

भारत सरकार / GOVERNMENT OF INDIA
रेल मंत्रालय / MINISTRY OF RAILWAYS
(रेलवे बोर्ड / RAILWAY BOARD)

पत्र उप-...
306590/17

RBA No. 97

GST Circular No. 40

New Delhi, dated 11.07.2017

No: 2008/RS(G)/777/1

The General Manager, All Indian Railways, PUs, NF(C), CORE
The DG/RDSO/Lucknow & NAIR/Vadodara
CAOs, DMW/Patiala, WPO/Patna, COFMOW/N. Delhi, RWP/Bela

Sub: GST exemption for railway equipment and materials moved by Indian Railways for its own consumption across various states.

The issue of levy of GST on transfer of Railways equipments and materials/goods from one State/UT to another State/UT for railways own consumption has been raised by various field units. In order to address the matter, following clarifications are issued-

As per Section 31(3) (c) of the CGST Act, 2017. **Bill of supply** has to be issued by Railways while transferring Goods, that are considered as exempted in case the value is more than Rs. 200/-; **Transfer of Goods/Stores from one State/UT to another State/UT is considered to be an exempted activity** as per section 7(1) of the CGST Act, 2017 read with clause 1(b) of Schedule II of the CGST Act, 2017.

Therefore, while transferring Railway Materials from the Depot/Workshop/Shed/Stock holder in one State to another State, **it may be ensured that** the Bill of Supply as mentioned in Rule 49 of the Chapter VI of the CGST Rules, 2017 (copy enclosed), accompanies such consignments. A declaration may also be given in the Bill of Supply that-

" This transfer of Railway Materials [description of material to be indicated] from the Depot/workshop/Shed/Stock holder of ---- [Name of the Zonal Railway and the State (Originating Depot, GSTIN)] to the Depot/Workshop/Shed/Stock holder of ----- [Name of the Zonal Railways and the State (Destination), GSTIN], is without any transfer of title of the said goods, and is treated as supply of service between two distinct persons [as defined in section 25(4) of the CGST Act, 2017 (CGST Act, 2017). As per Section 7(1) of the Central Goods and Services Tax Act, 2017 (CGST Act, 2017) read with Clause 1(b) of Schedule II of the CGST Act, 2017, this inter-state supply of service by the Central Government (Ministry of Railways) to Central Government (Ministry of Railways) is exempt from the levy of IGST vide Sl.No.8 of the Notification No. 9/2017- Integrated Tax (Rate) dated 28.6.2017".

This issues with the Approval of Board (CRB.FC.ME) and DG/RS. Railway Board.

Santosh Mittal
(Santosh Mittal)

Dy. Director Railway Stores (G),
Railway Board

Adv / Acc.

JDP

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