage of Total Equity and Long-Term Loans (Sector-wise)
	Total Equity	State Government Equity	Total Long Term Loans	State Government Loans	Total Equity and Long Term Loans	
Power Sector SPSEs	42,126.56	41,761.71	13,783.13	1,417.69	55,909.69	89.97
Agriculture and Allied SPSEs	15.86	11.21	2,557.08	2,393.06	2,572.94	4.14
Other SPSEs	1,771.38	1,096.65	1,891.23	1,751.86	3,662.61	5.89
Total	43,913.80	42,869.57	18,231.44	5,562.61	62,145.24	100.00

(Source: Compiled on the basis of the latest finalised accounts of the SPSEs)

Such investments were mainly concentrated in the Power Sector SPSEs, which received as much as 89.97 per cent (₹ 55,909.69 crore), of the total investment of ₹ 62,145.24 crore, as on 31 March 2023. The State Government's share was 77.93 per cent (₹ 48,432.18 crore) of the total investment of ₹ 62,145.24 crore.

5.7 Returns from Government Companies and Corporations

5.7.1 Profit earned by SPSEs

Out of 37 working SPSEs, 18 SPSEs⁸ earned profit of ₹ 327.20 crore in 2022-23. The profit earned by these 18 SPSEs decreased by 29 per cent (₹ 135.33 crore) in 2022-23 from ₹ 462.53 crore in 2021-22.

The top three SPSEs, which earned maximum profit, are summarised in **Table 5.4**.

Table 5.4
Top three SPSEs which earned maximum profit

Name of SPSEs	Net profit (<i>₹ in crore</i>)	Percentage of profit to total profit of SPSEs
Bihar State Power Transmission Company Limited	89.53	27.36
Bihar State Textbook Publishing Corporation Limited	63.32	19.35
Bihar State Road Development Corporation Limited	31.53	9.64
Total	184.38	56.35

(Source: Compiled on the basis of the latest finalised accounts of the SPSEs)

As can be seen from **Table 5.4**, three SPSEs alone contributed as much as 56.35 per cent of the total profit (₹ 327.20 crore) earned by 18 profit earning SPSEs during 2022-23.

The net profit ratio⁹ of SPSEs is depicted in **Table 5.5**.

⁷ Investment includes equity and Long term loans.

⁸ Accounts received up to 30 September 2023.

⁹ Net profit / Turnover × 100.

Table 5.5
Net Profit Ratio of SPSEs

(₹ in crore)

Year	Sector	Net Profit	Turnover	Net profit Ratio (in per cent)
2020-21	Power Sector SPSEs	(-)1,723.93	18,056.98	-
	Agriculture and Allied sector SPSEs	(-)329.55	341.41	-
	Other SPSEs	34.74	1,876.76	1.85
	Total	(-)2,018.74	20,275.15	-
2021-22	Power Sector SPSEs	(-)2,011.81	22,226.47	-
	Agriculture and Allied sector SPSEs	(-)329.55	341.20	-
	Other SPSEs	44.46	1,890.09	2.35
	Total	(-)2,296.90	24,457.76	-
2022-23	Power Sector SPSEs	(-)1,557.40	24,099.39	-
	Agriculture and Allied sector SPSEs	(-)329.55	341.20	-
	Other SPSEs	54.46	1,890.09	2.88
	Total	(-)1,832.49	26,330.68	-

As can be seen from **Table 5.5**, only 'Other SPSEs' had earned net profit and had net profit ratio which increased from 1.85 during FY 2020-21 to 2.88 during 2022-23.

5.7.2 Dividend paid by SPSEs

The State Government had not formulated any dividend policy for the SPSEs. The dividend paid by SPSEs is shown in **Table 5.6**.

Table 5.6
Dividend paid by SPSEs

(₹ in crore)

Year	Particulars	No. of SPSEs which declared dividend	Paid Up Capital	Net Profit	Dividend Declared
1	2	3	4	5	6
2022-23	Power Sector SPSEs	-	-	-	-
	Agriculture and Allied sector SPSEs	1	6.42	11.54	2.10
	Other SPSEs	3	43.50	65.39	319.05
	Total	4	49.92	76.93	321.15

(Source: Latest Financial Statement of SPSEs)

During 2022-23, out of 18 SPSEs which had earned profits, as per their latest finalised accounts, only four¹⁰ SPSEs had declared dividend of ₹ 321.15 crore, two¹¹ SPSEs had not earned enough profit to declare dividend and the remaining 12 SPSEs which had earned aggregate profit of ₹ 250.22 crore, had not declared/ paid dividend.

¹⁰ Bihar State Warehousing Corporation (₹ 2.10 crore), Bihar Rajya Pul Nirman Nigam Limited (₹1.05 crore), Bihar State Road Development Corporation Limited(₹ 278.00 crore), and Bihar State Educational Infrastructure Development Corporation Limited(₹ 40.00 crore).

¹¹ Patna Smart City Limited and Biharsharif Smart City Limited.

5.8 Financial Performance of SPSEs

5.8.1 Return on Capital Employed

The Return on Capital Employed (RoCE) ratio measures a company's profitability and the efficiency with which its capital is employed. RoCE is calculated by dividing a company's earnings before interest and taxes (EBIT) by the Capital Employed¹². The details of RoCE of 37 working SPSEs, during the period from 2020-21 to 2022-23, are given in **Table 5.7**.

Table 5.7
Return on Capital Employed

(₹ in crore)

Year	Particulars	EBIT	Capital Employed	RoCE (in per cent)
2020-21	Power Sector SPSEs	(-)1,134.71	33,331.40	-
	Agriculture and Allied sector SPSEs	78.26	2,113.73	3.70
	Other SPSEs	240.29	(-)39.78	-
	Total	(-)816.16	35,405.35	-
2021-22	Power Sector SPSEs	(-)920.75	33,101.58	-
	Agriculture and Allied sector SPSEs	78.26	2,113.73	3.70
	Others SPSEs	252.80	1,106.43	22.85
	Total	(-)589.69	36,321.74	-
2022-23	Power Sector SPSEs	(-)483.84	33,579.49	-
	Agriculture and Allied sector SPSEs	78.26	2,113.73	3.70
	Others SPSEs	265.72	2,511.58	10.58
	Total	(-)139.86	38,204.80	-

(Source: Latest Financial Statement of working SPSEs)

It can be observed from **Table 5.7** that RoCE of Power Sector SPSEs remained negative during the period from 2020-21 to 2022-23, mainly due to losses incurred by the two SPSEs, viz. South Bihar Power Distribution Company Limited and North Bihar Power Distribution Company Limited. Though there had been minimal increase in the EBIT of SPSEs, pertaining to the 'Other' sector during the period, from 2020-21 to 2022-23, the negative RoCE had turned positive and had increased to 22.85 per cent during the year 2021-22 and 10.58 per cent during 2022-23, mainly due to increase in amount of capital employed of Patna Metro Rail Corporation (2020-21: ₹ 429.59 crore; 2021-22: ₹ 1,534.68 crore and in 2022-23: ₹ 2,939.83 crore).

5.8.2 Return on Equity by SPSEs

Return on Equity (RoE) is a measure of financial performance that assesses how effectively a company's assets are being used to create profits. RoE is calculated by dividing the net income (i.e., net profit after taxes) by the shareholder's fund. It is expressed as a percentage and can be calculated for any company, if the net income

¹² $Capital\ Employed = Paid\ up\ Share\ capital + Free\ Reserves\ and\ surplus + Long\ term\ loans - Accumulated\ losses - Deferred\ Revenue\ Expenditure.$

and shareholders fund are both positive numbers. The Return on Equity¹³ (RoE) of the profit earning 18 working SPSEs stood at 2.65 *per cent* in 2022-23. The RoE of all the 36¹⁴ working SPSEs including 13 loss making SPSEs and five¹⁵ SPSEs which had nil profit/ loss, was negative, in 2022-23.

The Shareholder's fund is calculated by adding the paid up capital and free reserves and reducing the net accumulated losses and deferred revenue expenditure. It reveals how much would be left for a company's shareholders if all its assets are sold and all debts paid. A positive shareholder's fund reveals that the company has enough assets to cover its liabilities, while negative shareholder equity implies that liabilities exceed assets.

The details of Shareholders' Fund and RoE, relating to 37 working SPSEs, are given in **Table 5.8**.

Table 5.8
Return on Equity relating to SPSEs

Financial Year	Particulars	Net Income (₹ in crore)	Shareholders' Fund (₹ in crore)	RoE (Percentage)
2020-21	Power Sector SPSEs	(-)1,723.93	20,213.52	-
	Agriculture and Allied sector SPSEs	(-)329.55	(-)443.35	-
	Others SPSEs	34.74	(-)324.56	-
	Total	(-)2,018.74	19,445.61	-
2021-22	Power Sector SPSEs	(-)2,011.81	19,235.82	-
	Agriculture and Allied sector SPSEs	(-)329.55	(-)443.35	-
	Others SPSEs	44.46	14.20	-
	Total	(-)2,296.90	18,806.67	-
2022-23	Power Sector SPSEs	(-)1,557.40	19,796.36	-
	Agriculture and Allied sector SPSEs	(-)329.55	(-)443.35	-
	Others SPSEs	54.46	620.35	-
	Total	(-)1,832.49	19,973.36	-

(Source: Latest finalised accounts of SPSEs)

During the period from 2020-21 to 2022-23, sector wise RoE had not been calculated by Audit, as the net income of the major number of SPSEs had remained negative, mainly due to substantial losses incurred by two¹⁶ SPSEs in the Power sector, one¹⁷ SPSE in the Agriculture and Allied sector and one¹⁸ SPSE in the 'other' sector.

¹³ Return on equity = (Net Profit after Tax/ Shareholder's Equity) × 100 (where Shareholder's equity = paid up capital + free reserves - accumulated losses - deferred revenue expenditure).

¹⁴ Excluding one SPSE, i.e., Bihar Forestry Development Corporation Limited which operates on no profit/ loss basis.

¹⁵ Bihar State Power (Holding) Company Limited, Pirpainti Bijlee Company Private Limited, Lakhisarai Bijlee Company Private Limited, Bhagalpur Smart City Limited, and Muzaffarpur Smart City Limited.

¹⁶ South Bihar Power Distribution Company Limited and North Bihar Power Distribution Company Limited.

¹⁷ Bihar State Food & Civil Supplies Corporation Limited.

¹⁸ Bihar State Road Transport Corporation.

5.9 Losses incurring SPSEs

5.9.1 Losses incurred

Out of 37 working SPSEs, 13 SPSEs had incurred losses, as per their latest finalised accounts, during the year 2022-23. Further, six¹⁹ working SPSEs had no profit/ loss as they were either operating on no profit no loss basis, or they had not commenced their commercial operations. As per their latest finalised accounts, the losses incurred by 13 SPSEs had decreased to ₹ 2,159.69 crore in 2022-23, from ₹ 2,759.43 crore in 2021-22, as shown in **Table 5.9**.

Table 5.9
Losses incurred by SPSEs during 2020-21 to 2022-23

(₹ in crore)					
Financial Year	Particulars	No. of loss making SPSEs	Net loss for the year	Accumulated losses	Net Worth ²⁰
2020-21	Power Sector SPSEs	4	1,970.15	21,079.22	8,747.55
	Agriculture and Allied SPSEs	1	348.83	461.87	(-)456.48
	Other SPSEs	7	163.93	2,695.81	(-)2,346.23
	Total	12	2,482.91	24,236.90	5,944.84
2021-22	Power Sector SPSEs	4	2,245.31	23,739.00	7,284.02
	Agriculture and Allied SPSEs	1	348.83	461.87	(-)456.48
	Other SPSEs	8	165.29	2,695.81	(-)1,619.63
	Total	13	2,759.43	26,896.68	5,207.91
2022-23	Power Sector SPSEs	5	1,646.93	24,008.87	8,868.72
	Agriculture and Allied SPSEs	1	348.83	461.87	(-)456.48
	Other SPSEs	7	163.93	2,695.81	(-)2,346.23
	Total	13	2,159.69	27,166.55	6,066.01

(Source: Compiled on the basis of the latest finalised accounts of the SPSEs)

In 2022-23, out of the total loss of ₹ 2,159.69 crore incurred by 13 SPSEs, loss of ₹ 2,111.72 crore had been incurred by five SPSEs²¹ only.

5.9.2 Erosion of Capital in SPSEs

As on 31 March 2023, there were 14 SPSEs, with accumulated losses of ₹ 27,307.96 crore (**Appendix 5.3**). Of these, nine SPSEs incurred losses amounting to ₹ 2,067.98 crore,

¹⁹ Bihar State Power (Holding) Company Limited, Pirpainti Bijlee Company Private Limited, Lakhisarai Bijlee Company Private Limited, Bhagalpur Smart City Limited, Muzaffarpur Smart City Limited and Bihar Forestry Development Corporation Limited.

²⁰ Net worth means the sum total of the paid up share capital and free reserves and surplus less accumulated loss and deferred revenue expenditure. Free reserves mean all reserves created out of profits but do not include reserves created out of revaluation of assets and write-back of depreciation provision.

²¹ South Bihar Power Distribution Company Limited, North Bihar Power Distribution Company Limited, Bihar Grid Company Limited (Power sector); Bihar State Food and Civil Supplies Corporation Limited (Agriculture and Allied sector) and Bihar State Road Transport Corporation (other sector).

as per their latest finalised accounts. The net worth of 10 out of these 14 SPSEs was completely eroded by accumulated losses as per latest finalised accounts as on March 2023. The net worth of these 10 SPSEs was (-) ₹ 3,211.13 crore, against equity investment of ₹ 303.50 crore, as on 31 March 2023. Out of these 10 SPSEs, whose capital had eroded, three²² had earned profit of ₹ 8.02 crore and two²³ SPSEs had nil profit/ loss during 2022-23.

Out of these 10 SPSEs, 99.96 per cent of the net worth amounting to ₹ 3,209.71 crore was eroded in six SPSEs. In these six SPSEs, four²⁴ incurred losses mainly due to finance cost on large amount of borrowings taken from the State Government/ other financial institutions. Although, the Bihar Rajya Beej Nigam Limited had accumulated losses, it earned profit in recent years.

5.10 Audit of State Public Sector Enterprises

The CAG appoints the Statutory Auditors of a Government Company and Government Controlled Other Company, under Sections 139 (5) and (7) of the Companies Act, 2013. CAG has a right to conduct Supplementary Audit and issue comments upon or supplement the Audit Report of the Statutory Auditor. Statutes governing some Corporations require that their accounts be audited by the CAG and a report submitted to the Legislature.

5.11 Appointment of statutory auditors of State Public Sector Enterprises by CAG

Section 139 (5) of the Companies Act, 2013, provides that the Statutory Auditors, in case of a Government Company or GCOC, are to be appointed by the CAG, within a period of 180 days from the commencement of the financial year.

The CAG appointed Statutory Auditors of 19 working SPSEs, for the year 2022-23 whereas, Statutory Auditors for the remaining 13 working SPSEs, could not be appointed due to their accounts being in arrears for period ranging from one to 20 years, as detailed in **Appendix 5.4**.

5.12 Submission of accounts by State Public Sector Enterprises

5.12.1 Need for timely submission

According to Section 394 of the Companies Act, 2013, an Annual Report on the working and affairs of a Government Company, is to be prepared within three months of its Annual General Meeting²⁵ (AGM). As soon as may be after such preparation, the Annual Report must be laid before the Legislature, together with a copy of the Audit

²² Bihar Rajya Beej Nigam (₹ 7.74 crore), Bihar State Credit & Investment Corporation Ltd (₹ 0.26 crore) and Patna Smart City Limited (₹ 0.02 crore).

²³ Pirpainti Bijlee Company Private Limited and Lakhisarai Bijlee Company Private Limited had not commenced their operations even after lapse of 10 years of their inception.

²⁴ Bihar State Food and Civil Supplies Corporation Limited (₹ 348.83 crore), Bihar State Road Transport Corporation (₹ 144.10 crore), Bihar State Hydroelectric Power Corporation Limited (₹ 25.35 crore) and Bihar State Financial Corporation (₹ 13.00 crore).

²⁵ In case of the first AGM, it shall be held within a period of nine months from the date of closing of the first financial year of the company and in any other case within a period of six months, from the date of closing of the financial year i.e., 30 September.

Report and comments of the CAG upon, or as supplement to the Audit Report. Almost similar provisions exist in the respective Acts regulating Statutory Corporations. This mechanism provides the necessary Legislative control over the utilisation of public funds invested in the Companies from the Consolidated Fund of the State.

Section 96 of the Companies Act, 2013, requires every company to hold an AGM of the shareholders once in every calendar year. It also states that not more than 15 months should elapse between the date of one AGM and that of the next. Further, Section 129 of the Companies Act, 2013, stipulates that the audited Financial Statements, for the financial year, have to be placed in the said AGM, for its consideration.

Section 129 (7) of the Companies Act, 2013, also provides for levy of penalties like fines and imprisonment on the persons including directors of the company responsible for non-compliance with the provisions of Section 129 of the Companies Act, 2013.

The annual accounts of various SPSEs were pending, as on September 2023, as detailed in the subsequent paragraph.

5.12.2 Timeliness in preparation of accounts by SPSEs

Out of the 76 SPSEs (37 working and 39 inactive) under the purview of CAG's audit, accounts for the year 2022-23 were due from 71 SPSEs, excluding five SPSEs, which are under liquidation²⁶. However, only three SPSEs had submitted their accounts for the year 2022-23, for audit by the CAG, by 30 September 2023. 1,202 accounts of 68 SPSEs (34 working and 34 inactive), were in arrears for various reasons, as detailed in **Appendix 5.4** and summarised in **Table 5.10**.

Table 5.10
Details of arrear of Accounts of 34 working SPSEs whose Statutory Auditors are appointed by CAG

Arrears of Accounts	No. of SPSEs which have arrears of Accounts
One year	06
Two to five years	21
More than five years	07

For 2022-23, arrears in submission of accounts to CAG by 34 working SPSEs ranged from one to 20 years.

5.13 Results of CAG's oversight role

5.13.1 Audit of accounts of SPSEs

Sixty three Financial Statements, for the year 2022-23 and previous years, were received from 31 SPSEs, from August 2022 to 30 September 2023. Forty nine Financial Statements of 24 SPSEs were reviewed during audit and 'Non-Review Certificate' was issued for 14²⁷ accounts of seven SPSEs. Out of 49 financial statements, the CAG issued comments on 14 accounts and 'Disclaimer' on 10 accounts. Supplementary

²⁶ Bihar State Export Corporation Limited, Bihar State Finished Leathers Corporation Limited, Bihar State Leather Industries Development Corporation Limited, Bihar State Small Industries Corporation Limited and Kumardhubi Metal Casting & Engineering Limited.

²⁷ Including two accounts related to the Muzaffarpur Smart City Ltd., wherein non-review certificate was under process.

audit of remaining 25 accounts was under process (as of September 2023). Results of the review of 22 accounts of 13 SPSEs are detailed in **Paragraph 5.13.2**.

5.13.2 Impact of comments

The financial impact of significant comments, issued during August 2022 to September 2023, on the Financial Statements of SPSEs, was ₹ 610.36 crore on profitability and ₹ 5,863.08 crore on the financial position.

5.14 Response of the State Government to Audit

Paragraph 137 (1) of the Regulations on Audit and Accounts, 2020, provides that the Accountant General (Audit) shall send a copy of the draft audit report/ draft paragraph to the concerned Secretary to Government by name for communicating the comments, observations and explanation of the Government within such period of time as may be specified. Further Clause 1(b) of Paragraph 138 of the Regulations stipulates that the Secretary to Government of the concerned department shall communicate the comments, observations and explanation of the Government on the draft audit report/ draft paragraph in writing to the Accountant General (Audit) by name within the specified period.

For this Report, two Compliance Audit paragraphs relating to SPSEs were issued to the Additional Chief/ Principal Secretary of the respective Administrative Departments with a request to furnish replies within two weeks. However, replies have been received only for one Compliance Audit paragraph from the State Government.

5.15 Compliance to Report of Committee on Public Undertakings (COPU)

Paragraph 151(iii) of the Regulations on Audit and Accounts, 2020, states that it shall be the duty of the Government to establish and enforce adequate and reliable systems and procedures, clearly defining the roles and responsibilities at all levels that ensure that the Action Taken Notes (ATN) on the recommendations of the Public Accounts Committee/ Committee on Public Undertakings are sent to the appropriate authorities within the time limit prescribed in each case.

The COPU had submitted 12 reports with one recommendation (2021-22) to the State legislature. However, during follow-up action on audit reports, no ATN was received with respect to one recommendation which is indicated in **Table 5.11**.

Table 5.11
Compliance to COPU Reports

Year of the COPU Report	Total number of COPU Reports ²⁸	Report No. of COPU	Total number of recommendations in COPU Report	Number of recommendations where ATNs not received
2020-21	01	210 th	0	0
2021-22	01	212 th	1	1
2022-23	05	211 th , 214 th and 216 th to 218 th	0	0
2023-24 (Up to September 2023)	05	213 th , 215 th , 219 th , 220 th and 221 st	0	0
Total	12		1	1

(Source: Compiled on the basis of the COPU Reports)

²⁸ Tabled in the State Legislature during the year

**CHAPTER VI
COMPLIANCE
AUDIT
OBSERVATIONS**

CHAPTER VI: COMPLIANCE AUDIT OBSERVATIONS

This Chapter includes important audit findings emerging from test-check of transactions of the State Government companies.

Government Companies

Bihar State Educational Infrastructure Development Corporation Limited

6.1 Undue favour to contractors and loss to the Company

Due to its lackadaisical approach, the Company could not properly monitor renewal and verify the genuineness of Bank Guarantees submitted. This resulted in undue favour to contractors amounting to ₹ 94.25 lakh as the BGs obtained against Performance Security/ Security Deposit could not be forfeited. Further, Mobilization Advances of ₹ 64.07 lakh extended to the contractors and interest of ₹ 33.01 lakh accrued thereon could not be recovered which resulted in a loss of ₹ 97.08 lakh to the Company.

Bihar State Educational Infrastructure Development Corporation Limited (Company), is a wholly Government owned Company under the administrative control of the Education Department, Government of Bihar (GoB). The Company is engaged in construction and maintenance of all types of educational infrastructure in the State, on behalf of the Education Department.

For the construction of educational infrastructure, the Company invites tenders through its Standard Bidding Document (SBD). Sub Clause (i) and (iv) of Clause 1 and sub clause (vii) (a) of Clause 3 of the SBD provide that a contractor has to submit a Performance Guarantee of two *per cent* of the tendered amount in the shape of a Bank Guarantee (BG). In the event of the contract being rescinded under provision of any of the clauses/conditions of the agreement, the performance guarantee shall stand forfeited in full. Clause 1(ii) of SBD stipulates that performance guarantee shall initially be valid up to 28 days beyond the defect liability period of three years (as per Schedule 'F' of SBD).

Scrutiny of the records provided by the Company showed (January-February 2023) that:

(A) The Company awarded (October 2013) the work of construction of school buildings¹ to M/s Anoj Enterprises (Contractor), at a cost of ₹ 8.40 crore. The awarded work was to be completed within 15 months (*i.e.*, up to May 2016) from the date of its commencement (February 2015). The Contractor submitted (December 2014) a BG² of ₹ 16.81 lakh with validity up to December 2019 as Performance Guarantee for this contract. In April 2021 (after 16 months of expiry of BG), the

¹ At three locations in Sitamarhi district under group no. MS-120.

² Bearing name of bank and its branch (United Bank of India, Bishunpura Branch, Makhua, Turkauliya, Dist.- East Champaran, Pin-845437).

Company received intimation of renewal of the said BG's validity (up to April 2026) on a letterhead wherein bank name 'United Bank of India' was mentioned.

In December 2021, the Company rescinded the contract citing slow progress of work and decided to forfeit the Performance Security furnished by the contractor. Accordingly, correspondence was made (September 2022) with the BG issuing bank branch. In the absence of any response from the bank branch, the BG remained unforfeited (June 2024).

Audit observed that: (i) in the initial BG submitted by the Contractor handwritten details were entered on a proforma (ii) although United Bank of India (UBI) was merged (April 2020) with Punjab National Bank (PNB), renewal of BG was found intimated (April 2021) on the letterhead of UBI and (iii) the Company neither verified the initial BG nor its renewal.

On being enquired, the Zonal office of the Bank replied (May 2024) that there is no record of the existence of such a BG or of its renewal. This indicated that the contractor had neither submitted a BG issued by UBI nor was it renewed by the Bank. Therefore, there is a strong possibility that a fake initial, as well as renewed BG was submitted, by the contractor to the Company.

Thus, due to its lackadaisical approach, the Company neglected to verify original and renewed Bank Guarantees, directly with the issuing bank. This resulted in undue favour to the contractor amounting to ₹ 16.81 lakh.

(B) Sub Clauses (ii), (iv) and (vi) of Clause 10B of the SBD provide that the contractor shall execute a Bank Guarantee from a Scheduled Nationalised Bank for the full amount of Mobilisation Advance (MA), before its release. The said Bank Guarantee shall be valid for the entire contract period. The Guarantee was also to be kept renewed from time to time to cover the balance amount and likely period of complete recovery together with interest. The mobilization advance would bear simple interest rate equal to the prevailing rate of interest charged by the bank as mentioned in the Schedule 'F' of the Contract Data under Section 4 of the SBD.

The Company awarded (October 2013) the work of construction of school buildings³ to a contractor, at a cost of ₹ 8.50 crore. The awarded work was to be completed within 15 months (i.e., up to March 2015) from the date of its commencement (December 2013). The Contractor initially submitted (June 2014) a Performance Security of ₹ 17.01 lakh⁴ in the form of BG and National Saving Certificate (NSC) for the contract executed (June 2014). Later on, the contractor replaced (July 2016) the initially submitted BG and NSC with a BG of ₹ 18 lakh⁵ with validity up to 11

³ At three locations i.e. S.R.P.N. High School at Bajpatti, High School at Majorganj and S.G High School at Parihar in Sitamarhi district under group no. MS-122.

⁴ National Saving Certificate of ₹ 6.01 lakh and BG of ₹ 11.00 lakh.

⁵ Issued by Bank of Baroda, Pipra Branch, Makhua, East Champaran – 845437.

July 2021. On verification from the concerned bank, the Company received (July 2016) a letter in the name of the bank confirming the BG.

In addition to this, the contractor submitted (November 2014) another BG (from the erstwhile United Bank of India) of ₹ 38 lakh as equal amount against the Mobilisation Advance (MA) drawn (December 2014) from the Company. The BG was valid from the date of advance payment, to the date of receipt of full settlement of the advance from the Contractor. It was noted that the Contractor executed only 31.53 *per cent* of the work, for which an amount of ₹ 2.68 crore was paid (up to March 2016). The Company recovered (January 2015 to March 2016) MA amounting to only ₹ 11.70 lakh and the remaining MA of ₹ 26.30 lakh⁶, as well as interest amounting to ₹ 22 lakh⁷ thereon was to be recovered from the Contractor.

In December 2021, the Company rescinded the contract citing slow progress of work and decided to forfeit Performance Security of ₹ 18 lakh furnished by the contractor. Accordingly, a correspondence was made (June 2022) with the bank. However, as per available records, no correspondence was made with the bank to forfeit the BG of ₹ 38 lakh submitted by the contractor against the MA.

Audit observed that: (i) handwritten details were entered on the proforma in the BGs submitted (July 2016 and November 2014) by the contractor and (ii) BG submitted against MA was not verified by the Company from the concerned bank. On being enquired, Zonal office of one bank⁸ stated (April/ May 2024) that the BG submitted for performance guarantee was invalid since there was no such branch. In respect of BG against MA, the Zonal office of other bank⁹ stated (May 2024) that there is no record of the existence of such a BG.

This indicates that neither the contractor submitted genuine BGs issued by the concerned banks nor was the letter confirming BG for performance guarantee authentic. However, the Company did not carry out stringent checks and could not ensure the genuineness of BGs which was necessary to safeguard its financial interest.

Thus, due to its lackadaisical approach, the Company did not verify the BG from the concerned bank and verification made in one case was also deficient. This resulted in undue favour to the contractor of ₹ 18 lakh and loss to the Company of ₹ 48.30 lakh¹⁰.

⁶ ₹ 38.00 lakh – ₹ 11.70 lakh (recovered) = ₹ 26.30 lakh.

⁷ Interest (₹ 26.30 lakh × 14.50% × 2,106/365) = ₹ 22 lakh (from last payment date i.e., 15.03.2016 to contract rescind date i.e. 20.12.2021).

⁸ Zonal Office, Bank of Baroda, Patna.

⁹ Zonal Office, Punjab National Bank, Patna.

¹⁰ ₹ 26.30 lakh (MA) + ₹ 22 lakh (Interest on MA).

(C) Clause 17 of the SBD stipulates that the Security Deposit of the contractor shall not be refunded before the expiry of the defect liability period (DLP) *i.e.*, three years. The DLP period will start from the issue of final certificate of completion of work or till the preparation/ passing of final bill, whichever is later. Further, as per Clause 1A of the contract, a sum at the rate of eight *per cent* from the gross amount of each running bill, as Security Deposit (SD) was to be deducted by the Company.

The Company awarded (November 2013) the construction work of District Institute of Education and Training (DIET) building at Pusa in Samastipur, to M/s Delco Infrastructure (Agency) at a cost of ₹ 9.81 crore. The Agency submitted (December 2013) a Performance Security of ₹ 24.77 lakh in the shape of a BG with its validity up to June 2018. The contract was executed (February 2014) with the Agency to complete the work in 18 months from the date of its commencement (February 2014). Further, Mobilisation Advance of ₹ 98 lakh was also given (October 2014) to the agency against a BG of equivalent amount, valid up to September 2015. The work was completed in September 2021 and payment (October 2021) of ₹ 6.20 crore was made to the agency. The Company recovered MA of ₹ 60.23 lakh and interest on MA amounting to ₹ 15.81 lakh up to September 2019 from the Agency. Remaining MA of ₹ 37.77 lakh along with interest thereon amounting to ₹ 11.01 lakh¹¹ remained unrecovered till the payment of final running account bill (October 2021).

Audit observed that:

- BG received against MA expired in September 2015 and as per the records of the Company it was not renewed. At the time of expiry of BG (September 2015), MA of ₹ 83.03 lakh¹² was pending for recovery.
- The Company also let the BG of ₹ 24.77 lakh received against Performance Security, expire in June 2018 without seeking any renewal.
- The Company deducted (up to July 2017) SD of ₹ 34.67 lakh from the agency. It released (October 2017) this SD after the Agency submitted (September 2017) a BG for ₹ 35 lakh with its validity up to 31 October 2020. The Company did not renew this BG also.
- Reasons for non-renewal of BGs in respect of Performance Security, MA and SD were not found on the records of the Company.
- After September 2019, payment of five more running account bills of ₹ 77.21 lakh was made (up to October 2021) to the Agency. However, MA, as well as interest thereon was not recovered from these bills.

¹¹ ₹ 37.77 lakh × 14.50% × 734/365 (from 16th R.A bill *i.e.* from 19.09.2019 to date of completion of work *i.e.* 22.09.2021).

¹² MA deducted up to September 2015 (3rd R.A. bill): ₹ 14.97 lakh.

Therefore, the Company did not renew the BGs received against Performance Security, Mobilisation Advance and Security Deposit. It could also not recover MA amount as well as interest due on the advance due to non-forfeiture of BG obtained against it. This resulted in undue favour to the contractor amounting to ₹ 59.44 lakh¹³ and loss to the Company of ₹ 48.78 lakh (MA: ₹ 37.77 lakh and Interest: ₹ 11.01 lakh).

Thus, due to its lackadaisical approach, the Company violated the provisions of BFR, 2005, by not monitoring the BGs submitted by contractors for various works. This resulted in undue favour to the contractors amounting to ₹ 94.25 lakh as the BGs obtained against Performance Security/ Security Deposit could not be forfeited. Further, Mobilisation Advances of ₹ 64.07 lakh¹⁴ and interest of ₹ 33.01 lakh¹⁵ accrued thereon also could not be recovered due to non-forfeiture of BGs obtained against these Mobilisation Advances. This resulted in a loss of ₹ 97.08 lakh to the Company.

The matter was reported (July 2024) to the Education Department. The reply of the Department was, however, awaited (as of October 2024).

Bihar Rajya Pul Nirman Nigam Limited

6.2 Infructuous expenditure on construction of bridge

The Company incurred an infructuous expenditure of ₹ 5.35 crore on construction of a bridge which has been lying incomplete due to overlooking the mandatory compliance requirements of the AMASR Act, 1958, during project planning.

As per Section 20A of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (AMASR Act, 1958) (amended in 2010), an area of one hundred metres in all directions from the limit of a protected Area/ Monument shall be prohibited area in respect of such protected monument. Further, as per Clause 6 (II) of the Ancient Monuments and Archaeological sites and Remains (Framing of Heritage by-laws and other functions of the Competent Authority) Rules, 2011, prior permission was required for construction of public utility projects such as roads, highways, drains, transportation, etc. in the prohibited area of a monument.

Bihar Rajya Pul Nirman Nigam Limited (Company) prepared (November 2017) a project report for construction of High Level Reinforced Cement Concrete (HLRCC) Bridge on 1st KM of Lauriya-Shikarpur-Thori road. The Road Construction Department (RCD) accorded (21 February 2018) Administrative Approval for the said project and the Company invited (28 February 2018) tender for the work. The

¹³ ₹ 24.77 lakh (Performance Security) + ₹ 34.67 lakh (Security Deposit).

¹⁴ ₹ 26.30 lakh + ₹ 37.77 lakh.

¹⁵ ₹ 22.00 lakh + ₹ 11.01 lakh.

technical sanction for the work was accorded in April 2018. Thereafter, the work was awarded and an agreement was signed (October 2018) with a contractor for ₹ 7.33 crore, with scheduled date of completion of work in December 2019.

Scrutiny of records made available to Audit revealed that the HLRCC bridge was planned to be constructed within the prohibited area (less than 100 meters) of the Ashokan Pillar¹⁶ located in Lauriya (West Champaran), without carrying out any verification of the site.

The construction work of the bridge commenced in September 2018 and after completion of foundation work and execution of 70 per cent of the sub-structure, the Archaeological Survey of India (ASI) objected (November 2019) to the work, citing the prohibited area clause. Subsequently, the work was stopped with effect from 27 November 2019, by which time the Company had paid an amount of ₹ 5.35 crore¹⁷ (as of March 2022) to the contractor.

Thereafter, the Company requested (April 2020) the Principal Secretary-cum-Competent Authority, Art, Culture & Youth Department (ACYD) to issue a No Objection Certificate (NOC) for completion of the bridge work. The Competent Authority decided (September 2020) to refer the matter to the National Monument Authority (NMA), Ministry of Culture, GoI. The Authority, replied (June 2021) that the proposed construction of the bridge is within the prohibited area of the Ashokan Pillar, and as per Rule 8(1) of the AMASR (framing of Heritage Bye Laws and after functions of the Competent Authority) Rules, 2011, only the Competent Authority is empowered to grant required permission for work within a prohibited area.

The Company again requested (July 2021) the Principal Secretary-cum-Competent Authority, ACYD, to issue the NOC but the same was not issued by the competent authority. Further, the Patna Circle of ASI requested (February 2023) the Company to demolish the partially built structure of the bridge near the protected monument.

It is clear that the Company while preparing the project report, did not take into account all the necessary provisions to be complied with before commencing the construction of the bridge including obtaining NOC from the competent authority. Requirement of compliance with the provisions of AMASR Act, 1958, was neither mentioned in the project report nor was any approval sought from the Competent Authority, under this Act, before according Administrative/ Technical approval for the construction of the bridge.

Thus, the Company incurred an infructuous expenditure of ₹ 5.35 crore on construction of a bridge, which has been lying incomplete due to overlooking the

¹⁶ Built by the emperor Ashoka (Maurya period). It is one of the centrally protected monument/ sites under the jurisdiction of Patna Circle of Archaeological Survey of India (ASI).

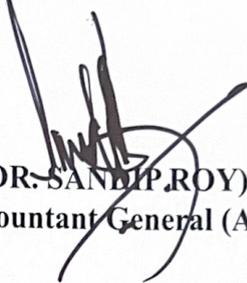
¹⁷ ₹ 4.92 crore on Running Account Bills plus ₹ 0.38 crore on GST plus ₹ 0.05 crore on price escalation.

mandatory compliance requirements of the AMASR Act, 1958, during project planning.

The Department replied (October 2024) that the concerned department was again requested to issue NOC.

The reply may be viewed in light of the fact that the Company had not considered all mandatory legal requirements, including obtaining a No Objection Certificate under the AMASR Act, 1958, prior to commencing construction of the bridge.

Patna
The 14 September 2025



(DR. SANDIP ROY)
Principal Accountant General (Audit), Bihar

Countersigned

New Delhi
The 22 September 2025



(K. SANJAY MURTHY)
Comptroller and Auditor General of India



APPENDICES

Appendix 2.1

(Reference: Paragraph 2.3.7)

Summary of GST returns

Name of return	Description
GSTR-1	Monthly return furnished by all normal taxpayers making outward supplies of goods and services or both and contains details of outward supplies of goods and services.
GSTR-3B	Monthly summary return of outward supplies and input tax credit claimed, along with payment of tax by the normal taxpayers. This is the return that populates the credit and debits in the Electronic Credit Ledger and debits in Electronic Cash Ledger respectively.
GSTR-9	Annual return to be filed by normal taxpayers. It contains details of all supplies made and received under various tax heads (CGST, SGST and IGST) during the entire year along with turnover.
GSTR-2A	A system-generated statement of inward supplies for a recipient. It contains the details of all inward transactions declared by the suppliers in their GST returns.
GSTR-4	Annual return for composition taxpayers contains details of Inward/ Outward Supplies and tax liabilities thereof.
CMP-08	Quarterly return for composition taxpayers contains details of payment of self-assessed tax.

(Source: *BGST Acts/Rules, 2017*)

Appendix 2.2
(Reference: Paragraph 2.3.8)
Key Problem Area

Sl. No.	Key Problem Area
1	Composition taxpayers generating EWBs for inter-state supplies.
2	Composition taxpayers generating EWBs for outward supplies exceeding threshold limit.
3	Taxpayers with only outward supplies supported by EWBs in any given year.
4	Taxpayers who effected disproportionate outward supplies compared to inward supply (EWBs supported) in any given year.
5	Taxpayers who had generated EWBs using duplicate invoices.
6	Generation of EWBs by Nil filers of return.
7	Generation of EWBs by returns defaulters (Non-filers).
8	Taxpayers who have generated EWBs after effective date of cancellation.
9	Taxpayers who have generated EWB whose registration was subsequently cancelled.
10	Taxpayers who had generated EWBs and had cancelled subsequently.
11	Taxpayers who had generated EWBs and were subsequently rejected by the recipients.
12	Taxpayers who had generated disproportionate supplies supported by EWBs on the inward side compared to outward side in any given year.
13	Extension of EWBs by taxpayers.
14	EWBs generated using risky vehicles i.e., two wheelers.
15	EWBs generated using theft vehicles.
16	High value of EWBs in first six months of registration.
17	EWBs using invalid Pin codes.
18	EWBs generated using suspended, scrapped, surrendered, and cancelled vehicles.
19	EWBs generated by defaulter list of MCA.
20	EWBs generated by income tax defaulters.
21	EWBs generated by DGARM-identified/Other agencies-identified taxpayers.
22	EWBs generated by DGFT-blacklisted exporters.

Appendix 2.3
(Reference: Paragraph 2.3.10.1)
Ineligible taxpayers continuing under composition scheme

Sl. No.	GSTIN	Name of circle	No. of EWBs	EWB date	Interest effective from	Assessable value	Tax amount	Interest as on 30.09.2023	Total amount
1.	10XXXXXXXXXX2Z5	Patna South	1	22.06.2018	20.07.2018	65,100.00	3,255.00	3,047.00	6,302.00
2.	10XXXXXXXXXX1Z5	Patna South	7	16.08.2019 - 10.07.2020	20.08.2020	4,15,912.00	50,599.00	28,347.00	78,946.00
3.	10XXXXXXXXXX2ZQ	Patna South	4	02.03.2019 - 13.03.2021	20.04.2021	5,23,062.00	43,926.00	19,344.00	63,270.00
4.	10XXXXXXXXXX1ZP	Sasaram	3	04.08.2018 - 02.03.2019	20.04.2019	5,28,344.00	26,417.00	19,958.00	46,375.00
5.	10XXXXXXXXXX2ZS	Darbhanga	2	23.01.2020 - 14.03.2020	20.04.2020	2,00,520.00	36,093.00	21,306.00	57,399.00
6.	10XXXXXXXXXX1ZT	Gaya	1	07.12.2018	-	4,46,863.00	0	0	0
7.	10XXXXXXXXXX2ZD	Gaya	1	25.01.2020	-	70,390.00	0	0	0
8.	10XXXXXXXXXX1ZN	Patna City West	1	25.02.2019	-	71,544.00	0	0	0
9.	10XXXXXXXXXX1Z5	Purnea	1	04.06.2018	-	5,6150.00	0	0	0
Total			21			23,77,885.00	1,60,290.00	92,002.00	2,52,292.00

Appendix 2.4
(Reference: Paragraph 2.3.10.2)
Generation of EWBs by cancelled taxpayers

Sl. No.	GSTIN	Name of circle	No. of EWBs	EWB date	Interest effective from	Assessable value	Tax amount	Interest as on 30.09.2023	Total amount
1.	10XXXXXXXXXX1ZY	Patna South	1	30.11.2020	20.12.2020	2,50,480.00	45,086.00	22,546.00	67,632.00
2.	10XXXXXXXXXX1ZC	Patliputra	4	05.11.2018 - 23.11.2018	20.12.2020	21,54,788.00	3,87,862.00	3,33,774.00	7,21,636.00
3.	10XXXXXXXXXX1ZD	Gaya	164	04.04.2018 - 12.12.2018	20.01.2019	2,49,486.00	8,933.00	7,551.00	16,484.00
4.	10XXXXXXXXXX1ZY	Sasaram	50 (20 +30)	01.10.2019- 27.11.2019	-	58,64,392.00	0.00	0.00	0.00
5.	10XXXXXXXXXX1ZF	Gaya	2	10.07.2018	-	3,20,620.00	0.00	0.00	0.00
6.	10XXXXXXXXXX1ZW	Katihar	1	20.09.2019	-	4,025.00	0.00	0.00	0.00
Total							4,41,881.00	3,63,871	8,05,752.00

Appendix 2.5
(Reference: Paragraph 2.3.10.3)
Generation of multiple EWBs on same/similar invoice

Sl. No.	GSTIN	Name of circle	No. of EWBs	EWB date	Interest effective from	Assessable value	Tax amount	Interest as on 30.09.2023	Total amount
1.	10XXXXXXXXXX1ZT	Patna Special	2	30.09.2018 - 19.10.2018	20.11.2018	12,89,419.00	2,32,095.00	2,03,163.00	4,35,258.00
2.	10XXXXXXXXXX1ZJ	Patna City West	2	26.12.2020	20.01.2021	2,88,750.00	51,975.00	25,196.00	77,171.00
3.	10XXXXXXXXXX1Z2	Patna City West	2	14.04.2018	20.05.2018	5,74,699.00	1,03,446.00	99,936.00	2,03,382.00
4.	10XXXXXXXXXX1ZH	Purnea	2	04.09.2018	20.10.2018	3,32,044.00	16,602.00	14,786.00	31,388.00
5.	10XXXXXXXXXX1ZD	Gaya	18	25.05.2018 - 26.05.2018	-	16,200.00	-	-	0
6.	10XXXXXXXXXX1Z8	Patliputra	4	09.05.2018	-	58,46,158.00	-	-	0
7.	10XXXXXXXXXX1ZC	Patna City West	2	28.08.2018	-	14,56,836.00	-	-	0
8.	10XXXXXXXXXX1ZR	Patna South	2	18.10.2018	-	3,33,310.00	-	-	0
9.	10XXXXXXXXXX2ZE	Patna South	8	27.06.2018 - 04.10.2018	-	41,93,160.00	-	-	0
Total						1,43,30,576	4,04,118.00	3,43,081.00	7,47,199.00

Appendix 2.6

(Reference: Paragraph 2.3.10.4)

Generation EWBs for the transactions effected through risky vehicles

(Amount in ₹)

Sl. no.	GSTIN	Name of circle	EWB No./ Date	Assessable value	Tax value	Nature of risky vehicle	Vehicle No.
1.	10XXXXXXXXXX1Z9	Patliputra	801128052298/ 01.12. 2020	1,72,870.00	31,117.00	Scrapped	WB23A7315
2.	10XXXXXXXXXX1ZP	Sasaram	841011388509/ 13.07.2018	14,59,810.00	72,991.00	Scrapped	UP65AR1328
3.	10XXXXXXXXXX1ZX	Sasaram	871180074228/ 22.09.2021	1,67,500.00	18,375.00	Scrapped	UP44T0146
4.	10XXXXXXXXXX1ZS	Patna City West	861054741806/ 03.06.2019	2,31,57,128.00	19,60,504.00	two-wheeler	BR01BD5156
5.	10XXXXXXXXXX1ZQ	Begusarai	891134875350/ 09.01.2021	3,06,900.00	15,345.00	Registration cancelled	UP23T0483
6.	10XXXXXXXXXX1Z8	Patliputra	881004664476 (10 May 2018)	14,04,749.40	0.00	Two-wheeler	RJ19DB9107
7.	10XXXXXXXXXX1ZA	Purnea	801067688451 (5 September 2019)	10,53,714.28	0.00	Two-wheeler	WB74A4442
8.	10XXXXXXXXXX1ZP	Patna South	811051833437 (14 May 2019)	12,25,074.45	0.00	Theft	WB23E7735
9.	10XXXXXXXXXX1ZK	Patna Special	881127355019 (01 December 2020)	3,61,861.34	0.00	Scrapped	WB23A7315
Total				2,93,09,607.47	20,98,332.00		

Appendix 2.7
(Reference: Paragraph 2.3.10.5)
Generation of EWBs by the taxpayers who had filed NIL GST returns

Sl. No.	GSTIN	Name of circle	No. of EWBs	EWB date	Interest effective from	Assessable value	Tax amount	Interest as on 30.09.2023	Total amount
1.	10XXXXXXXXXX1ZB	Purnea	1	06.11.2019	20.12.2019	3,08,800.00	55,584.00	37,828.00	93,412.00
2.	10XXXXXXXXXX2Z4	Darbhanga	1	09.11.2018	20.12.2018	1,76,262.00	31,727.00	27,302.00	59,029.00
3.	10XXXXXXXXXX1Z2	Patna City West	4	14.04.2018 - 15.05.2018	20.06.2018	14,21,429.00	2,55,857.00	2,43,268.00	4,99,125.00
4.	10XXXXXXXXXX1ZL	Patna City West	25	02.05.2019 - 20.07.2019	20.08.2019	53,32,500.00	2,66,625.00	1,93,548.00	4,60,173.00
5.	10XXXXXXXXXX1Z7	Patna South	68	2018-19	20.04.2019	2,75,45,413.00	49,58,174.00	39,70,886.00	89,29,060.00
6.	10XXXXXXXXXX1ZZ	Sasaram	104	02.04.2018 - 28.02.2019	20.03.2019	1,00,15,800.00	12,71,990.00	10,38,153.00	23,10,143.00
7.	10XXXXXXXXXX2ZE	Patna South	8	27.06.2018- 04.10.2018	20.11.2018	41,93,160.00	2,98,080.00	2,60,922.00	5,59,002.00
8.	10XXXXXXXXXX1Z8	Begusarai	89	20.12.2018- 02.03.2019	-	3,24,99,675.00	0	-	0
9.	10XXXXXXXXXX2ZS	Darbhanga	2	2019-20	-	2,00,520.00	0	-	0
Total						8,16,93,559.00			1,29,09,944.00

Appendix 2.8
(Reference: Paragraph 2.3.10.6)
Generation of EWBs by Non-filers of GST returns -

Sl. No.	GSTIN	Name of circle	No. of EWBs	EWB date	Interest effective from	Assessable value	Tax amount	Interest as on 30.09.2023	Total amount
1.	10XXXXXXXXXX1Z7	Patna South	23	14.04.2019 - 06.08.2019	20.09.2019	2,11,46,438.00	38,06,359.00	27,61,227.00	65,67,586.00
2.	10XXXXXXXXXX1Z5	Purnea	1	04.06.2018	20.07.2018	56,150.00	10,107.00	9,460.00	19,567.00
3.	10XXXXXXXXXX1Z0	Patna City West	3	08.04.2019 - 16.09.2019	20.10.2019	2,53,254.00	34,271.00	24,354.00	58,625.00
4.	10XXXXXXXXXX1ZY	Sasaram	420	April 2019 - March 2020	20.04.2020	4,74,82,244.00	53,62,193.00	30,83,334.00	84,45,527.00
5.	10XXXXXXXXXX1Z8	Begusarai	9	17.04.2019	-	12,81,673.00	0	-	0
6.	10XXXXXXXXXX1ZW	Patna South	1	2020-21	-	2,14,822.00	0	-	0
Total						7,04,34,581.00			1,50,91,305.00

Appendix 2.9
(Reference: Paragraph 2.3.10.7)
Non-discharge of tax liability by taxpayers

Sl. No.	Key Problem Area	GSTIN	Name of circle	No. of EWBs	EWB date	Interest effective from	Assessable value	Tax amount	Interest as on 30.09.2023	Total amount
1.	EWB generated by taxpayers who are identified by DGARM and other agencies	10XXXXXXXXXX1Z8	Begusarai	98	20.12.2018 - 17.04.2019	20.05.2019	3,96,20,084.00	71,31,616.00	56,06,036.00	1,27,37,652.00
		10XXXXXXXXXX3ZW	Patna Special	5	13.03.2021 - 22.07.2021	20.08.2021	7,25,906.00	1,16,218.00	44,188.00	1,60,406.00
		10XXXXXXXXXX1ZT	Patna Special	5	25.12.2021 - 15.02.2022	20.03.2022	78,79,867.00	13,55,376.00	3,73,638.00	17,29,014.00
		10XXXXXXXXXX1ZI	Patna Special	2	01.12.2018 - 20.12.2018	20.01.2019	51,08,585.00	9,19,545.00	7,77,254.00	16,96,799.00
2.	EWB generated using invalid PIN codes	10XXXXXXXXXX1ZG	Patna Special	1	23.01.2019	20.02.2019	31,45,627.00	5,66,212.00	4,69,940.00	10,36,152.00
3.	Same PAN transactions	10XXXXXXXXXX2ZQ	Munger	98	2019-20	20.04.2020	28,99,79,884.21	66,98,645.06	41,55,729.28	1,08,54,374.34
Total		Taxpayer- 6		209			34,64,59,953.21	1,67,87,612.06	1,14,26,785.28	2,82,14,397.34

Appendix 2.10
(Reference: Paragraph 2.3.14.2)
Short levy of tax and penalty during EWB verification

(Amount in ₹)

Sl. No.	IB	Vehicle no.	Amount of short levy	Gist of the observations
1	CIB-Patna	UP21BN8942	9,100.00	Instead of 22.715 Metric Ton of goods (as per physical verification report), penalty was calculated on 22.260 Metric Ton.
2	CIB-Patna	JH10BC6097	20,660.00	Instead of 24,450 Kg goods (as per physical verification report), penalty was calculated on 24,050 Kg.
3	Saran	UP53AT2425	1,32,962.00	15 invoices mentioned in the physical verification report was not included in the demand.
4	Purnea	BR11S0506	16,659.00	One invoice mentioned in the physical verification report was not included in the demand.
Total			1,79,381.00	

Appendix 2.11
(Reference: Paragraph 2.4.6.3)
Delays in cancellation

Sl. No.	Name of circle	No. of cases of cancellation (Taxpayers request)	No. of cases of suo moto cancellation	No. of cases of delayed cancellation	Range of delay in days
1	Danapur	633	1,145	440	1 to 659
2	Gandhi Maidan	106	56	46	44 to 279
3	Muzaffarpur West	624	977	288	1 to 875
4	Patna West	206	367	36	1 to 631
5	Supaul	224	304	44	10 to 813
Total		1,793	2,849	854	

Appendix 2.12
(Reference: Paragraph 2.4.6.4)
Inadequate follow up on non-filing of GSTR-10

Sl. No.	Name of circle	No. of cases of cancellation (Taxpayers request)	No. of cases of suo moto cancellation	GSTR-10 filed		No. of cases where GSTR-10 not filed
				cancellation (Taxpayers request)	<i>suo moto</i> cancellation	
1	Danapur	633	1,145	170	8	1,600
2	Gandhi Maidan	106	56	55	1	106
3	Muzaffarpur West	624	977	225	6	1,370
4	Patna West	206	367	90	7	476
5	Supaul	224	304	102	1	425
Total		1,793	2,849	642	23	3,977

Appendix -2.13
(Reference: Paragraph 2.4.7.2)
Non-submission of reply by the Department

Sl. No.	Audit Dimension	GSTIN	Name of circle	Year	Mismatch amount (Amount in ₹)
1	Excess ITC availed	10XXXXXXXXXX1ZW	Patliputra	2019-20	6,63,33,044
2	ITC availed without supplier remitting tax	10XXXXXXXXXX1ZT	Patliputra	2019-20	6,673
3		10XXXXXXXXXX1ZT	Patliputra	2018-19	3,91,28,531
4		10XXXXXXXXXX1ZT	Patliputra	2020-21	3,308
5		10XXXXXXXXXX1Z7	Patna Special	2020-21	3,93,13,091
6		10XXXXXXXXXX1Z8	Patna Special	2018-19	3,98,56,323
7		10XXXXXXXXXX1Z8	Patna Special	2019-20	88,33,126
8		10XXXXXXXXXX1Z8	Patna Special	2020-21	69,64,187
9		10XXXXXXXXXX1ZL	Patna Special	2018-19	5,71,01,264
10		10XXXXXXXXXX1ZL	Patna Special	2019-20	2,63,642
11		10XXXXXXXXXX1ZX	Patna Special	2018-19	3,48,38,518
12		10XXXXXXXXXX1ZX	Patna Special	2020-21	15,35,023
13		10XXXXXXXXXX1ZX	Patna Special	2019-20	1,13,99,196
14		10XXXXXXXXXX1ZD	Patna Special	2018-19	2,13,04,788
15		10XXXXXXXXXX1ZD	Patna Special	2019-20	3,16,54,362
16		10XXXXXXXXXX1ZD	Patna Special	2020-21	7,87,327
17		10XXXXXXXXXX1ZC	Patna Special	2019-20	40,03,26,254
18		10XXXXXXXXXX1ZC	Patna Special	2018-19	1,37,20,776
19		10XXXXXXXXXX1ZC	Patna Special	2020-21	10,13,51,173
20		10XXXXXXXXXX1ZC	Patna Special	2019-20	24,49,953
21		10XXXXXXXXXX1ZC	Patna Special	2020-21	6,03,160
22		10XXXXXXXXXX2ZQ	Patna Special	2019-20	4,68,58,427
23		10XXXXXXXXXX2ZQ	Patna Special	2018-19	21,28,743

Sl. No.	Audit Dimension	GSTIN	Name of circle	Year	Mismatch amount
24		10XXXXXXXXXX1ZV	Patna Special	2018-19	3,02,79,555
25		10XXXXXXXXXX1ZV	Patna Special	2019-20	65,45,176
26		10XXXXXXXXXX1ZQ	Patna Special	2019-20	1,79,61,953
27		10XXXXXXXXXX1ZQ	Patna Special	2020-21	1,10,61,162
28		10XXXXXXXXXX1ZQ	Patna Special	2018-19	2,13,81,733
29		10XXXXXXXXXX1ZR	Patna Special	2018-19	2,16,97,873
30		10XXXXXXXXXX1ZR	Patna Special	2019-20	1,67,78,741
31		10XXXXXXXXXX1ZR	Patna Special	2020-21	77,55,839
32		10XXXXXXXXXX1ZP	Patna Special	2018-19	95,96,348
33		10XXXXXXXXXX1ZP	Patna Special	2020-21	89,70,489
34		10XXXXXXXXXX1ZP	Patna Special	2019-20	2,09,30,700
35	ITC availed on GSTR-3B filed after limitation period	10XXXXXXXXXX1ZY	Patna Special	2020-21	1,65,02,969
36		10XXXXXXXXXX1ZY	Patna Special	2018-19	49,410
37		10XXXXXXXXXX1ZY	Patna Special	2019-20	30,73,067
38	Incorrectly availing ISD credits	10XXXXXXXXXX1Z2	Patna Special	2018-19	2,76,158
39		10XXXXXXXXXX1Z2	Patna Special	2020-21	1,57,323
40		10XXXXXXXXXX1ZD	Patna Special	2018-19	34,01,127
41		10XXXXXXXXXX1Z6	Patna Special	2018-19	29,11,206
42		10XXXXXXXXXX1ZM	Patna Special	2018-19	12,85,446
43		10XXXXXXXXXX1ZM	Patna Special	2020-21	54,978
44		10XXXXXXXXXX1ZB	Patna Special	2018-19	22,21,938
45		10XXXXXXXXXX1ZC	Patna Special	2018-19	66,98,794
46		10XXXXXXXXXX1ZC	Patna Special	2020-21	15,08,186
47		10XXXXXXXXXX1ZX	Patna Special	2019-20	19,17,964
48		10XXXXXXXXXX1Z9	Patna Special	2018-19	8,85,078
49		10XXXXXXXXXX1ZV	Patna Special	2018-19	18,09,526

Sl. No.	Audit Dimension	GSTIN	Name of circle	Year	Mismatch amount
50		10XXXXXXXXXX1Z3	Patna Special	2019-20	10,81,477
51		10XXXXXXXXXX1ZV	Patna Special	2019-20	1,55,03,623
52		10XXXXXXXXXX1ZV	Patna Special	2020-21	1,02,85,723
53		10XXXXXXXXXX1ZV	Patna Special	2018-19	15,83,992
54		10XXXXXXXXXX1Z4	Patna Special	2020-21	20,38,137
55		10XXXXXXXXXX1ZG	Patna Special	2019-20	15,03,691
56		10XXXXXXXXXX1ZG	Patna Special	2020-21	10,32,959
57	Unreconciled ITC in Table-12F of	10XXXXXXXXXX1ZR	Patna Special	2019-20	74,59,788
58	GSTR-9C	10XXXXXXXXXX1ZL	Patna Special	2018-19	2,983
59		10XXXXXXXXXX1ZL	Patna Special	2019-20	51,99,259
60		10XXXXXXXXXX1Z3	Patna Special	2018-19	66,39,932
61	Suppression in taxable value in	10XXXXXXXXXX1ZU	Patliputra	2019-20	0
62	comparison with EWBs	10XXXXXXXXXX1Z2	Patna Special	2019-20	0
63		10XXXXXXXXXX1Z2	Patna Special	2020-21	0
64	Suppression of taxable value identified	10XXXXXXXXXX1ZN	Gaya	2018-19	22,48,14,000
65	through TDS/TCS declaration	10XXXXXXXXXX3ZW	Patna Special	2019-20	99,36,08,414
66		10XXXXXXXXXX1ZI	Patna Special	2020-21	5,19,25,660
67	Suppression of taxable value (Unbilled	10XXXXXXXXXX1ZI	Patliputra	2018-19	0
68	Revenue)	10XXXXXXXXXX1Z7	Patna Special	2020-21	0
69	Unreconciled tax liability in Table-7G	10XXXXXXXXXX1ZD	Patna Special	2019-20	0
70	of GSTR-9C	10XXXXXXXXXX1ZD	Patna Special	2020-21	0

Sl. No.	Audit Dimension	GSTIN	Name of circle	Year	Mismatch amount	
71	Short payment of interest	10XXXXXXXXXX1ZJ	Patna Special	2019-20	18,27,907	
72		10XXXXXXXXXX1ZJ	Patna Special	2020-21	19,19,495	
73		10XXXXXXXXXX1ZJ	Patna Special	2018-19	1,87,763	
74		10XXXXXXXXXX1ZP	Patna Special	2020-21	4,05,446	
75		10XXXXXXXXXX1ZP	Patna Special	2019-20	6,66,584	
76		10XXXXXXXXXX1ZP	Patna Special	2018-19	28,03,277	
77		10XXXXXXXXXX1ZY	Patna Special	2019-20	24,94,262	
78		10XXXXXXXXXX1ZY	Patna Special	2020-21	15,51,272	
79		10XXXXXXXXXX1ZY	Patna Special	2018-19	5,39,645	
80		10XXXXXXXXXX1ZK	Patna Special	2019-20	28,85,550	
81		10XXXXXXXXXX1ZK	Patna Special	2018-19	12,51,904	
82		10XXXXXXXXXX1ZK	Patna Special	2020-21	17,22,320	
Total					2,48,34,08,691	

Appendix 2.14
(Reference: Paragraph 2.4.7.3)
Results of Centralised Audit

Audit Dimension	Cases where reply received		Department's reply accepted by Audit				Compliance deviations												Department stated they are examining the AQ						
	No.	Amount	Data entry errors	Action taken before query		Other valid explanations	Accepted by Department including cases where action is yet to be initiated				Department's reply not acceptable to audit (rebuttal)				Total		Department reply not furnished with documentary evidence		No.	Amount					
				No.	Amount		No.	Amount	No.	Amount	No.	Amount	No.	Amount	No.	Amount	No.	Amount			No.	Amount			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
ITC mismatch between GSTR-2A and GSTR-3B	69	511.77	0	0	14	89.56	23	168.83	1	0.02	2	14.77	26	219.64	3	13.72	0	0	32	253.38	0	0	0	3	13.72
ITC availed without supplier remitting tax	20	107.25	0	0	7	16.12	6	81.63	0	0	1	0.74	5	7.41	1	1.35	0	0	7	9.5	0	0	0	1	1.34
ITC availed on GSTR-3B filed after limitation period	43	55.63	0	0	14	22.63	3	2.6	0	0	0	0	26	29.4	0	0	0	0	26	29.4	0	0	0	0	0
Incorrectly availing ISD credits	16	2.07	0	0	0	0	5	0.76	0	0	0	0	8	1.08	3	0.23	0	0	11	1.31	0	0	0	3	0.23
Incorrect availing ITC / tax paid under RCM	45	51.99	16	21.28	2	4.29	4	6.15	3	0.02	3	3.97	9	6.87	11	9.43	0	0	23	20.27	0	0	0	11	9.43

Audit Dimension	Cases where reply received		Department's reply accepted by Audit				Compliance deviations																	
	No.	Amount	Data entry errors		Action taken before query		Other valid explanations		Accepted by Department including cases where action is yet to be initiated						Department's reply not acceptable to audit (rebuttal)		Department reply not furnished with documentary evidence		Department stated they are examining the AQ					
			No.	Amount	No.	Amount	No.	Amount	Recovered	ASMT-10	SCN issued	Under correspondence with taxpayer	No.	Amount	No.	Amount	No.	Amount	No.	Amount				
Unreconciled ITC in Table-12F of GSTR-9C	10	16.11	0	0	2	10.11	2	1.31	0	0	4	2.73	2	1.96	0	0	0	0	6	4.69	0	0	2	1.96
Unreconciled ITC in Table-14T of GSTR-9C	11	36.62	1	4.54	3	13.31	4	6.77	0	0	3	12	0	0	0	0	0	0	3	12	0	0	0	0
Undischarged tax liability	78	3,578.23	6	2,138.01	10	29.97	30	1,248.68	7	3.64	0	0	18	85.2	7	20.46	0	0	32	161.57	0	0	7	20.46
Mismatch in taxable value in comparison with EWBs	52	0	4	49.09	8	0	12	0	1	0.40	1	0	18	0	8	0	0	0	28	62.02	0	0	8	0
Unreconciled turnover in Table-9R of GSTR-9C	12	50.04	1	10.38	1	2.24	4	12.29	1	0	1	4.98	2	14	2	3.58	0	0	6	25.13	0	0	2	3.58
Mismatch of taxable value identified through TDS/ TCS declaration	23	125.01	0	0	8	52.96	3	7.14	2	3.81	1	19.8	8	29.23	1	5.18	0	0	12	64.91	0	0	1	5.18

Appendix 2.15
(Reference: Paragraph 2.4.7.3 (A) (I))
Input Tax Credit mismatch between GSTR-2A and GSTR-3B

Sl. No.	GSTIN	Name of circle	Year	ITC available as per R2A	ITC availed R3B	Deviation value	
1	10XXXXXXXXXX2ZF	Forbesganj	2020-21	1,00,74,660.16	1,23,77,612.02	23,02,951.85	
2	10XXXXXXXXXX1Z1	Gandhi Maidan	2020-21	2,10,32,535.65	8,08,71,648.00	5,98,39,112.35	
3	10XXXXXXXXXX1Z4	Hajipur	2019-20	1,17,34,107.86	7,36,15,436.31	6,18,81,328.46	
4			2020-21	1,13,64,990.65	1,28,12,108.09	14,47,117.44	
5			2018-19	72,07,144.58	72,17,050.31	9,905.73	
6	10XXXXXXXXXX1ZP			2018-19	0.00	5,28,92,368.00	5,28,92,368.00
7	10XXXXXXXXXX1ZZ		2018-19	0.00	5,78,12,356.00	5,78,12,356.00	
8	10XXXXXXXXXX1ZT	Muzaffarpur East	2019-20	5,09,349.21	5,56,265.35	46,916.14	
9			2018-19	16,09,570.48	16,27,531.90	17,961.41	
10	10XXXXXXXXXX1Z1	Patliputra	2018-19	13,04,40,883.30	14,92,01,963.90	1,87,61,080.63	
11			2019-20	14,49,38,144.50	16,15,75,070.40	1,66,36,925.84	
12			2020-21	14,99,99,179.40	17,16,53,466.10	2,16,54,286.71	
13	10XXXXXXXXXX1ZE	Patna Central	2018-19	29,99,782.94	74,17,737.71	44,17,954.77	
14			2019-20	2,24,76,526.71	11,15,85,402.30	8,91,08,875.59	
15	10XXXXXXXXXX1ZE			2018-19	12,82,48,567.90	19,20,88,419.00	6,38,39,851.15
16	10XXXXXXXXXX2ZJ			2018-19	9,41,30,707.70	10,54,78,550.50	1,13,47,842.80
17			2019-20	11,28,99,558.00	15,50,50,823.00	4,21,51,264.45	
18	10XXXXXXXXXX1ZS		2018-19	1,36,82,37,728.00	2,34,30,62,486.00	97,48,24,757.50	
19			2019-20	1,87,68,95,869.00	1,92,21,93,504.00	4,52,97,634.69	
20	10XXXXXXXXXX1ZD	Patna City East	2018-19	0.00	12,18,58,634.00	12,18,58,634.00	
21	10XXXXXXXXXX3ZW	Patna Special	2020-21	1,82,51,20,152.00	1,87,48,52,881.00	4,97,32,729.30	
22	10XXXXXXXXXX1ZC			2018-19	2,13,92,17,352.00	2,26,73,11,960.00	12,80,94,608.30
23	10XXXXXXXXXX1Z7			2019-20	74,23,35,749.50	76,19,65,702.40	1,96,29,952.92
24	10XXXXXXXXXX1ZK			2020-21	14,66,22,510.60	20,47,38,620.50	5,81,16,109.93

CAG's Audit Report for the period ended March 2023

Sl. No.	GSTIN	Name of circle	Year	ITC available as per R2A	ITC availed R3B	Deviation value
25	10XXXXXXXXXXXX1Z1	Purnea	2018-19	5,59,755.52	5,94,68,823.00	5,89,09,067.48
26			2020-21	60,535.53	1,23,984.00	63,448.47
27	10XXXXXXXXXXXX1Z0	Saran	2020-21	0.00	14,01,71,000.00	14,01,71,000.00
28	10XXXXXXXXXXXX1Z5		2018-19	56,89,002.81	5,81,54,364.85	5,24,65,362.04
29	10XXXXXXXXXXXX1ZL		2020-21	0.00	21,93,88,400.00	21,93,88,400.00
30	10XXXXXXXXXXXX1Z7	Sasaram	2018-19	10,92,66,664.40	17,61,48,558.00	6,68,81,893.58
31			2020-21	7,77,81,037.46	8,49,31,337.34	71,50,299.89
32	10XXXXXXXXXXXX3ZH	Shahabad	2019-20	36,65,831.88	9,06,97,871.84	8,70,32,039.96
Total				9,14,51,17,897.74	11,67,89,01,935.82	2,53,37,84,037.38

Appendix 2.16
(Reference: Paragraph 2.4.7.3(A) (II))
Input Tax Credit availed without supplier remitting tax

SI No.	GSTIN	Name of circle	Year	ITC as per Table-8A of GSTR-9	ITC after amendment as per GSTR 2A	Deviation
1	10XXXXXXXXXX3ZW	Lakhisarai	2019-20	14,64,05,200.00	15,28,29,695.80	64,24,495.76
2			2018-19	10,22,72,616.00	12,96,35,953.30	2,73,63,337.33
3	10XXXXXXXXXX1ZS	Patliputra	2020-21	1,89,51,27,420.00	1,89,58,49,290.00	7,21,866.49
4	10XXXXXXXXXX1ZF		2020-21	73,86,00,060.00	74,60,32,870.80	74,32,806.78
5	10XXXXXXXXXX1ZC	Patna Central	2018-19	13,15,06,656.00	13,15,69,674.90	63,018.94
6			2019-20	9,43,88,808.00	13,39,21,892.10	3,95,33,084.14
7	10XXXXXXXXXX1Z1	Patna West	2019-20	29,46,01,216.00	30,80,92,831.60	1,34,91,615.63
Total				3,40,29,01,976.00	3,49,79,32,208.50	9,50,30,225.07

Appendix 2.17
(Reference: Paragraph 2.4.7.3 (A) (III))
Input Tax Credit availed on GSTR-3B filed after limitation period

Sl No.	GSTIN	Name of circle	Year	Months where the GSTR-3B returns were belatedly filed	ITC availed on GSTR-3B filed after OCT19	ITC availed on GSTR-3B filed after OCT20	ITC availed on GSTR-3B filed after OCT21	Total ITC availed through GSTR-3Bs filed after limitation period.
1	10 XXXXXXXXXXXXX2ZP	Bettiah	2019-20	""202003""	0.00	1,02,16,696.00	0.00	1,02,16,696.00
2	10XXXXXXXXXXXXX1ZL	Bhagalpur	2020-21	""202009','202011','202103','202012','202008','202102','202010','202101""	0.00	0.00	1,42,07,542.00	1,42,07,542.00
3	10XXXXXXXXXXXXX2ZQ	Biharsharif	2018-19	""201805','201811','201812','201804','201903','201810','201806','201902""	1,24,01,874.67	0.00	0.00	1,24,01,874.67
4	10XXXXXXXXXXXXX2ZI	Buxar	2018-19	""201903""	1,32,00,160.00	0	0	1,32,00,160.00
5	10XXXXXXXXXXXXX2ZQ	Danapur	2018-19	""201901','201810','201812','201903','201811','201902""	36,79,632.16	0.00	0.00	3,67,96,32.16
6	10XXXXXXXXXXXXX3ZR	Gandhi Maidan	2019-20	""201912','201908','201910','201905','202003','201904','202001','202002','201909','201911','201907','201906""	0	1,33,52,185.00	0	1,33,52,185.40
7			2020-21	""202102','202004','202007','202008','202012','202009','202005','202101','202006','202103','202010','202011""	0	0	1,29,15,925	1,29,15,925.00
8	10XXXXXXXXXXXXX1ZW	Khagaria	2018-19	""201806','201804','201901','201811','201807','201903','201902','201805','201808','201810','201809','201812""	1,15,90,047.83	0.00	0.00	1,15,90,047.83
9	10XXXXXXXXXXXXX1ZR	Muzaffarpur West	2018-19	""201805','201811','201806','201804','201903','201810','201809','201902','201901','201807','201812','201808""	72,53,446.78	0.00	0.00	72,53,446.78

Sl No.	GSTIN	Name of circle	Year	Months where the GSTR-3B returns were belatedly filed	ITC availed on GSTR-3B filed after OCT19	ITC availed on GSTR-3B filed after OCT20	ITC availed on GSTR-3B filed after OCT21	Total ITC availed through GSTR-3Bs filed after limitation period.
10	10XXXXXXXXXX2ZK	Patna Central	2019-20	""202003", "202002""	0.00	1,53,60,783.00	0.00	1,53,60,783.00
11	10XXXXXXXXXX1ZG		2019-20	""202003""	0.00	2,42,71,832.00	0.00	2,42,71,832.00
12	10XXXXXXXXXX1ZS		2019-20	""202003""	0.00	1,37,73,484.00	0.00	1,37,73,484.00
13	10XXXXXXXXXX1ZK		2018-19	""201811", "201812", "201903", "201901", "201902""	1,85,47,006.00	0.00	0.00	1,85,47,006.00
14			2019-20	""202002""	0.00	12,70,012.00	0.00	12,70,012.00
15	10XXXXXXXXXX1ZW		2018-19	""201903", "201809", "201810", "201806", "201902", "201812", "201811", "201901", "201807", "201808""	1,57,43,195.50	0.00	0.00	1,57,43,195.50
16	10XXXXXXXXXX1ZF		Patna South	2020-21	""202101""	0.00	0.00	83,06,911.50
17			2019-20	""201909", "201912", "202003", "201910", "202002", "202001""	0.00	78,43,428.00	0.00	78,43,428.00
18	10XXXXXXXXXX1Z1	Raxaul	2018-19	""201807", "201806", "201809", "201810", "201805", "201901", "201808", "201812", "201811""	1,12,98,100.50	0.00	0.00	1,12,98,100.50
19	10XXXXXXXXXX1ZZ	Saharsa	2020-21	""202011", "202103", "202005", "202006", "202102", "202008", "202012", "202010", "202101""	0.00	0.00	2,73,889.26	2,73,889.26
20			2018-19	""201807", "201806", "201809", "201810", "201902", "201811", "201901", "201808", "201812", "201903""	40,01,359.59	0.00	0.00	40,01,359.59
21			2019-20	""201910", "202002", "201912", "201905", "201909", "201904", "202003", "201908", "201906", "201911", "201907", "202001""	0.00	1,69,90,210.00	0.00	1,69,90,210.10
22	10XXXXXXXXXX2Z8		2018-19	""201901", "201811", "201903", "201902", "201812""	1,91,32,054.30	0.00	0.00	1,91,32,054.30

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Sl No.	GSTIN	Name of circle	Year	Months where the GSTR-3B returns were belatedly filed	ITC availed on GSTR-3B filed after OCT19	ITC availed on GSTR-3B filed after OCT20	ITC availed on GSTR-3B filed after OCT21	Total ITC availed through GSTR-3Bs filed after limitation period.
23	10XXXXXXXXXX1Z0	Saran	2019-20	""202002", "202003""	0.00	1,19,01,000.00	0.00	1,19,01,000.00
24	10XXXXXXXXXX1ZP	Sasaram	2018-19	""201807", "201806", "201809", "201810", "201902", "201811", "201901", "201808", "201812", "201903""	1,39,98,118.80	0.00	0.00	1,39,98,118.80
25	10XXXXXXXXXX2Z4	Shahabad	2019-20	""201906", "201904", "201907", "201910", "201909", "201908", "201905""	0.00	91,87,609.60	0.00	91,87,609.56
26			2018-19	""201902", "201903", "201901""	33,02,791.75	0.00	0.00	33,02,791.75
Total					13,41,47,787.88	12,41,67,239.60	3,57,04,267.76	29,40,19,295.70

Appendix 2.18
(Reference: Paragraph 2.3.7.3 (A) (IV))
Incorrect availing of Input Service Distributor credit by the recipients

Sl. No.	GSTIN	Name of circle	Year	GSTR-9 Table-6G	GSTR-9 Table-7B	GSTR-9 Table-7H	GSTR-6 Table-5A	GSTR-6 Table-8A	GSTR-6 Table-9A	GSTR-3B Table-4(A)(4)	GSTR-3B Table-4B(2)	Excess ISD credit availed
1	10XXXXXXXXXX1ZQ	Gandhi Maidan	2020-21	7,58,895.80	0	0	6,95,650.61	Null	Null	7,58,895.80	0	63,245.19
2	10XXXXXXXXXX1ZE	Patiputra	2018-19	29,31,455.00	0	0	8,97,283.00	Null	Null	29,31,455.00	38,69,888.00	20,34,172.00
3	10XXXXXXXXXX2ZX		2018-19	32,96,805.00	0	0	17,73,100.00	Null	-8,6297.00	32,96,805.00	26,40,555.00	16,10,002.00
4	10XXXXXXXXXX2ZH	Patna Central	2018-19	63,70,308.00	0	10,209.00	59,97,523.00	Null	Null	63,70,308.00	10,209.00	3,62,576.00
5			2020-21	25,40,027.00	0	15,547.00	24,49,389.00	Null	Null	25,40,027.00	15,547.00	75,091.00
6	10XXXXXXXXXX1Z5		2018-19	Null	Null	Null	55,45,253.00	Null	Null	75,17,097.00	94,157.00	18,77,687.00
7	10XXXXXXXXXX1ZY	Patna City West	2019-20	46,45,147.00	0	0	40,59,694.00	Null	Null	46,45,147.00	0	5,85,453.00
8	10XXXXXXXXXX1ZV	Patna North	2018-19	22,28,635.00	0	1,29,748.00	15,19,815.00	Null	Null	22,28,635.00	1,29,748.00	5,79,072.00
9	10XXXXXXXXXX1ZL	Patna West	2019-20	15,94,213.00	0	0	15,88,023.00	Null	Null	15,94,213.00	6,190.00	6,190.00
10	10XXXXXXXXXX1ZH		2018-19	7,42,14,792.00	0	0	6,84,43,273.00	Null	Null	7,42,14,792.00	0	57,71,519.00
11			2020-21	11,15,78,616.00	0	15,206.00	11,14,50,220.00	Null	Null	11,15,78,616.00	0	1,13,190.00
Total				21,01,58,893.80	0.00	1,70,710.00	20,44,19,223.61	0.00	-86,297.00	21,76,75,990.80	67,66,294.00	1,30,78,197.19

Appendix 2.19
(Reference: Paragraph 2.3.7.3 (A) (V))
Incorrect availing of Input Tax Credit /tax paid under Reverse Charge Mechanism

Sl No.	Name of circle	GSTIN	Year	R3B RCM tax payment	R9 RCM Tax Payment	R3B ITC IMPS	R3B ITC RCM	R9 ITC RCM Unreg	R9 ITC RCM Reg	R9 IMPS	Deviation unreconciled only negative entries.
1	Begusarai	10XXXXXXXXXX1ZE	2018-19	0	0	0	0	0	1,18,73,185	0	-1,18,73,185
2	Darbhanga	10XXXXXXXXXX1ZO	2018-19	0	0	0	0	0	67,52,163	0	-67,52,163
3			2019-20	0	0	0	0	0	63,92,003	0	-63,92,003
4		10XXXXXXXXXX1ZG	2018-19	0	0	0	0	0	81,43,314	0	-81,43,314
5			2019-20	0	0	0	0	0	75,67,204	0	-75,67,204
6		10XXXXXXXXXX1ZX	2018-19	0	0	0	0	0	86,75,388	0	-86,75,388
7			2019-20	0	0	0	0	0	84,94,761	0	-84,94,761
8		10XXXXXXXXXX1ZX	2018-19	0	0	0	0	0	91,02,753	0	-91,02,753
9			2019-20	0	0	0	0	0	93,55,947	0	-93,55,947
10	Patna Central	10XXXXXXXXXX1ZT	2018-19	0	0	0	1,74,94,810	0	1,74,94,810	0	-1,74,94,810
11			2018-19	0	0	0	0	0	64,28,883	0	-64,28,883
12		10XXXXXXXXXX1ZF	2020-21	0	0	0	0	0	59,24,871	0	-59,24,871
13	Patna North	10XXXXXXXXXX2ZV	2018-19	0	0	0	0	0	79,28,276	0	-79,28,276
14			2019-20	0	0	0	0	0	1,31,50,382	0	-1,31,50,382
15			2020-21	0	0	0	0	0	1,86,41,594	0	-1,86,41,594

Sl No.	Name of circle	GSTIN	Year	R3B RCM tax payment	R9 RCM Tax Payment	R3B ITC IMPS	R3B ITC RCM	R9 ITC RCM Unreg	R9 ITC RCM Reg	R9 IMPS	Deviation unreconciled only negative entries.
16	Patna South	10XXXXXXXXXXXXX1ZI	2018-19	0	0	0	0	0	64,84,785	0	-64,84,785
17		10XXXXXXXXXXXXX1ZW	2019-20	0	0	0	0	0	46,28,553	0	-46,28,553
18			2020-21	0	0	0	0	0	51,18,345	0	-51,18,345
19			2018-19	0	0	0	0	0	59,35,457	0	-59,35,457
20		10XXXXXXXXXXXXX1ZK	2019-20	0	0	0	0	0	62,37,722	0	-62,37,722
21			2020-21	0	0	0	0	87,73,865	0	0	-87,73,865
22		10XXXXXXXXXXXXX1ZO	2018-19	0	0	0	0	0	98,67,672	0	-98,67,672
23			2019-20	0	0	0	0	0	98,99,996	0	-98,99,996
Total											-20,28,71,929

Appendix 2.20
(Reference: Paragraph 2.4.7.3 (A) (VI))
Unreconciled Input Tax Credit in Table-12F of GSTR-9C

Sl. No.	GSTIN	Name of circle	Period	ITC availed as per audited financial statements/books of account (Table-12D of GSTR-9C)	ITC claimed in annual return (GSTR-9) (Table-12E of GSTR-9C)	Unreconciled ITC (Table-12F of GSTR-9C)
1	Begusarai	10XXXXXXXXXX1ZD	2020-21	10,07,41,352	10,07,41,600	252
2	Patna Central	10XXXXXXXXXX1ZU	2020-21	5,36,82,560	7,32,69,704	1,95,87,148
3	Patna South	10XXXXXXXXXX1ZB	2018-19	10,10,89,120	10,60,65,568	49,76,453
4			2019-20	8,07,17,344	8,53,97,832	46,80,486
5		10XXXXXXXXXX1ZT	2018-19	16,13,092	19,10,092	2,97,000
6	Saran	10XXXXXXXXXX1Z3	2019-20	1,65,50,53,570	1,67,24,03,710	1,73,50,156
Total				1,99,28,97,038	2,03,97,88,506	4,68,91,495

Appendix 2.21
(Reference: Paragraph 2.4.7.3 (A)(VII))
Unreconciled ITC on expenses (Table-14T of GSTR-9C)

Sl. No.	GSTIN	Name of circle	Year	Total amount eligible ITC availed	ITC claimed in annual return (GSTR-9)	Unreconciled ITC avail	Reasons for unreconciliation
1	10XXXXXXXXXX1ZY	Begusarai	2018-19	5,80,159.00	7,87,55,192.00	7,81,75,033.00	GST credit not reversed in GSTR 3B
2	10XXXXXXXXXX1ZQ	Patna South	2020-21	0.00	2,08,79,200.00	2,08,79,200.00	Not mentioned in Return
3	10XXXXXXXXXX1ZD	Shahabad	2018-19	0.00	2,10,21,732.00	2,10,21,732.00	
Total				5,80,159.00	12,06,56,124.00	12,00,75,965.00	

Appendix 2.22
(Reference: Paragraph 2.4.7.3 (A) (VIII))

Undischarged tax liability

Sl. No.	GSTIN	Name of circle	Period	Liability as per GSTR-1	Liability as per GSTR-9	Greater liability GSTR-1/9	Payment as per GSTR-3B	Payment as per GSTR-9	Excess liability*
1	10XXXXXXXXXXXXX1ZQ	Bhabhua	2020-21	48,30,82,720	0	48,30,82,720	0	0	48,30,82,720
2	10XXXXXXXXXXXXX1Z7	Bhabhua	2019-20	6,06,37,324	6,06,37,942	6,06,37,942	0	6,06,37,328	614
3	10XXXXXXXXXXXXX1Z7	Bhagalpur	2019-20	3,69,94,304	3,71,82,288	3,71,82,288	3,69,54,949		2,27,340
4	10XXXXXXXXXXXXX1Z7	Bhagalpur	2020-21	3,88,65,416	3,88,65,411.5	3,88,65,416	-764.5	0	3,88,66,181
5	10XXXXXXXXXXXXX1Z4	Danapur	2020-21	8,64,85,152	5,24,16,936	8,64,85,152	0	5,24,16,940	3,40,68,212
6	10XXXXXXXXXXXXX1ZQ	Jehanabad	2019-20	3,80,72,952	RNF	3,80,72,952	RNF	3,56,75,969	23,96,984
7	10XXXXXXXXXXXXX1ZQ	Jehanabad	2020-21	3,52,40,692	3,59,34,932	3,59,34,932	-6,92,668	0	3,66,27,600
8	10XXXXXXXXXXXXX1Z1	Patna Central	2020-21	5,47,87,628	23,35,451	5,47,87,628	0	13,14,302	5,34,73,326
9	10XXXXXXXXXXXXX1ZH	Patna Central	2018-19	11,29,61,472	RNF	11,29,61,472	5,34,60,508	RNF	5,95,00,964
10	10XXXXXXXXXXXXX1Z7	Patna Central	2018-19	5,19,06,088	5,19,33,163	5,19,33,163	0	5,19,06,098	27,064
11	10XXXXXXXXXXXXX1Z7	Patna Central	2019-20	6,18,47,144	6,18,47,139	6,18,47,144	0	6,18,47,087	56
12	10XXXXXXXXXXXXX1Z7	Patna Central	2020-21	5,20,55,056	0	5,20,55,056	0	0	5,20,55,056
13	10XXXXXXXXXXXXX1ZC	Patna North	2019-20	12,95,03,584	9,63,24,608	12,95,03,584	0	9,63,24,604	3,31,78,976
14	10XXXXXXXXXXXXX1ZC	Patna North	2020-21	7,10,94,112	6,47,63,152	7,10,94,112	0	6,47,63,152	63,30,960
15	10XXXXXXXXXXXXX1ZZ	Patna North	2018-19	10,00,83,904	RNF	10,00,83,904	6,12,25,908	RNF	3,88,57,996
16	10XXXXXXXXXXXXX1ZZ	Patna North	2019-20	7,58,60,920	RNF	7,58,60,920	4,32,98,392	RNF	3,25,62,528
17	10XXXXXXXXXXXXX1ZU	Patna South	2019-20	1,98,29,128	4,32,70,516	4,32,70,516	0	0	4,32,70,516
18	10XXXXXXXXXXXXX2ZS	Patna South	2018-19	2,23,44,822	4,38,57,016	4,38,57,016	0	2,17,82,378	2,20,74,638
19	10XXXXXXXXXXXXX1ZU	Patna South	2019-20	4,50,79,664	RNF	4,50,79,664	2,50,53,848	RNF	2,00,25,816
20	10XXXXXXXXXXXXX1ZU	Patna South	2020-21	2,60,42,364	RNF	2,60,42,364	2,41,79,912	RNF	18,62,452
21	10XXXXXXXXXXXXX1ZC	Samastipur	2020-21	9,51,80,776	0	9,51,80,776	0	0	9,51,80,776
22	10XXXXXXXXXXXXX1Z6	Raxaul	2019-20	24,62,83,024	24,66,57,792	24,66,57,792		24,64,99,302	1,58,490

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Sl. No.	GSTIN	Name of circle	Period	Liability as per GSTR-1	Liability as per GSTR-9	Greater liability GSTR-1/9	Payment as per GSTR-3B	Payment as per GSTR-9	Excess liability*
23	10XXXXXXXXXX1ZG	Sasaram	2019-20	7,90,11,928	7,90,11,928	7,90,11,928	0	7,84,30,742	5,81,186
24			2020-21	10,45,22,528	10,36,33,480	10,45,22,528	0	0	10,45,22,528
25	10XXXXXXXXXX2ZL		2018-19	1,66,330	RNF	1,66,330	1,13,950	RNF	52,380
26	10XXXXXXXXXX1ZJ		2020-21	2,19,513	RNF	2,19,513	2,08,772	RNF	10,741
27	10XXXXXXXXXX3ZH	Shahabad	2018-19	25,36,13,936	RNF	25,36,13,936	RNF	25,35,53,598	60,338
28			2019-20	21,54,84,304	21,52,82,544	21,54,84,304	-15,25,28,560		36,80,12,864
29			2020-21	21,95,06,400	RNF	21,95,06,400	RNF	21,95,03,960	2,440
30	10XXXXXXXXXX2ZU		2018-19	16,87,19,296	12,16,15,400	16,87,19,296	12,22,64,784		4,64,54,520
31	10XXXXXXXXXX1Z9	Siwan	2019-20	12,17,76,448	RNF	12,17,76,448	RNF	7,97,24,032	4,20,52,416
32	10XXXXXXXXXX1Z6		2018-19	20,34,930.2	RNF	20,34,930.2	RNF	18,87,591	1,47,339
Total				3,10,92,93,859.20	1,35,55,69,698.50	3,15,55,32,126.20	21,35,39,030.50	1,32,62,67,083.00	1,61,57,26,017.00

* Excess liability = (Greater of tax liability between GSTR-1 & GSTR-9) – (Payment as per GSTR-9/3B)

RNF= Return not filed

Appendix 2.23
(Reference: Paragraph 2.4.7.3 (A) (IX))
Mismatch of taxable value in comparison with EWBs

Sl. No.	GSTIN	Name of circle	Period	R3B tax payable on Other Supplies	R3B tax payable on Zero rated supplies	Total tax payable	EWB tax liability	Excess liability
1	10XXXXXXXXXX1ZA	Begusarai	2018-19	4,28,932	0	4,28,932	1,44,66,178	1,40,37,245
2	10XXXXXXXXXX1ZZ	Danapur	2020-21	9,40,822	0	9,40,822	1,31,05,726	1,21,64,904
3	10XXXXXXXXXX1Z8		2020-21	3,82,90,484	0	3,82,90,484	4,56,94,489	74,04,004
4	10XXXXXXXXXX1Z8	Gopalganj	2019-20	59,05,373	0	59,05,373	2,90,30,722	2,31,25,348
5	10XXXXXXXXXX1Z7	Hajipur	2019-20	28,50,13,312	0	28,50,13,312	29,42,87,489	92,74,176
6	10XXXXXXXXXX1ZP		2018-19	5,28,16,988	0	5,28,16,988	5,90,20,078	62,03,088
7	10XXXXXXXXXX1ZH	Khagaria	2018-19	0	0	0	1,02,17,641	1,02,17,641
8	10XXXXXXXXXX1Z3	Kishanganj	2020-21	1,28,64,888	5,31,595	1,33,96,483	2,31,04,016	97,07,534
9	10XXXXXXXXXX2ZH	Muzaffarpur East	2020-21	1,79,49,568	0	1,79,49,568	7,88,75,093	6,09,25,528
10	10XXXXXXXXXX1ZP	Patliputra	2019-20	3,48,724	0	3,48,724	1,22,54,103	1,19,05,379
11			2020-21	5,42,808	0	5,42,808	2,38,80,626	2,33,37,818
12	10XXXXXXXXXX1Z2	Patna Central	2019-20	46,61,05,472	0	46,61,05,472	46,80,82,767	19,77,280
13			2020-21	51,85,11,232	0	51,85,11,232	52,37,12,991	52,01,760
14	10XXXXXXXXXX1ZY		2018-19	3,10,81,874	0	3,10,81,874	3,75,29,776	64,47,902
15	10XXXXXXXXXX1ZC	Patna City West	2018-19	8,77,692	0	8,77,692	2,60,08,235	2,51,30,542
16	10XXXXXXXXXX1Z2	Patna North	2018-19	4,57,38,364	0	4,57,38,364	4,97,04,508	39,66,144
17			2019-20	6,61,13,372	0	6,61,13,372	6,92,02,318	30,88,948
18			2020-21	11,54,20,896	0	11,54,20,896	12,59,17,068	1,04,96,176
19	10XXXXXXXXXX1ZB	Patna South	2018-19	9,25,67,552	0	9,25,67,552	9,52,98,207	27,30,656
20			2019-20	8,88,97,592	0	8,88,97,592	11,41,23,296	2,52,25,704
21			2020-21	17,47,68,368	0	17,47,68,368	25,74,26,278	8,26,57,904

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Sl. No.	GSTIN	Name of circle	Period	R3B tax payable on Other Supplies	R3B tax payable on Zero rated supplies	Total tax payable	EWB tax liability	Excess liability
22	10XXXXXXXXXX1ZT	Patna Special	2019-20	17,88,81,888	0	17,88,81,888	22,98,35,613	5,09,53,728
23			2020-21	20,54,76,704	0	20,54,76,704	29,01,12,790	8,46,36,096
24	10XXXXXXXXXX1ZR	Saran	2018-19	36,70,20,672	0	36,70,20,672	39,23,04,080	2,52,83,424
25	10XXXXXXXXXX1Z3		2018-19	4,50,82,344	0	4,50,82,344	4,51,48,631	66,288
26		Sasaram	2019-20	1,58,02,62,400	0	1,58,02,62,400	1,65,80,40,134	7,77,77,792
27	10XXXXXXXXXX1ZH		2018-19	17,19,675	0	17,19,675	79,45,329	62,25,655
28	10XXXXXXXXXX1Z6	Shahabad	2020-21	34,34,598	0	34,34,598	2,35,11,659	2,00,77,060
Total				4,39,70,62,594	5,31,595	4,39,75,94,189	5,01,78,39,841	62,02,45,724

Appendix 2.24
(Reference: Paragraph 2.3.7.3 (A) (X))
Unreconciled tax liability in Table-9R of GSTR-9C

Sl. No.	GSTIN	Name of circle	Period	Tax payable in Table-9P of GSTR-9C	Tax paid in Table-9Q of GSTR-9C	Unreconciled payment
1	10XXXXXXXXXX1Z8	Bagaha	2019-20	7,53,22,640	2,55,34,342	4,97,88,300
2	10XXXXXXXXXX1ZX	Kishanganj	2018-19	2,57,41,780	35,344	2,57,06,436
3	10XXXXXXXXXX1ZJ	Patna Central	2020-21	3,32,96,058	2,57,97,004	74,99,054
4	10XXXXXXXXXX1ZQ	Patna Special	2018-19	6,00,64,192	3,17,87,000	2,82,77,192
5	10XXXXXXXXXX1Z1	Saran	2018-19	5,39,28,180	2,47,60,880	2,91,67,302
6	10XXXXXXXXXX1Z5	Shahabad	2020-21	11,41,46,608	33,21,300	11,08,25,304
Total				36,24,99,458	11,12,35,870	25,12,63,588

Appendix 2.25
(Reference: Paragraph 2.4.7.3 (A) (XI))
Mismatch of taxable value identified through TDS/TCS declaration

Sl. No.	GSTIN	Name of circle	Period	R3B Outward Value of taxable supplies	R2A Net TDS recovered	R2A Net TCS recovered	Value on which TDS/TCS recovered	Short payment of tax
1	2	3	4	5	6	7	8	9 (8-5)
1	10XXXXXXXXXX1ZT	Biharsharif	2018-19	11,61,077	6,66,582	0	3,33,29,097	3,21,68,020
2	10XXXXXXXXXX1ZM	Danapur	2019-20	1,58,70,720	19,30,630.1	0	9,65,31,505	8,06,60,785
3	10XXXXXXXXXX1ZY	Hajipur	2018-19	0	4,81,803.56	0	2,40,90,178	2,40,90,178
4			2019-20	0	12,01,272.8	0	6,00,63,640	6,00,63,640
5	10XXXXXXXXXX1ZE	Madhepura	2019-20	0	9,02,223.4	0	4,51,11,170	4,51,11,168
6	10XXXXXXXXXX1ZS	Patna Central	2019-20	1,38,87,194	12,26,987	0	6,13,49,345	4,74,62,151
7			2018-19	0	11,90,614	0	5,95,30,700	5,95,30,700
8	10XXXXXXXXXX1ZB		2019-20	2,78,08,006	15,92,345	0	7,96,17,250	5,18,09,244
9	10XXXXXXXXXX1Z6	Patna City East	2018-19	99,83,664	3,73,102	0	1,86,55,083	86,71,419
10			2019-20	1,05,35,957	4,86,594	0	2,43,29,708	1,37,93,751
11			2020-21	2,29,48,252	10,13,710	0	5,06,85,500	2,77,37,218
12	10XXXXXXXXXX1ZJ	Patna North	2019-20	2,95,46,008	45,51,386	0	22,75,69,300	19,80,23,292
Total				13,17,40,878	1,56,17,249.86	0	78,08,62,476	64,91,21,566

Appendix 2.26
(Reference: Paragraph 2.4.7.3 (A) (XII))
Mismatch of taxable value (unbilled revenue)

Sl. No.	GSTIN	Name of circle	Period	Unbilled Revenue at the end of year in Table-5H of GSTR-9C	Unbilled revenue at the beginning of year in Table-5B of GSTR-9C	Value of Unbilled Revenue
1	2	3	4	5	6	7 (6-5)
1	10XXXXXXXXXX1ZR	Biharsharif	2020-21	0	-20,85,740	20,85,740
2	10XXXXXXXXXX1ZY	Danapur	2019-20	1,05,49,065	0	1,05,49,065
3	10XXXXXXXXXX1Z2	Patna Central	2019-20	56,91,99,071	22,00,00,000	34,91,99,071
4	10XXXXXXXXXX1ZY	Patna North	2018-19	36,35,847	0	36,35,847
5			2019-20	1,01,82,683	0	1,01,82,683
6	10XXXXXXXXXX1Z7	Patna Special	2018-19	2,36,44,02,141	0	2,36,44,02,141
7			2019-20	93,80,03,304	0	93,80,03,304
8	10XXXXXXXXXX1Z0	Sasaram	2018-19	1,68,62,65,346	0	1,68,62,65,346
9			2019-20	5,96,53,409	0	5,96,53,409
10			2020-21	18,23,27,412	0	18,23,27,412
11	10XXXXXXXXXX1Z8		2019-20	0	-67,77,972	67,77,972
Total				5,82,42,18,278	21,11,36,288	5,61,30,81,990

Appendix 2.27
(Reference: Paragraph 2.4.7.3 (A) (XIII))
Unreconciled taxable turnover in Table-7G of GSTR-9C

Sl.No.	GSTIN	Name of the circle	Period	Taxable annual turnover	Taxable annual adjustment turnover	Unreconcile taxable turnover annual return (table 7G of GSTR-9C)
1	2	3	4	5	6	7(5-6)
1	10XXXXXXXXXX1ZM	Bhagalpur	2020-21	1,48,29,594	2,51,50,34,400	2,50,02,04,806
2	10XXXXXXXXXX1ZH	Patna City West	2020-21	0	41,43,62,823	41,43,62,823
3	10XXXXXXXXXX1ZE	Patna West	2018-19	42,96,350	3,95,35,71,021	3,94,92,74,671
4			2019-20	0	4,04,60,94,361	4,04,60,94,361
Total				1,91,25,944	10,92,90,62,605	10,90,99,36,661

Appendix 2.28
(Reference: Paragraph 2.4.7.3(A) (XIV))
Composition taxpayers also availing E-commerce facility

Sl. No.	GSTIN	Name of circle	Year	Turnover	GSTIN of TCS deductor	Gross supply Made through GSTR-8	Month of TCS deduction return Periods	(Amount in ₹)
1	10XXXXXXXXXXXX1ZL	Patna Central	2020-21	14,16,641	10XXXXXXXXXXXX1C0, 10XXXXXXXXXXXX1CK	1,66,13,538	2020/08,2020/09,2020/10, 2020/11,2020/12,2021/01, 2021/02,2021/03	
2	10XXXXXXXXXXXX1ZB	Patna South	2020-21	7,39,962	10XXXXXXXXXXXX1C0, 10XXXXXXXXXXXX1CK	48,15,171	2020/08,2020/09,2020/10, 2020/11,2020/12,2021/01, 2021/02,2021/03	

Appendix 2.29
(Reference: Paragraph 2.4.7.3 (A) (XV))
Irregular availing the benefit of Composition Levy

Sl. No.	GSTN	Name of circle	Year	Turnover for the GSTIN	Turnover for all GSTIN under the same PAN	Composition start date	Composition end date	GSTINs under same PAN
1	10XXXXXXXXXX1Z1	Buxar	2018-19	2,59,91,644	2,59,91,644	01-10-2017	09-12-2021	10XXXXXXXXXX1Z1
2			2019-20	7,08,40,952	7,08,40,952	01-10-2017	09-12-2021	10XXXXXXXXXX1Z1
3			2020-21	2,12,25,172	2,12,25,172	01-10-2017	09-12-2021	10XXXXXXXXXX1Z1

(Amount in ₹)

Appendix 2.30
(Reference: Paragraph 2.4.7.3 (A) (XVI))
Cases where GSTR-3B not filed but GSTR-1 available.

Sl. No.	GSTIN	Name of circle	Year	Months of which GSTR-3B not filed	GSTR-1 liability for the months which GSTR-3B not filed	Deviation value
1	10XXXXXXXXXX2Z2	Aurangabad	2019-20	2019/11, 2019/12	633279.25, 1751916.50	23,85,195.75
2			2020-21	2020/06, 2020/07, 2020/08, 2020/09	6646.32, 87396.12, 268314.34, 357334.38	7,19,691.16
3	10XXXXXXXXXX2ZX	Begusarai	2019-20	2019/04, 2019/05, 2019/06, 2019/07, 2019/08, 2019/09	252383.64, 298117.20, 309078.60, 319607.40, 345402.60, 380094.38	19,04,683.80
4			2018-19	2019/01, 2019/02, 2019/03	281035.20, 325242.66, 503866.30	11,10,144.16
5	10XXXXXXXXXX2ZH		2018-19	2018/05, 2018/06, 2018/07, 2018/08, 2018/09, 2018/10, 2018/11, 2018/12, 2019/01, 2019/02, 2019/03	38315.88, 41806.44, 43920.00, 46480.68, 49608.54, 50049.36, 56514.06, 82016.10, 98902.44, 183739.31, 419915.94	11,11,268.75
6			2019-20	2019/05, 2019/06, 2019/07, 2019/08, 2019/09, 2019/10, 2019/11, 2019/12	75671.38, 123771.96, 361251.20, 1164960.90	17,25,655.41
7	10XXXXXXXXXX1Z6	Buxar	2018-19	2018/08, 2018/09, 2018/10	664916.94, 1373898.50, 1476999.00	35,15,814.44
8	10XXXXXXXXXXCZ4		2019-20	2019/09, 2019/10, 2019/11	246593.20, 487907.22, 594778.40	13,29,278.80
9			2018-19	2019/03	2013275.20	20,13,275.25
10	10XXXXXXXXXX1ZS	Gandhi Maidan	2019-20	2020/01, 2020/02, 2020/03	848599.94, 887933.50, 1077442.40	28,13,975.81
11			2020-21	2020/04, 2020/05, 2020/06, 2020/07, 2020/08	225958.69, 510822.7, 775580.56, 890768.56, 1604815.20	40,07,945.75
12	10XXXXXXXXXX1Z8	Gaya	2018-19	2018/04, 2018/05, 2018/06, 2018/07, 2018/08, 2018/09, 2018/10, 2018/11, 2018/12, 2019/01, 2019/02, 2019/03	0.0, 294627.97, 436221.88, 4295040.50	50,25,890.34
13			2019-20	2019/05, 2019/06, 2019/07, 2019/08, 2019/09, 2019/10, 2019/11, 2019/12, 2020/01, 2020/02, 2020/03	1616166.40	16,16,166.38

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Sl. No.	GSTIN	Name of circle	Year	Months of which GSTR-3B not filed	GSTR-1 liability for the months which GSTR-3B not filed	Deviation value
14	10XXXXXXXXXX1Z2	Khagaria	2018-19	2018/05, 2018/11, 2018/12, 2019/01, 2019/02, 2019/03	83944.80, 408830.75, 717056.00, 2032101.10, 2936163.20, 18969858.10	2,51,47,953.92
15			2019-20	2019/05	126242.86	1,26,242.86
16	10XXXXXXXXXX1ZC		2019-20	2019/05, 2019/06, 2019/07, 2019/08, 2019/09, 2019/10	343740.70, 448346.66, 977969.60, 1478001.40	32,48,058.34
17	10XXXXXXXXXX3ZP	Madhepura	2019-20	2019/05, 2019/06, 2019/07, 2019/08, 2019/09, 2019/10, 2019/11, 2019/12, 2020/01	4077549.0	40,77,549.00
18	10XXXXXXXXXX1ZI	Motihari	2018-19	2018/12, 2019/03	1073174.20, 3130442.50	42,03,616.75
19			2019-20	2019/04, 2019/05, 2019/06, 2019/07, 2019/08	55688.12, 254667.60, 257254.86, 320360.80, 459477.84	13,47,449.23
20	10XXXXXXXXXX1ZY		2018-19	2019/03	334398.16	3,34,398.16
21	10XXXXXXXXXX1ZS	Patna Central	2018-19	2018/10, 2018/11, 2018/12, 2019/01, 2019/02, 2019/03	229945.77, 300790.70, 782894.20, 1514023.00, 1685237.00, 2311762.00	68,24,652.64
22	10XXXXXXXXXX1ZI	Patna City East	2018-19	2019/02, 2019/03	3973982.50, 7994124.50	1,19,68,107.00
23	10XXXXXXXXXX1Z6		2018-19	2019/01, 2019/02, 2019/03	373654.34, 382078.22, 1818372.60	25,74,105.19
24	10XXXXXXXXXX1ZH	Patna City West	2019-20	2020/02	26485776.00	2,64,85,776.00
25	10XXXXXXXXXX1ZC		2018-19	2018/05, 2018/06, 2018/07, 2018/08, 2018/09, 2018/10, 2018/11, 2018/12, 2019/01, 2019/02, 2019/03	325512.56, 371131.97, 533578.10, 754529.90, 1340371.20, 2104379.00, 3140105.80, 3196385.20, 3631850.80, 4734832.50, 5408353.50	2,55,41,030.53
26	10XXXXXXXXXX1ZP		2018-19	2018/10	496099.94	4,96,099.94
27			2019-20	2019/05, 2019/06, 2019/07, 2019/08, 2019/09, 2019/10, 2019/11, 2019/12, 2020/01	353692.10, 390362.00, 2280816.00, 2428790.80, 2791860.80, 6517863.00	1,47,63,384.59
28	10XXXXXXXXXX2ZX		2018-19	2019/03	4436313.50	44,36,313.50
29	10XXXXXXXXXX1ZM	Patna South	2018-19	2019/03	991825.90	9,91,825.88
30	10XXXXXXXXXX1ZA	Patna West	2018-19	2018/06, 2018/07, 2018/08, 2018/09, 2018/10, 2018/11, 2018/12, 2019/01, 2019/02, 2019/03	16515.96, 16899.84, 17348.64, 17507.16, 18088.08, 18258.24, 21871.32, 28924.44, 30368.28, 2787721.50	29,73,503.47
31			2019-20	2019/04, 2019/05, 2019/06, 2019/07	17247.84, 17644.92, 17828.52, 18278.64	70,999.92

Sl. No.	GSTIN	Name of circle	Year	Months of which GSTR-3B not filed	GSTR-1 liability for the months which GSTR-3B not filed	Deviation value
32	10XXXXXXXXXXXXX1ZY	Sasaram	2019-20	2019/04, 2019/05, 2019/06	1077399.80, 2770992.00, 3397053.00	72,45,444.75
33	10XXXXXXXXXXXXX1ZP		2019-20	2019/04, 2019/05, 2019/06, 2019/07, 2019/08, 2019/09, 2019/10, 2019/11, 2019/12	5543.97, 13926.60, 46461.62, 48826.22, 173620.19, 217259.06, 246004.20, 255000.52, 398146.72	14,04,789.10
34			2018-19	2019/02, 2019/03	495572.28, 1244963.50	17,40,535.78
Total						17,52,80,822.35

Appendix 2.31
(Reference: Paragraph 2.4.7.3 (A) (XVII))
Short payment of interest on delayed payments

Sl. No.	GSTIN	Name of circle	Year	Delay in days	Interest liability	Interest Paid	Difference
1	10XXXXXXXXXX1ZV	Aurangabad	2018-19	112 to 347	37,83,867.48	0	37,83,867.48
2			2019-20	19 to 231	33,01,253.53	0	33,01,253.53
3			2020-21	17 to 171	4,02,879.43	0	4,02,879.43
4	10XXXXXXXXXX1ZP	Bagaha	2018-19	264 to 452	6,44,9719.6	0	6,44,9719.6
5			2019-20	18 to 234	11,95,100.07	0	11,95,100.07
6			2020-21	8 to 154	8,65,562.65	0	8,65,562.65
7	10XXXXXXXXXX1Z7	Barh	2018-19	317 to 478	18,21,799.87	0	18,21,799.87
8			2019-20	22 to 298	4,01,590.43	0	4,01,590.43
9			2020-21	11 to 157	2,71,142.01	0	2,71,142.01
10	10XXXXXXXXXX1ZA	Begusarai	2018-19	668 to 971	1,64,406.62	0	1,64,406.62
11			2019-20	518 to 803	21,43,106.42	0	21,43,106.42
12			2020-21	160 to 492	6,56,435.08	0	6,56,435.08
13	10XXXXXXXXXX1Z8	Bhabhua	2018-19	22 to 202	2,96,195.45	0	2,96,195.45
14			2019-20	17 to 581	17,93,697.61	0	17,93,697.61
15			2020-21	69 to 396	1,47,527.32	0	1,47,527.32
16	10XXXXXXXXXX1ZW	Bhabhua	2018-19	97 to 811	6,16,574.68	0	6,16,574.68
17			2019-20	544 to 852	15,73,764.74	0	15,73,764.74
18			2020-21	214 to 514	1,48,209.39	0	1,48,209.39
19	10XXXXXXXXXX1ZH	Bhabhua	2018-19	62 to 300	1,56,101.52	0	1,56,101.52
20			2019-20	1 to 224	34,63,265.96	0	34,63,265.96
21			2020-21	8 to 160	5,54,906.44	0	5,54,906.44
22	10XXXXXXXXXX1ZV	Bhabhua	2019-20	2 to 103	5,96,903.02	0	5,96,903.02
23			2020-21	2 to 88	1,15,080.26	0	1,15,080.26
24	10XXXXXXXXXX1Z6		2019-20	2 to 148	7,16,364.16	0	7,16,364.16
25		2020-21	1 to 88	27,729.26	0	27,729.26	

Sl. No.	GSTIN	Name of circle	Year	Delay in days	Interest liability	Interest Paid	Difference
26	10XXXXXXXXXX1ZR	Buxar	2018-19	23 to 83	28,70,675.58	0	28,70,675.58
27			2020-21	7 to 64	3,769.08	0	3,769.08
28			2019-20	17 to 76	6,32,938.18	0	6,32,938.18
29	10XXXXXXXXXX2ZI		2019-20	8 to 197	3,38,211.32	0	3,38,211.32
30			2020-21	1 to 62	81,726.32	0	81,726.32
31		2018-19	211 to 484	63,13,729.69	0	63,13,729.69	
32	10XXXXXXXXXX1ZG	Danapur	2018-19	8 to 94	1,41,620.58	0	1,41,620.58
33			2019-20	5 to 102	26,46,114.88	0	26,46,114.88
34			2020-21	6 to 172	4,67,895.97	0	4,67,895.97
35	10XXXXXXXXXX1Z5		2020-21	2 to 156	3,42,620.48	0	3,42,620.48
36		2019-20	20 to 253	13,74,292.92	0	13,74,292.92	
37		2018-19	40 to 156	26,43,456.55	0	26,43,456.55	
38	10XXXXXXXXXX1ZQ	Gandhi Maidan	2018-19	64 to 194	18,14,816.37	0	18,14,816.37
39			2019-20	25 to 130	10,50,078.55	0	10,50,078.55
40			2020-21	11 to 93	9,44,058.25	0	9,44,058.25
41	10XXXXXXXXXX1ZQ		2018-19	10 to 183	24,24,726.08	0	24,24,726.08
42		2020-21	26 to 99	3,27,349.23	0	3,27,349.23	
43		2019-20	1 to 117	3,588.23	0	3,588.23	
44	10XXXXXXXXXX2Z4	Gaya	2018-19	6 to 231	12,60,415.91	0	12,60,415.91
45			2019-20	5 to 202	14,54,290.01	0	14,54,290.01
46			2020-21	3 to 95	2,72,367.06	0	2,72,367.06
47	10XXXXXXXXXX1ZS	Gopalganj	2018-19	26 to 238	30,63,766.61	0	30,63,766.61
48			2019-20	2 to 131	4,67,939.91	0	4,67,939.91
49			2020-21	9 to 86	2,03,029.92	0	2,03,029.92

Sl. No.	GSTIN	Name of circle	Year	Delay in days	Interest liability	Interest Paid	Difference
50	10XXXXXXXXXXXX1ZP	Hajipur	2018-19	41 to 331	21,37,628.23	0	21,37,628.23
51			2019-20	1 to 68	16,602.85	0	16,602.85
52	10XXXXXXXXXXXX1ZB		2018-19	104 to 316	18,31,261.91	0	18,31,261.91
53			2019-20	15 to 132	3,04,638.68	0	3,04,638.68
54		2020-21	1 to 75	28,904.98	0	28,904.98	
55	10XXXXXXXXXXXX1Z0		2018-19	249 to 645	12,75,476.84	0	12,75,476.84
56			2019-20	281 to 615	24,60,990.45	0	24,60,990.45
57			2020-21	2 to 247	70,831.13	0	70,831.13
58	10XXXXXXXXXXXX1ZU		Katihar	2018-19	6 to 160	21,67,349.26	0
59		2019-20	1 to 192	7,02,380.07	0	7,02,380.07	
60		2020-21	4 to 158	73,922.36	0	73,922.36	
61	10XXXXXXXXXXXX3ZW	Lakhisarai	2018-19	22 to 145	15,86,861.31	5,94,042	9,92,819.31
62			2019-20	6 to 41	3,98,548.02	0	3,98,548.02
63		2020-21	1 to 76	12,45,332.59	34,440	12,10,892.59	
64	10XXXXXXXXXXXX1Z8	Motihari	2019-20	834 to 1,174	34,385.29	0	34,385.29
65			2018-19	1,190 to 1,524	27,60,501.28	0	27,60,501.28
66	10XXXXXXXXXXXX1Z3	Muzaffarpur East	2020-21	3 to 39	3,93,004.45	0	3,93,004.45
67	10XXXXXXXXXXXX1Z4	Patna Central	2020-21	11 to 204	27,20,857.62	0	27,20,857.62
68	10XXXXXXXXXXXX1ZF		2018-19	201 to 493	1,07,59,420.61	0.00	1,07,59,420.61
69			2019-20	3 to 185	15,44,716.97	23,672.00	15,21,044.97
70			2020-21	2 to 46	31,554.15	9.00	31,545.15
71	10XXXXXXXXXXXX1Z2	Patna North	2018-19	37 to 284	78,55,427.15	0.00	78,55,427.15
72			2019-20	10 to 128	79,24,846.12	0.00	79,24,846.12
73			2020-21	11 to 91	24,60,880.21	0.00	24,60,880.21
74	10XXXXXXXXXXXX1Z0		2019-20	163 to 253	4,27,852.14	0.00	4,27,852.14
75		2018-19	115 to 429	24,65,057.89	0.00	24,65,057.89	
76	10XXXXXXXXXXXX1Z8		2019-20	17 to 179	15,71,299.15	0.00	15,71,299.15
77			2020-21	50 to 314	50,91,176.91	0.00	50,91,176.91
78			2018-19	17 to 237	21,81,365.16	0.00	21,81,365.16

Sl. No.	GSTIN	Name of circle	Year	Delay in days	Interest liability	Interest Paid	Difference
79	10XXXXXXXXXXXX1ZF	Patna South	2018-19	10 to 192	11,67,314.66	0.00	11,67,314.66
80			2019-20	2 to 67	6,12,418.35	0.00	6,12,418.35
81			2020-21	14 to 71	10,89,122.41	0.00	10,89,122.41
82	10XXXXXXXXXXXX1ZE	Saran	2018-19	150 to 286	8,64,936.75	0.00	8,64,936.75
83			2019-20	273 to 558	13,25,182.46	0.00	13,25,182.46
84			2020-21	6 to 243	43,454.67	0.00	43,454.67
85	10XXXXXXXXXXXX1Z1		2018-19	153 to 377	11,16,840.15	0.00	11,16,840.15
86		2019-20	7 to 193	20,15,608.12	0.00	20,15,608.12	
87		2020-21	1 to 164	6,31,749.35	0.00	6,31,749.35	
88	10XXXXXXXXXXXX1ZP	Sasaram	2018-19	142 to 391	18,32,913.21	0.00	18,32,913.21
89			2019-20	7 to 179	3,64,325.06	0.00	3,64,325.06
90			2020-21	4 to 121	2,82,852.03	1,97,858	84,994.03
91	10XXXXXXXXXXXX1ZP	Shahabad	2018-19	285 to 524	30,94,470.83	0.00	30,94,470.83
92			2019-20	79 to 263	5,76,993.94	3,43,323	2,33,670.94
93			2020-21	17 to 161	13,33,420.24	8,65,397	4,68,023.24
94	10XXXXXXXXXXXX3ZH		2018-19	10 to 125	78,65,299.27	0.00	78,65,299.27
95		2019-20	8 to 96	20,55,755.16	0.00	20,55,755.16	
96		2020-21	3 to 97	1,31,3176.8	0.00	1,31,3176.8	
97	10XXXXXXXXXXXX2ZU	Shahabad	2018-19	26 to 254	44,55,501.41	0.00	44,55,501.41
98			2019-20	7 to 115	14,19,530.98	0.00	14,19,530.98
99			2020-21	1 to 163	3,59,323.24	0.00	3,59,323.24
100	10XXXXXXXXXXXX3ZF	Shahabad	2018-19	26 to 248	13,05,282.41	0.00	13,05,282.41
101			2019-20	5 to 121	9,64,274.88	0.00	9,64,274.88
102			2020-21	1 to 87	1,76,933.32	0.00	1,76,933.32

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Sl. No.	GSTIN	Name of circle	Year	Delay in days	Interest liability	Interest Paid	Difference	
103	10XXXXXXXXXXXX1Z3	Supaul	2018-19	138 to 295	22,35,419.37	0.00	22,35,419.37	
104			2019-20	1 to 108	99,493.54	0.00	99,493.54	
105			2020-21	1 to 97	1,23,541.62	0.00	1,23,541.62	
106	10XXXXXXXXXXXX2ZN		2019-20	9 to 102	14,99,112.40	41,346.00	14,57,766.40	
107			2020-21	16 to 102	6,77,193.37	0.00	6,77,193.37	
108	10XXXXXXXXXXXX1ZO		2018-19	101 to 271	14,91,609.17	0.00	14,91,609.17	
109			2019-20	1 to 133	12,16,934.32	0.00	12,16,934.32	
Total					16,89,39,717.95	21,00,087.00	16,68,39,630.95	

Appendix 2.32
(Reference: Paragraph 2.4.7.3 (B))
Data entry errors by taxpayers

Sl. No.	Audit dimension	GSTIN	Name of circle	Period	Mismatch amount (Amount in ₹)	
1	ITC mismatch on RCM without payment	10XXXXXXXXXX1ZE	Begusarai	2020-21	1,71,97,600	
2		10XXXXXXXXXX1Z7	Bettiah	2018-19	1,21,98,098	
3				2019-20	5,07,402	
4		10XXXXXXXXXX1ZX	Bhabhua	2018-19	1,20,85,750	
5		10XXXXXXXXXX1ZS	Biharsharif	2018-19	61,88,423	
6				2019-20	64,47,073	
7		10XXXXXXXXXX1ZS	Patna West	2018-19	3,63,14,044	
8		10XXXXXXXXXX1Z9		2020-21	3,60,24,480	
9		10XXXXXXXXXX1Z5		2018-19	49,30,988	
10				2019-20	43,96,251	
11				2020-21	27,80,787	
12			10XXXXXXXXXX1ZS		2018-19	41,95,323
13				2019-20	36,21,498	
14				2020-21	58,74,337	
15			10XXXXXXXXXX1Z8	Samastipur	2020-21	1,67,70,799
16			10XXXXXXXXXX1ZT		2020-21	4,32,24,596
17	Unreconciled ITC in Table-14T of GSTR-9C	10XXXXXXXXXX1ZX	Purnea	2020-21	4,53,46,720	
18	Unreconciled tax liability in Table-9R of GSTR-9C	10XXXXXXXXXX1ZJ	Patna Central	2020-21	10,37,88,000	
19	Undischarged liability	10XXXXXXXXXX1Z6	Bhagalpur	2018-19	10,73,89,491	
20		10XXXXXXXXXX1ZO	Purnea	2019-20	23,47,14,590	
21		10XXXXXXXXXX2ZL	Sasaram	2019-20	2,75,87,81,110	
22		10XXXXXXXXXX1ZB		2019-20	14,51,95,50,154	
23		10XXXXXXXXXX1ZJ		2019-20	3,71,55,04,852	
24			10XXXXXXXXXX1Z6	Siwan	2019-20	4,42,06,697

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Sl. No.	Audit dimension	GSTIN	Name of circle	Period	Mismatch amount
25	Suppression in taxable value in comparison with EWBs	10XXXXXXXXXXXXX1Z3	Kishanganj	2019-20	48,510
26		10XXXXXXXXXXXXX1ZA	Patna City West	2018-19	45,63,01,248
27		10XXXXXXXXXXXXX1ZE		2018-19	1,90,62,704
28		10XXXXXXXXXXXXX1Z1	Patna West	2018-19	1,55,50,358
29	Composition taxpayers availed E-commerce facility	10XXXXXXXXXXXXX1Z7	Muzaffarpur West	2020-21	0
Total					22,23,30,01,883

Appendix 2.33
(Reference: Paragraph 2.4.8 (A))
Partial production of records

Sl. No.	Name of the circle	GSTIN	Particulars of records not produced
1	Aurangabad	10XXXXXXXXXX3ZD, 10XXXXXXXXXX2ZD, 10XXXXXXXXXX1ZS, 10XXXXXXXXXX1ZQ	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, credit/Debit Note, Receipt/Payment Vouchers issued during 2018-21.
2	Bhagalpur	10XXXXXXXXXX1ZY, 10XXXXXXXXXX1ZU,	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, credit/Debit Note, Receipt/Payment Vouchers issued during 2018-21.
3	Danapur	10XXXXXXXXXX1ZN, 10XXXXXXXXXX2Z4, 10XXXXXXXXXX1ZN, 10XXXXXXXXXX1ZQ, 10XXXXXXXXXX1ZR,	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, credit/Debit Note, Receipt/Payment Vouchers issued during 2018-21.
4	Gandhi Maidan	10XXXXXXXXXX1Z7, 10XXXXXXXXXX1ZP, 10XXXXXXXXXX1ZK	Auditors' & Directors' Report, Trial balance, P&L Account, Balance Sheet, Invoices/bills of supplies, Receipt/payment vouchers, Agreement, Purchase Order, Credit/Debit Note, Internal Audit Report, Receipt/Payment Vouchers issued during 2018-21.
5	Gaya	10XXXXXXXXXX1ZC 10XXXXXXXXXX1ZY, 10XXXXXXXXXX1ZE 10XXXXXXXXXX1Z0 10XXXXXXXXXX3ZW	Assessment/Scrutiny file, Internal Audit Report, Auditors' Report, Directors' Report, Trial Balance, P&L Account and Balance Sheet and its notes/ schedules, Invoices/Bills of supplies, Receipt and Payment vouchers, Agreement, Purchase Order, Credit and Debit note for the selected months, invoices, Credit Note, Debit Note, Receipt/ payment vouchers.
6	Gopalganj	10XXXXXXXXXX1Z4, 10XXXXXXXXXX1Z5	Assessment/Scrutiny file,. Internal Audit Report, Auditors' Report, Directors' Report, Trail Balance, P&L Account and Balance Sheet along with notes/ schedules, Invoices/Bills of supplies, Receipt and Payment vouchers, Agreement, Purchase Order, Credit and Debit Note.
7	Hajipur	10XXXXXXXXXX2Z1	Assessment/Scrutiny file, Internal Audit Report, Auditors' report, Directors' report, Trail Balance, Notes/Schedules of P&L Account and Balance Sheet, Invoices/Bills of supplies, Receipt and Payment vouchers, Agreement, Purchase Order, Credit and Debit note for the selected months.

Sl. No.	Name of the circle	GSTIN	Particulars of records not produced
8	Jehanabad	10XXXXXXXXXX1ZS	Assessment/Scrutiny file, Internal Audit Report, Auditors' Report, Directors' Report, Trail Balance, P&L Account and Balance Sheet and its notes/schedules. Invoices/Bills of supplies, Receipt and Payment vouchers, Agreement, Purchase Order, Credit and Debit note for the selected month.
9	Madhubani	10XXXXXXXXXX1ZH	Internal Audit Report, Auditors' report, Directors' report, Trial Balance, Sundry Debtors ledger accounts, Fixed Asset Register: Capitalisation statement of the capital goods, with invoice details, showing taxable value and tax separately, Details of Capital Goods sold during the year, with invoice details, showing taxable value and tax separately, Details of Other Income and Other Expenses, Physical Stock Verification Statement
10	Muzaffarpur West	10XXXXXXXXXX1ZP, 10XXXXXXXXXX1ZX, 10XXXXXXXXXX2Z9,	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, Credit/ Debit Note, Receipt/Payment Vouchers issued during 2018-21.
11	Patliputra	10XXXXXXXXXX1ZB 10XXXXXXXXXX1ZW 10XXXXXXXXXX1Z8 10XXXXXXXXXX1ZY 10XXXXXXXXXX1Z2 10XXXXXXXXXX1ZO 10XXXXXXXXXX3ZG 10XXXXXXXXXX1ZB 10XXXXXXXXXX2ZT 10XXXXXXXXXX1ZA 10XXXXXXXXXX1ZC 10XXXXXXXXXX1ZS 10XXXXXXXXXX1ZP 10XXXXXXXXXX1Z8 10XXXXXXXXXX1ZZ 10XXXXXXXXXX1Z2 10XXXXXXXXXX1ZV	Assessment/Scrutiny file, Internal Audit Report, Auditors' report, Directors' report, Trail Balance, P&L Account and Balance Sheet and its notes/ schedules, Invoices/Bills of supplies, Receipt and Payment vouchers, Agreement, Purchase Order, Credit and Debit note for the selected months, invoices, Credit Note, Debit Note, Receipt/ Payment Vouchers.

Sl. No.	Name of the circle	GSTIN	Particulars of records not produced
12	Patna Central	10XXXXXXXXXX3ZG, 10XXXXXXXXXX1ZO, 10XXXXXXXXXX1ZI, 10XXXXXXXXXX2ZO, 10XXXXXXXXXX1IZ2, 10XXXXXXXXXX1IZB, 10XXXXXXXXXX1ZL,	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, credit/ Debit Note, Receipt/Payment Vouchers issued during 2018-21.
13	Patna City East	10XXXXXXXXXX1Z2 10XXXXXXXXXX1ZX 10XXXXXXXXXX1Z2 10XXXXXXXXXX1Z6 10XXXXXXXXXX2ZK	Scrutiny/Assessment file, Auditors' report, Directors' report, Trail Balance, P&L Accounts and Balance Sheet and its Schedule, Internal Audit Report, Invoices/Bills of supplies, Receipt /Payment vouchers, Agreement, Purchase Order, Credit/Debit note for the selected months.
14	Patna City West	10XXXXXXXXXX1ZW,	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, credit/Debit Note, Receipt/Payment Vouchers issued during 2018-21.
15	Patna North	10XXXXXXXXXX1ZY, 10XXXXXXXXXX1Z1, 10XXXXXXXXXX1ZN, 10XXXXXXXXXX1ZE,	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, credit/ Debit Note, Receipt/Payment Vouchers issued during 2018-21.
16	Patna Special	10XXXXXXXXXX1Z6, 10XXXXXXXXXX1ZN, 10XXXXXXXXXX1ZA, 10XXXXXXXXXX1Z0 10XXXXXXXXXX1ZU 10XXXXXXXXXX1Z9 10XXXXXXXXXX2ZH 10XXXXXXXXXX2Z0	Assessment/Scrutiny file, Auditors' report, Directors' report, Trial Balance pertaining to the GSTIN, Sales Invoices/ Bills of supplies of the selected months, Purchase Invoices of the selected months, Purchase/ contract Agreement, Credit/Debit notes, details of ITC reversal made, datewise receipt of revenue including advance, details of exempted/ nil/ zero rated supplies with sample invoices, details of other/ miscellaneous Income, Ledger of sundry debtors/creditors.

Sl. No.	Name of the circle	GSTIN	Particulars of records not produced
17		10XXXXXXXXXX2Z3 10XXXXXXXXXX1ZL 10XXXXXXXXXX2ZD 10XXXXXXXXXX1ZV 10XXXXXXXXXX1ZT 10XXXXXXXXXX1Z4 10XXXXXXXXXX1ZV 10XXXXXXXXXX1Z6 10XXXXXXXXXX1ZR 10XXXXXXXXXX1Z7 10XXXXXXXXXX2ZB 10XXXXXXXXXX1ZE 10XXXXXXXXXX1ZT 10XXXXXXXXXX2ZN 10XXXXXXXXXX1ZX 10XXXXXXXXXX4ZJ	
18	Patna South	10XXXXXXXXXX1Z3 10XXXXXXXXXX1ZK	Scrutiny/Assessment file, GSTIN wise Auditors' report, Directors' report, Trail Balance, P & L account, Balance Sheet Internal Audit Report, Invoices/Bills of supplies, Receipt /Payment vouchers, Agreement, Purchase Order, Credit/Debit note for the selected months
19	Patna West	10XXXXXXXXXX1ZS 10XXXXXXXXXX1ZA 10XXXXXXXXXX4Z1	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, credit/ Debit Note, Receipt/Payment Vouchers issued during 2018-21.
20	Saharsa	10XXXXXXXXXX1ZP	auditors report, trial balance/ledger, Invoices/Bills of supplies, Receipt/Payment vouchers, ledger of sundry debtors and sundry creditors.

Sl. No.	Name of the circle	GSTIN	Particulars of records not produced
21	Sasaram	10XXXXXXXXXX1Z7, 10XXXXXXXXXX1Z1,	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, credit/ Debit Note, Receipt/Payment Vouchers issued during 2018-21.
22	Shahabad	10XXXXXXXXXX2ZS,	Assessment/Scrutiny File, Internal Audit Report, Auditors' & Directors' Report, Trail Balance, P&L Account, Balance sheet with schedules pertaining to the GSTIN only, details of other expenses, misc. Income, Sundry Debtors/ Creditors, Invoices/Bills of Supplies, Receipt/Payment Vouchers, Agreement, Purchase Order, Credit/Debit Note of selected months, no. of invoices, credit/ Debit Note, Receipt/Payment Vouchers issued during 2018-21.
23	Supaul	10XXXXXXXXXX1ZP, 10XXXXXXXXXX1ZE, 10XXXXXXXXXX1ZY	Auditors' & Directors' report, Invoices/Bills of supplies, Receipt & Payment vouchers, Agreement, Purchase Order, Scrutiny/Assessment File.

Appendix 2.34 (A)
(Reference: Paragraph 2.4.8 (B) (I))
Mismatch of Input Tax Credit as per Supplier's details with Input Tax Credit availed by the taxpayers

Sl. No.	GSTIN	Name of circle	Year	ITC availed through GSTR-3B/9	ITC available in GSTR -2A	Excess claim of ITC	Whether scrutinised/ Assessed
1	10XXXXXXXXXX3ZD	Aurangabad	2020-21	5,88,11,879	5,86,28,504	1,83,375	Yes
2	10XXXXXXXXXX2ZD		2018-19	7,03,00,114	6,00,30,118	1,02,69,996	Yes
3	10XXXXXXXXXX1ZN	Danapur	2018-19	1,05,55,29,602	1,05,45,74,210	9,55,392	No
4	10XXXXXXXXXX2Z4		2020-21	80,08,83,820	79,52,22,423	56,61,397	No
5	10XXXXXXXXXX1ZY	Gaya	2018-19	16,42,087	3,92,745	12,49,342	No
6			2019-20	92,39,629	10,70,311	81,69,318	No
7	10XXXXXXXXXX1ZE		2020-21	80,50,487	76,52,046	3,98,442	No
8	10XXXXXXXXXX1Z4	Gopalganj	2018-19	4,41,59,179	2,71,41,880	1,70,17,299	No
9	10XXXXXXXXXX2Z9	Muzaffarpur West	2018-19	5,79,95,704	5,74,06,858	5,88,846	No
10			2019-20	5,47,11,228	5,44,81,394	2,29,834	Yes
11			2020-21	3,30,64,069	3,28,36,591	2,27,478	Yes
12	10XXXXXXXXXX2Z0	Patna Central	2018-19	3,74,01,824	3,56,27,746	17,74,078	No
13	10XXXXXXXXXX1ZL		2018-19	1,58,25,146	1,52,59,840	5,65,306	No
14			2019-20	1,24,90,920	1,11,97,425	12,93,495	Yes
15			2020-21	95,74,300	89,13,070	6,61,230	Yes
16	10XXXXXXXXXX1ZO		2018-19	1,22,14,778	1,03,17,325	18,97,453	No
17	10XXXXXXXXXX1Z2	Patna City East	2018-19	3,35,73,483	2,93,68,751	42,04,731	Yes
18			2019-20	7,26,70,323	7,09,89,402	16,80,920	No
19			2020-21	9,67,05,638	9,65,05,570	2,00,068	No
20	10XXXXXXXXXX2ZK		2020-21	2,13,33,730	1,90,27,116	23,06,614	No

Sl. No.	GSTIN	Name of circle	Year	ITC availed through GSTR-3B/9	ITC available in GSTR -2A	Excess claim of ITC	Whether scrutinised/ Assessed
21	10XXXXXXXXXXXX1ZW	Patna City West	2018-19	5,41,70,721	4,67,88,476	73,82,245	No
22			2020-21	1,24,52,039	75,23,034	49,29,005	Yes
23	10XXXXXXXXXXXX1ZY	Patliputra	2020-21	10,43,85,281	9,29,04,237	1,14,81,044	Yes
24	10XXXXXXXXXXXX1ZB		2019-20	14,11,53,540	14,06,30,960	5,22,580	Yes
25	10XXXXXXXXXXXX1ZB		2019-20	9,99,94,657	9,29,78,137	70,16,520	Yes
26			2020-21	4,67,36,357	4,62,76,528	4,59,830	Yes
27	10XXXXXXXXXXXX1Z8		2018-19	32,19,80,483	31,51,08,448	68,72,035	No
28	10XXXXXXXXXXXX1ZA		2019-20	3,52,66,072	3,17,14,393	35,51,679	Yes
29	10XXXXXXXXXXXX2ZT		2020-21	5,34,97,956	5,27,47,481	7,50,475	No
30	10XXXXXXXXXXXX1ZP		2020-21	3,67,08,942	3,64,54,422	2,54,520	No
31	10XXXXXXXXXXXX1ZY	Patna North	2018-19	2,11,72,122	2,09,06,209	2,65,913	No
32			2020-21	1,34,22,481	1,29,71,756	4,50,725	No
33	10XXXXXXXXXXXX1ZK	Patna South	2019-20	28,81,439	28,13,243	68,196	No
34	10XXXXXXXXXXXX2Z3	Patna Special	2019-20	1,08,72,12,732	1,03,08,61,764	5,63,50,968	No
35			2020-21	1,18,44,26,986	1,09,96,27,340	8,47,99,646	No
36	10XXXXXXXXXXXX2ZD		2018-19	2,15,74,61,306	2,12,18,93,694	3,55,67,612	No
37	10XXXXXXXXXXXX1ZV		2019-20	18,72,06,396	15,67,98,282	3,04,08,114	Yes
38	10XXXXXXXXXXXX1Z9		2020-21	56,43,72,652	54,13,94,111	2,29,78,541	No
39	10XXXXXXXXXXXX1ZT		2018-19	13,40,63,637	13,29,05,048	11,58,589	No
40	10XXXXXXXXXXXX1ZL		2018-19	88,12,675	60,24,225	27,88,450	No
41	10XXXXXXXXXXXX1Z0		2018-19	47,59,259	47,36,358	22,901	No
42	10XXXXXXXXXXXX2ZH		2019-20	1,91,54,692	1,85,38,186	6,16,506	No

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Sl. No.	GSTIN	Name of circle	Year	ITC availed through GSTR-3B/9	ITC available in GSTR -2A	Excess claim of ITC	Whether scrutinised/ Assessed
43	10XXXXXXXXXXXX1ZR		2018-19	3,97,89,614	3,39,25,729	58,63,885	No
44			2019-20	1,80,42,394	1,62,00,427	18,41,967	No
45			2020-21	2,94,88,243	2,50,87,720	44,00,523	No
46	10XXXXXXXXXXXX1ZE		2018-19	61,22,74,620	61,12,55,057	10,19,563	Yes
47			2019-20	1,16,30,54,528	1,10,27,25,569	6,03,28,959	Yes
48	10XXXXXXXXXXXX1ZX		2018-19	3,59,87,526	3,53,67,382	6,20,144	Yes
49	10XXXXXXXXXXXX1ZA		2019-20	17,02,75,181	16,64,57,780	38,17,401	No
50			2020-21	16,01,65,967	15,84,20,908	17,45,059	No
51	10XXXXXXXXXXXX1ZN		2018-19	5,91,44,015	5,91,27,818	16,197	No
Total				11,08,56,70,923	10,66,78,08,048	41,78,62,875	

Appendix 2.34 (B)
(Reference: Paragraph 2.4.8 (B) (I))
Mismatch of Input Tax Credit as per supplier's details with Input Tax Credit availed by the taxpayers

Sl. No.	GSTIN	Name of circle	Year	ITC availed through GSTR-3B/9	ITC available in GSTR-2A	Excess claim of ITC	ITC disallowed	Net excess ITC	Whether scrutinised/
	2	3	4	5	6	7	8	9	10
1	10XXXXXXXXXXXX1Z4	Gopalganj	2020-21	1,22,32,080	33,41,841	88,90,239	78,74,953	10,15,286	Yes
2	10XXXXXXXXXXXX1Z2	Patna City East	2018-19	1,72,22,108	1,41,20,314	31,01,794	11,44,169	19,57,625	Yes
3			2019-20	1,30,28,684	1,04,72,588	25,56,096	12,68,245	12,87,851	Yes
4	10XXXXXXXXXXXX1Z3	Patna South	2018-19	95,44,113	75,08,498	20,35,615	13,44,167	6,91,447	Yes
Total				5,20,26,985	3,54,43,241	1,65,83,744	1,16,31,534	49,52,209	

Appendix 2.35
(Reference: Paragraph 2.4.8 (B) (I))
Mismatch of Input Tax Credit in GSTR-3B than declared in annual return

Sl. No.	GSTIN	Name of circle	Year	Table-6A of GSTR-9	Table-6I of GSTR-9	Table-6M of GSTR-9	Mismatch Amount	Whether scrutinised/ assessed
1	10XXXXXXXXXX1ZS	Aurangabad	2020-21	92,66,03,583	0	0	92,66,03,583	No
2	10XXXXXXXXXX1ZR	Danapur	2020-21	3,84,37,32,112	3,02,19,99,779	82,17,16,859	15,474	Yes
3	10XXXXXXXXXX1ZN		2018-19	1,21,46,81,410	1,09,95,78,371	11,15,13,011	35,90,028	No
4	10XXXXXXXXXX1ZL	Patna Central	2018-19	2,74,08,422	1,58,25,146	0	1,15,83,276	No
5			2020-21	1,01,87,940	95,57,460	0	6,30,480	Yes
6	10XXXXXXXXXX3ZG		2019-20	18,44,41,578	17,31,66,717	0	1,12,74,861	Yes
7	10XXXXXXXXXX1ZO		2019-20	1,80,37,334	1,47,37,927	0	32,99,407	Yes
8			2020-21	1,65,81,050	1,28,92,669	0	36,88,381	Yes
9	10XXXXXXXXXX1ZB		2018-19	4,08,41,334	4,07,07,916	0	1,33,418	No
10		Patna Special	2020-21	8,07,92,269	8,06,42,707	0	1,49,562	Yes
11	10XXXXXXXXXX1ZU		2019-20	25,85,07,029	22,41,05,981	0	3,44,01,048	No
12			2020-21	27,68,50,937	21,21,07,256	0	6,47,43,681	Yes
13	10XXXXXXXXXX2Z3		2018-19	66,76,91,311	66,30,74,576	0	46,16,735	Yes
14			2020-21	97,19,99,369	96,06,91,279	0	1,13,08,090	No
15	10XXXXXXXXXX2Z0		2018-19	1,99,53,65,533	1,94,50,08,526	0	5,03,57,007	Yes
16			2019-20	2,10,57,29,041	2,02,05,45,703	0	8,51,83,338	No
17			2020-21	2,22,64,87,372	2,14,67,83,979	0	7,97,03,393	No

Sl. No.	GSTIN	Name of circle	Year	Table-6A of GSTR-9	Table-6I of GSTR-9	Table-6M of GSTR-9	Mismatch Amount	Whether scrutinised/ assessed
18	10XXXXXXXXXX2ZB		2018-19	15,36,37,275	6,61,53,538	0	8,74,83,737	No
19	10XXXXXXXXXX2ZN		2019-20	8,19,09,034	0	0	8,19,09,034	Yes
20	10XXXXXXXXXX1ZV		2019-20	19,68,08,630	17,88,57,131	0	1,79,51,499	Yes
21			2020-21	7,96,71,072	5,70,00,365	0	2,26,70,707	No
22	10XXXXXXXXXX1ZX		2020-21	13,67,65,071	13,64,24,285	0	3,40,786	No
23	10XXXXXXXXXX1ZN		2018-19	5,99,23,446	5,97,43,423	0	1,80,023	No
24			2019-20	1,16,69,497	1,15,73,363	0	96,134	No
25			2020-21	1,12,85,085	1,12,62,204	0	22,881	No
26	10XXXXXXXXXX1ZS	Patna West	2020-21	36,24,32,362	24,73,39,390	5,12,08,617	6,38,84,355	Yes
27	10XXXXXXXXXX2ZS	Shahabad	2018-19	6,25,27,799	6,07,40,404	0	17,87,395	No
Total				16,02,25,66,895	13,47,05,20,095	98,44,38,487	1,56,76,08,313	

Appendix 2.36
(Reference: Paragraph 2.4.8 (B) (I))
Input Tax Credit availed on GSTR-3B filed after limitation period

(Amount in ₹)

Sl. No.	GSTIN	Name of circle	Year	ITC availed after limitation period	Whether scrutinised/ Assessed
1	10XXXXXXXXXX1ZL	Patna Central	2018-19	1,01,03,840	No
2	10XXXXXXXXXX2ZS	Shahabad	2018-19	3,07,23,957	No
Total				4,08,27,797	

Appendix 2.37(A)
(Reference: Paragraph 2.4.8 (B) (I))
Discrepancy between Input Tax Credit availed and payment made under Reverse Charge Mechanism

Sl. No.	GSTIN	Name of circle	Year	ITC availed as per Table-6C+6D of GSTR-9	Tax under RCM paid as per Table-4G of GSTR-9	Excess ITC availed under RCM	Whether scrutinised/ Assessed
1	2	3	4	5	6	7	8
1	10XXXXXXXXXXXX1ZN	Danapur	2019-20	32,33,511	25,77,152	6,56,359	Yes
2	10XXXXXXXXXXXX2Z4		2019-20	74,88,765	68,40,740	6,48,025	No
3	10XXXXXXXXXXXX3ZG	Patna Central	2020-21	80,06,436	66,47,462	13,58,974	Yes
4	10XXXXXXXXXXXX1Z2		2018-19	60,710	0	60,710	No
5			2020-21	19,100	10,250	8,850	Yes
6	10XXXXXXXXXXXX1Z3	Patna South	2018-19	87,120	43,560	43,560	Yes
Total				1,88,95,642	1,61,19,164	27,76,478	

Appendix 2.37 (B)
(Reference: Paragraph 2.4.8 (B) (I))
Non/short payment of tax under Reverse Charge Mechanism

Sl. No.	GSTIN	Name of the circle	Year	Description of service under RCM	Value of supply	Tax rate	Tax due under RCM	Total Tax paid under RCM	Short payment under RCM	Whether scrutinised/assessed	
1	2	3	4	5	6	7	8	9	10(8-9)	11	
1	10XXXXXXXXXX1ZU	Bhagalpur	2018-19	Legal expenses	1,21,365	18	21,846	0	21,846	No	
2	10XXXXXXXXXX4ZJ	Patna Special	2018-19	Freight	14,64,599	5	73,229	0	73,229	Yes	
3			2019-20	Legal expenses	72,000	18	12,960	0	12,960	Yes	
4			2020-21	Freight	11,82,805	5	59,140	0	59,140	No	
5			2020-21	Legal expenses	1,20,000	18	21,600	0	21,600	No	
6	10XXXXXXXXXX1ZP	Supaul	2019-20	Royalty & Seigniorage Fee	93,310	18	16,796	0	16,796	Yes	
7			2020-21	Royalty & Seigniorage Fee	46,06,081	18	8,29,094	0	8,29,094	No	
Total							10,34,665	0	10,34,665	0	10,34,665

Appendix 2.38
(Reference: Paragraph 2.4.8 (B) (I))
Short reversal of Input Tax Credit:

Sl. No.	GSTIN	Name of circle	Year	ITC Reversal as per Table-7I of GSTR-9	ITC reversed as per Table-4B of GSTR-3B	Short/Less payment of tax	Whether scrutinised/ Assessed
1	2	3	4	5	6	7(5-6)	8
1	10XXXXXXXXXXXX1ZN	Danapur	2018-19	7,38,72,329	7,11,41,582	27,30,747	No
2			2020-21	2,88,70,852	2,58,72,052	29,98,800	Yes
3	10XXXXXXXXXXXX1ZO	Patna Central	2018-19	4,03,619	0	4,03,619	No
4	10XXXXXXXXXXXX3ZG		2020-21	2,95,18,695	2,82,67,669	12,51,026	Yes
5	10XXXXXXXXXXXX1ZW	Patna City West	2018-19	15,57,110	14,99,578	57,532	No
Total				13,42,22,605	12,67,80,881	74,41,724	

Appendix 2.39
(Reference: Paragraph 2.4.8 (B) (II))
Short admittance of tax liability in GSTR-9/3B as compared to GSTR-1

Sl. No.	GSTIN	Name of circle	Year	Tax liability as per GSTR-1	Tax liability as per GSTR-9/3B	Short admittance of tax liability	Whether scrutinised/ assessed
1	2	3	4	5	6	7 (5-6)	8
1	10XXXXXXXXXXXX1Z0	Gaya	2019-20	13,63,50,607	13,62,46,811	1,03,796	No
2	10XXXXXXXXXXXX3ZG	Patliputra	2019-20	42,43,54,801	41,91,40,702	52,14,099	Yes
3	10XXXXXXXXXXXX1ZA		2018-19	4,03,08,453	3,79,97,138	23,11,315	Yes
4			2019-20	5,09,11,668	4,83,36,287	25,75,381	Yes
5			2020-21	5,17,00,947	4,98,80,844	18,20,103	No
6	10XXXXXXXXXXXX1ZB		2018-19	6,02,45,356	5,57,75,698	44,69,658	Yes
7			2019-20	2,51,71,576	2,41,74,912	9,96,664	Yes
8			2020-21	59,30,73,800	59,21,90,214	8,83,586	Yes
9	10XXXXXXXXXXXX1Z8		2019-20	2,91,64,032	2,91,02,321	61,711	No
10	10XXXXXXXXXXXX3ZG	Patna Central	2018-19	11,89,11,232	11,43,96,556	45,14,676	No
11	10XXXXXXXXXXXX2Z0		2019-20	5,69,91,660	5,65,87,530	4,04,130	No
12	10XXXXXXXXXXXX1ZX	Patna City East	2018-19	7,02,65,455	6,97,43,787	5,21,668	Yes
13			2019-20	15,49,75,938	15,49,24,859	51,079	Yes
14	10XXXXXXXXXXXX1ZY	Patna North	2018-19	4,52,86,005	4,49,57,835	3,28,170	No
15	10XXXXXXXXXXXX1Z3	Patna South	2018-19	99,76,568	97,39,328	2,37,240	Yes

Sl. No.	GSTIN	Name of circle	Year	Tax liability as per GSTR-1	Tax liability as per GSTR-9/ GSTR-3B	Short admittance of tax liability	Whether scrutinised/ assessed
1	2	3	4	5	6	7 (5 - 6)	8
16	10XXXXXXXXXX2ZN	Patna Special	2019-20	28,67,10,844	28,48,05,391	19,05,453	Yes
17			2020-21	10,79,63,351	10,12,52,724	67,10,627	No
18	10XXXXXXXXXX1ZA		2018-19	33,62,67,405	33,61,52,170	1,15,235	No
19	10XXXXXXXXXX1ZV		2020-21	8,16,38,682	7,83,40,288	32,98,394	No
20	10XXXXXXXXXX2ZB		2019-20	49,08,62,783	49,06,13,148	2,49,635	No
21	10XXXXXXXXXX1Z6		2020-21	3,47,20,108	3,32,29,569	14,90,539	Yes
22			2019-20	3,20,89,069	3,16,43,388	4,45,681	Yes
23			2020-21	2,11,67,126	1,99,53,272	12,13,854	No
24	10XXXXXXXXXX4ZJ		2018-19	3,36,87,363	3,34,28,201	2,59,162	Yes
25	10XXXXXXXXXX2Z3		2019-20	1,00,61,26,021	99,66,41,525	94,84,496	No
26			2020-21	83,94,57,540	82,22,86,218	1,71,71,322	No
27	10XXXXXXXXXX1ZG	Samastipur	2018-19	5,22,800	0	5,22,800	No
28	10XXXXXXXXXX2ZS	Shahabad	2018-19	8,38,40,459	7,89,96,189	48,44,270	No
29			2019-20	12,75,49,209	12,72,52,731	2,96,478	Yes
Total				5,35,02,90,858	5,27,77,89,636	7,25,01,222	

Appendix 2.40 (A)
(Reference: Paragraph 2.4.8 (B) (II))
Short Payment of tax

Sl. No.	GSTIN	Name of circle	Year	Tax liability as per GSTR-9/C	Tax paid as per GSTR-9 (table- 9 & 14)	Short payment of tax	Whether Scrutinized/ Assessed
1	2	3	4	5	6	7 (5-6)	8
1	10XXXXXXXXXX1Z0	Gaya	2020-21	6,86,03,172	6,85,57,642	45,530	Yes
2	10XXXXXXXXXX1Z2	Patliputra	2020-21	90,90,50,894	87,93,54,750	2,96,96,144	No
3	10XXXXXXXXXX1ZZ		2018-19	6,53,48,797	5,86,14,155	67,34,642	Yes
4	10XXXXXXXXXX1ZK	Patna South	2019-20	1,23,08,676	1,21,89,385	1,19,291	Yes
5	10XXXXXXXXXX1ZA	Patna Special	2019-20	32,67,04,916	32,61,12,293	5,92,623	No
6	10XXXXXXXXXX1Z0		2018-19	2,91,72,949	2,91,67,281	5,668	No
7			2019-20	2,98,99,462	2,98,89,420	10,042	No
8	10XXXXXXXXXX1Z6		2019-20	2,40,13,426	2,39,14,392	99,034	No
9			2018-19	2,57,66,372	2,56,93,414	72,958	No
10	10XXXXXXXXXX2ZN		2019-20	29,61,16,623	29,55,81,568	5,35,055	Yes
Total				1,78,69,85,287	1,74,90,74,300	3,79,10,987	

Appendix 2.40 (B)
(Reference: Paragraph 2.4.8 (B) (II))
Short Payment of tax

Sl. No.	GSTIN	Name of circle	Year	Tax liability as per GSTR-9/9C	Tax paid as per GSTR-3B	Short payment of tax	Whether Scrutinised/ Assessed
1	10XXXXXXXXXX1ZU	Bhagalpur	2019-20	31,88,016	11,73,764	20,14,252	Yes
2	10XXXXXXXXXX2Z9	Muzaffarpur West	2019-20	5,59,44,649	5,59,40,686	3,963	Yes
3	10XXXXXXXXXX3ZG	Patna Central	2019-20	11,19,30,144	10,93,93,398	25,36,746	Yes
4			2020-21	13,48,22,931	13,46,01,091	2,21,840	Yes
5	10XXXXXXXXXX1ZB		2020-21	8,81,06,029	8,68,02,619	13,03,410	Yes
6	10XXXXXXXXXX1Z2		2018-19	2,35,29,145	2,33,88,439	1,40,706	No
7			2020-21	2,76,96,348	2,68,32,967	8,63,381	Yes
8	10XXXXXXXXXX1Z1	Patna North	2018-19	3,67,19,800	3,59,14,551	8,05,249	No
9			2019-20	2,84,77,460	2,84,53,536	23,924	No
10			2020-21	3,64,26,030	3,60,93,465	3,32,565	Yes
Total				54,68,40,552	53,85,94,516	82,46,036	

Appendix 2.41
(Reference: Paragraph 2.4.8 (B) (II))
Short Payment of tax due under Reverse Charge Mechanism

Sl. No.	GSTIN	Name of the circle	Year	Liabilities under RCM as per GSTR-2A	Tax paid under RCM as per GSTR-3B	Difference	Whether scrutinised/assessed
1	2	3	4	5	6	7	8
1	10XXXXXXXXXX1Z8	Patliputra	2019-20	31,052	0	31,052	No
2	10XXXXXXXXXX1ZW		2018-19	55,512	0	55,512	Yes
3			2019-20	2,84,706	0	2,84,706	Yes
4			2020-21	2,99,698	0	2,99,698	Yes
5	10XXXXXXXXXX1ZA	Patna Special	2018-19	3,97,872	0	3,97,872	No
6			2019-20	7,38,744	0	7,38,744	No
7			2020-21	8,23,634	204,480	6,19,154	No
8	10XXXXXXXXXX1Z4		2020-21	8,38,058	762,498	75,560	No
9	10XXXXXXXXXX4ZJ		2018-19	18,342	0	18,342	Yes
10			2019-20	14,993	0	14,993	Yes
11			2020-21	13,790	0	13,790	No
12	10XXXXXXXXXX1ZT		2018-19	8,55,106	0	8,55,106	No
13			2019-20	37,95,248	0	37,95,248	No
14	10XXXXXXXXXX1Z7	Sasaram	2019-20	2,136	0	2,136	Yes
15			2020-21	10,314	0	10,314	Yes
Total				81,79,205	966,978	72,12,227	

Appendix 2.42
(Reference: Paragraph 2.4.8 (B) (II))
Mismatch of turnover (Unbilled Revenue)

Sl. No	GSTIN	Name of circle	Year Closing Balance/ Opening Balance	Closing Balance of unbilled revenue of PY as per table-5H of GSTR-9C	Opening Balance of unbilled revenue of current year as per table-5B of GSTR-9C	Difference	Whether scrutinised/ assessed
1	2	3	4	5	6	7	8
1	10XXXXXXXXXXXX1ZP	Muzaffarpur West	2018-19/ 2019-20	1,63,81,45,956	0	1,63,81,45,956	Yes
2	10XXXXXXXXXXXX2Z0	Patna Central	2018-19 /2019-20	2,55,400	0	2,55,400	No
3	10XXXXXXXXXXXX1ZW	Patna City West	2018-19/ 2019-20	0	-3,69,21,505	3,69,21,505	Yes
4			2019-20/ 2020-21	0	-17,76,067	17,76,067	Yes
5	10XXXXXXXXXXXX1ZU	Patna Special	2019-20/ 2020-21	1,09,54,19,788	57,86,88,051	51,67,31,737	Yes
Total				2,73,38,21,144	53,99,90,479	2,19,38,30,665	

Appendix 2.43
(Reference: Paragraph 2.4.8 (B) (II))
Mismatch of taxable value identified through Tax Deducted at Source declaration

Sl. No.	GSTIN	Name of circle	Year	GSTR-3B Outward Value of taxable supplies	GSTR-2A TDS Credit	Suppressed turnover	Tax rate	Tax on suppressed value	Whether scrutinized/ assessed
1	2	3	4	5	6	7 (6-5)	8	9	10
1	10XXXXXXXXXX1ZB	Patliputra	2019-20	83,32,52,308	84,47,26,348	1,14,74,040	12%	13,76,885	Yes
2	10XXXXXXXXXX1Z4	Gopalganj	2019-20	24,13,15,124	27,66,27,198	3,53,12,074	12%	42,37,449	Yes
Total				1,07,45,67,432	1,12,13,53,546	4,67,86,114		56,14,334	

Appendix 2.44
(Reference: Paragraph 2.4.8 (B) (III))
Short/non-payment of interest by taxpayers

SI No	GSTIN	Name of circle	Year	Amount of tax deposited in cash	Range of delay (In days)	Interest amount	Interest paid	Interest due	Whether scrutinised/assessed
1	10XXXXXXXXXX1ZQ	Aurangabad	2019-20	1,22,10,109	1 to 9	21,322	0	21,322	No
2			2020-21	22,48,501	40	44,354	0	44,354	No
3	10XXXXXXXXXX1ZY	Bhagalpur	2018-19	2,61,32,601	5 to 132	6,22,354	4,18,874	2,03,480	No
4			2019-20	5,94,81,350	1 to 15	2,34,923	1,07,121	1,27,802	Yes
5			2020-21	8,10,29,949	1 to 10	2,60,916	1,78,820	82,096	Yes
6	10XXXXXXXXXX2Z4	Danapur	2018-19	9,30,45,685	01 to 11	2,29,690	0	2,29,690	No
7	10XXXXXXXXXX1ZY	Gaya	2018-19	1,24,42,318	3 to 134	4,06,934	0	4,06,934	No
8			2019-20	1,68,52,205	14 to 165	9,22,982	0	9,22,982	Yes
9			2020-21	7,560	153	567	0	567	No
10	10XXXXXXXXXX1ZE		2019-20	60,55,545	1 to 218	2,94,360	50,010	2,44,350	Yes
11			2020-21	69,31,650	6 to 164	3,30,373	0	3,30,373	Yes
12	10XXXXXXXXXX1Z4	Gopalganj	2018-19	2,48,09,160	190 to 654	46,07,619	0	46,07,619	Yes
13			2019-20	2,06,70,305	326 to 533	39,85,381	0	39,85,381	Yes
14			2020-21	51,03,534	320 to 366	8,51,503	0	8,51,503	Yes
15	10XXXXXXXXXX1Z5		2019-20	24,47,680	455	5,55,623	0	5,55,623	Yes
16	10XXXXXXXXXX2Z1	Hajipur	2018-19	1,05,25,015	4 to 97	2,23,357	0	2,23,357	No
17			2019-20	47,04,635	55 to 300	4,68,706	0	4,68,706	No
18	10XXXXXXXXXX2Z9	Muzaffarpur West	2018-19	28,02,239	93 to 139	1,61,498	0	1,61,498	No
19			2019-20	9,10,985	21 to 42	11,490	0	11,490	Yes
20			2020-21	17,02,761	3 to 106	69,873	0	69,873	Yes
21	10XXXXXXXXXX1ZZ	Pataliputra	2019-20	8,51,07,080	3 to 109	8,85,371	0	8,85,371	No
22			2020-21	1,05,12,215	2 to 55	93,426	0	93,426	No
23	10XXXXXXXXXX1ZW		2019-20	46,99,575	82	1,90,043	0	1,90,043	Yes
24			2020-21	72,31,182	28 to 65	1,77,537	0	1,77,537	Yes
25	10XXXXXXXXXX1ZZ		2018-19	1,81,71,212	1 to 35	47,187	0	47,187	Yes
26	10XXXXXXXXXX1ZV		2018-19	2,09,85,115	1 to 4	18,022	0	18,022	Yes
27			2019-20	57,83,865	3 to 66	12,184	0	12,184	Yes
28			2020-21	1,90,28,772	2 to 37	1,33,847	0	1,33,847	Yes

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SI No	GSTIN	Name of circle	Year	Amount of tax deposited in cash	Range of delay (In days)	Interest amount	Interest paid	Interest due	Whether scrutinised/assessed
29	10XXXXXXXXXX1ZL	Patna Central	2018-19	10,09,156	271 to 330	1,63,341	0	1,63,341	No
30	10XXXXXXXXXX1ZX	Patna City East	2018-19	7,73,31,45	1 to 22	29,114	0	29,114	Yes
31			2019-20	25,83,56,70	1 to 43	54,033	0	54,033	Yes
32			2020-21	16,53,69,79	1 to 22	53,538	0	53,538	No
33	10XXXXXXXXXX1Z6		2018-19	4,15,843	1 to 23	1,631	0	1,631	No
34			2019-20	8,47,511	14	5,851	0	5,851	No
35			2020-21	1,14,34,997	1 to 7	9,761	0	9,761	Yes
36	10XXXXXXXXXX1ZK	Patna South	2019-20	9,43,725	15	6,981	0	6,981	Yes
37			2020-21	14,70,866	2 to 4	1,451	0	1,451	Yes
38	10XXXXXXXXXX1Z6	Patna Special	2018-19	1,31,90,725	1 to 38	66,402	0	66,402	No
39			2019-20	1,58,56,258	1 to 24	52,538	0	52,538	No
40	10XXXXXXXXXX2ZB		2020-21	98,79,914	3	14,617	0	14,617	Yes
41	10XXXXXXXXXX2ZN		2020-21	14,46,752	25	17,838	0	17,838	No
42	10XXXXXXXXXX1ZX		2018-19	61,27,691	1 to 110	2,57,397	0	2,57,397	No
43			2019-20	1,13,51,188	7 to 34	72,227	0	72,227	No
44			2020-21	78,07,948	2 to 55	11,507	0	11,507	No
45	10XXXXXXXXXX4ZJ		2018-19	19,63,183	3 to 9	5,448	0	5,448	Yes
46			2019-20	14,00,148	4 to 104	25,725	0	25,725	Yes
47			2020-21	57,42,309	1 to 57	62,213	0	62,213	No
48	10XXXXXXXXXX1ZP	Saharsa	2018-19	7,33,876	100 to 283	71,809	0	71,809	No
49			2019-20	5,05,839	132	32,928	0	32,928	Yes
50			2020-21	78,406	101	3,615	0	3,615	No
51	10XXXXXXXXXX2ZS	Shahabad	2018-19	2,03,92,617	189 to 192	19,09,960	0	19,09,960	No
52			2019-20	78,37,727	2 to 146	3,56,715	0	3,56,715	Yes
53			2020-21	6,17,24,086	2 to 87	16,57,135	0	16,57,135	Yes
54	10XXXXXXXXXX1ZP	Supaul	2020-21	33,88,841	16 to 26	35,699	0	35,699	No
TOTAL				74,71,82,409		2,08,40,916	7,54,825	2,00,86,091	

Appendix 3.1
(Reference: Paragraph 3.3)
Short payment of compensation amount and interest

Sl. No.	Name of project	Name of mauja	Area of land(in Hectare)	Date of possession	Market value of land	Compensation amount (Considering multiplication factor as 1.5)	Compensation* amount (Considering multiplication factor as 2)	Difference	Delay in days after date of possession (as on 31.10.2023)	Avoidable interest
1	2	3	4	5	6	7	8	9	10	11
1.	Construction (widening/ fourlaning) of National Highway 527-C, Sitamarhi	Simyahi	4.251	08.06.2020	2,60,39,957	7,81,19,871	10,41,59,829	2,60,39,958	1,240	1,02,06,422
2.		Hardiya	3.345	08.06.2020	1,95,19,940	5,85,59,820	7,80,79,760	1,95,19,940	1,240	76,50,881
3.		Jhanjhat	5.448	08.06.2020	4,28,56,527	12,85,69,581	17,14,26,108	4,28,56,527	1,240	1,67,97,703
		Total			8,84,16,424	26,52,49,272	35,36,65,697	8,84,16,425		3,46,55,006

* Compensation = {Market value of land * Multiplication factor(2)} + 100 % of {Market value of land * Multiplication factor(2)}

Appendix 3.2
(Reference: Paragraph 3.4)
Non levy of cess on the capitalised value of rent

Sl. No.	Name of Unit	Name of Schemes/Projects	No. of Mauja	Capitalised value of land rent for 25 years	Amount Cess on land rent at the rate of 145 per cent
1	DLAO, Kishanganj	NHAI No. 327-E(Package-1) Galgalia to Bahadurganj-4 Lane Araria-Galgalia New rail line construction	1 35	17,650.00 11,30,825.00	25,593.00 16,39,698.00
2	DLAO, Jehanabad	Aamas to Ramnagar Part of NH 119 D under Bharatmala Pariyojna 4/6 Lane widening of NH-83(Patna-Gaya-Dobhi) Acquisition of Land (2 nd) 4/6 Lane widening of NH-83 (Patna-Gaya-Dobhi Section)	28 33 22	2,88,925.88 1,11,899.70 11,395.61	4,18,942.39 1,62,254.40 16,519.22
3	DLAO, Chhapra, Saran	Construction of Rivilganj Bypass NH-19 to NH-85	25	9,37,381.75	13,59,204.85
4	DLAO, Sheikhpura	Daniyawan-Biharsarif-Barbigha-Sheikhpura Rail Project	22	1,29,285.00	1,87,463.25
5	DLAO, Darbhanga	Construction of extension of right to the Embankment of Kamla Balan	6	30,94,300.00	44,86,736.00
6	DLAO, Bhabhua, Kaimur	Conversion of NH-2 in 6 lanes	25	2,96,342.21	4,29,697.13
7	DLAO, Gaya	Construction of R.O.B.of Eastern Dedicated Freight Corridor To Lay Pipeline in Ganga Jal Udbhav Yojna	29 55	4,14,450.00 1,57,932.00	6,00,955.00 2,28,857.00
8	DLAO, Nalanda	Construction of 2 lane NH-30 A, Fatuha-Harnaut-Barh Construction of road from Noorsarai to Silaw via Begampur	4 4	14,905.75 4,4054.75	21,613.00 63,879.00
9	DLAO, Buxar	Construction of widening of Silaw Giriak Road Acquisition of land for NH-84	7 37	13,938.25 1,31,634.82	20,211.00 1,89,565.53
10	DLAO, Rohtas	6-Lane Widening of NH-2 Details of award of dedicated front corridor ROF- I and II	14 9	2,75,066.00 1,04,290.00	4,43,156.25 1,51,220.50
11	Directorate Patna	Hajipur Sugauli New Railway line Indo Nepal Boarder Road Project	1 2	1,69,900.00 7,813.00	2,46,355.00 11,328.85

Sl. No.	Name of Unit	Name of Schemes/Projects	No. of Mauja	Capitalised value of land rent for 25 years	Amount Cess on land rent at the rate of 145 per cent
12	DLAO, Araria	New Rail Line from Araria to Galgalia	36	3,60,675.00	5,22,978.75
		45 th SSB Camp	1	1,675.00	2,428.75
		52 th Battalion, SSB	13	46,300.00	67,135.00
		56 th Battalion, SSB	13	17,425.00	25,266.25
13	DLAO, Munger	Ganga Rail-cum-road bridge approach road	22	13,776.00	19,974.00
		Munger to Mirzachoki,Fourlane	16	39,595.00	57,417.00
		Munger to Mirzachoki,Fourlane	20	37,786.00	54,562.00
14	DLAO, Nawada	Mauza wise details of land acquired, rent collected of NH-82	47	51,662.64	74,911.19
Total			527	79,20,884.36	1,15,27,922.31

Appendix 4.1
(Reference: Paragraph 4.3 (A))
Short realisation of Stamp Duty and Registration Fee due to undervaluation of property

Sl. no.	Name of office	Token No./ Deed no.	Execution date of Deed	Area of land (in decimal)	Valuation as per sale deed	Correct Rate of land as per MVR (Per Decimal)	Valuation as per MVR (5*7)	Stamp Duty payable *(Rate of SD and ASD in per cent)	Stamp Duty paid	Short realisation of Stamp Duty (9-10)	Registration fee payable* (Rate of RF in per cent)	Registration fee paid	Short realisation of Registration Fee (12-13)	Total SD and RF short realised (11 +14)	Remarks / Token No. / DEED No.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	SR, Forbesganj	9966/9556	30.09.2019	22	44,28,000	4,42,750	97,40,500	8,08,462(6.3+2)	3,67,524	4,40,938	2,04,550(2.1)	92,988	1,11,562	5,52,500	10063/9620
		3824/3644	12.05.2018	62.50	15,32,000	2,34,000	1,46,25,000	9,21,375 (6.3)	96,516	8,24,859	3,07,125(2.1)	32,172	2,74,953	10,99,812	
		7703/7443	20.09.2018	46.88	11,50,000	2,34,000	1,09,68,750	6,58,125(6)	69,000	5,89,125	2,19,375(2)	23,000	1,96,375	7,85,500	
2	SR, Masaurhi	440/425	22.01.2019	31.25	7,66,000	2,34,000	73,12,500	4,60,688(6.3)	48,258	4,12,430	1,53,562(2.1)	16,086	1,37,476	5,49,906	2948/3098
		445/426	22.01.2019	18.75	4,60,000	2,34,000	43,87,500	2,76,413(6.3)	28,980	2,47,433	92,137(2.1)	9,660	82,477	3,29,910	
		2902/2728	20.04.2019	42.63	10,45,000	2,34,000	99,74,250	5,98,455 (6)	62,700	5,35,755	1,99,485 (2)	20,900	1,78,585	7,14,340	
		2905/2731	20.04.2019	55	13,48,000	2,34,000	1,28,70,000	7,72,200 (6)	80,880	6,91,320	2,57,400 (2)	26,960	2,30,440	9,21,760	
3	SR, Bikram, Patna	9384/9236	15.07.2022	73.38	41,09,020	1,71,000	1,25,47,125	7,15,186 (5.7)	2,34,215	4,80,971	2,38,395(1.9)	78,075	1,60,320	6,41,291	9499/9374
4	DSR, Samastipur	1183/1168	24.01.2023	36	10,51,000	2,00,000	72,00,000	5,76,000 (6+2)	84,080	4,91,920	1,44,000 (2)	21,020	1,22,980	6,14,900	1209/1184
		740/737	04.02.2023	57	25,08,000	1,90,000	1,08,30,000	8,66,400 (6+2)	2,01,640	6,64,760	2,16,600 (2)	51,160	1,65,440	8,30,200	2457/2526
5	SR, Dalsinghsarai	572/1777	20.03.2023	16	8,00,000	1,90,000	30,40,000	2,43,200 (6+2)	67,200	1,76,000	60,800 (2)	17,000	43,800	2,19,800	
6	SR, Pupri, Sitamarhi	2178/2182	10.03.2022	13.90	86,00,000	11,00,000	1,52,90,000	12,23,200(6+2)	6,88,000	5,35,200	3,05,800 (2)	1,72,000	1,33,800	6,69,000	6342/6250
		19792/19103	07.12.2022	18.75	1,12,50,000	17,00,000	3,18,75,000	25,50,000(6+2)	9,00,000	16,50,000	6,37,500 (2)	2,25,000	4,12,500	20,62,500	
7	SR, Danapur	20317/19605	24.12.2022	18.75	1,12,50,000	17,00,000	3,18,75,000	25,50,000(6+2)	9,00,000	16,50,000	6,37,500 (2)	2,25,000	4,12,500	20,62,500	32/29
		20436/19720	31.12.2022	18.72	1,12,32,000	17,00,000	3,18,21,960	25,45,757(6+2)	8,98,560	16,47,197	6,36,439 (2)	2,24,640	4,11,799	20,58,996	
8	DSR, Khagatria	8092/8006	02.12.2022	39.27	6,00,000	2,25,000	88,35,750	5,03,638(5.7)	34,200	4,69,438	1,67,879(1.9)	11,400	1,56,479	6,25,917	8122/802
		8505/8328	22.10.2021	37	13,00,000	2,83,000	1,04,71,000	5,96,847(5.7)	1,32,867	4,63,980	1,98,949(1.9)	44,289	1,54,660	6,18,640	9975/9710
9	DSR Vaishali	10749/10425	29.12.2021	8.5	24,91,000	10,80,000	91,80,000	7,06,860(5.7+2)	1,97,280	5,09,580	1,74,420(1.9)	49,820	1,24,600	6,34,180	10839/10510
10	SR Bagaha	6967/6823	15.12.2020	50.72	17,76,000	2,23,000	1,11,58,000	8,92,672(6+2)	2,17,280	7,50,601	2,23,168(2)	5,43,220	1,87,650	9,38,251	255/268
11	SR Mirganj	4366/3979	30.07.2018	15	9,90,000	4,00,000	60,00,000	4,80,000(6+2)	79,200	4,00,800	1,20,000(2)	19,800	1,00,200	5,01,000	3871/3693

Sl. no.	Name of office	Token No./ Deed no.	Execution date of Deed	Area of land (in decimal)	Valuation as per sale deed	Correct Rate of land as per MVR (Per Decimal)	Valuation as per MVR	Stamp Duty payable *(Rate of SD and ASD in per cent)	Stamp Duty paid	Short realisation of Stamp Duty	Registration fee payable* (Rate of RF in per cent)	Registration fee paid	Short realisation of Registration Fee	Total SD and RF short realised	Remarks / Token No. / DEED No.
12	DSR Motihari	5701	16.04.2022	150	1,35,00,000	6,00,000	4,50,00,000	27.00,000(6)	8,10,000	18,90,000	9,00,000(2)	2,70,000	6,30,000	25,20,000	Lease Deed
13	DSR W.Champaran (Bettiah)	23765/22803	21.10.2021	58.125	11,63,000	4,00,000	2,32,50,000	18,60,000(6+2)	93,040	17,66,960	4,65,000(2)	23,260	4,41,740	22,08,700	25701/24157
		746/1934	20.01.2022	37.5	9,38,000	2,50,000	93,75,000	7,50,000(6+2)	75,038	6,74,962	1,87,500(2)	18,777	1,68,723	8,43,685	808/2750
14	SR phulwaria	21382/20599	17.09.2021	22.64	22,64,000	4,00,000	90,56,000	7,24,480(6+2)	1,81,120	5,43,360	1,81,120(2)	45,280	1,35,840	6,79,200	21383/20854
		3676/3544	26.08.2019	36.26	9,43,000	3,20,000	1,16,03,200	6,61,382(5.7)	53,751	6,07,631	2,20,461(1.9)	17,917	2,02,544	8,10,175	3724/3588
15	DSR, Gaya	1622/1574	2021	401.15	33,53,000	49,000	98,28,175	89,690.5 (6)	2,00,985	3,88,705.5	1,96,563.5(2)	67,000	1,29,563.5	5,18,269	177/167
		13821/13419	17.06.2022	14	76,60,000	13,89,000	1,94,46,000	14,97,342(5.7+2)	5,90,820	9,06,522	3,69,474(1.9)	1,46,540	2,22,934	11,29,456	14047/15075
16	DSR, Sasaram	18401/17687	06.08.2022	10	50,60,000	10,38,000	1,03,80,000	7,99,260(5.7+2)	3,89,620	4,09,640	1,97,220(1.9)	96,140	1,01,080	5,10,720	18795/18091
		10703/10488	29.06.2022	93.75	84,40,000	2,00,000	1,87,50,000	15,00,000(6+2)	6,75,200	8,24,800	3,75,000(2)	1,68,800	2,06,200	10,31,000	11000/10752
17	DSR Purnea	5159/5065	29.03.2023	82	20,50,000	3,00,000	2,46,00,000	19,68,000(6+2)	1,64,000	18,04,000	4,92,000(2)	41,000	4,51,000	22,55,000	5391/5225
		4708/4582	15.03.2022	100	40,80,000	1,50,000	1,50,00,000	9,00,000(6)	2,44,800	6,55,200	3,00,000(2)	81,700	2,18,300	8,73,500	5469/5313
18	SR, Forbesganj	4582/4458	14.03.2022	26.25	42,00,000	4,60,000	1,20,75,000	9,66,000(6+2)	3,36,000	6,30,000	2,41,500(2)	84,200	1,57,300	7,87,500	6791/6624
		19854/18993	11.12.2021	45.2	22,38,000	1,75,000	79,10,000	4,98,330(6.3)	1,57,618	3,40,712	1,66,110(2.1)	53,256	1,12,854	4,53,566	19896/
19	DSR, Patna Sadar	19855/18994	11.12.2021	29	27,24,000	1,75,000	50,75,000	3,04,500(6+2)	95,760	2,08,740	1,01,500(2)	31,920	69,580	2,78,320	19076
		2347/2142	25.03.2017	94	2,17,00,000	4,37,000	4,10,78,000	32,86,240(6+2)	17,37,000	15,49,240	8,21,560(2)	4,35,000	3,86,560	19,35,800	2404/2183
20	DSR, Jamui	10157/9948	05.11.2018	34	58,65,000	5,75,000	1,95,50,000	15,64,000(6+2)	4,69,200	10,94,800	3,91,000(2)	1,17,300	2,73,700	13,68,500	4465/4265
		12921/11703	03.08.2022	12.5	2,21,60,000	3,500,000	4,41,50,000	35,32,000(6+2)	17,73,800	17,58,200	8,83,000(2)	4,44,200	4,38,800	21,97,000	13435/12209
21	SR, Patna City	3354/3303	09.07.2020	34	76,35,000	9,00,000	3,06,00,000	24,48,000(6+2)	6,10,800	18,37,200	6,12,000(2)	1,52,700	4,59,300	22,96,500	5528/5399
		9924/9734	12.09.2022	59	11,80,000	1,60,000	94,40,000	5,66,400(6)	70,800	4,95,600	1,88,800(2)	23,600	1,65,200	6,60,800	10094/9898
21	SR, Patna City	10549/10393	23.08.2022	12.5	45,00,000	15,79,500	1,97,43,750	15,79,500(6+2)	3,60,000	12,19,500	3,94,875(2)	90,000	3,04,875	15,24,375	12482/12293
		2881/2830	17.05.2023	3.125	11,25,000	20,65,500	64,54,688	4,97,010.97(5.7+2)	86,625	4,10,385.97	1,22,639(1.9)	21,375	1,01,264	5,11,650	3802/3733
Total														4,28,24,419	

Source: Department Of Prohibition, Excise & Registration (Registration), Government of Bihar

* **Note:** The rates of Stamp Duty, Additional Stamp Duty and Registration Fee vary according to the type of land in the registered documents.

Appendix 4.2

(Reference: Paragraph 4.3 (A))

Short realisation of Stamp Duty and Registration Fee due to undervaluation of property

		(Amount in ₹)							
Name of office	Valuation of construction (as per MVR) (A)	Cost of boundary (as per deed) (B)	Valuation of property (as per deed) (A+B)	Cost of depreciation at the rate of 5 per cent (as per deed) (C)	Value of land (as per deed) (D)	Actual Considerable value after depreciation (A+B +D-C)	SD, ASD and RF payable at the rate of 10 per cent	SD, ASD and RF paid	Short realisation
DSR, Gaya	14,63,11,440	2,00,000	14,65,11,440	73,25,572	1,66,68,000	15,58,53,868	1,55,85,387	1,38,70,000	17,15,387
Total									
									17,15,387

Appendix 4.3
(Reference: Paragraph 4.3 (B))
Short realisation of Stamp Duty and Registration Fee due to misclassification of instruments

Sl. No	Name of the village	Token No/Deed no.	Execution date of deed	Area of land (in decimal)	Valuation as per sale deed (at the rate of ₹35,000/ ₹20,000)	Correct Rate of land as per MVR (Per decimal)	Correct valuation as per MVR (5*7)	Stamp Duty Payable (Rate of SD and ASD in per cent)	Stamp Duty paid	Short realisation of Stamp Duty	Registration Fee payable (Rate of RF in per cent)	Registration Fee paid	Short realisation of Registration Fee	Total amounts of SD and RF short realised
1	2	3	4	5	6	7	8	9 (8*% of SD and ASD)	10	11 (9-10)	12 (8*% of RF)	13	14 (12-13)	15 (11+14)
1	Budhaul	17247	17.01.2023	197	68,95,000	1,75,000	3,44,75,000	27,58,000	5,51,600	22,06,400	6,89,500	1,37,900	5,51,600	27,58,000
		611												
		17248	17.01.2023	463	1,62,05,000	1,75,000	8,10,25,000	64,82,000	12,96,400	51,85,600	16,20,500	3,24,100	12,96,400	64,82,000
		610												
		17246	17.01.2023	317	1,10,95,000	1,75,000	5,54,75,000	44,38,000	8,87,600	35,50,400	11,09,500	2,21,900	8,87,600	44,38,000
		612												
2	Nanaura	11609	10.08.2023	125	43,75,000	1,75,000	2,18,75,000	17,50,000	3,50,000	14,00,000	4,37,500	87,500	3,50,000	17,50,000
		11431												
		14148	08.11.2023	66	23,10,000	1,75,000	1,15,50,000	9,24,000	1,84,800	7,39,200	2,31,000	46,200	1,84,800	9,24,000
		15406												
2	Nanaura	14152	08.11.2023	101	35,35,000	1,75,000	1,76,75,000	14,14,000	2,82,800	11,31,200	3,53,500	70,700	2,82,800	14,14,000
		15408												
2	Nanaura	2612	04.03.2023	37.50	7,50,000	90,000	33,75,000	2,70,000	60,000	2,10,000	67,500	15,000	52,500	2,62,500
		2946												
Total							22,54,50,000	1,80,36,000	36,13,200	1,44,22,800	45,09,000	9,03,300	36,05,700	1,80,28,500

(Source: Department Of Prohibition, Excise & Registration (Registration), Government of Bihar)

(Note: Stamp Duty @ 6%. Additional Stamp Duty at the rate of 2 per cent and Registration Fee at the rate of 2 per cent)

Appendix 5.1
(Reference: Paragraph 5.5.1)
List of State Public Sector Enterprises

Sl. No.	State Public Sector Enterprises	Remarks
Power Sector SPSEs		
1	Bihar State Hydroelectric Power Corporation Limited	Working
2	Bihar State Power (Holding) Company Limited	Working
3	Bihar State Power Generation Company Limited	Working
4	Bihar State Power Transmission Company Limited	Working
5	North Bihar Power Distribution Company Limited	Working
6	South Bihar Power Distribution Company Limited	Working
7	Pirpainti Bijlee Company Private Limited	Working
8	Lakhisarai Bijlee Company Private Limited	Working
9	Bihar Grid Company Limited	Working
Agriculture and Allied SPSEs		
10	Bihar State Warehousing Corporation	Working
11	Bihar State Food and Civil Supplies Corporation Limited	Working
12	Bihar Rajya Beej Nigam Limited	Working
13	Bihar Forestry Development Corporation Limited	Working
14	Bihar State Agro Industries Development Corporation Limited	Inactive
15	Bihar Rajya Matasya Vikas Nigam Limited	Inactive
16	SCADA Agro Business Company Limited	Inactive
17	Bihar State Dairy Corporation Limited	Inactive
18	Bihar Hill Area Lift Irrigation Corporation Limited	Inactive
19	Bihar State Fruit and Vegetables Development Corporation Limited	Inactive
20	Bihar Insecticide Limited (Subsidiary of Sl. No.63)	Inactive
21	SCADA Agro Business Limited, Dehri (Subsidiary of Sl. No. 16)	Inactive
22	SCADA Agro Business Limited, Aurangabad (Subsidiary of Sl. No.16)	Inactive
23	SCADA Agro Business Limited, Mohania (Subsidiary of Sl. No.16)	Inactive
24	Bihar Solvent and Chemicals Limited (Subsidiary of Sl. No. 26)	Inactive
25	Bihar State Sugar Corporation Limited	Inactive
26	Bihar State Forest Development Corporation Limited	Inactive
27	Bihar State Tannin Extract Limited (Subsidiary of Sl. No. 26)	Inactive
28	Synthetic Resins (Eastern) Limited (Subsidiary of Sl. No. 63)	Inactive
Other SPSEs		
29	Bihar State Credit and Investment Corporation Limited	Working
30	Bihar State Backward Classes Finance and Development Corporation	Working
31	Bihar State Minorities Finance Corporation Limited	Working
32	Bihar State Film Development and Finance Corporation Limited	Working
33	Bihar State Education Finance Corporation Limited	Working
34	Bihar State Financial Corporation	Working
35	Bihar Police Building Construction Corporation Limited	Working
36	Bihar Rajya Pul Nirman Nigam Limited	Working
37	Bihar State Building Construction Corporation Limited	Working
38	Bihar State Road Development Corporation Limited	Working
39	Bihar State Urban Infrastructure Development Corporation Limited	Working
40	Bihar State Educational Infrastructure Development Corporation Limited	Working
41	Bihar State Electronics Development Corporation Limited	Working
42	Bihar State Beverages Corporation Limited	Working
43	Bihar State Mining Corporation Limited	Working

Sl. No.	State Public Sector Enterprises	Remarks
44	Bihar State Tourism Development Corporation Limited	Working
45	Bihar Medical Services and Infrastructure Corporation Limited	Working
46	Patna Metro Rail Corporation	Working
47	Bihar State Text Book Publishing Corporation Limited	Working
48	Bhagalpur Smart City Limited	Working
49	Muzaffarpur Smart City Limited	Working
50	Biharsharif Smart City Limited	Working
51	Patna Smart City Limited	Working
52	Bihar State Road Transport Corporation	Working
53	Bihar State Water Development Corporation Limited	Inactive
54	Bihar Panchayati Raj Finance Corporation Limited	Inactive
55	Bihar State Handloom and Handicrafts Corporation Limited	Inactive
56	Bihar State Industrial Development Corporation Limited	Inactive
57	Bihar State Construction Corporation Limited	Inactive
58	Bihar State Mineral Development Corporation Limited	Inactive
59	Magadh Mineral Limited (Subsidiary of Sl. No. 63)	Inactive
60	Beltron Video System Limited (Subsidiary of Sl. No. 41)	Inactive
61	Beltron Mining System Limited (Subsidiary of Sl. No. 41)	Inactive
62	Beltron Informatics Limited (Subsidiary of Sl. No. 41)	Inactive
63	Bihar State Pharmaceuticals and Chemicals Development Corporation Limited	Inactive
64	Bihar Maize Product Limited (Subsidiary of Sl. No. 63)	Inactive
65	Bihar Drugs and Chemicals Limited (Subsidiary of Sl. No. 63)	Inactive
66	Bihar State Textiles Corporation Limited	Inactive
67	Bihar Paper Mills Limited (Subsidiary of Sl. No. 56)	Inactive
68	Bihar State Glazed Tiles and Ceramics Limited (Subsidiary of Sl. No. 63)	Inactive
69	Vishwamitra Paper Industries Limited (Subsidiary of Sl. No. 63)	Inactive
70	Jhanjharpur Paper Industries Limited (Subsidiary of Sl. No. 63)	Inactive
71	Bihar Scooters Limited (Subsidiary of Sl. No. 56)	Inactive
72	Kumardhubi Metal Casting and Engineering Limited (Subsidiary of Sl. No. 58)	Inactive- under liquidation
73	Bihar State Finished Leathers Corporation Limited (Subsidiary of Sl. No. 74)	Inactive- under liquidation
74	Bihar State Leather Industries Development Corporation Limited	Inactive- under liquidation
75	Bihar State Export Corporation Limited	Inactive- under liquidation
76	Bihar State Small Industries Corporation Limited	Inactive- under liquidation

(Source: Information provided by SPSEs)

Appendix 5.2

(Reference: Paragraph 5.5.2)

Summarised financial position and working results of Government Companies and Statutory Corporations as per their latest finalised accounts, as on 30 September 2023

(₹ in crore)

Sl. No.	Name of SPSEs	Period of accounts	Paid up capital	Long term Loans	Net profit/ loss before interest and tax	Net profit/ loss after interest and tax	Turnover	Net Worth	Capital employed	Accumulated Profit (-) / Loss(-)
1	2	3	4	5	6	7	8	9	10	11
A	Power Sector SPSEs									
1	Bihar State Hydroelectric Power Corporation Limited	2015-16	99.04	1,014.10	-25.35	-25.35	8.26	-129.27	884.83	-228.31
2	Bihar State Power (Holding) Company Limited	2020-21	1,244.22	603.56	0.00	0.00	0.00	1,561.34	2,164.90	317.12
3	Bihar State Power Generation Company Limited	2020-21	4,812.96	0.00	-2.79	-2.79	0.00	577.04	577.04	-4,235.92
4	Bihar State Power Transmission Company Limited	2021-22	8,295.66	3,014.13	314.35	89.53	1,158.31	9,366.36	12,380.49	1,070.70
5	North Bihar Power Distribution Company Limited	2022-23	13,701.38	3,223.96	-243.01	-243.01	11,648.09	6,758.90	9,982.86	-6,942.48
6	South Bihar Power Distribution Company Limited	2021-22	13,305.02	3,965.10	-1,287.60	-1,287.60	11,110.11	702.86	4,667.96	-12,602.16
7	Pirpainti Bijlee Company Private Limited	2019-20	0.01	0.00	0.00	0.00	0.00	-0.03	-0.03	-0.04
8	Lakhisarai Bijlee Company Private Limited	2019-20	0.01	0.00	0.00	0.00	0.00	-0.03	-0.03	-0.04
9	Bihar Grid Company Limited	2022-23	668.26	1,962.28	-89.93	-88.18	174.62	959.19	2,921.47	290.93
	Total (A)		42,126.56	13,783.13	-1,334.33	-1,557.40	24,099.39	19,796.36	33,579.49	-22,330.20
B	Agriculture and Allied SPSEs									
10	Bihar State Warehousing Corporation	2018-19	6.42	164.02	22.45	11.54	283.59	53.46	217.48	47.04
11	Bihar State Food & Civil Supplies Corporation Limited	2013-14	5.39	2,320.41	-348.83	-348.83	0.00	-456.48	1,863.93	-461.87
12	Bihar Rajya Beej Nigam Limited	2012-13	3.71	72.65	7.74	7.74	57.31	-41.59	31.06	-45.30

Sl. No.	Name of SPSEs	Period of accounts	Paid up capital	Long term Loans	Net profit/ loss before interest and tax	Net profit/ loss after interest and tax	Turnover	Net Worth	Capital employed	Accumulated Profit (-) / Loss(-)
<i>I</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>	<i>10</i>	<i>11</i>
13	Bihar Forestry Development Corporation Limited	2021-22	0.34	0.00	0.00	0.00	0.30	1.26	1.26	0.92
	Total (B)		15.86	2,557.08	-318.64	-329.55	341.20	-443.35	2,113.73	-459.21
C	Other SPSEs									
14	Bihar State Credit & Investment Corporation Limited	2019-20	15.12	0.00	0.30	0.26	0.00	-80.77	-80.77	-95.89
15	Bihar State Backward Classes Finance & Development Corporation	2002-03	13.36	26.30	-0.12	-0.12	1.88	19.61	45.91	6.25
16	Bihar State Minorities Finance Corporation Limited	2015-16	39.89	28.88	-3.04	-3.04	3.24	27.12	56.00	-12.77
17	Bihar State Film Development & Finance Corporation Limited	2019-20	1.00	0.50	-0.26	-0.26	0.00	-1.32	-0.82	-2.32
18	Bihar State Education Finance Corporation Limited	2021-22	9.50	0.00	0.37	0.25	0.00	10.50	10.50	1.00
19	Bihar State Financial Corporation	2020-21	77.84	228.47	-13.00	-13.00	1.95	-428.44	-199.97	-506.28
20	Bihar Police Building Construction Corporation Limited	2018-19	10.00	0.00	15.56	11.20	28.40	66.39	66.39	56.39
21	Bihar Rajya Pul Nirman Nigam Limited	2021-22	3.50	0.00	24.23	16.01	76.08	295.28	295.28	291.78
22	Bihar State Building Construction Corporation Limited	2021-22	5.00	0.00	31.79	22.29	47.21	97.89	97.89	92.89
23	Bihar State Road Development Corporation Limited	2020-21	20.00	0.00	38.21	31.53	64.09	358.08	358.08	338.08
24	Bihar State Urban Infrastructure Development Corporation Limited	2018-19	69.84	0.00	18.37	15.19	771.18	74.48	74.48	4.64
25	Bihar State Educational Infrastructure Development Corporation Limited	2020-21	20.00	0.00	17.85	17.85	22.29	236.20	236.20	216.20
26	Bihar State Electronic Development Corporation Limited	2018-19	25.00	0.00	33.46	23.57	424.73	129.88	129.88	104.88
27	Bihar State Beverages Corporation Limited	2019-20	5.00	0.00	-1.48	-1.48	0.00	89.24	89.24	84.24

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Sl. No.	Name of SPSEs	Period of accounts	Paid up capital	Long term Loans	Net profit/ loss before interest and tax	Net profit/ loss after interest and tax	Turnover	Net Worth	Capital employed	Accumulated Profit (-) / Loss(-)
1	2	3	4	5	6	7	8	9	10	11
28	Bihar State Mining Corporation Limited	2018-19	20.00	0.00	-1.93	-1.93	6.14	20.72	20.72	0.72
29	Bihar State Tourism Development Corporation Limited	2015-16	5.00	0.00	7.03	5.93	10.90	29.35	29.35	24.35
30	Bihar Medical Services & Infrastructure Corporation Limited	2017-18	6.67	0.00	3.18	2.30	29.01	19.03	19.03	12.36
31	Patna Metro Rail Corporation	2022-23	1,322.50	1,607.08	12.22	8.64	0.00	1,332.75	2,939.83	10.25
32	Bihar State TextBook Publishing Corporation Limited	2014-15	0.48	0.00	63.32	63.32	335.80	397.23	397.23	396.75
33	Bhagalpur Smart City Ltd	2020-21	0.10	0.00	0.00	0.00	0.00	0.10	0.10	0.00
34	Muzaffarpur Smart City Limited	2020-21	0.10	0.00	0.00	0.00	2.72	0.10	0.10	0.00
35	Biharsharif Smart City Limited	2019-20	0.10	0.00	0.04	0.03	0.00	0.13	0.13	0.03
36	Patna Smart City Limited	2019-20	0.10	0.00	0.03	0.02	0.00	-0.04	-0.04	-0.14
37	Bihar State Road Transport Corporation	2018-19	101.28	0.00	-144.10	-144.10	64.47	-2,073.16	-2,073.16	-2,174.44
	Total (C)		1,771.38	1,891.23	102.03	54.46	1,890.09	620.35	2,511.58	-1,151.03
	Grand Total (A + B + C)		43,913.80	18,231.44	-1,550.94	-1,832.49	26,330.68	19,973.36	38,204.80	-23,940.44

Appendix 5.3

(Reference: Paragraph 5.9.2)

Summarised financial position and working results of SPSEs which had accumulated losses, as per their latest finalised accounts, as on 30 September 2023

Sl. No.	Name of SPSEs	Period of accounts	Year in which finalised	Net profit/loss after interest and tax	Paid up capital	Long term Loans	Accumulated losses	Capital employed	Net Worth
1	2	3	4	5	6	7	8	9	10
Government Companies									
A Power Sector SPSEs									
1	Bihar State Hydroelectric Power Corporation Limited	2015-16	2022-23	-25.35	99.04	1,014.10	228.31	884.83	-129.27
2	Bihar State Power Generation Company Limited	2020-21	2022-23	-2.79	4,812.96	0.00	4,235.92	577.04	577.04
3	North Bihar Power Distribution Company Limited	2022-23	2023-24	-243.01	13,701.38	3,223.96	6,942.48	9,982.86	6,758.90
4	South Bihar Power Distribution Company Limited	2021-22	2022-23	-1,287.60	13,305.02	3,965.10	12,602.16	4,667.96	702.86
5	Pirpanti Bijlee Company Private Limited	2019-20	2021-22	0.00	0.01	0.00	0.04	-0.03	-0.03
6	Lakhisarai Bijlee Company Private Limited	2019-20	2021-22	0.00	0.01	0.00	0.04	-0.03	-0.03
	Total (A)			-1,558.75	31,918.42	8,203.16	24,008.95	16,112.63	7,909.47
B Agriculture and Allied SPSEs									
7	Bihar State Food & Civil Supplies Corporation Limited	2013-14	2022-23	-348.83	5.39	2,320.41	461.87	1,863.93	-456.48
8	Bihar Rajya Beej Nigam Limited	2012-13	2022-23	7.74	3.71	72.65	45.30	31.06	-41.59
	Total (B)			-341.09	9.1	2,393.06	507.17	1,894.99	-498.07
C Other SPSEs									
9	Bihar State Credit & Investment Corporation Limited	2019-20	2023-24	0.26	15.12	0.00	95.89	-80.77	-80.77
10	Bihar State Minorities Finance Corporation Limited	2015-16	2022-23	-3.04	39.89	28.88	12.77	56.00	27.12
11	Bihar State Film Development & Finance Corporation Limited	2019-20	2022-23	-0.26	1.00	0.50	2.32	-0.82	-1.32

Sl. No.	Name of SPSEs	Period of accounts	Year in which finalised	Net profit/ loss after interest and tax	Paid up capital	Long term Loans	Accumulated losses	Capital employed	Net Worth
1	2	3	4	5	6	7	8	9	10
12	Patna Smart City Limited	2019-20	2023-24	0.02	0.10	0.00	0.14	-0.04	-0.04
	Total (C)			-3.02	56.11	29.38	111.12	-25.63	-55.01
	Total (Government Companies)			-1,902.86	31,983.63	10,625.60	24,627.24	17,981.99	7,356.39
Statutory Corporations									
D	Other SPSEs								
13	Bihar State Financial Corporation	2020-21	2022-23	-13.00	77.84	228.47	506.28	-199.97	-428.44
14	Bihar State Road Transport Corporation	2018-19	2022-23	-144.10	101.28	0.00	2,174.44	-2,073.16	-2,073.16
	Total (Statutory Corporations)			-157.10	179.12	228.47	2,680.72	-2,273.13	-2,501.60
	Grand Total (A + B + C + D)			-2,059.96	32,162.75	10,854.07	27,307.96	15,708.86	4,854.79

None of the SPSEs with accumulated losses had Free Reserves.

Appendix 5.4

(Reference: Paragraph 5.11 and 5.12.2)

Information regarding accounts in arrear of State Public Sector Enterprises, as per their latest finalised accounts, as on 30 September 2023

Sl. No.	SPSEs	Year for which accounts are in arrears	No. of accounts in arrears
A	Working Government Companies		
1	Bihar Forestry Development Corporation Limited	2022-23	1
2	Bihar Medical Services & Infrastructure Corporation Limited	2018-19 to 2022-23	5
3	Bihar Police Building Construction Corporation Limited	2019-20 to 2022-23	4
4	Bihar Rajya Beej Nigam Limited	2013-14 to 2022-23	10
5	Bihar State Backward Classes Finance & Development Corporation	2003-04 to 2022-23	20
6	Bihar State Beverages Corporation Limited	2020-21 to 2022-23	3
7	Bihar State Credit & Investment Corporation Limited	2020-21 to 2022-23	3
8	Bihar State Educational Infrastructure Development Corporation Limited	2021-22 & 2022-23	2
9	Bihar State Electronic Development Corporation Limited	2019-20 to 2022-23	4
10	Bihar State Film Development & Finance Corporation Limited	2020-21 to 2022-23	3
11	Bihar State Food & Civil Supplies Corporation Limited	2014-15 to 2022-23	9
12	Bihar State Hydroelectric Power Corporation Limited	2016-17 to 2022-23	7
13	Bihar State Mining Corporation Limited	2019-20 to 2022-23	4
14	Bihar State Minorities Finance Corporation Limited	2016-17 to 2022-23	7
15	Bihar State Power (Holding) Company Limited ¹	2019-20 to 2022-23	4
16	South Bihar Power Distribution Company Limited	2022-23	1
17	Bihar State Power Transmission Company Limited	2022-23	1
18	Bihar State Power Generation Company Limited ²	2020-21 to 2022-23	3
19	Bihar State Road Development Corporation Limited	2021-22 & 2022-23	2
20	Bihar State Text Book Publishing Corporation Limited	2015-16 to 2022-23	8
21	Bihar State Tourism Development Corporation Limited	2016-17 to 2022-23	7
22	Bihar Urban Infrastructure Development Corporation Limited	2019-20 to 2022-23	4
23	Lakhisarai Bijlee Company Private Limited	2020-21 to 2022-23	3

¹ Bihar State Power (Holding) Company Limited has not prepared Consolidated Financial Statement from the year 2019-20 to 2022-23 and prepared only Standalone Financial Statement up to 2020-21.

² Bihar State Power Generation Company Limited has not prepared Consolidated Financial Statement for the year 2020-21 to 2022-23. The Company prepared only Standalone Financial Statement up to 2020-21.

Sl. No.	SPSEs	Year for which accounts are in arrears	No. of accounts in arrears
24	Pirpanti Bijlee Company Private Limited	2020-21 to 2022-23	3
25	Bihar Rajya Pul Nirman Nigam Limited	2022-23	1
26	Bihar State Education Finance Corporation Limited	2022-23	1
27	Bihar State Building Construction Corporation Limited	2022-23	1
	Total (A)		121
B	Working Government Controlled Other Companies		
1	Bhagalpur Smart City Limited	2021-22 & 2022-23	2
2	Biharsharif Smart City Limited	2020-21 to 2022-23	3
3	Muzaffarpur Smart City Limited	2021-22 & 2022-23	2
4	Patna Smart City Limited	2020-21 to 2022-23	3
	Total (B)		10
C	Working Statutory Corporations		
1	Bihar State Financial Corporation	2021-22 & 2022-23	2
2	Bihar State Road Transport Corporation	2019-20 to 2022-23	4
3	Bihar State Warehousing Corporation	2019-20 to 2022-23	4
	Total (C)		10
D	Non-Working Government Companies		
1	Beltron Informatics Limited	Since 01.03.1988* to 2022-23	35
2	Beltron Mining System Limited	1991-92 to 2022-23	32
3	Beltron Video System Limited	1990-91 to 2022-23	33
4	Bihar Drugs & Chemicals Limited	1986-87 to 2022-23	37
5	Bihar Fruits & Vegetables Development Corporation Limited	2015-16 to 2022-23	8
6	Bihar Hill Area Lift Irrigation Corporation Limited	1983-84 to 2022-23	40
7	Bihar Insecticides Limited	1987-88 to 2022-23	36
8	Bihar Maize Product Limited	1984-85 to 2022-23	39
9	Bihar Panchayati Raj Finance Corporation Limited	1985-86 to 2022-23	38
10	Bihar Paper Mills Limited	1986-87 to 2022-23	37
11	Bihar Rajya Matasya Vikas Nigam Limited	1993-94 to 2022-23	30
12	Bihar Scooters Limited	1977-78* to 2022-23	46
13	Bihar State Construction Corporation Limited	2003-04 to 2022-23	20
14	Bihar State Dairy Corporation Limited	1998-99 to 2022-23	25
15	Bihar State Forest Development Corporation Limited	2003-04 to 2022-23	20
16	Bihar State Glazed Tiles & Ceramics Limited	1986-87 to 2022-23	37
17	Bihar State Handloom & Handicrafts Corporation Limited	1984-85 to 2022-23	39
18	Bihar State Industrial Development Corporation Limited	2011-12 to 2022-23	12
19	Bihar State Mineral Development Corporation Limited	2002-03 to 2022-23	21

Sl. No.	SPSEs	Year for which accounts are in arrears	No. of accounts in arrears
20	Bihar State Pharmaceuticals & Chemical Development Corporation Limited	1986-87 to 2022-23	37
21	Bihar State Solvent & Chemicals Limited	1987-88 to 2022-23	36
22	Bihar State Sugar Corporation Limited	1985-86 to 2022-23	38
23	Bihar State Tannin Extract Limited	1989-90 to 2022-23	34
24	Bihar State Textile Corporation Limited	1988-89 to 2022-23	35
25	Bihar State Water Development Corporation Limited	1979-80 to 2022-23	44
26	Jhanjharpur Paper Industries Limited	1986-87 to 2022-23	37
27	Magadh Minerals Limited	1984-85* to 2022-23	39
28	SCADA Agro Business Company Limited	2015-16 to 2022-23	8
29	SCADA Agro Business Company, Aurangabad Limited	1993-94* to 2022-23	30
30	SCADA Agro Business Company, Dehri Limited	1993-94* to 2022-23	30
31	SCADA Agro Business Company, Mohaniya Limited	1993-94* to 2022-23	30
32	Synthetic Resins (Eastern) Limited	1984-85 to 2022-23	39
33	Vishwamitra Paper Industries Limited	1985-86 to 2022-23	38
34	Bihar State Agro Industries Corporation Limited	2022-23	01
	Total (D)		1,061
E	Government Companies under Liquidation		
1	Bihar State Export Corporation Limited	1992-93 to	--
2	Bihar State Finished Leathers Corporation Limited	1984-85 to	--
3	Bihar State Leather Industries Development Corporation Limited	1983-84 to	--
4	Bihar State Small Industries Corporation Limited	1991-92 to	--
5	Kumardhubi Metal Casting & Engineering Limited	1995-96 to	--
	Total (E)		--
	Grand Total (A + B + C + D + E)		1,202

(Source: As per latest finalised accounts of the SPSEs)

*Company has not submitted its accounts since inception



**GLOSSARY OF
ABBREVIATIONS**

Glossary of Abbreviations

PART A: REVENUE	
Abbreviation	Full form
ACST	Assistant Commissioners of State Tax
BGST	Bihar Goods and Services Tax
BTEG	Bihar Tax on Entry of Goods into Local Area
BVAT Act	Bihar Value Added Tax Act
CBIC	Central Board of Indirect Taxes and Customs
CGST	Central Goods and Services Tax
CIB	Central Investigation Bureau
CST	Commissioner of State Tax
CST Act	Central Sales Tax Act
CTD	Commercial Taxes Department
DCST	Deputy Commissioners of State Tax
DGARM	Directorate General of Analytics and Risk Management
DRC	Demand and Recovery Certificate
ECL	Electronic Cash Ledger
EWBs	Electronic-Way Bills
GST	Goods and Services Tax
GSTIN	Goods and Services Tax Identification Number
GSTN	Goods and Services Tax Network
GSTR	Goods and Services Tax Return
HSN	Harmonised System of Nomenclature
IB	Bureau of Investigation
IGST	Integrated Goods and Services Tax
ISD	Input Service Distributor
ITC	Input Tax Credit
JCST	Joint Commissioners of State Tax
KPAs	Key Problem Areas
NIC	National Informatics Centre
PAN	Permanent Account Number
PIC	Person-in-Charge
PIN	Personal Identification Number
RCM	Reverse Charge Mechanism
SCN	Show Cause Notice
SEZ	Special Economic Zone
SGST	States Goods and Services Tax
SSCA	Subject Specific Compliance Audit
SSOID	Single Signed On User ID
TCS	Tax collected at source
TDS	Tax Deducted at Source
URPs	Un registered persons
UTGST	Union Territory Goods and Services Tax
VAT	Value Added Tax

PART B: STATE PUBLIC SECTORE NTERPRISES	
Abbreviation	Full form
ACYD	Art, Culture & Youth Department
AG	Accountant General
AGM	Annual General Meeting
AMASR	Ancient Monuments and Archaeological Sites and Remains Act, 1958
ASI	Archaeological Survey of India
ATN	Action Taken Note
BFR	Bihar Finance Rule
BG	Bank Guarantee
CAG	Comptroller and Auditor General of India
COPU	Committee on Public Undertakings
DIET	District Institute of Education and Training
DLP	Defect Liability Period
EBIT	Earnings before interest and taxes
GCOCs	Government Controlled Other Companies
GoB	Government of Bihar
GSDP	Gross State Domestic Products
HLRCC	High Level Reinforced Cement Concrete
MA	Mobilisation Advance
NMA	National Monument Authority
NoC	No Objection Certificate
NSC	National Saving Certificate
OBC	Oriental Bank of Commerce
PNB	Punjab National Bank
PSUs	Public Sector Undertakings
RA Bills	Running Account Bills
RCD	Road Construction Department
RoCE	Return on Capital Employed
RoE	Return on Equity
SBD	Standard Bidding Document
SD	Security Deposit
SPSEs	State Public Sector Enterprises
UBI	United Bank of India

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