

# BriskLumbini Apartment Resident Welfare Association

---

*Registered as a Society under Section 9(1) of the Haryana Registration and Regulation of Societies Act, 2012 vide Registration Certificate no. 0793 dated 20.05.2019*

CIRCULAR-No. 5 / 2020

11 Feb 2020

## GST on Maintenance Bills

Dear Owners of Flats and Residents of Brisk Lumbini Terrace Homes,

1. The law requires GST to be charged on maintenance bills. The law has provided an exemption (GST Circular No.109/28/2019 dated 22.7.2019) that a registered RWA need not charge GST on maintenance bills raised on its members up to Rs.7,500 per month.
2. **Please read again: The exemption is only for the members of the RWA. The law has not provided any exemption for those who are not members of the RWA.**
3. Haryana Registration and Regulation of Societies Act, 2012 and Rules framed thereunder have clearly defined who is a member of the registered RWA. The process of becoming a member of the RWA is also clearly defined in the said Act and Rules.
4. The law requires your Association to charge GST at the specified rate (currently 18%) on maintenance bills for those flat owners who are **NOT** members of your Association and also on maintenance bills of more than Rs.7,500 per month. These are government taxes payable by those flat owners to the government through the RWA.
5. After obtaining GST registration, your Association in due course will raise the official bill (Tax Invoice) to replace the ad hoc bill dated 01 February 2020. Your Association has repeatedly urged all flat owners to become members of your Association. More than half of the flat owners have become members and they will get formal maintenance bills (Tax Invoice) **without GST** in due course. Those who choose not to become members will get formal maintenance bills (Tax Invoice) **with 18% GST** as required by law.
6. Thus a flat owner who still chooses not to become a member of registered RWA will have to pay 18% GST every month (say, more than Rs.1,000 per month). Alternatively, he can properly fill the membership form (Form No. 10 as provided in the said Rules), pay the one-time membership fee of Rs.1,100, get admitted as a member under the said Act and get exempted from paying GST. Over the life of the flat, the savings from becoming a member and be exempted from paying GST will be several lakh rupees.

RWA President