

GIB/MH/Sabre Travel/10.04.2019/AAAR-36

Appellate Advance Ruling Category : Intermediary Services

State : Maharashtra

Order No.: GIB/MH/Sabre Travel/10.04.2019/AAAR-36

Name of Entry :

Sabre Travel Network India Pvt. Ltd

Date : 10-04-2019

Breif Issue :

Facts & Issue Of The Case :

The applicant is a private limited company, has developed a global distribution system which uses a computer Reservation System Software which it owns and operates. The present appeal has been filed against the advance ruling No. GST-ARA-08/2018-19/B-76 , Dated 26.07.2018. The applicant submits that the impugned ruling passed by the learned authority is erroneous in as much as the contours of digital marketing is different from the conventional marketing or sales activity.

Applicant also have contended that their responsibility of providing marketing support services like installation of interfaces to the CRS software, consultancy, assistance, provision of information services, etc.) relating to the CRS System arises only upon sabre APAC deciding to accept the potential customer based on the analysis provided by the applicant and they do not facilitate or undertakes any such arrangements to supply goods or services. in terms of Section 2(30) of the CGST Act, 2017, as all the activities of the Appellant are carried out in conjunction with each other and can be naturally bundled in the ordinary course of business.

Hence, the activities undertaken by the applicant can be considered as composite supply, of which the principal supply is that of intermediary.

Decision of Advance Ruling Authority :

Decision :

Held that the entire gamut of activities of the Appellant is in the nature of the composite supply, of which intermediary services is the principal supply. Further, as regards the services provided by the Appellant to their Client, namely Sabre APAC is export or otherwise, we hold that we do not have jurisdiction to decide the place of supply of service, which is one of the pre requisites to determine the export of services in terms of Section 2(6) of the IGST Act, 2017 and hence we cannot pass any ruling in respect of the same.