

[Authoritative English Text of this Department notification No.EXN-F(10)-18/2017 dated 15/9/2017 as required under clause (3) of articles 348 of the Constitution of India]

ADDL. ETC (HQ/TRU)
JT. ETC (ADMN/HQ/IT/D)
DY. ETC (HQ/LEGAL)
DY./ASST. CONTROLLER
ETC (TAX/EXCISE/EIU)
TO (HQ/EIU/SUB-DIV)
SIPA/READDER/COMP. CELL
EXCISE & TAXATION COMMISSIONER
HIMACHAL PRADESH
15-09-17

Government of Himachal Pradesh
Excise and Taxation Department

Dated Shimla-2

15/9/2017.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 9, sub-section (1) of section 11, sub-section (5) of section 15 and sub-section (1) of section 16 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh, on being satisfied that it is necessary in the public interest so to do, hereby makes the following amendments in the notification No.11/2017- STATE TAX (RATE), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh, vide number EXN-F(10)-14/2017-loose dated 30th June, 2017, namely:-

In the said notification in the table,-

(i) against serial number 3, for item (iii) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be substituted, namely:-

(3)	(4)	(5)
<p>“(iii) Composite supply of works contract as defined in clause (119) of section 2 of the Central Goods and Services Tax Act, 2017, supplied to the Government, a local authority or a Governmental authority by way of construction, erection, commissioning, installation, completion, fitting out, repair, maintenance, renovation, or alteration of, -</p> <p>(a) a historical monument, archaeological site or remains of national importance, archaeological excavation, or antiquity specified under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);</p> <p>(b) canal, dam or other irrigation works;</p>	6	-

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<p>(c) pipeline, conduit or plant for (i) water supply (ii) water treatment, or (iii) sewerage treatment or disposal.</p>		
<p>(iv) Composite supply of works contract as defined in clause (119) of section 2 of the Central Goods and Services Tax Act, 2017, supplied by way of construction, erection, commissioning, installation, completion, fitting out, repair, maintenance, renovation, or alteration of,-</p> <p>(a) a road, bridge, tunnel, or terminal for road transportation for use by general public;</p> <p>(b) a civil structure or any other original works pertaining to a scheme under Jawaharlal Nehru National Urban Renewal Mission or Rajiv Awas Yojana;</p> <p>(c) a civil structure or any other original works pertaining to the "In-situ rehabilitation of existing slum dwellers using land as a resource through private participation" under the Housing for All (Urban) Mission/Pradhan Mantri Awas Yojana, only for existing slum dwellers;</p> <p>(d) a civil structure or any other original works pertaining to the "Beneficiary led individual house construction / enhancement" under the Housing for All (Urban) Mission/Pradhan Mantri Awas Yojana;</p> <p>(e) a pollution control or effluent treatment plant, except located as a part of a factory; or</p> <p>(f) a structure meant for funeral, burial or cremation of deceased.</p>	<p>6</p>	
<p>(v) Composite supply of works contract as defined in clause (119) of section 2 of the Central Goods and Services Tax Act, 2017, supplied by way of construction, erection, commissioning, or installation of original works pertaining to,-</p> <p>(a) railways, excluding monorail and metro;</p> <p>(b) a single residential unit otherwise than as a part of a</p>		

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residential complex; (c) low-cost houses up to a carpet area of 60 square metres per house in a housing project approved by competent authority empowered under the 'Scheme of Affordable Housing in Partnership' framed by the Ministry of Housing and Urban Poverty Alleviation, Government of India; (d) low cost houses up to a carpet area of 60 square metres per house in a housing project approved by the competent authority under- (1) the "Affordable Housing in Partnership" component of the Housing for All (Urban) Mission/Pradhan Mantri Awas Yojana; (2) any housing scheme of a State Government; (e) post-harvest storage infrastructure for agricultural produce including a cold storage for such purposes; or (f) mechanised food grain handling system, machinery or equipment for units processing agricultural produce as food stuff excluding alcoholic beverages.		
(vi) Construction services other than (i), (ii), (iii), (iv) and (v) above.	9	-";

(ii) against serial number 8, for item (vi) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be substituted, namely:-

(3)	(4)	(5)
"(vi) Transport of passengers by motorcab where the cost of fuel is included in the consideration charged from the service recipient.	2.5	Provided that credit of input tax charged on goods and services used in supplying the service has not been taken [Please refer to Explanation no. (iv)]
		or
	6	-";

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(iii) against serial number 9, for item (iii) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be substituted, namely:-

(3)	(4)	(5)
<p>“(iii) Services of goods transport agency (GTA) in relation to transportation of goods (including used household goods for personal use). <i>Explanation.</i>- “goods transport agency” means any person who provides service in relation to transport of goods by road and issues consignment note, by whatever name called.</p>	2.5	<p>Provided that credit of input tax charged on goods and services used in supplying the service has not been taken [Please refer to <i>Explanation</i> no. (iv)]</p>
		<p>or</p>
	6	<p>Provided that the goods transport agency opting to pay central tax @ 6% under this entry shall, thenceforth, be liable to pay central tax @ 6% on all the services of GTA supplied by it.”;</p>

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(iv) against serial number 10, for item (i) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be substituted, namely:-

(3)	(4)	(5)
<p>“(i) Renting of motorcab where the cost of fuel is included in the consideration charged from the service recipient.</p>	2.5	<p>Provided that credit of input tax charged on goods and services used in supplying the service has not been taken</p>

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	[Please refer to <i>Explanation no. (iv)</i>]
	or
	6 -";

(v) against serial number 11, for item (i) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be substituted, namely:-

(3)	(4)	(5)
(i) Services of goods transport agency (GTA) in relation to transportation of goods (including used household goods for personal use). <i>Explanation.-</i> "goods transport agency" means any person who provides service in relation to transport of goods by road and issues consignment note, by whatever name called.	2.5	Provided that credit of input tax charged on goods and services used in supplying the service has not been taken [Please refer to <i>Explanation no. (iv)</i>]
	or	
	6	Provided that the goods transport agency opting to pay central tax @ 6% under this entry shall, thenceforth, be liable to pay central tax @ 6% on all the services of GTA supplied by it."

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(vi) against serial number 26,-

(a) in column (3), in item (i),-

(A) for sub-item (b), the following sub-item shall be substituted, namely:-

"(b) Textiles and textile products falling under Chapter 50 to 63 in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975)";

(B) the *Explanation* shall be omitted;
 (b) for item (ii) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be substituted, namely:-

(3)	(4)	(5)
“(ii) Services by way of any treatment or process on goods belonging to another person, in relation to- (a) printing of newspapers; (b) printing of books (including Braille books), journals and periodicals.	2.5	-
(iii) Manufacturing services on physical inputs (goods) owned by others, other than (i) and (ii) above.	9	-”;

(vii) for serial number 27 and the entries relating thereto, the following shall be substituted, namely:-

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(1)	(2)	(3)	(4)	(5)
"27	Heading 9989	(i) Services by way of printing of newspapers, books (including Braille books), journals and periodicals, where only content is supplied by the publisher and the physical inputs including paper used for printing belong to the printer.	6	-
		(ii) Other manufacturing services; publishing, printing and reproduction services; materials recovery services, other than (i) above.	9	-”;

(viii) against serial number 34, in column (3), in item (i), after the word "drama", the words "or planetarium" shall be inserted

By Order

Additional Chief Secretary(E&T) to the Government of Himachal Pradesh

Note:- The principal notification was published in the Gazette of Himachal Pradesh, vide notification No. 11/2017 - STATE TAX (RATE), dated 30th June, 2017, vide number EXN-F(10)-14/2017-Loose dated 30th June, 2017.

Endst. No. EXN-F(10)-18/2017 Dated Shimla-171002, the Copy to the following for information and necessary action:- 15/9/2017

- ✓ 1. The Excise and Taxation Commissioner, Himachal Pradesh, Shimla-9.
- 2. All. The Addl./Joint/Deputy/Asstt. Excise and Taxation Commissioner, H.P. and Excise and Taxation Officer, Kinnaur, Himachal Pradesh.
- 3. The DLR-cum-Deputy Secretary(Law) to the Government of Himachal Pradesh, Shimla-2
- 4. Guard file/spare copies.

[Handwritten Signature]

(D.C.Rana)

Spl. Secretary(E&T) to the Government of Himachal Pradesh Ph:0177-2628480

[Authoritative English Text of this Department notification No.EXN-F(10)-18/2017 dated 15/9/2017 as required under clause(3) of articles 348 of the Constitution of India]

**Government of Himachal Pradesh
Excise and Taxation Department**

ADDL. ETC (HQ)/(TRD)
JT. ETC (ADMN/HQ/IT/D)
DY. ETC (HQ/LEGAL)
DY./ASST. CONTROLLER
AETC (TAX/EXCISE/EIU)
ETO (HQ/EIU)/SUPDT G-1
PS/PA/READDER/COMP. CELL
EXCISE & TAXATION COMMISSIONER
HIMACHAL PRADESH
15-09-17

EXN-F(10)-18/2017

Dated Shimla-2

15/9/2017.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 11 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, hereby makes the following amendments in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No.12/2017- STATE TAX (RATE), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh), *vide* number EXN-F(10)-14/2017-loose dated 30th June, 2017, namely:-

In the said notification,-

(i) in the Table,-

(a) after serial number 9 and the entries relating thereto, the following shall be inserted namely:-

(1)	(2)	(3)	(4)	(5)
"9A	Chapter 99	Services provided by and to Fedration Internationale de Football Association (FIFA) and its subsidiaries directly or indirectly related to any of the events under FIFA U-17 World Cup 2017 to be hosted in India.	Nil	Provided that Director (Sports), Ministry of Youth Affairs and Sports certifies that the services are directly or indirectly related to any of the events under FIFA U-17 World Cup 2017.";

(b) after serial number 11 and the entries relating thereto, the following shall be inserted, namely:-

(1)	(2)	(3)	(4)	(5)
"11A	Heading 9961 or Heading 9962	Service provided by Fair Price Shops to Central Government by way of sale of wheat, rice and coarse grains under Public Distribution System (PDS) against consideration in the form of commission or margin.	Nil	Nil
11B	Heading 9961 or	Service provided by Fair Price Shops to State Governments or Union	Nil	Nil

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	Heading 9962	territories by way of sale of kerosene, sugar, edible oil, etc. under Public Distribution System (PDS) against consideration in the form of commission or margin.		
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(c) against serial number 35, in column (3),-

(A) in item (h), for the words "Weather based Crop Insurance Scheme or the Modified National Agricultural Insurance Scheme", the words, brackets and letters "Restructured Weather Based Crop Insurance Scheme (RWCIS)", shall be substituted;

(B) in item(j), for the words "National Agricultural Insurance Scheme (Rashtriya Krishi Bima Yojana)", the words, brackets and letters "Pradhan Mantri Fasal Bima Yojana (PMFBY)", shall be substituted;

(ii) in paragraph 3, in the Explanation, after clause (ii), the following clause shall be inserted, namely:-

"(iii) A "Limited Liability partnership" formed and registered under the provisions of the Limited Liability Partnership Act, 2008 (6 of 2009) shall be considered as a partnership firm or a firm."

By Order

Additional Chief Secretary(E&T) to the Government of Himachal Pradesh

Note:- The principal notification was published in the Gazette of Himachal Pradesh, vide notification No. 12/2017 - STATE TAX (RATE), dated 30th June, 2017, vide number EXN-F(10)-14/2017-Loose dated 30th June, 2017.

Endst. No. EXN-F(10)-18/2017 Dated Shimla-171002, the Copy to the following for information and necessary action:-

15/9/2017

1. The Excise and Taxation Commissioner, Himachal Pradesh, Shimla-9.
2. All. The Addl./Joint/Deputy/Asstt. Excise and Taxation Commissioner, H.P. and Excise and Taxation Officer, Kinnaur, Himachal Pradesh.
3. The DLR-cum-Deputy Secretary(Law) to the Government of Himachal Pradesh, Shimla-2
4. Guard file/spare copies.

[Signature] 15/9/17

D.C.Rana)
Spl. Secretary(E&T) to the Government of Himachal Pradesh
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