[TO BE PUBLISHED IN THE GAZZETE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (i)]

Government of India
Ministry of Finance
(Department of Revenue)

**Notification No. 20/2019- Union Territory Tax (Rate)**

New Delhi, the 30th September, 2019

G.S.R.....(E).- In exercise of the powers conferred by sub-sections (1), (3) and (4) of section 7, sub-section (1) of section 8, clause (iv), clause (v) and clause (xxvii) of section 21 of the Union Territory Goods and Services Tax Act, 2017 (14 of 2017), read with sub-section (5) of section 15, sub-section (1) of section 16 and section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, 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 in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No.11/2017- Union Territory Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 702(E), dated the 28th June, 2017, namely:-

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In the said notification, -

(i) in the Table, -

(a) against serial number 7, for the entries relating thereto in column (3), (4) and (5), the following items and entries shall be substituted, namely, -

| (3) | (4) | (5) |
|---|---|---|
| "(i) Supply of 'hotel accommodation' having value of supply of a unit of accommodation above one thousand rupees but less than or equal to seven thousand five hundred rupees per unit per day or equivalent. | 6 | - |
| (ii) Supply of 'restaurant service' other than at 'specified premises' | 2.5 | Provided that credit of input tax charged on goods and services used in supplying the service has not been taken [Please refer to *Explanation* no. (iv)] |
| (iii) Supply of goods, being food or any other article for human consumption or any drink, by the Indian Railways or Indian Railways Catering and Tourism Corporation Ltd. or their licensees, whether in trains or at platforms. | 2.5 | Provided that credit of input tax charged on goods and services used in supplying the |

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|---|---|---|
| | | service has not been taken [Please refer to *Explanation* no. (iv)] |
| (iv) Supply of 'outdoor catering', at premises other than 'specified premises' provided by any person other than-<br>(a) suppliers providing 'hotel accommodation' at 'specified premises', or<br>(b) suppliers located in 'specified premises'. | 2.5 | Provided that credit of input tax charged on goods and services used in supplying the service has not been taken [Please refer to *Explanation* (iv)] |
| (v) Composite supply of 'outdoor catering' together with renting of premises (including hotel, convention center, club, pandal, shamiana or any other place, specially arranged for organising a function) at premises other than 'specified premises' provided by any person other than-<br>(a) suppliers providing 'hotel accommodation' at 'specified premises', or<br>(b) suppliers located in 'specified premises'. | 2.5 | Provided that credit of input tax charged on goods and services used in supplying the service has not been taken [Please refer to *Explanation* (iv)] |
| (vi) Accommodation, food and beverage services other than (i) to (v) above<br><br>Explanation:<br>(a) For the removal of doubt, it is hereby clarified that, supplies covered by items (ii), (iii), (iv) and (v) in column (3) shall attract Union Territory tax prescribed against them in column (4) subject to conditions specified against them in column (5), which is a mandatory rate and shall not be levied at the rate as specified under this entry.<br><br>(b) This entry covers supply of 'restaurant service' at 'specified premises'<br><br>(c) This entry covers supply of 'hotel accommodation' having value of supply of a unit of accommodation above seven thousand five hundred rupees per unit per day or equivalent. | 9 | -"; |

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| | | |
|---|---|---|
| (d) This entry covers supply of 'outdoor catering', provided by suppliers providing 'hotel accommodation' at 'specified premises', or suppliers located in 'specified premises'.<br><br>(e) This entry covers composite supply of 'outdoor catering' together with renting of premises (including hotel, convention center, club, pandal, shamiana or any other place, specially arranged for organising a function) provided by suppliers providing 'hotel accommodation' at 'specified premises', or suppliers located in 'specified premises'. | | |

(b) against serial number 10, in column (2), after the word "vehicles", the words "with operators" shall be inserted;
(c) against serial number 10, in column (3), in item (iii), the words "or without" shall be omitted;
(d) against serial number 15, in column (3), item (iv) and the entries relating thereto in column (4) and (5) shall be omitted;
(e) against serial number 15, in column (3), in item (vii), the brackets and words ", (iv)" shall be omitted;
(f) against serial number 17, in column (2), the figures and words ", with or" shall be omitted;
(g) against serial number 17, in column (3), item (v) and (vii) and the entries relating thereto in column (4) and (5) shall be omitted;
(h) against serial number 17, in column (3), for item (viii), the following shall be substituted;

| (3) |
|---|
| "(viii) Leasing or rental services, without operator, other than (i), (ii), (iii), (iv), (vi), and (viia) above." |

(i) against serial number 21, after item (i) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be inserted, namely: -

| (3) | (4) | (5) |
|---|---|---|
| "(ia) Other professional, technical and business services relating to exploration, mining or drilling of petroleum crude or natural gas or both | 6 | -"; |

(j) against serial number 21, in column (3), in item (ii), for the brackets and words "(i) above", the brackets and words "(i) and (ia) above" shall be substituted;
(k) against serial number 24, in column (2), after the numbers "9986", the brackets, words and figures "(Support services to agriculture, hunting, forestry, fishing, mining and utilities)" shall be inserted;
(l) against serial number 24, in column (3), in item (ii), for the words "Service of", the words "Support services to" shall be substituted;
(m) against serial number 26, in column (3), in item (i), in clause (c), after the words "products", the figures and words ", other than diamonds," shall be inserted;

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(n) against serial number 26, in column (3), after item (ia) and the entries relating thereto in columns (3), (4) and (5), the following shall be inserted, namely: -

| (3) | (4) | (5) |
|---|---|---|
| "(ib) Services by way of job work in relation to diamonds falling under chapter 71 in the First Schedule to the Customs Tariff Act, 1975 (51of 1975); | 0.75 | - |
| (ic) Services by way of job work in relation to bus body building; | 9 | - |
| (id) Services by way of job work other than (i), (ia), (ib) and (ic) above; | 6 | -"; |

(o) against serial number 26, in column (3), in item (iv), after the brackets, words and figures "(ia),", the brackets, words and figures "(ib), (ic), (id)," shall be inserted;

(ii) in the paragraph 2A, the word "registered" shall be omitted;

(iii) in paragraph 4 relating to explanation, after clause (xxxi), the following clauses shall be inserted, namely:-

"(xxxii) 'Restaurant service' means supply, by way of or as part of any service, of goods, being food or any other article for human consumption or any drink, 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.

(xxxiii) 'Outdoor catering' means supply, by way of or as part of any service, of goods, being food or any other article for human consumption or any drink, at Exhibition Halls, Events, Conferences, Marriage Halls and other outdoor or indoor functions that are event based and occasional in nature.

(xxxiv) 'Hotel accommodation' means supply, by way of accommodation in hotels, inns, guest houses, clubs, campsites or other commercial places meant for residential or lodging purposes including the supply of time share usage rights by way of accommodation.

(xxxv) 'Declared tariff' means 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.

(xxxvi) 'Specified premises' means premises providing 'hotel accommodation' services having declared tariff of any unit of accommodation above seven thousand five hundred rupees per unit per day or equivalent.".

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2. This notification shall come into force with effect from the 1st day of October, 2019.

[F. No.354/136/2019 -TRU]

(Ruchi Bisht)
Under Secretary to the Government of India

Note: - The principal notification No. 11/2017 - Union Territory Tax (Rate), dated the 28th June, 2017 was published in the Gazette of India, Extraordinary, *vide* number G.S.R. 702 (E), dated the 28th June, 2017 and was last amended by notification No. 10/2019- Union Territory Tax (Rate), dated the 10th May, 2019 *vide* number G.S.R. 356 (E), dated the 10th May, 2019.

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