

GIB/WB/VESUVIUS INDIA/20.07.18/AAR-139

Advance Ruling Category : Time of Supply

State : West Bengal

Order No.: GIB/WB/VESUVIUS INDIA/20.07.18/AAR-139

Name of Entry :
Vesuvius India Ltd.

Date : 20-07-2018

Breif Issue :

Facts & Issue Of The Case :

The applicant is a supplier of system solutions for controlled casting of iron and steel. Applicant is now intending to offer a new supply namely “contract management System” (CMS). The applicant had seek the advance ruling on:

- a. Whether the activity proposed to be undertaken as CMS will result in supply of goods or services.
- b. What is the time of supply in this case?
 - According to the applicant the CMS includes installation and fixation of various refractories . the applicant will required to design the refractory, monitor its usage and also monitor round-the-clock flow of the iron and steel. There are various process involved in the CMS like (a) Total Tundish Management (TTM) , (b) Ladle management system (LMS) , (c) Trough Management System (TMS) .
 - The applicant will not be paid for the supply of refractories but for managing the flow of hot metal in production of iron and steel at an agreed rate per tonne of the manufactured liquid metal on monthly basis. Its has been clarified that the applicant manufactures refractories ,which are used as inputs as defined under section 2(59) of the CGST Act. The service is measured on monthly basis and the date of the payment is within 30 days from end of the month and the tax invoice shall be issued in terms of section 31(5) (b) on or before the supplier receives the payment.

Decision of Advance Ruling Authority :

Decision :

Activities which the applicant processes to undertake are the services associated with manufacturing of metals termed as “continuous supply of services” in accordance with the meaning of section 2(33) of the GST Act.

The time of supply shall be the date of issue of invoice in terms of Section 13(2) (a), read with Section 31(2) of the GST Act and Rule 47 of the GST Rules.