

From

Excise & Taxation Commissioner,
Haryana, Panchkula.

To

All the Dy. Excise & Taxation Commissioner (ST),
in the State of Haryana.

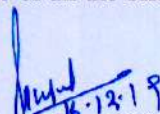
Memo No. 3555 /GST-2
Panchkula, date the 16-12-19

Subject: Clarification on scope of the notification entry at item (id), related to job work, under heading 9988 of Notification No.46/ST-2, dated 30.06.2017-Reg.

MEMORANDUM

Please find enclosed herewith a copy of circular issued by the Govt. of India on the captioned subject.

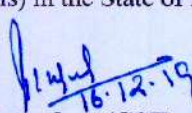
It is requested to bring this to the knowledge of all the officers working under your control for their information and necessary action.


16.12.19
Superintendent (GST)
for Excise and Taxation Commissioner,
Haryana

Endst. No. 3556 /GST-2, Panchkula, dated the 16-12-19

A copy of the Circular is forwarded to the following for information and necessary action:-

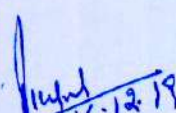
1. All the Jt. Excise & Taxation Commissioner (Division/Range) in the State of Haryana.
2. All the Jt. Excise & Taxation Commissioner (Appeals) in the State of Haryana.
3. PS/ ACSET.
4. PS/ETC.


16.12.19
Superintendent (GST)
for Excise and Taxation Commissioner,
Haryana

Endst. No. 3557/GST-2, Panchkula, dated the 16-12-19

A copy of the Circular is forwarded to the following in the Head Office for information and necessary action:-

1. All the Addl. Excise & Taxation Commissioners.
2. All the Jt. Excise & Taxation Commissioners.
3. The Jt. Director (L) -I and II.
4. The Dy. Excise & Taxation Commissioners.
5. DA-I & II.
6. DDA-I & II.


16.12.19
Superintendent (GST)
for Excise and Taxation Commissioner,
Haryana

**HARYANA GOVERNMENT
EXCISE AND TAXATION DEPARTMENT**

Subject Clarification on scope of the notification entry at item (id), related to job work, under heading 9988 of Notification No.46/ST-2, dated 30.06.2017-reg.

Doubts have been raised with regard to scope of the notification entry at item (id) under heading 9988 of Notification No.46/ST-2, dated 30.06.2017 inserted with effect from 01-10-2019 to implement the recommendation of the GST Council to reduce rate of GST on all job work services, which earlier attracted 18% rate, to 12%. It has been stated that the entry at item (id) under heading 9988 of Notification No.46/ST-2, dated 30.06.2017 inserted with effect from 01-10-2019, prescribes 12% GST rate for all services by way of job work. This makes the entry at item (iv) which covers "manufacturing services on physical inputs owned by others" with GST rate of 18%, redundant.

2. The matter has been examined. The entries at items (id) and (iv) under heading 9988 read as under:

(3)	(4)	(5)
(id) Services by way of job work other than (i), (ia), (ib) and (ic) above;	6	-
(iv) Manufacturing services on physical inputs (goods) owned by others, other than (i), (ia), (ib), (ic), (id), (ii), (iia) and (iii) above.	9	-

3. Job work has been defined in HGST Act as under.

*"Job work means any treatment or processing undertaken by a person on goods belonging to another **registered** person and the expression 'job worker' shall be construed accordingly."*

4. In view of the above, it may be seen that there is a clear demarcation between scope of the entries at item (id) and item (iv) under heading 9988 of Notification No.46/ST-2, dated 30.06.2017. Entry at item (id) covers only job work services as defined in section 2 (68) of HGST Act, 2017, that is, services by way of treatment or processing undertaken by a person on goods belonging to another **registered** person. On the other hand, the entry at item (iv) specifically excludes the services covered by entry at item (id), and therefore, covers only such services which are carried out on physical inputs (goods) which are owned by persons other than those registered under the HGST Act.

5. Difficulty, if any, in implementation of the above circular may please be brought to the notice of the Department.

Dated: 15-12-19
Panchkula

Amit Kumar Agrawal
Excise & Taxation Commissioner-cum-
Commissioner of State Tax, Haryana