

GIB/WB/Mansi/29.06.2020/AAR-342

Advance Ruling Category : Supply

State : West Bengal

Order No.: GIB/WB/Mansi/29.06.2020/AAR-342

Name of Entry :

Mansi Oils and Grains Pvt Ltd

Date : 29-06-2020

Breif Issue :

Facts & Issue Of The Case :

The applicant M/S Mansi Oils and Grains Pvt. Ltd. is a corporate debtor under the provision of the Insolvency and bankruptcy Code'2016 and appointed a liquidator.

The applicant, seeking an advance ruling in respect of :

- Whether any sale done by the liquidator of the assets of the applicant results in a supply of goods and/or services or both within the meaning of “supply” as defined under section 7 of the GST Act?
- If the answer is affirmative, then what will be the rate of GST?
- Whether the liquidator needs to get registered under the GST Act?

Decision of Advance Ruling Authority :

Decision :

The West Bengal Authority for advance ruling goods & services tax concludes that the sale of the assets of the applicant by NCLT appointed liquidator is a supply of goods by the liquidator, who is required to take registration under section 24 of the GST Act.

If she is already registered as a distinct person of the corporate debtor in terms of Notification No. 11/2020 - Central Tax dated 21/03/2020, she should continue to remain registered till her liability ceases under section 29 (1) (c) of the GST Act.

This Ruling is valid subject to the provisions under Section 103 until and unless declared

void under Section 104(1) of the GST Act.