



Community Centre-1, Kendriya Vihar-II, Plot No.3, Sector-82, Noida-201304, U.P.
Kendriya Vihar-II Apartment Owners' Association
website: www.noidakv2.org ; E-mail: noidakv2@gmail.com ; Tel: 0120-2463700)

No.KV-II/GST/2018-19

Dated: 14.10.2018

Subject: Minutes of the Special Meeting of AGM held on 14.10.2018

A special meeting of the AGM was convened by the President on 14.10.2018(Sunday) at 11.30 P.M. at CC-I to discuss the issues of service tax payment by KV-II AOA pursuant to the notices and summons received from the office of Principal Commissioner, Central Tax, Noida for the period FYs 2013-14 to 2017-18.

It was informed that a service tax enquiry is being conducted by the office of Principal Commissioner, Central Tax, Noida in respect of KV-II AOA for the FYs. 2013-14 onwards. Pursuant to the letters and notices received in this regard, copies of balance sheets, R&P, Income & Expenditure statements, ITRs for the FY 2013-14 to 2017-18 along with a detailed reply explaining the position of AOA, has been furnished to the above office through CA Sri Rajesh Jain who was also present in the meeting. CA informed that he attended the hearing of the case in that office on 8.10.2018. and he was told that the AOA has to bear the service tax liability on the income accrued under different heads during the period in question, except arising out of contributions/subscription from the members which is within the exemption limit of Rs.5000/- per month per member.

Some members present, suggested that since the entire income of the Association is being utilized in repair and maintenance of common services provided to the residents by the Association, it may not come under the purview of service tax and the AOA should contest the action being taken by the Central Tax Department. CA and also some resident members who are serving in that Department explained the Rule position in this regard and informed that the AOA cannot escape its service tax liability and may also have to pay penalty and interest on delayed payment of amount due, that may be intimated by the Department in due course. It was suggested by them that as already advised by that Department, KV-II AOA may obtain service tax registration immediately and work out the amount of income which may be excluded from the purview of Service Tax for each FY beginning from 2013-14 onwards. It was the general opinion of the members that appropriate necessary action as per the prevailing rules on service tax may be taken and case of the

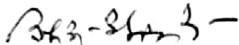


Community Centre-1, Kendriya Vihar-II, Plot No.3, Sector-82, Noida-201304, U.P.
Kendriya Vihar-II Apartment Owners' Association
website: www.noidakv2.org ; E-mail: noidakv2@gmail.com ; Tel: 0120-2463700

Association may be presented before the competent authority by the BOM, accordingly.

It was also suggested by some members that for payment of GST which has become effective from July 2017, AGM may consider setting up of a committee to consider and advise whether income from certain heads such as vehicle pass, maid/labour pass etc. may be brought as per law /rules under the subscription charges and to suggest ways to reduce the service tax liability of the AOA. Names of S/Shri A.K.Saxena (B-99/VI), G.K.Basu (C-28/VII) and Sumit Narayan (C-44/I) were suggested in the meeting for constituting the proposed committee which was agreed to by the AGM. It decided that BOM may take further appropriate necessary action in the matter keeping in view the relevant provisions of law on the subject.

The meeting ended with a vote of thanks.


(Anil Uniyal)
Secretary

Copy to : 1. All BOM members
2. Notice Boards/ KV-II AOA website
/