IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL, NEW DELHI PRINCIPAL BENCH, COURT NO. III

Service Tax Appeal No. ST/965/2010-ST[DB]
[Arising out of Order-In-Appeal No. 115(DK)ST/JPR-I/2010 dated 07.04.2010 passed by CCE Jaipur-I]

For approval and signature:
Hon'ble Mr. S.K. Mohanty, Member (Judicial)
Hon'ble Mr. B. Ravichandran, Member (Technical)

M/s. Sky Blue Dry Cleaners & Laundry ...Appellant

Vs.

C.C.E. Jaipur-I …Respondent

Appearance:
Ms. Rinki Arora (Advocate) for the Appellant
Mrs. Neha Garg, DR for the Respondent

CORAM:
Hon'ble Mr. S.K. Mohanty, Member (Judicial)
Hon'ble Mr. B. Ravichandran, Member (Technical)

Date of Hearing/ Decision.02.01.2017

Final Order No. 52110 /2017

Per S.K. Mohanty:

Demand of service tax on dry cleaning service is the subject matter of present dispute.

2. Heard both the sides and perused the records.

3. The term 'dry cleaning' has been defined in clause (31) of Section 65 of the Finance Act, 1994. Consequent upon levy of service tax on such service w.e.f. 16.07.2002, the CBEC vide Circular F. No. B.11/1/2002-TRU dated 01.08.2002 has clarified that service tax is leviable only on dry cleaning and not on wet cleaning/ washing, which has to be specifically mentioned in the

bills issued by the dry cleaner. It has further been clarified that if details are not mentioned in the bill, it would be understood that clothes have been dry cleaned and in such situation, service tax is liable to be paid.

4. We have perused the copies of bills submitted by the appellant. We find that the same were not issued for wet cleaning/ washing of clothes. Thus, in our opinion, the services provided by the appellant are confirming to the 'dry cleaning service', on which service tax is leviable as per the statutory provisions read with the above circular issued by the CBEC.

5. Therefore, we do not find any merits in the appeal filed by the appellant and accordingly, the same is dismissed.

(Dictated and pronounced in the open court)

(**B. Ravichandran**)
Member(Technical)

(**S. K. Mohanty**)
Member (Judicial)

Neha