

**Latest update on GST Law: Information regarding Services provided by an external agency to an examination board in relation to conducting examination will not attract GST based on the Judgement issued by Karnataka Authority for Advance Ruling.**

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<b>Name of Applicant</b>	In re. Datacon Technologies
<b>Name of Court</b>	AAR-Karnataka
<b>Appeal Number</b>	KAR ADRG 47/2020
<b>Date of Judgement</b>	11/09/2020

**Facts of the Case:**

The applicant is a leading service provider in respect of Print solutions and IT & Infrastructure services. The applicant caters to the Education vertical in terms of stationery items for the conduct of examination and post examination process such as Marks card/Certificates etc.

Applicant were awarded a contract by the Bihar School Educational Board (BSEB) vide Work Order No. ST/281/18 DT dated 16.12.2018 for scanning of OMR Flying slip, OMR Marks Foil, OMR attendance sheet, OMR absentee sheet and finalisation of data.

**Question on which Ruling is sought**

Whether the services performed by them are exempted by virtue of item (b) of Sr. No. 66 of Notification No. 12/2017-CT (R) dated 28.06.2017?

**Contention of Applicant:**

The Applicant submits their interpretation of law, on consideration of the Bihar School Education Board as an educational institution that their services are in relation to conduction of examination & hence are exempted from GST, in terms of item (b) of Sl. No. 66 of Notification No. 12/2017-CT (R) dated 28.06.2017. Further they also intend to rely upon the ruling of the Advance Ruling Authority of Maharashtra, in the case of M/s Orient Press Ltd., wherein the identical service was held to be exempted from GST payment.

**Observations:**

It is an undisputed fact that the process of conducting examination is not limited/ restricted to a test centre. Examination is an incomplete activity without assessment. Scanning of answer sheets and quantifying marks is the main objective of the examination process. Educational institutions or the examinees do not look at these activities in isolation. Therefore it was observed that the stated activity of the applicant is exempted by virtue of Sr. No.66 of Notification No. 12/2017-CT (R) dated 28.06.2017.

**Ruling:**

The activity of the applicant is covered under "Other Educational Support services", under SAC 999299, and is related to conduct of examination and hence is exempted; in terms of Sl.No.66 of Notification No. 12/2017-CT (R) dated 28.06.2017. AAR held that Services provided by an external agency to an examination board in relation to conducting examination will not attract Goods & Services Tax (GST).

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