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(Applicant - Manupatra Information Solutions Private Limited)

No GST exemption on online database, online books, newspapers, directories & non-educational journals:

Held that:

1. We find that the nil rate of tax is applicable only on supply of online educational journals or periodicals under Serial No. 66(b)(v) of the notification no. 12/2017-Central Tax (Rate) dated

28th June 2017 as amended and the said entry does not cover supply of E-books, Newspapers, directories and non-educational journals or periodicals.

2. We find that the invoices issued by the applicant to different educational institutions (as detailed in Para 8 above) have mention of description 'Annual Subscription Online Database' and the same have no mention of "online educational journals or periodicals". As such, the applicant is collecting a subscription fee which is nothing but the fee charged to gain access to the data available in the database and to download the articles or information. The said invoices are not in respect of supply of online educational journals or periodicals.

3. We proceed to examine the terms database, journal and periodical. The dictionary meaning of

the aforesaid terms are as under-

(1) As per Cambridge dictionary, database is large amount of information stored in a computer system in such a way that it can be easily looked at or changed.

(2) As per Britannica.com, database, is any collection of data, or information, that is specially organized for rapid search and retrieval by a computer.

(3) As per Cambridge dictionary, journal is a serious magazine or newspaper that is published regularly about a particular subject.

(4) As per Collinsdictionary.com, a journal is a magazine, especially one that deals with a specialised subject.

(5) As per Cambridge dictionary, periodical is a magazine or newspaper, especially on a serious subject, that is published regularly.

6) As per Collinsdictionary.com, periodicals are magazines, especially serious or academic ones, that are published at regular intervals.

Conclusion:

Database and journals or periodicals are different thing and exemption is not available to online database, online books, newspapers, directories and non-educational journals under Serial No. 66(b)(v) of the notification no. 12/2017-Central Tax (Rate) dated 28th June 2017.