

**AUTHORITY FOR ADVANCE RULING, TAMIL NADU
No.207, 2nd FLOOR, PAPJM BUILDING, No.1, GREAMS ROAD,
CHENNAI 600 006.**

**ORDER UNDER SECTION 98(4) OF THE CGST ACT, 2017 AND
UNDER SECTION 98(4) OF THE TNGST ACT, 2017**

Members present:

Shri C.Thiyagarajan, I.R.S., Additional Commissioner/Member (CGST), Office of the Commissioner of GST and Central Excise, Audit I Commissionerate, Chennai - 600 101.	Shri B.Suseel Kumar, B.E., MBA., Joint Commissioner/Member (SGST), Authority for Advance Ruling, Tamil Nadu, Chennai - 600 006.
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Advance Ruling No. 25/ARA/2025, dated 04.08.2025

1. *Any appeal against this Advance Ruling order shall lie before the Tamil Nadu State Appellate Authority for Advance Ruling, Chennai under Sub-Section (1) of Section 100 of CGST Act 2017/TNGST Act 2017, within 30 days from the date on which the ruling sought to be appealed is communicated.*
2. *In terms of Section 103(1) of the Act, Advance Ruling pronounced by the Authority under Chapter XVII of the Act shall be binding only-*
 - (a) *On the applicant who had sought it in respect of any matter referred to in sub-section (2) Section 97 for advance ruling.*
 - (b) *On the concerned officer or the Jurisdictional Officer in respect of the applicant.*
3. *In terms of Section 103(2) of the Act, this Advance Ruling shall be binding unless the law, facts or circumstances supporting the original advance ruling have changed.*
4. *Advance Ruling obtained by the applicant by fraud or suppression of material facts or misrepresentation of facts, shall render such ruling to be void ab initio in accordance with Section 104 of the Act.*
5. *The provisions of both the Central Goods and Services Tax Act and the Tamil Nadu Goods and Services Tax Act (herein referred to as the Act) are the same except for certain provisions. Therefore, unless a mention is specifically made to such dissimilar provisions, a reference to the Central Goods and Services Tax Act would also mean a reference to the same provisions under the Tamil Nadu Goods and Services Tax Act.*

GSTIN Number, if any/User id	33AAGCT6465R2ZJ
Legal Name of Applicant	M/s. Sundaram Industries Private Limited
Trade Name of Applicant	M/s. Sundaram Industries Private Limited
Registered Address/ Address provided while obtaining User id	A1-F3A, PCTR Division, SIDCO Industrial Estate, Maraimalai Nagar, Kancheepuram, Tamilnadu-603 209.
Details of Application	Application Form GST ARA-01 received from the applicant on 10.12.2024.
Jurisdictional Officer	State –Maraimalainagar Assessment Circle, Chengalpattu Division. Center – Chennai Outer Commissionerate, Maraimalainagar Division
Nature of activity (s) (proposed/present) in respect of which advance ruling sought for A. Category B. Description (in brief)	Factory/Manufacturer -
Issues on which advance ruling required	Classification of goods and/or services or both.
Question(s) on which advance ruling is required	Classification Required with to HSN Code of Input goods used in our Manufacturing.

M/s. Sundaram Industries (P) Ltd., having registered address at A1-F3A, PCTR Division, SIDCO Industrial Estate, Maraimalai Nagar, Kancheepuram, Tamilnadu – 603209 (hereinafter called as the “Applicant”) are engaged in the manufacture of equipment meant for transmission of load to defence, and are registered under the GST with GSTIN 33AAGCT6465R2ZJ.

2. The Applicant has made a payment of application fees of Rs.5,000/- each under sub rule (1) of Rule 104 of CGST Rules, 2017 and SGST Rules, 2017.

3. The applicant has neither furnished details of the process of manufacture carried out by them, brief facts of the case, nor the applicant's interpretation of law or facts, in the Application for Advance Ruling filed by them. The applicant states in the application that they have enclosed an Annexure-I that contains write-up with regard to Product's technical specification and Product image.

4.1 The applicant falls within the administrative jurisdiction of 'STATE', and the concerned Authorities of the Center and State were addressed to report the detailed remarks and pendency report on the questions raised by the applicant in their ARA application.

4.2 Since no remarks were received from the State or the Central Authority, it is construed that there is no pending proceedings against the applicant on the question raised by them in their advance ruling application.

Personal Hearing:

5.1 The applicant was given an opportunity to be heard in person on 16.06.2025. Mr. R. Sridhar, Advocate, and Mr. D. Babu, Financial Controller, appeared for the personal hearing as the authorized representatives (AR) of M/s. Sundaram Industries (P) Ltd. The AR reiterated the submissions made in their application for advance ruling.

5.2 They explained that the applicant supplies equipment meant for transmission of Load to Defence, for which they are required to import inputs and also procure them from the local market. They further stated that in order to ascertain the classification with regard to HSN code of input goods used in their manufacturing process, they have filed the instant application. The Members then enquired as to whether their query for classification is meant for all the inputs (imported and domestic) or not. The AR replied that the query is restricted to imported goods alone, and not for the inputs procured from the domestic market.

5.3 The Members then explained to the AR that in respect of imported products, the assessment to duties of Customs including the IGST on import, vest with the Customs Department, and accordingly they stated that the Authority for Advance Ruling in relation to Customs, would be the apt forum to address this query. The Members stated that therefore Authority for Advance Ruling, Tamilnadu, which addresses queries relating to GST, may not be able to pronounce a ruling in this regard. The AR then added that they have raised this query on classification simultaneously to the Customs Authority for Advance Ruling as well, for which a hearing has already been held, and a ruling is expected soon.

5.4 The Applicant through their mail dated 25.06.2025 conveyed that they have stated that a separate advance ruling application has been filed before the Customs Department and that the same is nearing finality and further added that the jurisdiction under GST is still relevant to the instant matter with regard to interstate supply of spare parts, which has not been stated in the record of personal hearing held on 16.06.2025. Accordingly, they requested to include the same in the PH record and offer them with a fair opportunity to represent the case after three weeks to enable them to make suitable submissions during the hearing.

5.5 Accordingly, another opportunity for hearing was offered to the applicant on 24.07.2025, during which Mr. R. Sridhar, Advocate, and Mr. D. Babu, Financial Controller, appeared for the personal hearing as the authorized representatives (AR) of M/s. Sundaram Industries (P) Ltd. They reiterated the submissions made already during the original hearing held on 16.06.2025, and as undertaken during the last hearing they furnished a copy of the Ruling passed by the Customs Authority for Advance Rulings, Mumbai vide Ruling No. CAAR/Mum/ARC/43/2025-26 dated 04.07.2025. When the Members enquired as to whether the said ruling specifies the classification codes for all the parts/components imported by them, they stated that

the same has been answered and that the query raised in the instant case stands settled now.

Discussions and Findings:

6.1 We have carefully examined the submissions made by the applicant in their advance ruling application, the remarks received from the Jurisdictional officers and the submissions made during the personal hearing.

6.2 We are of the opinion that in the instant case, the admissibility or otherwise of the application is liable to be determined, before proceeding further. We find that the applicant has raised the following question in their application, viz.,

“Classification required with regard to HSN Code of Input goods used in our Manufacturing.”

6.3 Prima facie, it appears that the query is liable for admission, as the same gets covered under clause (a) – ‘Classification of any goods or services or both’ of Section 97(2) of the CGST Act, 2017. However, on closer scrutiny, we find that the said query seeks classification of the imported inputs used in their manufacturing process.

6.4 In this regard, it may be noted that the definition of ‘Advance Ruling’ as provided under Section 95(a) of the CGST Act, 2017, reads as –

“(a) “advance ruling” means a decision provided by the Authority or the Appellate Authority or the National Appellate Authority to an applicant on matters or on questions specified in sub-section (2) of section 97 or sub-section (1) of section 100 or of Section 101C, in relation to the supply of goods or services or both being undertaken or proposed to be undertaken by the applicant,”

From the above, it may be seen that an advance ruling could be provided by the Authority on matters relating to the supply of goods or services or both by the applicant. Thereby, it becomes clear that classification in relation to outward supply of goods/services being undertaken or proposed to be undertaken by the applicant alone merits consideration and admission under the scheme of things under advance ruling as far as it relates to GST. However, we observe that under the application for advance ruling filed in the instant case, the applicant seeks a ruling as to the classification of goods imported by them.

6.5 This apart, we also notice that the input goods for which classification is sought in the instant case by the taxpayer are all imported goods. In this regard, to a specific query raised by the Members during the personal hearing on 16.06.2025 as to whether classification is required for all the inputs, both imported and domestically procured or not, the AR replied in clear terms that their query is restricted to imported goods alone, and not for the inputs procured from the domestic market. Under the circumstances of the case, it is to be noted that, the assessment to duties of Customs including the import IGST in respect of imported products, vests with the Customs Department, and accordingly the Authority for Advance Ruling in relation to Customs, would be the apt forum to address this

query. Accordingly, on explaining the same to the applicant during the personal hearing, the AR stated that they have raised this query on classification simultaneously to the Customs Authority for Advance Ruling as well, for which a hearing has already been held, and a ruling is expected soon.

6.6 Accordingly, we observe that the Bill of Entry raised at the time of import of the said goods would contain the classification code of the respective imported goods. If the importer disagrees with the same, or requires a clarification in relation to the same, we are of the opinion that the Customs Authority for Advance Ruling is the proper forum to be approached. Whereas, this forum, i.e., the Authority for Advance Ruling, Tamilnadu constituted under the provisions of the concerned State Goods and Services Tax Act, is empowered to answer queries only relating to GST, and only on outward supply of goods or services or both carried out by the applicant and not in respect of the inward supplies received by the applicant. Therefore the view that the Customs Authority for Advance Ruling is the proper forum to address the query raised by the applicant in the instant case, stands vindicated.

6.7 Notwithstanding the above, a perusal of the Ruling passed by the Customs Authority for Advance Rulings, Mumbai vide No. CAAR/Mum/ARC/43/2025-26 dated 04.07.2025, reveals that tariff classification of goods has been provided for, in respect of all the components/parts imported in the instant case under the aforesaid ruling pronounced by the Customs Authority for Advance Ruling, Mumbai. Further, when the Members specifically enquired as to whether the said ruling specifies the classification codes for all the parts/components imported by them during the personal hearing held on 24.07.2025, the authorised representative of the applicant stated that the same has been answered, and that the query raised in the instant case stands settled now.

6.8 We are therefore, of the considered opinion that the application for advance ruling filed by the applicant in the instant case is not liable for admission, as the query raised therein, fall outside the scope of 'Advance Ruling', as defined under Section 95(a) of the CGST Act, 2017.

7. In view of the above, we rule as under:


Ruling

The application for advance ruling filed by the applicant is not admitted, as the query raised therein, fall outside the scope of 'Advance Ruling', as defined under Section 95(a) of CGST/TNGST Acts, 2017.



(B. Suseel Kumar)
Member (SGST)





(C. Thiagarajan)
Member (CGST)

To

M/s. Sundaram Industries Private Limited,
A1-F3A, PCTR Division,
SIDCO Industrial Estate, Maraimalai Nagar,
Kancheepuram – 603 209.

(By RPAD)

Copy submitted to:

1. The Principal Chief Commissioner of GST and Central Excise,
26/1, Uthathamar Mahatma Gandhi Road,
Nungambakkam, Chennai 600 034.
2. The Commissioner of Commercial Taxes,
2nd Floor, Ezhilagam, Chepauk, Chennai 600 005.
3. The Commissioner of GST and Central Excise,
Chennai Outer Commissionerate,
Newry Towers, No.2054, I block,
II Avenue, 12th Main Road,
Anna Nagar, Chennai 600 040.

Copy to:

1. The Assistant Commissioner (ST),
Maraimalai Nagar Assessment Circle,
No.4/109, Second Floor,
Trunk Road, Chennai Bangalore Highway,
Varatharajapuram, Nazarathpet, Chennai – 600 123.
2. Stock File – A1