

GIB/MH/NIPRO INDIA CORPORATION/28.05.2018/AAR-435

Advance Ruling Category : Input Tax Credit

State : Maharashtra

Order No.: GIB/MH/NIPRO INDIA CORPORATION/28.05.2018/AAR-435

Name of Entry :
NIPRO INDIA CORPORATION PRIVATE LIMITED

Date : 28-05-2018

Breif Issue :

FACTS AND ISSUE OF THE CASE:

The Applicant is engaged in the manufacturing of medical equipment's such as dialyzers, blood tubing sets, arterial fistulas, syringes and needles. The Applicant runs a manufacturing facility at Shirwal, Maharashtra. Goods manufactured by the Applicant are sold within India and also exported outside India. Nipro India Corporation Private Limited, the applicant, seeking an advance ruling in respect of the following question:

"Whether on facts and circumstances of the case, the input tax credit of tax paid on costs proposed to be incurred in relation to activities mentioned in Annexure 4 can be treated as 'admissible under the Central Goods and Services Tax Act, 2017 ('CGST Act, 2017')?"

Decision of Advance Ruling Authority :

DECISION:

"Every registered person subject to such conditions and restrictions as may be prescribed would be entitled to take credit of input tax charged on supply of goods or services or both to him which are used or intended to be used in course or furtherance of business. Thus the goods are used or intended to be used in course or furtherance of business.

The Present application for advance ruling is being filed to determine the eligibility of ITC in relation to costs proposed to be incurred for 'Mechanical Works' and 'Electrical Works' under the Extension Project. 'Mechanical Works' entails activities in the nature of Plumbing Works, Fire Protection Work, Air-Conditioning Works, etc and 'Electrical Works' entails activities in the nature of Sub station Work, D G Set Work, Lighting System Work, etc. A detailed break up of activities proposed to be undertaken in the nature of 'Mechanical Works' and 'Electrical Works'

We find that only two sections of the GST Act being, Section 16- in respect of eligibility and conditions for taking input tax credit and Section 17 which provides for apportionment of credit and blocked credits would require reference in respect of the questions raised in the present application.

AAR has given ruling on 39 types of Cost incurred in Tabular Form after considering the details submitted by the applicant with respect to eligibility of ITC in respect of relevant portion of work.