

Indirect Taxes

1. In the case before the Hon'ble CESTAT, the CESTAT determined the significance of phase 'inclusive of taxes' in an agreement. The Hon'ble CESTAT held that the phase simply means that there would be no further rise in value of contracts in case any demands stands raised against service provider and it does not mean that 'service tax' stands collected from service recipient so as to be payable under section 73A. [**Shirdi Sai Electricals Ltd. v. Commissioner of Central Excise, Customs & Service Tax, APPEAL NO. ST/21729/2014-DB, JANUARY 6, 2015**]