

The



Kolkata **Gazette**

सत्यमेव जयते

Extraordinary
Published by Authority

CAITRA 8]

FRIDAY, MARCH 29, 2019

[SAKA 1941

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL**FINANCE DEPARTMENT****REVENUE****NOTIFICATION****No. 556-F.T.****Howrah, the 29th day of March, 2019.***No. 7/2019-State Tax (Rate)*

In exercise of the powers conferred by sub-section (4) of section 9 of the West Bengal Goods and Services Tax Act, 2017 (West Ben. Act XXVIII of 2017), the Governor on the recommendations of the Council, is pleased hereby to notify that the registered person specified in column (3) of the table below, shall in respect of supply of goods or services or both specified in column (2) of the Table below, received from an unregistered supplier shall pay tax on reverse charge basis as recipient of such goods or services or both, namely:-

Table

Sl. No.	Category of supply of goods and services	Recipient of goods and services
(1)	(2)	(3)
1	Supply of such goods and services or both [other than services by way of grant of development rights, long term lease of land (against upfront payment in the form of premium, salami, development charges etc.) or FSI (including additional FSI)] which constitute the shortfall from the minimum value of goods or services or both required to be purchased by a promoter for construction of project, in a financial year (or part of the financial year till the date of issuance of completion certificate or first occupation, whichever is earlier) as prescribed in notification No.1135-F.T.[II/ 2017 -StateTax (Rate)], dated 28th June, 2017, at items (i), (ia), (ib), (ic) and (id) against serial No. (3), published in the Kolkata Gazette, as amended.	Promoter.
2	Cement falling in chapter heading 2523 in the first schedule to the Customs Tariff Act, 1975 (51 of 1975) which constitute the shortfall from the minimum value of	Promoter.

Sl. No.	Category of supply of goods and services	Recipient of goods and services
(1)	(2)	(3)
	goods or services or both required to be purchased by a promoter for construction of project, in a financial year (or part of the financial year till the date of issuance of completion certificate or first occupation, whichever is earlier) as prescribed in notification No. 1135-F.T. [11/ 2017-State Tax (Rate)], dated 28th June, 2017, at items (i), (ia), (ib), (ic) and (id) against serial No. (3), published in the Kolkata Gazette, as amended.	
3	Capital goods falling under any chapter in the first schedule to the Customs Tariff Act, 1975 (51 of 1975) supplied to a promoter for construction of a project on which tax is payable or paid at the rate prescribed for items (i), (ia), (ib), (ic) and (id) against serial number 3 in the Table, in notification No. 1135-F.T. [11/ 2017-State Tax (Rate)], dated 28th June, 2017, published in the Kolkata Gazette, as amended.	Promoter

Explanation. - For the purpose of this notification, -

- (i) the term "promoter" shall have the same meaning as assigned to it in clause (zk) of section 2 of the Real Estate (Regulation and Development) Act, 2016 (16 of 2016);
 - (ii) "project" shall mean a Real Estate Project (REP) or a Residential Real Estate Project (RREP);
 - (iii) the term "Real Estate Project (REP)" shall have the same meaning as assigned to it in clause (zn) of section 2 of the Real Estate (Regulation and Development) Act, 2016 (16 of 2016);
 - (iv) "Residential Real Estate Project (RREP)" shall mean a REP in which the carpet area of the commercial apartments is not more than 15 per cent. of the total carpet area of all the apartments in the REP.
 - (v) the term "floor space index (FSI)" shall mean the ratio of a building's total floor area (gross floor area) to the size of the piece of land upon which it is built.
2. This notification shall come into force with effect from the 1st day of April, 2019.

By order of the Governor,

RAJSEKHAR BANDYOPADHYAY,
Additional Secretary to the Government of West Bengal