THE AUTHORITY FOR ADVANCE RULINGS
IN KARNATAKA
GOODS AND SERVICES TAX
VANIJYA THERIGE KARYALAYA, KALIDASA ROAD
GANDHINAGAR, BENGALURU – 560 009

F. No. KAR.AAR 43/2026
Order No. KAR.ADRG 43/2026 **Date: 08.09.2026**

Present:

1. **Shri. Kalyanam Rajesh Rama Rao**
Additional Commissioner of Customs & Indirect Taxes .... Member (**Central**)

2. **Shri. Sivakumar S Itagi**
Additional Commissioner of Commercial Taxes .... Member (**State**)

1	Name and address of the applicant	Shri/Smt. Natikeri Amritha Krishnam, #26-2-17-86B/22, Amrutha House, Mukrampady, Puttur, Dakshina Kannada, Karnataka-574210.
2	GSTIN or User ID	292300000650ARY (**Unregistered Applicant**)
3	Date of filing of Form GST ARA-01 (ARN date)	24.06.2023
4	Represented by	--Not Applicable--
5.	Jurisdictional Authority – Centre	The Commissioner of Central Tax, Mangalore GST Commissionerate.
6	Jurisdictional Authority – State	ACCT, LGSTO 265 - Puttur
7	Whether the payment of fees discharged and if yes, the amount and CIN	No, the Applicant has discharged the prescribed application fee only of ₹5,000/- under an incorrect debit head.

ORDER UNDER SECTION 98(2) OF THE CGST ACT, 2017
& UNDER SECTION 98(2) OF THE KGST ACT, 2017

Shri/Smt. **Natikeri Amritha Krishnam** (hereinafter referred to as the "**Applicant**"), an **unregistered person**, filed an application for Advance Ruling vide **ARN No. 292300000650ARY** under **Section 97 of the CGST/KGST Act, 2017,** read with **Rule 104 of the CGST/KGST Rules, 2017**, in **Form GST ARA-01**. The Applicant has furnished the address **#26-2-17-86B/22, Amrutha House, Mukrampady, Puttur, Dakshina Kannada, Karnataka – 574210** as the registered address in the application.

2.1 The Applicant submits that he is the owner of the land proposed to be developed and has entrusted the work of carrying out development activities, such as installation of electricity poles, provision of water supply connections, and formation of roads, to a registered contractor. The Applicant further

Authority For Advance Ruling ★ Karnataka, Bengaluru ★

submits that GST at the applicable rate of **18%** is paid on the consideration charged by the contractor for the said works contract services.

2.2 Upon completion of the aforesaid development activities, the Applicant proposes to subdivide the land into **four to five residential plots** and sell the developed plots to prospective purchasers.

3. In view of the above, the applicant has sought advance ruling in respect of the following questions:-

a) *Whether this transaction is come under the perview of GST Act, 2017 as a taxable services and goods. If taxable at what rate?*

It is observed that the above question has not been framed with sufficient clarity. However, having regard to the submissions made **supra, it appears** that the Applicant seeks a ruling on the applicability of GST to the sale of developed land after carrying out development activities such as land levelling, formation of roads, and laying of water supply and sewage lines.

4. <u>Admissibility of the Application</u>: - The Applicant, under **Column 13 of Form ARA-01**, has indicated the category of issue as follows:

i. *Whether any particular thing done by the applicant with respect to any goods or services or both amounts to or results in a supply of goods or services or both, within the meaning of that term.*

The questions raised by the Applicant under **Section 97(2) (g)** of the Central Goods and Services Tax Act, 2017, relating to the determination of liability to pay tax.

5. <u>Applicant's Interpretation of Law:</u> - The Applicant has neither furnished its views or interpretation of law in Form GST ARA-01 nor submitted the same by way of any annexure or supporting document along with the application.

6.1 <u>PERSONAL HEARING PROCEEDINGS</u>: - The Applicant was provided with enough opportunities to rectify the defects in the application and to remit the prescribed balance application fee in terms of Section 97(1) of the CGST/KGST Act, 2017 read with Rule 104 of the CGST/KGST Rules, 2017, an application for Advance Ruling is required to be accompanied by a fee of ₹5,000/- each under the CGST Act and the KGST Act, vide this office letters dated 06.03.2026, 25.05.2026, 08.06.2026 and 17.06.2026. However, no reply or clarification has been received from the Applicant till date, nor has the requisite balance fee been remitted.

Authority For Advance Ruling Karnataka, Bengaluru

6.2 The details of the opportunities provided to the Applicant for compliance are as follows:

SL. No.	Letter F. No. & date	Tracking ID	Tracking ID status	Communication on Email id & date
1	KAR/AAR/OTH/2025-26 06-03-2026	-	-	No e-mail id available
2	KAR/AAR/OTH/2025-26 25-05-2026	EK508427561IN	Delivered on 29-05-2026	No e-mail id available
3	KAR/AAR/OTH/2025-26 08-06-2026	EK860781453IN	Delivered on 15-06-2026	No e-mail id available
4	KAR/AAR/OTH/2025-26 17-06-2026	EK860785325IN	Delivered on 23-06-2026	No e-mail id available

6.3 Apart from the communications issued through Registered Speed Post and e-mail, this office made repeated attempts to contact the Applicant telephonically on the contact number furnished in Form GST ARA-01. However, no response has been received till date, as the said contact number was consistently found to be either switched off or out of service.

FINDINGS & DISCUSSION

7. *At the outset, we would like to make it clear that the provisions of the Central Goods and Services Tax Act, 2017 and the Karnataka Goods and Services Tax Act, 2017 are pari materia and contain identical provisions on all material aspects, differing only in respect of certain specific provisions. Accordingly, unless a particular reference is made to such dissimilar provisions, any reference to the CGST Act, 2017 shall also be construed as a reference to the corresponding provisions of the KGST Act, 2017.*

***8**. We have carefully examined the application, the documents placed on record and the relevant provisions of the CGST Act, 2017 and the KGST Act, 2017. It is observed that, in terms of Section 97(1) of the CGST/KGST Act, 2017 read with Rule 104 of the CGST/KGST Rules, 2017, an application for Advance Ruling is required to be accompanied by the prescribed fee of ₹5,000/- each under the CGST Act and the KGST Act.*

9. Further, it is observed that the Applicant had not remitted the prescribed application fee in full at the time of filing the application. Accordingly, this Authority, through communications issued from time to time, called upon the Applicant to rectify the defect by remitting the requisite balance fee. The Applicant was also afforded sufficient opportunities of personal hearing vide this office letters, as referred to in paragraph 6.1 supra. However, the Applicant neither appeared before this Authority on the

Authority For Advance Ruling
Karnataka, Bengaluru

scheduled dates nor complied with the requirement of remitting the prescribed balance application fee, despite the opportunities so provided.

10. The requirement of payment of the prescribed fee under Section 97(1) of the CGST/KGST Act, 2017 is mandatory for entertaining an application for Advance Ruling. In the present case, despite being afforded sufficient opportunities, the Applicant has failed to remit the prescribed application fee in full. Accordingly, the application is liable to be rejected as not maintainable for non-compliance with the mandatory statutory requirement.

11. In view of the foregoing, we pass the following:

RULING

The application for Advance Ruling filed by the applicant is hereby rejected as not maintainable for non-compliance with the mandatory requirement prescribed under Section 97(1) of the CGST/KGST Act, 2017 read with Rule 104 of the CGST/KGST Rules, 2017.

(Kalyanam Rajesh Rama Rao)
Member
MEMBER
Karnataka Advance Ruling Authority
Bengaluru - 560 009

(Sivakumar S Itagi)
Member
MEMBER
Karnataka Advance Ruling Authority
Bengaluru - 560 009

Place: Bengaluru,
Date: 08.09.2026

To,
The applicant

Copy to:
1. The Principal Chief Commissioner of Central Tax, Bangalore Zone, Karnataka.
2. The Commissioner of Commercial Taxes, Karnataka, Bengaluru.
3. The Commissioner of Central Tax, Mangalore GST Commissionerate.
4. The Assistant Commissioner, LGSTO 265 - Bengaluru.
5. Officer Folder.

Authority For Advance Ruling ★ Karnataka, Bengaluru ★