CONTENTS

| | PAGE |
|---|------------|
| About the Authors | <i>I-5</i> |
| Preface to Fourth Edition | I-7 |
| Acknowledgement | <i>I-9</i> |
| CHAPTER 1 | |
| INTRODUCTION TO THE SCHEME OF GST | 1 |
| CHAPTER 2 | |
| EVOLUTION OF 'WORKS CONTRACT' PRE-GST | 7 |
| CHAPTER 3 | |
| DEFINITION OF 'WORKS CONTRACT' UNDER GST | 24 |
| CHAPTER 4 | |
| CASE STUDIES: APPLYING THE UNDERSTANDING OF 'WORKS CONTRACT' | 30 |
| CHAPTER 5 | |
| 'WORKS CONTRACT' MUST PERTAIN TO 'IMMOVABLE PROPERTY' - WHAT IS 'IMMOVABLE PROPERTY'? | 33 |
| CHAPTER 6 | |
| FOR A CONTRACT TO QUALIFY AS 'WORKS CONTRACT', IT MUST INVOLVE 'TRANSFER OF PROPERTY IN GOODS' - WHAT IS 'TRANSFER OF PROPERTY IN GOODS'? | 44 |
| CHAPTER 7 | |
| 'COMPOSITE' AND 'MIXED' SUPPLY - RELEVANCE UNDER 'WORKS CONTRACT' | 47 |

| | CONTENTS | I-12 |
|---|---|------|
| i | CHAPTER 8 | PAGE |
| | INTERPLAY BETWEEN COMPOSITE SUPPLY, MIXED SUPPLY AND WORKS CONTRACTS | 57 |
| | CHAPTER 9 | |
| | CLASSIFICATION OF SERVICES UNDER GST AND 'WORKS CONTRACTS' | 63 |
| | CHAPTER 10 | |
| | INPUT TAX CREDIT FOR 'WORKS CONTRACT' | 68 |
| | CHAPTER 11 | |
| | CASE STUDIES TO PRACTICALLY UNDERSTAND WHETHER A CONTRACT WOULD QUALIFY AS 'WORKS CONTRACT' | 91 |
| | CHAPTER 12 | |
| | COMPARISON WITH PRE-GST REGIME - WHAT CONSTITUTED 'WORKS CONTRACT' THEN, DO THEY STILL QUALIFY AS 'WORKS CONTRACT'? | 97 |
| | CHAPTER 13 | |
| | REGISTRATION FOR WORKS CONTRACTOR UNDER GST | 100 |
| | CHAPTER 14 | |
| | TIME OF SUPPLY AND ISSUANCE OF INVOICE (POINT OF TAXATION) | 105 |
| | CHAPTER 15 | |
| | IMPACT OF GST ON ADVANCES/ SECURITY DEPOSITS ETC. | 108 |
| | CHAPTER 16 | |
| | VALUATION AND 'FREE OF COST' SUPPLIES BY THE CUSTOMER | 113 |
| i | CHAPTER 17 | |

119

PLACE OF SUPPLY

I-13 CONTENTS

| | | PAGE |
|---|---|------|
| | CHAPTER 18 | |
| | LIQUIDATED DAMAGES UNDER WORKS CONTRACTS & GST IMPLICATIONS | 123 |
| ı | CHAPTER 19 | |
| | TAXATION OF WORKS CONTRACTS: RATES AND IMPACT THEREON AS COMPARED TO PRE-GST REGIME | 129 |
| | CHAPTER 20 | |
| | SUMMARIZING THE KEY DIFFERENCES IN 'WORKS CONTRACT' IN THE PRE AND POST GST ERA | 162 |
| | CHAPTER 21 | |
| | TRANSITION PROVISIONS UNDER GST FOR WORKS CONTRACT | 164 |
| | CHAPTER 22 | |
| | TAX DEDUCTION AT SOURCE ("TDS") | 170 |
| ı | CHAPTER 23 | |
| | WORKS CONTRACTS AND IMPLICATIONS IN OIL & GAS SECTOR | 180 |
| ı | CHAPTER 24 | |
| | WORKS CONTRACTS AND IMPLICATIONS IN REAL ESTATE | 186 |
| ı | CHAPTER 25 | |
| | WORKS CONTRACTS AND IMPLICATIONS FOR ROADS/ HIGHWAYS | 244 |
| ı | CHAPTER 26 | |
| | WORKS CONTRACTS AND IMPLICATIONS ON PORTS | 253 |
| ı | CHAPTER 27 | |
| | WORKS CONTRACTS AND IMPLICATIONS ON THERMAL POWER GENERATION | 255 |

| CONTENTS | I-14 | | | |
|---|------|--|--|--|
| | PAGE | | | |
| CHAPTER 28 | | | | |
| WORKS CONTRACTS AND IMPLICATIONS ON SOLAR POWER GENERATION | 258 | | | |
| CHAPTER 29 | | | | |
| WORKS CONTRACTS AND IMPLICATIONS ON LARGE MANUFACTURING PLANTS | 269 | | | |
| CHAPTER 30 | | | | |
| WORKS CONTRACTS AND IMPLICATIONS ON LARGE WATER SUPPLY PROJECTS | 271 | | | |
| CHAPTER 31 | | | | |
| GST AND ANTI-PROFITEERING | 277 | | | |
| CHAPTER 32 | | | | |
| PRACTICAL STRATEGIES VIS-A-VIS STRUCTURING OF VARIOUS TYPES OF WORKS CONTRACTS UNDER GST | 295 | | | |
| CHAPTER 33 | | | | |
| WHAT HAPPENS TO 'NO-INCOME TAX' POSITION FOR OFFSHORE SUPPLIES UNDER A SINGLE EPC CONTRACT, POST GST? | 305 | | | |
| CHAPTER 34 | | | | |
| BEST PRACTICES FOR TAX CONTROVERSY MANAGEMENT UNDER GST | 310 | | | |
| ANNEXURES | | | | |
| ◆ ANNEXURE 1 - RELEVANT CGST RATE SCHEDULE FOR SERVICES | 319 | | | |
| ◆ ANNEXURE 2 - MAHARASHTRA GST ACT - NEW COMPOSITION SCHEME FOR BUILDER AND DEVELOPER | 338 | | | |
| ◆ ANNEXURE 3 - EXPLANATORY NOTES TO THE SCHEME OF CLASSIFICATION OF SERVICES | 343 | | | |