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| **BEFORE THE MADHYA PRADESH COMMERCIAL TAX APPEALLATE BOARD BHOPAL**  Court fee Stamp | | | | | | | | | | | | | | | | | | | | | | | | |
| **FORM-43**  **See Rule 4F / 58(1) )** | | | | | | | | | | | | | | | | | | | | | | | | |
| **MEMORANDUM OF APPEAL**  **under the provision of section - 46(2) / 47(3) / 47(5) \* the Madhya Pradesh Vat Act, 2002** | | | | | | | | | | | | | | | | | | | | | | | | |
| **Appeal related to the** (please tick the appropriate Act )   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | **01** | Madhya Pradesh Vat Act, 2002 |  | **02** | Madhya Pradesh Commercial Tax Act, 2002 |  | | **02** | Cental Sales Tax Act 1956 |  | **06** | MPGST Act 1956 |  | | **03** | ENTRY TAX |  | **07** | Luxury Tax Act 1988 |  | | **04** | Luxury/Luxury Entertainment Amusement and Advertisement tax 2011 |  | **08** | Other Act (please specify) |  | | | | | | | | | | | | | | | | | | | | | | | | | |
| **PART- A Appellant / Respondent detail** | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. | | *Appellant* | | | | | |  | | | | | | | | | | | | | | | | |
| 2. | | *Respondent* | | | | | |  | | | | | | | | | | | | | | | | |
| 3. | | Address | | | | | | *Appeallant* | | | | | | *Respondent* | | | | | | | | | | |
| |  |  | | --- | --- | | House/Plot/Flat No. |  | | Street /Road |  | | Ward No. |  | | Mohalla/Village |  | | City |  | | Tehsil |  | | District |  | | Pin-code |  | | | | | | |  | | | | | |  | | | | | | | | | | |
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| TIN (if a registered dealer) | | | | | |  | | | | | | |  | | | | | | | | | |
| Email Address | | | | | |  | | | | | | |  | | | | | | | | | |
| Telephone Number | | | | | |  | | | | | | |  | | | | | | | | | |
| Mobile Number | | | | | |  | | | | | | |  | | | | | | | | | |
| 4. | | Name of Advocate/C.A./Tax Consultant | | | | | |  | | | | | | |  | | | | | | | | | |
| Mobile Number | | | | | |  | | | | | | |  | | | | | | | | | |
| Email Address | | | | | |  | | | | | | |  | | | | | | | | | |
| 5. | | Name of the person signing the application | | | | | |  | | | | | | | | | | | | | | | | |
| 6. | | Status of signing person in the business | | | | | |  | | | | | | | | | | | | | | | | |
| **PART- B**  **Details of first appeal/revision against which this appeal is preferred :-** | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. | 1. First Appeal /Revision Case No. | | | | | | | | |  | | | | | | | | | | | | | | |
|  | 1. Date of order | | | | | | | | |  | | | | | | | | | | | | | | |
|  | 1. Period ( if any) | | | | | | | | |  | | | | | | | | | | | | | | |
|  | 1. Date of communication of order | | | | | | | | |  | | | | | | | | | | | | | | |
|  | 1. Name of First Appellate /Revision Authority | | | | | | | | |  | | | | | | | | | | | | | | |
|  | 1. Designation | | | | | | | | |  | | | | | | | | | | | | | | |
|  | 1. Jurisdiction (Division/Zone) | | | | | | | | |  | | | | | | | | | | | | | | |
| 2. | Preferred appeal is related to the order of **( please tick the appropriate)** | | | | | | | | | | | | | | | | | | | | | | | |
| |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | 01 | Assessment (with or without interest and/or penalty) |  | 07 | Checkpost Penalty |  | | 02 | Registration |  | 08 | Mobile Check Penalty |  | | 03 | Security |  | 09 | Other Penalty |  | | 04 | Interest |  | 10 | Recovery |  | | 05 | Refund |  | 11 | Composition |  | | 06 | Penalty on search/raid |  | 12 | Other |  | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3. | | | Balance amount remains to be paid after first appeal order | | | | | | | | |  | | | | | | | | | | | | |
| 4 | | | Amount required to be paid u/s 46 (6) | | | | | | | | |  | | | | | | | | | | | | |
| 5 | | | Payment details | | | | Challan No. | | | | | Date | Amount | | | | | | | | | | | |
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| 6 | | | Whether application for stay of an outstanding demand (if any) is submitted ? | | | | | | | | | | Yes | | | | | |  | No |  | | Not applicable |  |
| 7 | | | Whether application for condonation of delay (if any) is submitted ? | | | | | | | | | | Yes | | | | | |  | No |  | | Not applicable |  |
| 8 | | | **Details of original order for which this appeal** | | | | | | | | | | | | | | | | | | | | | |
|  | | | 1. Name of authority passed an original order | | | | | | | |  | | | | | | | | | | | | | |
|  | | | 1. Designation | | | | | | | |  | | | | | | | | | | | | | |
|  | | | 1. Jurisdiction | | | | | | | |  | | | | | | | | | | | | | |
|  | | | 1. Date of Order | | | | | | | |  | | | | | | | | | | | | | |
| 9 | | | **Description of GTO, TTO, Tax ,Interest,Penalty and Other** | | | | | | | | | | | | | | | | | | | | | |
|  | | | Description | | | As admitted by the appellant | | | As determined by the Assessing Authority | | | | | | | | As held by the  Appellate Authority | | | | | | | |
| (i) | | | **Gross Turnover** | | |  | | |  | | | | | | | |  | | | | | | | |
| (ii) | | | Taxable Turnover | | |  | | |  | | | | | | | |  | | | | | | | |
| (iii) | | | Taxable Purchase Price | | |  | | |  | | | | | | | |  | | | | | | | |
| (iv) | | | Tax Payable on Taxable  Turnover | | |  | | |  | | | | | | | |  | | | | | | | |
| (v) | | | Tax Payable on Taxable  Purchase Price | | |  | | |  | | | | | | | |  | | | | | | | |
| (vi) | | | **Total Tax** | | |  | | |  | | | | | | | |  | | | | | | | |
| (vii) | | | Interest | | |  | | |  | | | | | | | |  | | | | | | | |
| (viii) | | | Penalty | | |  | | |  | | | | | | | |  | | | | | | | |
| (ix) | | | **Total of (vi)+(vii)+(viii)** | | |  | | |  | | | | | | | |  | | | | | | | |
| (x) | | | Input Tax Rebate | | |  | | |  | | | | | | | |  | | | | | | | |
| (xi) | | | Payment made out the of above amount shown in the S.No. (ix) | | |  | | |  | | | | | | | |  | | | | | | | |
| (xii) | | | Remaining due amount | | |  | | |  | | | | | | | | |  | | | | | | |
| (xiii) | | | Amount Paid in first appeal | | | | | |  | | | | | | | | | | | | | | | |
| (xiv) | | | Outstanding Amount (after the first appeal order) | | | | | |  | | | | | | | | | | | | | | | |
| **PART- C** Facts and Grounds of Appeal | | | | | | | | | | | | | | | | | | | | | | | | |
| The appellant above named is filing this appeal under section **46(2) /47(4) / 47(5)** of the Madhya Pradesh Vat Act 2002, being aggrieved of the first appeal/revision order mentioned as per the above on following fact and grounds:- | | | | | | | | | | | | | | | | | | | | | | | | |
| **Brief description on facts of the case is** | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | | | | |
| **Grounds of Appeal** | | | | | | | | | | | | | | | | | | | | | | | | |
| **S. No.** | | | | | Grounds | | | | | | | | | | | | | | | | | | | |
|  | | | | |  | | | | | | | | | | | | | | | | | | | |
| The appellant ,prays for following relief(Here give particular of relief sought) **:** | | | | | | | | | | | | | | | | | | | | | | | | |
| **S.No.** | | | | Relief sought | | | | | | | | | | | | | | | | | | | | |
|  | | | |  | | | | | | | | | | | | | | | | | | | | |
|  | | | | **PART- D Annexures attached** | | | | | | | | | | | | | | | | | | | | |
| **S. No.** | | | | Description of paper annexed | | | | | | | | | | | | Page No. | | | | | | Annexure | | |
| **1** | | | | Certified copy of first appeal/revision order | | | | | | | | | | | |  | | | | | |  | | |
| **2** | | | | Grounds in first appeal | | | | | | | | | | | |  | | | | | |  | | |
| **3** | | | | Authenticated copy of original order under this appeal | | | | | | | | | | | |  | | | | | |  | | |
| **4** | | | | Proof of deposit ( original copy of challan) | | | | | | | | | | | |  | | | | | |  | | |
| **5** | | | | Vakalatnama /Power of attorney | | | | | | | | | | | |  | | | | | |  | | |
| **6** | | | |  | | | | | | | | | | | |  | | | | | |  | | |
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Date……….. Signature of Appellant

(To be signed by the appellant or by an agent duly

Place………… authorized in writing in this behalf by the appellant)

**DECLARATION**

**I..........................................................................the appellant named above do hereby declare that what is stated in the memorandum of appeal is true to the best of my knowledge and belief.**

Place……….

Date …….. Signature of Appellant

(To be signed by the appellant or by an agent duly

authorized in writing in this behalf by the appellant)

|  |  |  |
| --- | --- | --- |
| Court fee Stamp **MADHYA PRADESH COMMERCIAL TAX APPEAL BOARD , BHOPAL** | | |
| **FORM-43-A**  **(see Rule )**  Copy of this acknowledment shall be send by the applicant to the Madhya Pradesh Commercial Tax Appellate Board within15 days of filing of this appeal alongwith the documents annexed in part D of the Appeal Memorandum | | |
| **Confirmation OF online APPLICATION OF SECOND APPEAL** | | |
| **under section-46(2)/47(3)/47(5) of theMadhya Pradesh Vat Act , 2002** | | |
|  | | |
| 1 | *Appellant* |  |
| 2 | Respondent |  |
| 4 | TIN (if a registered dealer) |  |
| 5 | Under the Act |  |
| 6 | Application Receipt No. |  |
| 7 | Date of appeal filed on line |  |
| 8 | Date fixed for motion hearing |  |

**DECLARATION**

**I..........................................................................the appellant named above do hereby declare that what is stated in the memorandum of appeal filed online as above is true to the best of my knowledge and belief.** Documents annexed in part D of the Appeal Memorandum are attached herewith.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **PART- D Annexures attached** | | |
| **S. No.** | Description of paper annexed | Page No. | Annexure |
| **1** | Certified copy of first appeal/revision order |  |  |
| **2** | Grounds in first appeal |  |  |
| **3** | Authenticated copy of original order under this appeal |  |  |
| **4** | Proof of deposit ( original copy of challan) |  |  |
| **5** | Vakalatnama /Power of attorney |  |  |
| **6** | Certified copy of first appeal/revision order |  |  |
| **7** |  |  |  |
| **8** |  |  |  |
| **9** |  |  |  |
| **10** |  |  |  |
| **11** |  |  |  |

Place……….

Date …….. Signature of Appellant

(To be signed by the appellant or by an agent duly

authorized in writing in this behalf by the appellant)