



Government of India
Income Tax Department
Office of the Tax Recovery Officer
O/o.Pr.Commissioner of Income Tax (Central), Pratyakshkar Bhavan,
4th Floor, Room no.407, MVP.Colony, Double road, Visakhapatnam
Mail id: vizag.tro.pcit.central@incometax.gov.in
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FORM NO. I.T.C.P. 13

[See rule 38 and rule 52(2) of the Second Schedule to the Income-tax Act, 1961]

Proclamation of sale

DIN:ITBA/COM/F/17/2022-23/1047153146(1)

Date: 09-11-2022

* Whereas the undersigned has drawn up the certificate in TRC No. _____ for the recovery of the sum of _____ from _____ which sum is recoverable together with interest in accordance with section 220(2) of the Income-tax Act, 1961 and the costs, charges and expenses of the proceedings for the recovery thereof;

*Whereas the Tax Recovery Officer, O/o. Pr. Commissioner of Incometax-2, Visakhapatnam had forwarded the Certificate in TRC.No. 374/TRO-2/VSP/2018-19 dated 30-01-2019 to the undersigned [Tax Recovery Officer, O/o. Pr. Commissioner of Income tax(Central), Visakhapatnam] u/s.223(2) of the Income-tax Act,1961 specifying an amount of Rs.1,40,89,080/- to be recovered from the defaulter Sri Ginjala Simhadri Raju, which sum is recoverable excluding interest in accordance with section 220(2) of the said Act and the costs, charges and expenses of the proceedings for the recovery thereof;

Subsequently the undersigned had drawn TRC 24.09.2021 for Rs. 58,67,530/- and dated 16.12.2021 for Rs. 90,00,000/-, for the recovery of the sum from the defaulter which sum is recoverable excluding interest in accordance with section 220(2) of the said Act and the costs, charges and expenses of the proceedings for the recovery thereof;

And whereas the undersigned has ordered the sale of the attached property mentioned in the annexed schedule in satisfaction of the said certificate;

And whereas on the 20thDecember,2022(the date fixed for the sale) there will be due there under a sum of Rs. 3,05,03,920/-including costs and interest;

Notice is hereby given that, in the absence of any order of postponement, the said property shall be sold by TRO/TRI, O/o. Pr.CIT (Central), Visakhapatam by public auction at 12.00 Noon on the said 20th December, 2022 at 4th floor, Beside Chandana Brothers, Income Tax Office, Deepthi Towers, Main Road, Kakinada. [Place]

The sale will be of the property of the defaulter above named/ † property which is included in the property of the defaulter by virtue of the Explanation to sub-section (1) of section 222 of the Income-tax Act, 1961, as mentioned in the schedule below; and the liabilities and claims attaching to the said property, so far as they have been ascertained, are those specified in the schedule against each lot.

The property will be up for sale in the lots specified in the schedule. If the amount to be realised by sale is satisfied by the sale of a portion of the property, the sale shall be immediately stopped with respect to the remainder. The sale will also be stopped if, before any lot is knocked down, the arrears mentioned in the said certificate, interest payable under section 220(2) of the Income-tax Act, 1961, and costs (including the costs of the sale) are tendered to the officer conducting the sale or proof is given to his satisfaction that the amount of such arrears, interest and costs has been paid to the undersigned.

At the sale, the public generally are invited to bid either personally or by duly authorised agent. No officer or other person, having any duty to perform in connection with this sale shall, however, either directly or indirectly bid for, acquire or attempt to acquire any interest in the property sold.

The sale shall be subject to the conditions prescribed in the Second Schedule to the Income-tax Act, 1961, and the rules made thereunder and to the following further conditions :—

(i) The particulars specified in the annexed schedule have been stated to the best of the information of the undersigned, but the undersigned shall not be answerable for any error, misstatement or omission in this proclamation.

‡ (ii) **The reserve price below which the property shall not be sold is
Rs.2,35,00,000/-(Rupees Two Crores Thirty Five Lakhs only)**

(iii) The amounts by which biddings are to be increased shall be determined by the officer conducting the sale. In the event of any dispute arising as to the amount bid, or as to the bidder, the lot shall at once be again put up to auction.

(iv) **The highest bidder shall be declared to be the purchaser** of any lot provided always that he is legally qualified to bid and provided further that * **the amount bid by him is not less than the reserve price** * it shall be in the discretion of the undersigned to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it inadvisable to do so.

(v) For reasons recorded, it shall be in the discretion of the officer conducting the sale to adjourn it subject always to the provisions of the Second Schedule to the Income-tax Act, 1961.

(vi) In the case of movable property, the price of each lot shall be paid at the time of sale or as soon after as the officer holding the sale directs, and in default of payment, the property shall forthwith be again put up and resold.

(vii) In the case of immovable property, the person declared to be the purchaser shall pay immediately after such declaration, a deposit of **twenty-five per cent** on the amount of his purchase money to the officer conducting the sale and, in default of such deposit, the property shall forthwith be put up again and resold. The full amount of the purchase money payable shall be paid by the purchaser to the undersigned on or before the 15th day from the date of the sale of the property, exclusive of such day, or if the 15th day be a Sunday or other holiday, then on the first office day after the 15th day. In default of payment within the period mentioned above, the property shall be resold, after the issue of fresh proclamation of sale. The deposit, after defraying the expenses of the sale, may, if the undersigned thinks fit, be forfeited to the Government and the defaulting purchaser shall forfeit all claims to the property or to any part of the sum for which it may subsequently be sold.

SCHEDULE OF PROPERTY

No. of lots	Description of property to be sold with the names of the other co- owners where the property belongs to the defaulter and any other persons as co-owners	Revenue assessed upon the property or any part thereof	Details of any encumbrances to which the property is liable	Claims, if any, which have been put forward to the property, and any other known particulars bearing on its nature and value
1	2	3	4	5
1	Land of plot covered by door no. 3-16 in Vakalapudi Village in Survey No. 124/1 measuring 1111.08 Sq. Yds.; Measurements / Boundaries: East: 101 ft. or 30.78 mts Road West: 98 ft. or 29.87 mts Road North: 96 ft. or 29.26 mts Road South: 105 ft. or 32 mts Road	3,05,03,920/-	Nil	Nil

Given under my hand and seal at this the 9th day of November, 2022 .



(SEAL)

Copy to

1. Sri Ginjala Srinivasa Rao,
Legal heirs of late Sri Ginjala Simhadri Raju,
5-135, Main Road, Valasapakala, KAKINADA-533005.

2. Sri Ginjala Atchiraju,
Legal heirs of late Sri Ginjala Simhadri Raju,
5-135, Main Road, Valasapakala, KAKINADA-533005.

3. Other Legal heirs of late Sri Ginjala Simhadri Raju viz. Smt Pakruthi Ganga Bhavani, Vurukutla Arundhathi Krishna Veni and Smt Balod Surya Kumari.

(G RAVI SHANKAR)

Tax recovery Officer(Central)

O/o. the Pr. Commissioner of Income Tax(Central)
Visakhapatnam.



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INCOME TAX DEPARTMENT

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Mail id: vizag.tro.pcit.central@incometax.gov.in, Ph: 0891-2541012/Mob: 8985970669

PUBLIC AUCTION NOTICE

The Immovable property as per details given below is proclaimed for sale on 20-12-2022 at 12.00 Noon at 4th Floor, Income tax Office, Deepthi Towers, Beside Chandana Bros, Main Road, Kakinada by the Inspector of Income tax appointed by the undersigned for realization of arrears of Income tax dues in the case of **late Ginjala Simhadri Raju [ALPG5340B]**, Kakinada. The Public Auction will be conducted as per rules prescribed in Second Schedule to Incometax Act,1961. The participants in the auction shall deposit an amount of **Rs.15,00,000/-** [Fifteen lakhs only] as **participation money**, by way of Demand Draft drawn in favour of the Tax Recovery Officer, O/o.Pr.CIT(Central), Visakhapatnam on the day of auction. The Reserve Price of the Property is fixed at Rs.2,35,00,000/- (Rupees Two Crore Thirty Five Lakhs). Purchaser shall pay 25% of the purchase amount (inclusive of Participation money) by way of Demand Draft, immediately on declaration of sale. Further details/terms and conditions of the auction may be obtained from the undersigned between 11 AM to 5.00 PM on working days or from the Incometax website "incometaxhyderabad.gov.in". It may also be noted that if any person intending to object the above public auction or claim the above property, may file the objection petition(s) under rule 11 of Second Schedule to the I.T.Act,1961 on or before 15-12-2022 before the undersigned.

SPECIFICATION OF PROPERTY

Description of the property and place at which property located	Survey No.	Extent of land	Document No.	Sub-Registrar office
Vacant site bearing Door No.3-16, Vakalapudi village, Kakinada Measurements/boundaries: East :101 ft. or 30.78 mts ... Road West : 98 ft. or 29.87 mts ... Road North: 96 ft. or 29.26 mts ... Road South: 105 ft. or 32 mts. ... Road	124/1	1111.08 sq.yds or 928.97 sq.mts	2325/2017 dt.31-7-2017	Jt.Sub- Registrar, Sarpavaram East Godavari dist.

Sd/-
[G.RAVI SHANKAR]
Tax Recovery Officer,
O/o.Pr.CIT(Central), Visakhapatnam

TERMS & CONDITIONS OF SALE BY PUBLIC AUCTION

- 1 The particulars mentioned in the sale proclamation have been stated to the best of the information of this office but this office shall not be answerable for any error, mis-statement or omission in the proclamation of sale.
- 2 So far known to this office, there are no claims, liabilities or encumbrances
- 3 So far known to this office there are no arrears of Municipal taxes, or other taxes but if there are any, if the action price obtained what is due from the defaulter to the Income tax department then from out of the excess amount, such Municipal tax arrears etc. will be paid. If there is no excess, such taxes will not be paid by the Department and the purchaser of the property has to take the property subject to payment of taxes.
- 4 The amount by which each bidding is to be increased shall be determined by the Inspector conducting the sale. In the event of any dispute arising as to the amount of bid, or as to the bidder, the lot shall at once be again put to auction.
- 5 Each bidder should be qualified to bid at the auction.
- 6 Any bidder if he is bidding on behalf of a third party should exhibit an authority letter issued to him by the said third party
- 7 Each bidder should clearly state the name and address of himself, if he bidding for himself or the name and address of a third party on whose behalf he is bidding together with proof of identity.
- 8 There is a reserve price fixed and if the highest bid is less than this reserve price even though the Inspector conducting auction must have knocked down in favour of the highest bidder, the Tax Recovery Officer in his discretion may decline to accept such bid.
- 9 If the price offered appears to be clearly inadequate also, the Tax Recovery Officer may decline to accept the bid
- 10 The inspector conducting the sale shall have the discretion to adjourn the sale for any reason subject to the provisions of the Second Schedule to the Income tax Act, 1961. There is no necessity for fresh proclamation of sale to be issued if the adjournment is for a period of not more than 30 days.
- 11 2% of the purchase price upto Rs.1,000/- and 1% of the purchase price for the amount exceeding Rs.1,000/- will be collected from the purchaser as poundage. The poundage fee shall be paid by the purchaser of the property as soon as the sale is completed.2..

- 12 Two or more persons can join together and bid but they should declare their specific shares at the time of auction. In the absence it will be deemed that they have equal shares. Only one sale certificate will be issued in case of immovable property, however, in their joint names. If the names and shares are mentioned such persons get right for that share in the property.
- 13 Demand Draft drawn in favour of Tax Recovery Officer (Central) Visakhapatnam for an amount of Rs.15,00,000/- has to be deposited by all the bidders who are taking part in the auction. The deposit amount in the case of the successful bidder will be adjusted towards the bid amount. In the case of unsuccessful bidders the deposit amount will be returned at the close of the auction.
- 14 25% (twenty five percent) of the Purchase price should be paid to the Inspector conducting the auction as soon as the auction is knocked down and in default of payment, the property will be again put up for auction. The balance 75% of the amount together with poundage fees shall be paid to this office on or before 15th day from the date of the sale. Under no circumstances, this time of 15 days can be extended by any authority. If the amount is not so paid then out of the 25% of the amount paid, the costs of the auction will be deducted and the balance may be forfeited to the Government according to the discretion of the Tax Recovery Officer.
- 15 All the bidders should note that in case the full amount of arrears due for which the proclamation of sale has been given is paid before the conclusion of the auction, the auction will automatically become cancelled. On no account the bidders can claim any costs, expenses or other compensation for their having attended and participated in the auction. Similarly, the auction can be stayed/postponed/cancelled for any reason without any further notice and the persons participating in the auction cannot claim any damages etc., for such postponement.
- 16 The sale of immovable property will be confirmed after 30 days after the sale and only on the confirmation of the sale it becomes absolute. Before 30 days if the entire arrear is paid by the defaulter then the sale will become automatically cancelled.
- 17 The entire money paid by the purchaser will not be credited to the Income Tax account until confirmation but will be kept with the Tax Recovery Officer himself under his personal custody and hence in case the sale is set aside the amount can be refunded immediately without any necessity for issuing a refund order by the concerned Income tax Officer.

- 18 After the confirmation of the sale of immovable property, a certificate in form ITCP- 20 will be issued to get the property registered. Charges in connection with registration of the property in the name of the purchaser will be borne by the purchaser.
- 19 Along with the sale certificate, as far as possible, a plan of the property also will be issued.
- 20 After confirmation of the sale and after the issue of the sale certificate the delivery of the immovable property will be made by a beat of tom tom at the locality announcing that from the date of the sale, it has become absolute and the purchaser has become owner of the property.
- 21 In case the property is occupied by any tenant , the tenant cannot be evicted by this office, an order will be made declaring the purchaser as the owner of the property from the date the sale has become absolute and a copy of it will be served on the tenant and affixed on the property and the proclamation will be made by beat of tom tom. The tenant will automatically become the tenant of the new purchaser and from the date of purchase the new purchaser desires to evict the tenant he has to take recourse by himself in accordance with the law by approaching the rent controller or other authority.
- 22 In case the property is occupied by the defaulter himself or any other person on his behalf who is not a tenant then the purchaser is at liberty to go and take possession of the property. However, if any resistance is offered either by the defaulter or any person on his behalf, if an application is made by the purchaser under Rule 39 of the Income tax Rules,1962, then efforts will be taken to put the purchaser in the possession of the property and if need, by removing the defaulter or any other person on his behalf who is obstructing the possession of the property.
- 23 As far as possible, efforts will be made to obtain a Nil encumbrance certificate from the Sub-Registrar but the purchaser cannot demand as of right for such certificate.
- 24 Presence in the auction or participation in the bid shall be deemed to be an acceptance of the conditions specified here.
- 25 The Inspector conducting the auction reserves the right to prevent any individual from participating in the bid if he is satisfied that such an individual's presence may impede the progress of the auction.