

## **Kerala State Screening Committee on Anti-Profiteering Vs Velbon Vitrified Tiles Pvt Ltd- Anti-Profiteering**

GST - Anti-profiteering - Allegation is that respondent had indulged in profiteering in contravention of provisions of s.171 of the CGST Act, 2017 - two invoices have been placed reliance upon, one issued on 24.10.2017 i.e. in the pre-GST rate reduction period and one thereafter, dated 15.12.2017; that the GST rate on the product 'Ceramic Vitrified tiles' nano series PRE-1 (HSN Code 6907 2100) was reduced to 18% from the then existing rate of 28% w.e.f. 15.11.2017 - DGAP, in its report stating that there was no increase in the per unit taxable amount (excluding GST) of the product as compared to the pre-GST rate i.e. the base price per box excluding GST remained constant at Rs.232.50 and, therefore, the provisions of s.171(1) of the CGST Act, 2017 relating to profiteering had not been contravened.

Held: It is clear that the base price of the product per box was Rs.232.50 prior to 15.11.2017 and had remained the same even after GST rate reduction w.e.f. 15.11.2017, therefore, the benefit of rate reduction appears to have been passed on - authority agrees with the report of the DGAP and accordingly holds that the allegation of profiteering is not sustainable - since the provisions of s.171 of the CGST Act, 2017 have not been contravened, there is no merit in the application alleging profiteering and hence same is dismissed: NAPA

- Application dismissed : NATIONAL ANTI PROFITEERING AUTHORITY