

GOVERNMENT OF KERALA

Taxes (B) Department

NOTIFICATION

Dated, Thiruvananthapuram,th November 2017

G.O.(P) No. /2017/TD

S.R.O. No...../2017.— 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 Kerala Goods and Services Tax Act, 2017 (20 of 2017), the Government of Kerala, on the recommendations of the Council, and on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments to the notification issued under G.O.(P) No. 72/2017/TAXES, dated the 30th June, 2017 and published as S.R.O. No. 370/2017 in the Kerala Gazette, Extra Ordinary No. 1360 dated 30th June 2017, namely

- ,In the said notification, in the Table

against serial number 3, in column (3), in item (vi), for the words “Services provided”, the words “Composite supply of works contract as defined in clause (119) of section 2 of the ;Central Goods and Services Tax Act, 2017, provided” shall be substituted (i)

-,against serial number 7 (ii)

a) for item (i) in column (3) and the entries relating thereto in columns (3), (4) and -(5), the following shall be substituted, namely

(5)	(4)	(3)
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	2.5	i) Supply, by way of or as part of any service or in any)“ other manner whatsoever, of goods, being food or any other article for human consumption or drink, where such supply or service is for cash, deferred payment or other valuable consideration, provided by a restaurant, eating joint including mess, canteen, whether for consumption on or away from the premises where such food or any other article for human consumption or drink is supplied, other than those located in the premises of hotels, inns, guest houses, clubs, campsites or other commercial places meant for residential or lodging purposes having declared tariff of any unit of accommodation of seven thousand five hundred rupees and above per unit per day or .equivalent <i>Explanation.</i> - “declared tariff” includes charges for all amenities provided in the unit of accommodation (given on rent for stay) like furniture, air conditioner, refrigerators or any other amenities, but without

		excluding any discount offered on the published .charges for such unit
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b) for item (iii) in column (3) and the entries relating thereto in columns (3), (4) and -(5), the following shall be substituted, namely

(5)	(4)	(3)
;-	9	iii) Supply, by way of or as part of any service or in)“ any other manner whatsoever, of goods, being food or any other article for human consumption or any drink, where such supply or service is for cash, deferred payment or other valuable consideration, provided by a restaurant, eating joint including mess, canteen, whether for consumption on or away from the premises where such food or any other article for human consumption or drink is supplied, located in the premises of hotels, inns, guest houses, clubs, campsites or other commercial places meant for residential or lodging purposes having declared tariff of any unit of accommodation of seven thousand five hundred rupees and above per unit per day or .equivalent <i>Explanation.-</i> “declared tariff” includes charges for all amenities provided in the unit of accommodation (given on rent for stay) like furniture, air conditioner, refrigerators or any other amenities, but without excluding any discount offered on the published .charges for such unit

c)the item (iv) in column (3) and the entries relating thereto in columns (3), (4) and ;(5), shall be omitted

d)in item (ix), in column (3), for the entry, the following entry shall be substituted,) -:namely

ix) Accommodation, food and beverage services other than (ii), (iii), (v), (vi), (vii))“ .and (viii) above

Explanation.- For the removal of doubt, it is hereby clarified that, supply, by way of or as part of any service or in any other manner whatsoever, of goods, being food or any other article for human consumption or drink, where such supply or service is for cash, deferred payment or other valuable consideration, provided by a restaurant, eating joint including mess, canteen, whether for consumption on or away from the premises where such food or any other article for human consumption or drink is supplied, other than those located in the premises of hotels, inns, guest houses, clubs, campsites or other commercial places meant for residential or lodging purposes having declared tariff of any unit of accommodation of seven thousand five hundred rupees and above per unit per day or equivalent shall attract central tax @

2.5% without any input tax credit under item (i) above and shall not be levied at the
;” .rate as specified under this entry

against serial number 26, in column (3), in item (i), after sub-item (h), the following shall (iii)
- :be inserted, namely

.i) manufacture of handicraft goods)’

Explanation. - The expression “handicraft goods” shall have the same meaning as assigned to it in the notification No. 32/2017 -Central Tax, dated the 15th September, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 1158 (E), dated the 15th September, 2017 as amended from time to .’time

.This notification shall come into force with effect from 15th of November, 2017 .2

,MINHAJ ALAM

,By order of the Governor

Secretary to Government

Explanatory Note

This does not form part of the notification, but is intended to indicate the general) (.purport
Pursuant to the decision taken in the 23rd GST Council, Government have decided
to rationalize the tax rate on intra state supplies of food and beverages restaurants as

all restaurants irrespective of whether air-conditioned or otherwise, including (i)
restaurants in hotel premises having room tariff of less than Rs 7,500 per unit per
, day will be taxable at the rate of 2.5% without input tax credit; and
all other such supplies including out door catering, and restaurants in hotel (ii)
premises having room tariff of Rs 7,500 and above per unit per day at the rate of 9%
.with full input tax credit

Further the Government has decided to reduce the tax rate on job work services in relation
to the manufacture of those handicraft goods in respect of which the casual taxable person
.has been exempted from obtaining registration to 5% with full input tax credit
.The notification is intended to achieve the above object