

M/s LUCKNOW PRODUCERS COOPRATIVE MILK UNION LTD

Appellate Authority for Advance Ruling — Uttar Pradesh

Appeal Order No. 18/AAAR/29/09/2021 dated 29.09.2021

Q Questions Before the Authority

- GST Liability on reimbursement of Employee Provident Fund & ESI.

F Facts

The Appellant is a registered cooperative society engaged in processing milk and milk products. They engage manpower supply agencies and reimburse them for statutory liabilities like EPF and ESIC. The Appellant sought an advance ruling on whether GST is payable on these reimbursements.

H Ruling

GST Liability on reimbursement of EPF & ESI

Not maintainable

The appeal was rejected without discussing the merits of the case.

The Appellate Authority rejected the appeal as not maintainable. They concluded that the transactions in question do not relate to the supply of goods or services undertaken or proposed to be undertaken by the appellant. Consequently, the matter falls outside the purview of the Advance Ruling Authority.

R Reasoning

The Authority observed that the applicant is a recipient of services and not a supplier in the context of the impugned transactions. Under Section 95 of the CGST Act, an advance ruling is limited to questions regarding the supply of goods or services undertaken or proposed to be undertaken by the applicant. Since the applicant admitted they are not covered under the reverse charge mechanism and are merely a service recipient, the application was deemed **outside the purview of mandate** given to the Advance Ruling Authority. Therefore, the appeal was rejected as **not maintainable**.

P Provisions Relied On

Section 95 of the CGST Act, 2017

Section 97 of the CGST Act, 2017

Section 100 of the CGST Act, 2017



For the Practitioner

This ruling serves as a procedural reminder that the Advance Ruling mechanism is strictly limited to questions concerning the applicant's own supply of goods or services. It does not provide a forum for service recipients to seek rulings on the taxability of their vendors' invoices. Practitioners should ensure the applicant is the supplier of the transaction in question before filing for an advance ruling.

Source

Summary prepared from the published order, which is a scanned document. It is a reading aid and not the authority: where the two differ, the order governs. Verify every provision against the original before relying on it.

Original order: www.gstcouncil.gov.in -> up_aaar_18_2021-22_29.09.2021_uppcm.pdf

Prepared 13-10-2026.

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