



कार्यालय, रक्षा लेखा नियंत्रक
उदयन विहार, नारंगी, गुवाहाटी-७८११७१
OFFICE OF CONTROLLER OF DEFENCE ACCOUNTS,
UDAYAN VIHAR, NARANGI, GUWAHATI-781171
ई-मेल/ email : cdaguwaccounts.dad@hub.nic.in



E-MAIL

No. A/IV/65/Rev.Sec/Vol. XXIII

Date: 03/08/2021

To

All Sections of MO & the Sub-Offices as per standard.

Sub : - Representation from Society of Indian Automobile Manufactures (SIAM) dated 02.08.2020 regarding withholding of GST on transportation charges of chasis /vehicles supplied to customers under Ministry of Defence (MoD) – reg.

Ref: - HQrs. Office Important letter No: A/111/11101/GST/e-3816 dated: 29/07/2021

(Copy enclosed)

(Available at CDA Guwahati Website.)

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MoF, CBIC-190354/47/2021-TO (TRU-II) - CBIC dated 17th June 2021, and MoF (Finance) ID No. 10(3) DAD/C/2021 dated 29.06.2021 - CBIC dated 17th June 2021 received under HQrs Office letter cited above regarding the captioned subject are forwarded herewith for your information and further necessary action please.

Encl. as above



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DCDA (A/Cs)

Copy To:

(i) IT & SW }
(Local) }

For uploading in CDA Guwahati Website Please.

[Signature]
AO (A/Cs)

	<p>कार्यालय, रक्षा लेखा महानियंत्रक, उलन बटार मार्ग, पालम दिल्ली छावनी 110010- O/o THE CONTROLLER GENERAL OF DEFENCE ACCOUNTS, ULAN BATAR ROAD, PALAM, DELHI CANTT.-110010 दूरभाष : 011-25665548, 25665583/84, 25665736/37 ईमेल : hgaccounts.cgda@gov.in</p>	
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No. A/III/11101/GST/e-3816

Dated: 29.07.2021

To,

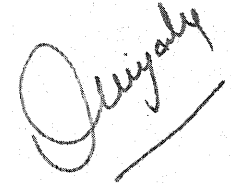
ALL PCsDA/CsDA

Sub: Representation from Society of Indian Automobile Manufactures (SIAM) dated 20.08.2020 regarding withholding of GST on transportation charges of chasis/vehicles supplied to customers under Ministry of Defence (MoD)-reg.

A copy of Ministry of Finance, Department of Revenue, Tax Research Unit OM CBIC-190354/47/2021-TO(TRU-II)-CBIC, dated 17.06.2021 received through MoD(Fin), DAD-Coord ID No. 10(3)DAD/C/2021, dated 29.06.2021 is forwarded herewith for your information and necessary action.

This issues with the approval of Jt. CGDA (A&B).

Encl : As above.

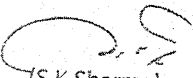


(PRIYANKA CHANDRA)
Sr. Dy. CGDA (A&B)

Ministry of Defence (Finance)
DAD-Coord, Room No.24-A,
South Block, New Delhi-110011.

Subject: Representation from Society of Indian Automobile Manufacturers (SIAM) dated 20.08.2020 regarding withholding of GST on transportation charges of chasis/vehicles supplied to customers under Ministry of Defence (MoD)-reg.

The undersigned is directed to forward herewith a copy of OM letter No. CBIC-190354/47/2021-TO(TRU-II)-CBIC dated 17.06.2021 along with its enclosure received from Ministry of Finance, Department of Revenue, Tax Research Unit for information and further necessary action.


(S K Sharma)
SO (DAD-Coord)

Dy. CGDA (Audit Coord)
Office of the CGDA, Ulan Batar Road, Palam, Delhi Cantt.
MoD(Fin) ID No.10(3)DAD/C/2021 dated 29.06.2021

SAs (Audit-Coord)

*for forwardal -
action pl.*

AK
05/7/21

रक्षा लेखा उप महानियंत्रक (आर०जी०)
Dy. CGDA (RG)
द्वारे सं- / Dy. No. 01 दि / Date 5/7/21

06/7/21
AK (Dy. RG)

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1840/2021A&B
17/6
A. L. IFA (RK) & JS

Office of Addl. FA (RK) & JS
Dy. No. 1561
Date 18/1/2021

CBIC-190354/47/2021-TO (TRU-II)-CBIC
Government of India
Ministry of Finance
Department of Revenue
Tax Research Unit

Room No. 146G, North Block, New Delhi
17th June, 2021

Office Memorandum

Subject: Representation from Society of Indian Automobile Manufacturers (SIAM) dated 20.08.2020 regarding withholding of GST on transportation charges of chassis/vehicles supplied to customers under Ministry of Defence (MoD)- Reg.

18/06/2021
21/6/2021

The undersigned is directed to refer to the representation of Society of Indian Automobile Manufacturers (SIAM) wherein they have stated that SIAM members /OEMs (like Tata Motors) supply chassis/motor vehicles to Defence Customers (Indian Army, Border Roads Organizations, and Military Engineering Services etc.) and as per supply orders deliver the same at the consignee locations. They raise bills charging GST on transportation charges based on the view that supply of vehicles along with transportation charges is a "composite supply" and GST rate applicable on the principal supply i.e. supply of vehicles, is applicable on transportation charges also. However, their claims for GST on transportation are being disallowed on the ground that transport of defence or military equipment by a Goods Transport Agency (GTA) is exempt from GST (copy of reference enclosed).

21/06/2021

2. In this regard, it is stated that according to provisions of GST law, if the contract between the supplier and Defence customers is for the supply of equipment on CIF basis, the same shall constitute a composite supply and transportation charges, which is part of the composite supply would be liable to GST at the same rate as applicable to the principal supply, i.e. motor vehicles. The exemption in notification No. 12/2017-CTR Sr. No. 21 which exempts transportation of defence equipment by GTA may not be relevant in such a case. Action as appropriate may be taken at your end.

Encl: As above

Pramod Kumar
(Pramod Kumar)
Director (TRU-II)

To:
Ms Mala Dutt
Additional Secretary and Financial Advisor (Acquisition)
134-A Ministry of Defence, South Block
New Delhi-110001

Dy. No. 237
17.6.2021