

GIB/DL/ROD RETAIL/27.03.18/AAR-32

Advance Ruling Category : Export

State : Delhi

Order No.: GIB/DL/ROD RETAIL/27.03.18/AAR-32

Name of Entry :

M/s. Rod Retail Private Limited

Date : 27-03-2018

Product/ Service Involve :

Supplying sunglasses from International Airport Outlet

Breif Issue :

Applicant wishes to obtain advance ruling as to whether such supplies of goods qualifies as ‘exports’ within the meaning of section 2(5) of IGST Act and consequently zero-rated benefit is available.

Decision of Advance Ruling Authority :

It is held that the supply of goods to the International passengers going abroad by the applicant from their retail outlet situated in the Security Hold Area of the Terminal-3 of IGI Airport, New Delhi may be taking place beyond Customs Frontiers of India as defined under Section 2(4) of the IGST Act, 2017.

However, the said outlet is not outside India, as claimed by the applicant but the same is within the territory of India as defined under Section 2(56) of the CGST Act, 2017 and Section 2(27) of the Customs Act, 1962 and hence the applicant is not taking goods out of India and hence their supply cannot be called “export” under Section 2(5) of the IGST Act, 2017 or “zero rated supply” under Section 2(23) and Section 16(1) of the IGST Act, 2017. Accordingly, the applicant is required to pay GST at the applicable rates.