

EAST COAST RAILWAY

Office of the
Chief Commercial Manager
1st Floor, Rail Sadan
C.S.Pur, Bhubaneswar-17

Commercial Circular No.78(G)/2015

Date: 04.06.2015

Sub: Refund of Service Tax portion on waived amount of Demurrage/Wharfage.

Ref: (i) Rates Circular no. 29 of 2012 (This office CC No. 100(G)/2012 dt. 29.09.12).
(ii) Board's letter No. 2010/AC-II/1/3 dt. 01.10.12 (RBA No. 35/2012).

A clarification has been sought regarding refund of Service Tax portion on waived amount of Demurrage/Wharfage charge.

In this regard, attention is invited to Para 3.4(iii) of RBA No. 35 of 2012, which read as under:

"In case of waiver/refund of charges collected for auxiliary services, refund of Service Tax/cess, if any, will be made by Railways".

In view of the above, it is clarified that in case of any refund of Demurrage/Wharfage charge on waiver, the corresponding Service Tax if collected earlier shall also be refunded. Accordingly, following may be added at the end of Para 4(ix) of Rates Circular No. 29 of 2012:

"In case of any refund of Demurrage/Wharfage charge on waiver, the corresponding Service Tax if collected earlier shall also be refunded".

Further, in case of Demurrage/Wharfage, Service Tax Certificate may be issued only after the final settlement of application/appeals.

This issues with the concurrence of Finance Directorate of Ministry of Railways.

All concerned to note and act accordingly.

Authority: Railway Board's letter No.TC-1/2012/214/1 Pt. dated 03.06.2015 (Corrigendum No. 4 Rates Circular No. 29 of 2012).

(R.N.NAYAK)

Sr. Commercial Manager (Claims)

No.CCM/443/Service Tax/Pt-I

Date: 04.06.2015

Copy forwarded to:

All Station Managers/ Goods Supervisors/Commercial Supervisors /Siding Clerks / Booking Clerk in Charges / Weigh Bridge Clerks / Clerk in Charges / Commercial Movement Inspectors.

Copy for information and necessary action to the:-

COM: ECoR, SDGM/ECoR/BBS, Chairman/RCT/BBS, Dy.CVO(T)/ECoR/BBS, PO/RCT/ECoR/BBS, Dy.COM(FOIS)/ECoR/BBS, Audit officer/BBS. DRM: KUR,WAT,SBP/ECoR, Sr.DOM-KUR,WAT, SBP/ECoR, Sr.DCM:KUR,WAT/SBP/ECoR.Dy.CCM(Claims)/E.Co.Rly.FA & CAO :E.Co.Rly, FA & CAO(T)/ECoR/BBS, Traffic Manager: VZP, Traffic Manager/ Visakhapatnam Port Trust (VZP), Paradeep PortTrust/Paradeep.

(R.N.NAYAK)

Sr. Commercial Manager (Claims)

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