

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

**Advance Ruling No. KAR ADRG 19/2025**

**Date : 23-04-2025**

Present:

**1. Sri. Prathap Kumar S**

Additional Commissioner of Commercial Taxes

. . . . Member (State)

**2. Sri. M.S. Prithvi**

Additional Commissioner of Customs & Indirect Taxes. . . .

Member (Central)

1.	Name and address of the applicant	Sri. SHRIDHAR DESHPANDE, Prop. M/s. Heabal India Incorporation, #1, 1 <sup>st</sup> Floor, J.K. Plaza, Kathriguppe Main Road, Vidyapeetha Circle, Bengaluru-560 028, Karnataka
2.	GSTIN or User ID	29ASBPS2586C4ZH
3.	Date of filing of Form GST ARA-01	05-09-2023
4.	Represented by	Sri. Shridhar Deshpande, Proprietor & Ms. Shalini Basetty, Research Scientist & Authorised Representative
5.	Jurisdictional Authority – Centre	The Principal Commissioner of Central Tax, Bengaluru West Commissionerate, Bengaluru.
6.	<b>Jurisdictional Authority – State</b>	ACCT, LGSTO-121, Bengaluru.
7.	Whether the payment of fees discharged and if yes, the amount and CIN	Yes, discharged fee of Rs.5,000/- under CGST Act & Rs.5,000/- under KGST Act through debit from Electronic Cash Ledger vide reference No. DC2906230048687 dated 13.06.2023.

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

M/s. Shridhar Deshpande, Prop. M/s. Heabal India Incorporation (herein after referred to as 'Applicant'), #1, 1<sup>st</sup> Floor, J.K. Plaza, Kathriguppe Main Road, Vidyapeetha Circle, Bengaluru-560 028, Karnataka, having GSTIN 29ASBPS2586C4ZH, have filed an application for Advance Ruling under Section 97 of CGST Act, 2017 read with Rule 104 of CGST Rules, 2017 and Section 97 of KGST Act, 2017 read with Rule 104 of KGST Rules, 2017, in form GST ARA-01 discharging the fee of Rs.5,000/- each under the CGST Act, KGST Act.

# Heabal India



2. The applicant submitted that they are a subsidiary of M/s Heabal Tech, headquartered in South Korea; introduced its product "Heabal Tea Cigarette" to the Indian market, which is specifically designed to assist individuals to quit smoking. In view of this, the applicant sought advance ruling in respect of the **classification and the rate of GST, applicable on their product "Heabal Tea Cigarette"**.

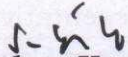
3. An opportunity of personal hearing was provided on 08.04.2025 through video conference and Sri. Shridhar Deshpande, MD, Heabal India Incorporation along with Ms. Shalini Basetty, Research Scientist appeared, reiterated the facts narrated in their application and admitted that the impugned issue of classification of their product is pending before Hon'ble CESTAT, Bengaluru.

4. Proviso (i) to Section 98(2) of the CGST Act 2017 stipulates that "*the Authority shall not admit the application where the question raised in the application is already pending or decided in any proceedings in the case of an applicant under any provisions of this Act*". In the instant case it is an admitted fact that the issue of classification of the product **Heabal Tea Cigarette** is pending before the Hon'ble CESTAT, Bengaluru and hence the instant application is liable for rejection.

5. In view of the foregoing, we pass the following

### **R U L I N G**

The application is rejected as an appeal is pending before the Hon'ble CESTAT, Bengaluru in terms of Proviso(i) to Section 98(2) of the CGST Act 2017.

  
(Prathap Kumar S)

Member

Karnataka Advance Ruling Authority  
Place : Bengaluru, 560 009

Date : 23-04-2025

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 Principal Commissioner of Central Tax, Bangalore West Commissionerate, Bengaluru.
4. The Assistant Commissioner of Commercial Taxes, LGSTO-121, Bengaluru.
5. Office Folder.

  
(M.S. Prithvi)

Member

Karnataka Advance Ruling Authority  
Bengaluru - 560 009



# Heabal India