LATTER FOR REQUEST TO RELEASE OUR GOODS AND VEHICLE DETAINED AT CHECK POST

To,

The State Tax Officer,

Office of the State Tax Officer

……..

GSTIN : ……..

Sub : Request to release our goods and vehicle detained at Check post

We, …… Limited, a Public Limited Company having our Registered Office and Factory at ……(Rajasthan) and …… (Rajasthan) and Holding GST Registration No. …….. in Rajasthan. We are manufacturer of …….. Profiles, ……, -substitute products. We are also having our manufacturing units and branches in various other states/locations including ……. State. We have filed all our GST Returns and have discharged all the due tax liabilities till date.

On ……..2023, we have supplied our manufactured goods (……) from our …… unit to our …….. (Rajasthan) buyer vide invoice no. …… for total Rs……/- after charging IGST @.....% of Rs. …….. and goods were moved through truck no. …… with all valid documents i.e. Invoice, LR and e-Way Bill No. ……, which was generated through official GST Website at the time of removal of goods from the factory premises.

Today early morning, your office has with hold the goods and vehicle on the …….. Check post for the purpose of physical verification/inspection of the goods, without assigning any specific reason and after receiving the information for the same from the driver, we have immediately sent our ……. Branch Manager to the check post to get the physical verification of the goods conducted but now you have issued the order/notice under **Section 129**(1) at ……. PM (Vide Memo NO. ……..dated …….2023 Form GST **MOV-06** and **MOV-07**) for the detention of the goods and vehicle and have assigned the reason: WRONG VEHICLE TYPE (ODC).

It is submitted that goods were moved with all the proper documents including e-Way bill, generated from the GST Portal. There was no Tax Evasion or Intent to evade Tax by any means. You have not found any discrepancy after physical verification of goods and conveyance but have detained the goods & vehicle stating the reason: WRONG VEHICLE TYPE (ODC).

Sir, goods were moved through truck and correct number of truck as well as LR is also filled in the e-1 Way Bill. Selection of the ODC vehicle type while generating e-Way Bill is just a clerical/technical error and it doesn`t results any tax evasion by us. There is no provision to levy penalty/tax under **Section 129**(1) for such clerical errors as there is no evasion of the tax in any manner. Goods were supported with proper documents and e-Way Bill and no discrepancies were noticed during physical verification.

You are humbly requested to please drop the notice of penalty issued by your office and release the goods and vehicle, as delay in delivery of the goods will put us on heavy demurrages and financial penalties from the buyer's end.

Please release our goods and oblige.

Thanking you,

Yours faithfully,

For, …….. LIMITED

sd/-

DIRECTOR”

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