

GIB/KN/GOWRI/16.09.2019/AAR-216

Advance Ruling Category : Classification

State : Karnataka

Order No.: GIB/KN/GOWRI/16.09.2019/AAR-216

Name of Entry :

Gowri Infra Engineers pvt ltd

Date : 16-09-2019

Breif Issue :

Issue & Fact of the Case:

Whether the activity undertaken by the applicant is covered under section 2(119) of the CGST Act, 2018 read with point 6 Schedule H of the CGST Act, 2017 read with the Karnataka GST Act, 2017 and the IGST Act, 2017?

Whether the Bangalore Development Authority is a Government Authority as per GST Law?

Whether the transaction covered under point 3(ii) of the N/N 11/2017-Central Tax (Rate) dated 28.06.2017 as amended?

Whether the transaction covered under point 3(ix) of the N/N 11/2017-Central Tax (Rate) dated 28.06.2017 as amended?

The applicant is engaged in the business of Civil construction and works contract services.

The applicant has applied for the civil construction work tender with Bangalore development authority (BDA) with respect to construction to residential complexes. The said project is allotted to the applicant and the same has been executed by the company through appointing various contractors.

As per section 2(119) of CGST Act the activity covered by the applicant is works contract accordingly considered as supply of services.

The government entity is defined in the **notification no 11/2017- central tax rate**. The services provided by the applicant to the BDA in relation to the construction of two housing complex are covered in the said notification.

Decision of Advance Ruling Authority :

Decision:

The activity undertaken by the applicant as enumerated in the application is covered under section 2(119) of the Central Goods and Services Tax Act and is a works contract services.

Bangalore Development Authority is a Government Authority as per the provisions of the GST Law.

For Point 3 & 4 The said transaction is covered under entry no 3(ix) of the N/N 11/2017-Central Tax (Rate) dated 28.06.2017 as amended by N/N 1/2018-Central Tax (Rate) dated 25.01.2018 and liable to tax at 6% CGST and 6% KGST from 25.01.2018 and under entry no.3 (ii) of the N/N 11/2017-Central Tax (Rate) dated 28.06.2017 and liable to tax at 9% CGST and 9% KGST for the period earlier to 25.01.2018.