

GIB/UT/BAHL/04.05.2018/AAR-436

Advance Ruling Category : Input Tax Credit

State : Uttrakhand

Order No.: GIB/UT/BAHL/04.05.2018/AAR-436

Name of Entry :
Bahl Paper Mills Ltd.

Date : 04-05-2018

Breif Issue :

Facts & Issues Involved:

This is an application under Sub-Section (1) of Section 97 of the CGST Act and the rules made thereunder filed by Bahl Paper Mills Ltd., 5 KM Stone, Aliganj Road, Kashipur, Uttrakhand seeking an advance ruling on the question:

- (a) Whether under Reverse Charge Mechanism, IGST should be paid by the importer on ocean freight in case of CIF basis contract, when service provider and service recipient both are outside the territory of India-
- (b) If point no. answer is yes, then what will be the supporting document for importer under RCM to take the credit of IGST paid on ocean freight under CIF basis contract . .
- (c) Whether credit will be available in GST of office fixtures & furniture, A.C. plant & sanitary fittings on newly constructed building on its own account, for furtherance of business and accounting entry is capitalized in books of account

Decision of Advance Ruling Authority :

Decision:

However, in case of office fixtures and air conditioners was allowed since the same were used in furtherance of business. The Authority referred to the CBIC Board Circular No. 943/04/2011-CX dated 29.04.2011 (where furniture and stationary used in office within the factory were held to be used in relation to manufacturing business and credit was allowed) and the case of M/s Balkrishna Industries v. CCE, Jaipur-I (2016 (335) ELT 559 (Tri-Del)) (credit of duty paid on ACs installed in office was allowed).