

**GOVERNMENT OF TAMIL NADU
COMMERCIAL TAXES DEPARTMENT
OFFICE OF THE COMMISSIONER OF COMMERCIAL TAXES
EZHILAGAM, CHENNAI- 600 005**

**PRESENT: Thiru M.A. SIDDIQUE I.A.S.,
PRINCIPAL SECRETARY/ COMMISSIONER OF STATE TAX**

**Circular No: 7/2021 – TNGST
(PP6/GST-15003/28/2021)**

Dated: 21.09.2021

Sub: Clarification regarding applicability of GST on supply of food in Anganwadis and Schools -reg.

Ref: CircularNo.149/05/2021-GST, dated 17.06.2021 issued by Ministry of Finance, Department of Revenue, Government of India, New Delhi

Representations have been received seeking clarification regarding applicability of GST on the issues as to whether serving of food in schools under Mid-Day Meals Scheme would be exempt if such supplies are funded by government grants and/or corporate donations. The issue was examined by GST Council in its 43rd meeting held on 28th May, 2021.

2. Entry 66 clause (b)(ii) of G.O. (Ms) No. 73, Commercial Taxes and Registration Department dated 29.06.2017 published in the Tamil Nadu Government Gazette, Extraordinary, in Issue No. 202 vide Notification No.II(2)/CTR/532(d-15)/2017, dated 29-06-2017 exempts *Services provided to an educational institution, **by way of catering**, including any mid-day meals scheme sponsored by the Central Government, State Government or Union territory.* This entry applies to pre-school and schools.

3. Accordingly, as per said entry 66, any catering service provided to an educational institution is exempt from GST. The entry further mention that such exempt service includes mid- day meal service as specified in the entry. The scope of this entry is thus wide enough to cover any serving of any food to a school, including pre-school. Further, an Anganwadi *interalia* provides pre-school non-formal education. Hence, aganwadi is covered by the definition of educational institution (as pre-school)

4. Accordingly, as per recommendation of the GST Council, it is clarified that services provided to an educational institution by way of serving of food (catering including mid- day meals) is exempt from levy of GST irrespective of its funding from government grants or corporate donations [under said

entry 66 (b)(ii)]. Educational institutions as defined in the notification include aganwadi. Hence, serving of food to aganwadi shall also be covered by said exemption, whether sponsored by government or through donation from corporates.

**Sd-/M.A.Siddique
Principal Secretary/
Commissioner of State Tax**

To

All the Joint Commissioners (ST) (Territorial) in the state including LTU

Copy to:

1. The Principal Secretary to Government, CT & R Department, Chennai - 600 009.
 2. All Additional Commissioners, O/o the CCT, Ezhilagam, Chennai - 600 005.
 3. The Joint Commissioner (CS) to host in the departmental website
 4. The Director, Commercial Tax Staff Training Institute, Chennai-6
 5. The Secretary, TNSTAT, Chennai 600 104.
 6. All the Joint Commissioners (ST) (Intelligence) in the state
 7. All the Deputy Commissioners (ST) in the State including intelligence
 8. All the heads of assessment circles
- Stock file

//Forwarded //by Order//

M.A.S.
23/09/21
Deputy Commissioner (P&P)

M.A.S.
23/09/21