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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
REVENUE

NOTIFICATION

No. 1030-F.T.

Howrah, the 27th day of July, 2018.

No. 14/2018-State Tax (Rate)

In exercise of the powers conferred by sub-section (1) of section 11 of the West Bengal Goods and Services Tax Act, 2017 (West Ben. Act XXVIII of 2017), the Governor, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, is pleased hereby to make the following further amendments in this Department notification No.1136-F.T. [12/2017- State Tax (Rate)], dated the 28th June, 2017, published in the Kolkata Gazette, Extraordinary, Part I, namely: –

In the said notification, –

(i) in the Table, –

- (a) against serial number 4, in the entry in column (3), the words "Central Government, State Government, Union territory, local authority or" shall be *omitted*;
- (b) against serial number 5, in the entry in column (3), the words "Central Government, State Government, Union territory, local authority or" shall be *omitted*;
- (c) after serial number 9C and the entries relating thereto, the following serial number and entries shall be *inserted*, namely: –

(1)	(2)	(3)	(4)	(5)
"9D	Chapter 99	Services by an old age home run by Central Government, State Government or by an entity registered under section 12AA of the Income-tax Act, 1961 (43 of 1961) to its residents (aged 60 years or more) against consideration upto twenty-five thousand rupees per month per member provided that the consideration charged is inclusive of charges for boarding, lodging and maintenance.	Nil	Nil";

- (d) after serial number 10 and the entries relating thereto, the following serial number and entries shall be *inserted*, namely: -

(1)	(2)	(3)	(4)	(5)
"10A	Heading 9954	Services supplied by electricity distribution utilities by way of construction, erection, commissioning, or installation of infrastructure for extending electricity distribution network upto the tube well of the farmer or agriculturalist for agricultural use.	Nil	Nil";

- (e) against serial number 14, in the entry in column (3), for the words "declared tariff", the words "value of supply" shall be *substituted*;
- (f) against serial number 19A, in the entry in column (5), for the figures "2018", the figures "2019" shall be *substituted*;
- (g) against serial number 19B, in the entry in column (5), for the figures "2018", the figures "2019" shall be *substituted*;
- (h) after serial number 24 and the entries relating thereto, the following serial number and entries shall be *inserted*, namely: -

(1)	(2)	(3)	(4)	(5)
"24A	Heading 9967 or Heading 9985	Services by way of warehousing of minor forest produce.	Nil	Nil";

- (i) after serial number 31 and the entries relating thereto, the following serial numbers and entries shall be *inserted*, namely: -

(1)	(2)	(3)	(4)	(5)
"31A	Heading 9971 or Heading 9991	Services by Coal Mines Provident Fund Organization to persons governed by the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948).	Nil	Nil
31B	Heading 9971 or Heading 9991	Services by National Pension System (NPS) Trust to its members against consideration in the form of administrative fee .	Nil	Nil";

- (j) after serial number 34 and the entries relating thereto, the following serial number and entries shall be *inserted*, namely: -

(1)	(2)	(3)	(4)	(5)
"34A	Heading 9971	Services supplied by Central Government, State Government, Union territory to their undertakings or Public Sector Undertakings (PSUs) by way of guaranteeing the loans taken by such undertakings or PSUs from the financial institutions.	Nil	Nil";

- (k) against serial number 36A, in the entry in column (3), after the figures "36" the word and figures "or 40" shall be *inserted*;
- (l) after serial number 47 and the entries relating thereto, the following serial number and entries shall be *inserted*, namely: -

(1)	(2)	(3)	(4)	(5)
"47A	Heading 9983 or Heading 9991	Services by way of licensing, registration and analysis or testing of food samples supplied by the Food Safety and Standards Authority of India (FSSAI) to Food Business Operators.	Nil	Nil";

(m) after serial number 55 and the entries relating thereto, the following serial number and entries shall be *inserted*, namely: –

(1)	(2)	(3)	(4)	(5)
"55A	Heading 9986	Services by way of artificial insemination of livestock (other than horses).	Nil	Nil";

(n) after serial number 65A and the entries relating thereto, the following serial number and entries shall be *inserted*, namely: –

(1)	(2)	(3)	(4)	(5)
"65B	Heading 9991 or any other Heading	<p>Services supplied by a State Government to Excess Royalty Collection Contractor (ERCC) by way of assigning the right to collect royalty on behalf of the State Government on the mineral dispatched by the mining lease holders.</p> <p>Explanation.- "mining lease holder" means a person who has been granted mining lease, quarry lease or license or other mineral concession under the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the rules made thereunder or the rules made by a State Government under sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957.</p>	Nil	<p>Provided that at the end of the contract period, ERCC shall submit an account to the State Government and certify that the amount of goods and services tax deposited by mining lease holders on royalty is more than the goods and services tax exempted on the service provided by State Government to the ERCC of assignment of right to collect royalty and where such amount of goods and services tax paid by mining lease holders is less than the amount of goods and services tax exempted, the exemption shall be restricted to such amount as is equal to the amount of goods and services tax paid by the mining lease holders and the ERCC shall pay the difference between goods and services tax exempted on the service provided by State Government to the ERCC of assignment of right to collect royalty and goods and services tax paid by the mining lease holders on royalty.";</p>

- (o) after serial number 77 and the entries relating thereto, the following serial number and entries shall be inserted, namely: –

(1)	(2)	(3)	(4)	(5)
"77A	Heading 9995	Services provided by an unincorporated body or a non-profit entity registered under any law for the time being in force, engaged in,— (i) activities relating to the welfare of industrial or agricultural labour or farmers; or (ii) promotion of trade, commerce, industry, agriculture, art, science, literature, culture, sports, education, social welfare, charitable activities and protection of environment, to its own members against consideration in the form of membership fee upto an amount of one thousand rupees (Rs 1000/-) per member per year.	Nil	Nil";

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

"(iv) For removal of doubts, it is clarified that the Central and State Educational Boards shall be treated as Educational Institution for the limited purpose of providing services by way of conduct of examination to the students."

By order of the Governor,

RAJSEKHAR BANDYOPADHYAY

Additional Secretary to the Government of West Bengal.