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Ref No.MBAI/E-in-C/ 162 /2017

Dated: 14.10.2017

The Engineer-in-Chief
Kashmir House Rajaji Marg
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New Delhi -110011

Sub: Reimbursement of taxes due to imposition of GST on the contracts concluded before 1st March 2015.

Respected Sir,

Sir, with due respect it is submitted that on the contracts concluded before 1st March 2015 are out of purview of Service Tax, hence there was nil Service Tax applicable on the contracts awarded before 1st March 2015. The Govt. of India vide Notification No.6/2015 – Service Tax dated 1st March 2015, all works were brought under Service Tax purview even the works which were awarded before 1st March 2015.

On a later date, Govt. of India again decided to abolish Service Tax vide Notification No.9/2016 – Service Tax dated 1st March 2016 on the project awarded before 1st March 2015, Therefore, no Service Tax was applicable on the contracts awarded. 2% TDS on works contracts was deducted by which purchase input liability was adjusted.

Since GST @ 18-12% has been imposed on all works contracts, therefore builders have already deposited GST on the contracts concluded before 1st March 2015 for the month of July to September 2017. The Builders are facing difficulty to make huge payments of GST out of their own resources.

In view of the above, you are requested to issue necessary instructions to lower formations to make minimum 10 % extra payment to the contractors towards liability due to implementation of GST along with their next RAR payment. In case relief as above is not afforded immediately, builders have no option other than to stop ongoing works till the reimbursement of difference in the liability after applicability of GST is made.

Hoping for favourable and early action please.

Thanking you,

Yours faithfully,

(BALBIR SINGH VIJ)
HONY.GEN.SECRETARY

BRANCHES

AGRA AHMEDABAD ALLAHABAD AMBALA AMRITSAR ANDAMAN/NICOBAR BABINA BANGALORE BARAMULLA BAREILLY BARODA BARRACKPORE BATHINDA BHOPAL BHUJ BIKANER BINNAGURI CHANDIGARH CHANDIMANDIR CHENNAI COCHIN DEHRADUN DELHI DINJAN-CHABUA GURDASPUR GUWAHATI GWALIOR GREATER HYDERABAD HISAR HASIMARA ISHAPORE JABALPUR JAIPUR JAISALMER JALANDHAR JAMMU JAMNAGAR JHANSI JODHPUR JORHAT KANPUR KARWAR KOLKATA KOTA LEH LUCKNOW MATHURA MEERUT MIHOW MUMBAI NAGPUR NASIK PANJIM PATHANKOT PATIALA PITHORAGARH PUNE RANCHI ROORKEE SAUGOR SHILLONG SILCHAR SILIGURI SRINAGAR TENGA TEZPUR UDHAMPUR VASCO VISAKHAPATNAM WELLINGTON YOL