

GIB/TN/The Indian Hume/31.01.2020/AAR-305

Advance Ruling Category : Exemption

State : Tamil Nadu

Order No.: GIB/TN/The Indian Hume/31.01.2020/AAR-305

Name of Entry :

The Indian Hume Pipe Company Limited

Date : 31-01-2020

Breif Issue :

Facts & Issue Of The Case :

The applicant undertakes contracts for construction of Head works, Sumps, Pump Rooms, laying, jointing of pipe line and commissioning and maintenance of entire work for water supply projects/ sewage project. The Applicant has stated that they have been awarded contracts for water supply schemes by the Tamil Nadu Water Supply and Drainage Board.

The applicant has sought advance ruling on the following issues:

Whether Notification No.12/2017- CT(R) as amended by Notification No.02/2018- CT(R)dated 25.01.2018 S.No.3A is applicable to operation and maintenance part of Contract/s entered prior to implementation of GST?

Whether Notification No.12/2017-CT/R as amended by Notification No. 02/2018-CT(R) dated 25.01.2018 S.No.3A is applicable to operation and maintenance part of contract/s entered post implementation of GST?

The contractor is obligated to borne the cost of water, gas, consumables, chemicals and other services during the period of Maintenance as seen from the ' VIII. Special Conditions of Contract'. The details of the quantum of materials and Labour involved in the said contract are not furnished separately before this authority.

Decision of Advance Ruling Authority :

Decision :

- In respect of the 'Operation and Maintenance' part of Contract entered into by them with TWAD in respect of the Agreement No. CE/TNJ/28/2013-14 dated 03.03.2014 to that extent for which bills/invoices are raised after 25.07.2018 and provided the value of supply of goods in each such bill did not constitute more than 25 percent of the value of supplies undertaken by them, The exemption from CGST under Sl. No. 34, of the Notification No. 12/2017 CT (Rate) dated 28th June 2017 as amended and exemption from SGST under Sl. No. 3A of the CO. (Ms) No. 73 dated 29.06.2017 No. II

(21/CTR/532(d-I5)/2017 as amended is applicable to the applicant

- The exemption from CGST under Sl. No. 3A of the Notification No. 12/2017- CT (Rate) dated 28th June 2017 as amended and exemption from SGST under Sl. No. 3A of the G.O. (Ms) No. 73 dated 29.06.2017 No. II (2)/CTR/532(d-I5)/2017 as amended is applicable to the applicant in respect of the 'Operation and Maintenance' part of Contract entered into by them with TWAD in respect of the Agreement No. CE/CBE/16/2017-2018 dated 05.07.2017 provided the value of supply of goods involved in each such bill did not constitute more than 25 percent of the value of supplies undertaken by them.