

TAX INFO

Dated 16/11/2021

Latest update on GST Law: Information regarding **Documentary services including picture of the testimony / documentary video provided to Government Departments and Panchayats are liable to GST as given in Ruling by AAR-Karnataka.**

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Name of Applicant	Star Creative
Authority	GST AAR Karnataka
Date of Ruling	29.10.2021
Ruling No.	KAR ADRG 58/2021

Brief Facts Of The Case:

The applicant states that they are providing services by way of documentary videos, picture of testimony to various State Government Departments, Boards and Panchayats. The applicant states that they get the order for producing, directing and releasing the picture/video of testimony / documentary videos from State Government Departments, Various Corporations / Development Boards, Zilla Panchayat and Taluk Panchayat to provide few minutes of documentary film on various Central and State Government Schemes. For example documentary under Suvarna Gramodaya Scheme, Agricultural Technology Management Agency (ATMA) Scheme, Watershed Development Program (NWDPR), Pradhan Mantri Krishi Sinchayee Yojana (PMKSY) and other Central and State Government Schemes.

Questions on which the Ruling is sought:

- Whether the documentary services including picture of the testimony / documentary videos provided to corporations and various boards including KHB are exempted under GST?
- Whether the documentary services including picture of the testimony / documentary videos provided to various government departments including Zilla and Taluk Panchayat are eligible for exemption from GST?
- Whether providing documentary videos and /or pictures of testimony through CD or other storable devices to various Government Departments and Panchayats continues to be exempted services?

Contention of Applicant:

The applicant states that documentaries are made on various schemes that are introduced by Central Government and State Government for the benefit of general public and in order to reach the public at large.

The applicant is of the view that all the documentary videos and picture of testimony that were provided to various Government Departments, Corporation, Panchayat and Boards established by Government are in the interest of general public and form part of exempted services.

Under entry No.3 of the Notification No.12/2017 CGST Tax (Rate) dated 28.06.2017, the services provided by applicant are exempted as:

- Pure Services (excluding works contract service or other composite supplies involving any goods) provided to the Central Government, State Government or Union territory or local authority or a Governmental authority or a Government entity**
- By way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution."**

Ruling:

Since the applicant is providing the above said services to various State/Central Government Departments, Local Authorities, the first condition to claim exemption is satisfied. **But services provided by way of producing documentary videos, picture of testimony by applicant are not provided by way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution. Hence provision of such services is liable to tax at 18% (9% CGST and 9% KGST).**

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