(भारत सरकार) GOVERNMENT OF INDIA)
(रेल मंत्रालय) MINISTRY OF RAILWAYS)
(रेलवे बोर्ड RAILWAY BOARD)

No.TC-II/2910/2017/GST/2 New Delhi, dated 23 .06.2017

General Manager/UTS
CRIS, Chankyapuri, New Delhi

SUB: Clarification on applicability of GST in passenger fare.

REF: 1. This office letter no. TC-II/2910/2017/GST/2 dated 09.06.2017 containing detailed approach paper for implementation of Goods & services Tax (GST).

REF: 2. Commercial Circular no. 41 of 2017 dated 23.06.2017

REF: 3 CRIS letter no. 2011/CRIS/NDLS/UTS/TAXES/253/0001 dated 22.05.2017

In reference of CRIS letter mentioned above certain clarification was sought by CRIS for implementation of GST on unreserved tickets.

The matter has been examined in consultation with Accounts Directorate of this office and item wise remarks on issues raised by CRIS is enclosed herewith.

(Rohit Kumar) 23/6/17
Deputy Director Passenger Marketing-III
Railway Board

PC-3 RC Data GST

Itemwise remarks on the clarification sought by CRIS are as under

S.No.	*Items*	*UTS/CRIS*	*Comments of Board's office.*
1.	Name, Address and GSTIN of the supplier	Name of zonal railway is already pre-printed on the UTS stationery; GSTIN of IR can be printed on ticket. There is no space to print address of the supplier	Agreed.
2.	A consecutive serial number containing alphabets or numerals or special characters-hyphen or dash and slash symbolized as "-" and "/" respectively, and any combination thereof, unique for the financial year.	Combination of UTS number and stock number will be unique for Indian Railways which is already seperately on UTS ticket.	Agreed.
3.	Date of issue	Already being printed	No change required.
4.	Name., Address and GSTIN or UIN, if registered, of the recipient	Name is already printed on season ticket and money receipt. In all other tickets, name cannot be printed due to unavailability of space. GSTIN number of registered passenger can be printed on ticket. Address of recipient is exempted in case of passenger transportation service.	Agreed.
5.	Name and address of the recipient and the address of delivery, alongwith the name of State and its code, if such receipt is unregistered and where the value of taxable supply if Rs. 50,000 or more	In UTS , group booking is allowed for maximum of 99 passengers and money receipt is issued in which amount is exceeding Rss. 50,000 rupees. Address of the recipient is exempted in case of passenger transportation service. On these tickets, name cannot be printed due to unavailability of space on ticket. Address of delivery which is destination station is already printed on the ticket. In addition, State code of destination station can be printed on ticket, if required.	State code of destination may be printed on the ticket.
6	HSN code of goods or Accounting Code of services	Service code can be printed on ticket	Agreed.
7.	Description of goods or services	Type of ticket is already printed on the ticket	No change required.
8.	Quantity in case of goods and unit or unique quantity code thereof	Number of passenger are already printed on the ticket.	Agreed.

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9	Total value of supply of goods or services or both	Amount collected from the passenger is already printed. However, total amount printed will be inclusive of all charges and taxes.	No change required.
10.	Taxable value of supply of goods or services or both taking into account discount or abatement, if any	It cannot be printed on tickets due to unavailability of space.	Agreed. The taxable value can be derived from total fare minus GST amount. UTS should capture the discount value (if any), to facilitate filling up of relevant column in GST return.
11	Rate of tax(Central tax, State tax, Integrated tax, UT tax or cess)	Rate of tax can be printed only in suburban & non-suburban journey tickets, superfast surcharge slip, reservation slip, Rail cum road ticket, tourist ticket. In all other tickets, rate of tax cannot be printed due to unavailability of space.	Agreed . Exemption is being sought from printing of rate of Tax.
12	Amount of tax charged in respect of taxable goods or services (Central tax, State tax, Integrated tax, UT tax or cess)	Total GST and breakup of CGST, SGST/UTGST, IGST collected can be printed on ticket.	Agreed
13	Place of supply alongwith the name of state and its code, in case of supply in the course of inter-state trade or commerce	Only state code of originating station can be printed. State name cannot be printed due to unavailability of space.	Agreed. The state name can be inferred from the state code.
14	Address of delivery where the same if different from the place of supply	Destination station is already printed.	No change required.
15	Whether the tax is payable on reverse charge basis; and	Not clear	Not applicable for passenger tickets.
16	Signature or digital signature of the supplier of his authorized representative.	Operator may sign ticket before handing over to passenger.	Exemption is being sought from GST council. Until exemption is received manual signature shall be made by operator.

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Certain other clarifications sought by CRIS are as under:-

* UTS tickets:

S.No.	Clarification sought by CRIS	Comments of this office
1	Business rule for calculation of GST	1. The logic for calculation of GST is part of the approach paper.
2	Rate, calculation and rounding off rule for charging of GST on PRS ticket needs to be provided	2. CGST/SGST/IGST must be calculated upto two decimal place without rounding off. Any rounding off can be done subsequent to calculation of GST amount. This will avoid ambiguity and will stand the test of scrutiny by the GST department.
3.	Whether Indian Railway will register in States & UT or all zonal Railways will register in States & UT as separate entity. Please provide detail of GSTIN of Indian Railway/zonal Railways for all States & UTs	3. GSTIN number shall be provided by zonal Railways.
4.	Whether GST will be applicable on all types of UTS ticket, all types of money receipts, recharge receipt and FTR registration amount payment.	4. GST will be applicable to first class tickets including MST/QST and all AC classes.
5.	Whether JBTS & YTSK will be considered as registered recipient and GSTIN to be captured for printing on ticket	5. Charging of GST on UTS Ticket is taken care by the system. YTSK will be charging service charge for rendering service to passenger, on which applicable GST rate will be charged by YTSK, as per GST rules. This activity is outside the purview of Railways
6.	Presently in suburban section, one return ticket is issued which is valid for onward and return leg journey. As per GST law, "For the purpose of this sub-section, the return journey shall be treated as a separate journey, even if the right to passage for onward and return journey is issued at the same time". Therefore, whether two different tickets may be printed in case of return ticket issued in suburban section and whether GST may be submitted for both the legs separately.	6. Already clarified vide para 6(i) of letter issued dated 23.06.2017.

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7.	Season ticket may be issued where source and destination station may belong to different states. As per GST law "For the purpose of this sub-section, the return journey shall be treated as a separate journey, even if the right to passage for onward and return journey is issued at the same time". So, whether it may be accounted as two seperate journeys i.e onward & return in the system and whether in case of source and destination station belong to different states, GST may split and paid to two different states or entire amount will be deposited in source stations state.	7. Exemption is being sought in case of season tickets on the line of metro rail.
8.	In case of booking location and journey's originating station belongs to different States then on cancellation of ticket either at booking location or originating station, whether GST on clerkage charge will be submitted in the booking location,s state or originating station's state or state in which GST was submitted on booking of ticket.	8. For Clerkage charge, the place of cancellation of the ticket shall be the location of supplier. The place of supply shall be place of embarkation in case of unregistered customer or place of registration in case of registered customer. The GST will be applied accordingly and corresponding GSTIN of Railways shall be printed on the cancelled ticket.
9.	Whether name, address and GSTIN or UIN to be captured in issuance of money receipt for TTE, TC, Halt Earning and Manual EFT/BPT tickets.	9. These transactions are proposed to be considered as B2C so no need to capture details of the customer.
10.	If advance ticket is booked on June 30th 2017 and cancelled on July 1st 2017 then whether service tax will be refunded and whether on clerkage charge, service tax will be levied or GST will be levied.	10. Section 142(5) of the CGST Act stipulates for refund of service tax refunded by cash only by the Department. Therefore Credit note for refund will have to be taken up with the department for refund of service tax. Therefore refund of service tax is not allowed. GST on clerkage charge will be levied.
11.	Presently, on online recharge of R-wallet and ticket booking, service charge and service tax is levied by IRCTC. So, whether GST will be applicable on service charge and what will be the components of GST.	11. IRCTC is performing an agency work and for this service charges are being levied by them. This is different from the transportation of passenger service, so applicable GST rate will not be 5%. Instead it will be 18%.. However, this may be confirmed by IRCTC through consultant.
12	Format of additional reports required by zonal Railways needs to be provided.	12. After the rules are firmed up by the Department.
13	Any other guidelines.	13. Complete guidelines has been issued seperately dated 23.06.2017.

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