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RAJASTHAN AUTHORITY FOR ADVANCE RULING
GOODS AND SERVICES TAX

ROOM NO. 208, KAR BHAWAN, AMBEDKAR CIRCLE, BHAWANI SINGH ROAD, C-SCHEME JAIPUR – 302005 (RAJASTHAN)

ADVANCE RULING NO. RAJ/AAR/2026-27/17

Mahipal Singh Additional Commissioner	:	Member (Central Tax)
Dr. Akhedan Charan Additional Commissioner	:	Member (State Tax)
Name and address of the applicant	:	M/s RUKHM INDUSTRIES LIMITED, CHAK NO. 2, K.N. 25/13, 25/15, 25/24, 25/22 KUL RAKBA 43.00 BIGHA, JODHPUR, Rajasthan-342307
GSTIN of the applicant		08AALCR1539F1ZA
Clause(s) of Section 97(2) of CGST/SGST Act, 2017, under which the question(s) raised	:	(a)Classification of goods and/or services or both (b) Applicability of a notification Issued under the provisions of the Act (e) determination of the liability to pay tax on any goods or services or both
Date of Personal Hearing	:	04.08.2026 and 13.08.2026
Present for the applicant	:	Nikhil Mohan Jhanwar (C.A.), Jatin Koolwal (Adv.)
Date of Ruling	:	25.08.2026

1. केंद्रीय वस्तु एवं सेवा कर अधिनियम, 2017 तथा राजस्थान वस्तु एवं सेवा कर अधिनियम, 2017 (जिन्हें आगे क्रमशः 'सीजीएसटी अधिनियम' एवं 'आरजीएसटी अधिनियम' कहा गया है) की धारा 102 के अनुसार, इस अग्रिम निर्णय में अभिलेख पर प्रत्यक्ष रूप से विद्यमान किसी त्रुटि के सुधार हेतु प्राधिकरण द्वारा संशोधन किया जा सकता है, यदि ऐसी त्रुटि आदेश की तिथि से छह माह की अवधि के भीतर स्वयं प्राधिकरण के संज्ञान में आए अथवा आवेदक, संबंधित अधिकारी अथवा क्षेत्राधिकार अधिकारी द्वारा उसके संज्ञान में लाई जाए। तथापि ऐसा कोई संशोधन, जिससे कर देयता में वृद्धि हो अथवा अनुमन्य इनपुट टैक्स क्रेडिट में कमी हो, आवेदक/अपीलकर्ता को सुनवाई का अवसर प्रदान किए बिना नहीं किया जाएगा।

1. In terms of Section 102 of the Central Goods and Services Tax Act, 2017 and the Rajasthan Goods and Services Tax Act, 2017 (hereinafter referred to as the CGST Act and the RGST Act respectively), this Advance Ruling may be amended by the Authority for Advance Ruling so as to rectify any error apparent on the face of the record, if such error is noticed by the Authority on its own motion or is brought to its notice by the applicant or the concerned officer or the jurisdictional officer within a period of six months from the date of the order. Provided that no rectification which has the effect of enhancing the tax liability or reducing the amount of admissible input tax credit shall be made unless the applicant or the appellant has been given an opportunity of being heard.

2. सीजीएसटी अधिनियम, 2017 एवं आरजीएसटी अधिनियम, 2017 की धारा 103(1) के अनुसार, अध्याय XVII के अंतर्गत दिया गया यह अग्रिम निर्णय केवल निम्नलिखित पर बाध्यकारी होगा: (क) उस आवेदक पर जिसने अधिनियम की धारा 97(2) में उल्लिखित विषय के संबंध में अग्रिम निर्णय प्राप्त किया है; तथा (ख) उक्त आवेदक के संबंध में संबंधित अधिकारी अथवा क्षेत्राधिकार अधिकारी पर।

2. Under Section 103(1) of the CGST Act, 2017 and the RGST Act, 2017, this Advance Ruling pronounced under Chapter XVII of the Acts shall be binding only: (a) on the applicant who had sought it in respect of any matter referred to in Section 97(2) of the Acts; and (b) on the concerned officer or the jurisdictional officer in respect of the applicant.

3. सीजीएसटी अधिनियम, 2017 एवं आरजीएसटी अधिनियम, 2017 की धारा 103(2) के अनुसार, यह अग्रिम निर्णय तब तक बाध्यकारी रहेगा जब तक कि उस निर्णय के आधारभूत विधिक प्रावधान, तथ्य अथवा परिस्थितियों में कोई परिवर्तन न हो जाए।

3. In terms of Section 103(2) of the CGST Act, 2017 and the RGST Act, 2017, this Advance Ruling shall be binding unless the law, facts or circumstances supporting the original ruling have changed.

4. सीजीएसटी अधिनियम, 2017 एवं आरजीएसटी अधिनियम, 2017 की धारा 104(1) के अनुसार, यदि प्राधिकरण यह पाता है कि आवेदक ने धोखाधड़ी, महत्वपूर्ण तथ्यों के दमन अथवा तथ्यों के मिथ्या प्रतिपादन द्वारा यह अग्रिम निर्णय प्राप्त किया है, तो वह आदेश द्वारा ऐसे निर्णय को प्रारंभ से ही शून्य (Void ab initio) घोषित कर सकता है और ऐसी स्थिति में अधिनियमों तथा उनके अधीन बनाए गए नियमों के सभी प्रावधान आवेदक पर ऐसे लागू होंगे मानो यह अग्रिम निर्णय कभी दिया ही नहीं गया हो।

4. Under Section 104(1) of the CGST Act, 2017 and the RGST Act, 2017, where the Authority finds that the Advance Ruling has been obtained by the applicant by fraud or suppression of material facts or misrepresentation of facts, it may, by order, declare such ruling to be void ab initio and thereupon all the provisions of the Acts or the Rules made thereunder shall apply to the applicant as if such Advance Ruling had never been made.

5. इस अग्रिम निर्णय के विरुद्ध अपील, सीजीएसटी अधिनियम, 2017 एवं आरजीएसटी अधिनियम, 2017 की धारा 100 के अंतर्गत राजस्थान अपीलीय अग्रिम निर्णय प्राधिकरण (Appellate Authority for Advance Ruling, Rajasthan) के समक्ष प्रस्तुत की जाएगी। ऐसी अपील निर्णय की सूचना आवेदक, संबंधित अधिकारी अथवा क्षेत्राधिकार अधिकारी को प्राप्त होने की तिथि से तीस दिनों के भीतर प्रस्तुत की जानी होगी। यदि अपीलीय प्राधिकरण यह संतुष्ट हो कि अपीलकर्ता पर्याप्त कारणों से उक्त अवधि के भीतर अपील प्रस्तुत नहीं कर सका, तो वह अधिकतम अतिरिक्त तीस दिनों की अवधि तक विलंब को क्षम्य करते हुए अपील स्वीकार कर सकता है।

5. Any appeal against this Advance Ruling shall lie before the Appellate Authority for Advance Ruling, Rajasthan, in terms of Section 100 of the CGST Act, 2017 and the RGST Act, 2017. Such appeal shall be filed within **thirty days** from the date on which the ruling is communicated to the applicant, the concerned officer or the jurisdictional officer, as the case may be. The Appellate Authority may, if satisfied that the appellant was prevented by sufficient cause from presenting the appeal within the said period of thirty days, allow it to be presented within a further period not exceeding **thirty days**.

The issue raised by M/s RUKHM INDUSTRIES LIMITED, CHAK NO. 2, K.N. 25/13, 25/15, 25/24, 25/22 KUL RAKBA 43.00 BIGHA, JODHPUR, Rajasthan-342307 (hereinafter *"the applicant"*) is fit to pronounce advance ruling as they have deposited prescribed Fee under CGST Act and it falls under the ambit of the Section 97(2) given as under:

(a)Classification of goods and/or services or both

(b) Applicability of a notification Issued under the provisions of the Act

(e) determination of the liability to pay tax on any goods or services or both

A. <u>SUBMISSION OF THE APPLICANT (in brief):-</u>

Brief facts of the case:

- M/s Rukhm Industries Limited, VILL Bhojo Ki Bap, Chak No. 2, Road/Street: K.N. 25/13, 25/15, 25/24, 25/22 Kul Rakba 43.00 Bigha, District: Jodhpur Pin-342307 (hereinafter referred to as the 'Applicant') is registered under GST having GSTIN 08AALCR1539F1ZA.
- The Applicant is a Public Limited Company and engaged in manufacturing and sale of Psyllium Husk from Psyllium Seeds. Now, owing to the demands and customer base, the Applicant intends to start trading business of purchase and sale of raw and fresh Psyllium seeds, commonly known as Isobgul. The Psyllium seeds shall be procured from farmers through auctions conducted by Agricultural Produce Market Committees (APMCs)/ Krishi Upaj Mandi Samiti (KUMS) directly or through subsequent traders in the same form and condition. The Applicant proposes to further sell /supply such fresh Psyllium seeds (Isobgul) in the market to the intended customers viz. Manufacturing Units/Traders etc. The Applicant states that the Psyllium seeds shall be purchased and sold without undertaking any processing, drying or value addition to these seeds. The Applicant is also having its additional place of business which is also duly registered under the Goods and Services Tax Law bearing same GSTIN. The Applicant may purchase and sell these fresh Psyllium seeds from either principal place of business or any additional place(s) of business.
- The Applicant proposes to undertake the following activities for purchase and sale of fresh Psyllium seeds in the ordinary course of business:

  i. Psyllium seeds (Isobgul) are procured from farmers through auctions conducted by Agricultural Produce Market Committees (APMCs) / Krishi Upaj Mandi Samiti (KUMS) directly or through subsequent traders in the same form and condition. The farmers undertake only threshing, i.e. separation of seeds from the plant, without causing any change in the form, character or composition of the seeds and in the same form it will be purchased and further sold by the Applicant.

  ii. After procurement, the seeds are stored in godowns in the same condition, without undertaking any processing activity or drying.

  iii. The said Psyllium seeds (Isobgul) are thereafter supplied, without processing, to traders or customers.

  iv. The commodity proposed to be supplied is raw and fresh Psyllium seeds (Isobgul), being an agricultural produce.

v. At no stage, whether prior to procurement from farmers or prior to subsequent supply to traders/customers, are the Psyllium seeds (Isobgul) subjected to any process, treatment or value addition including drying.

vi. No activity such as cleaning, sorting, grading, roasting, drying, freezing or any other process is undertaken which may alter the form, character or essential nature of the seeds.

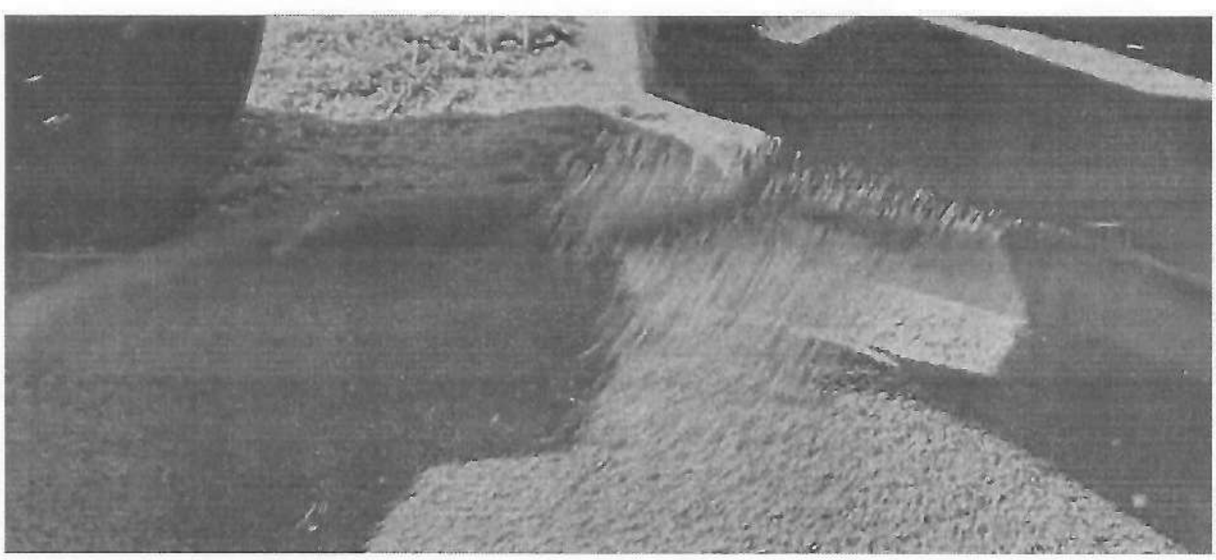
vii. Accordingly, the seeds remain in their original harvested condition from the stage of procurement through KUMS/APMC up to the point of supply to customers.

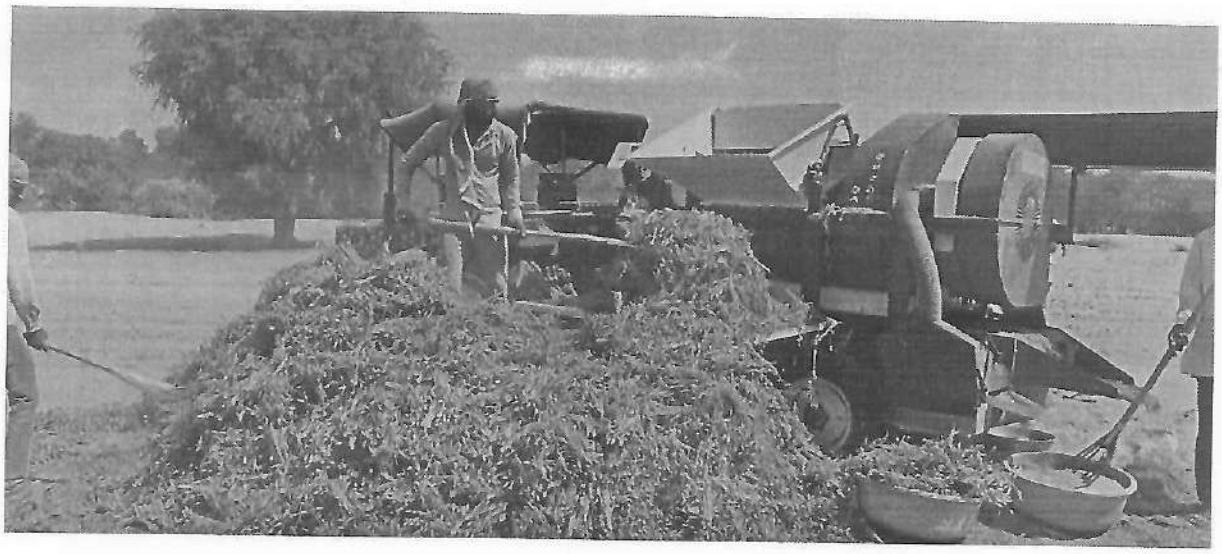
viii. In common trade parlance and agricultural practice, the commodity is known and dealt with simply as "Isobgul seeds".

- The indicative images of the Psyllium seeds procured from farmers/cultivators are as under:

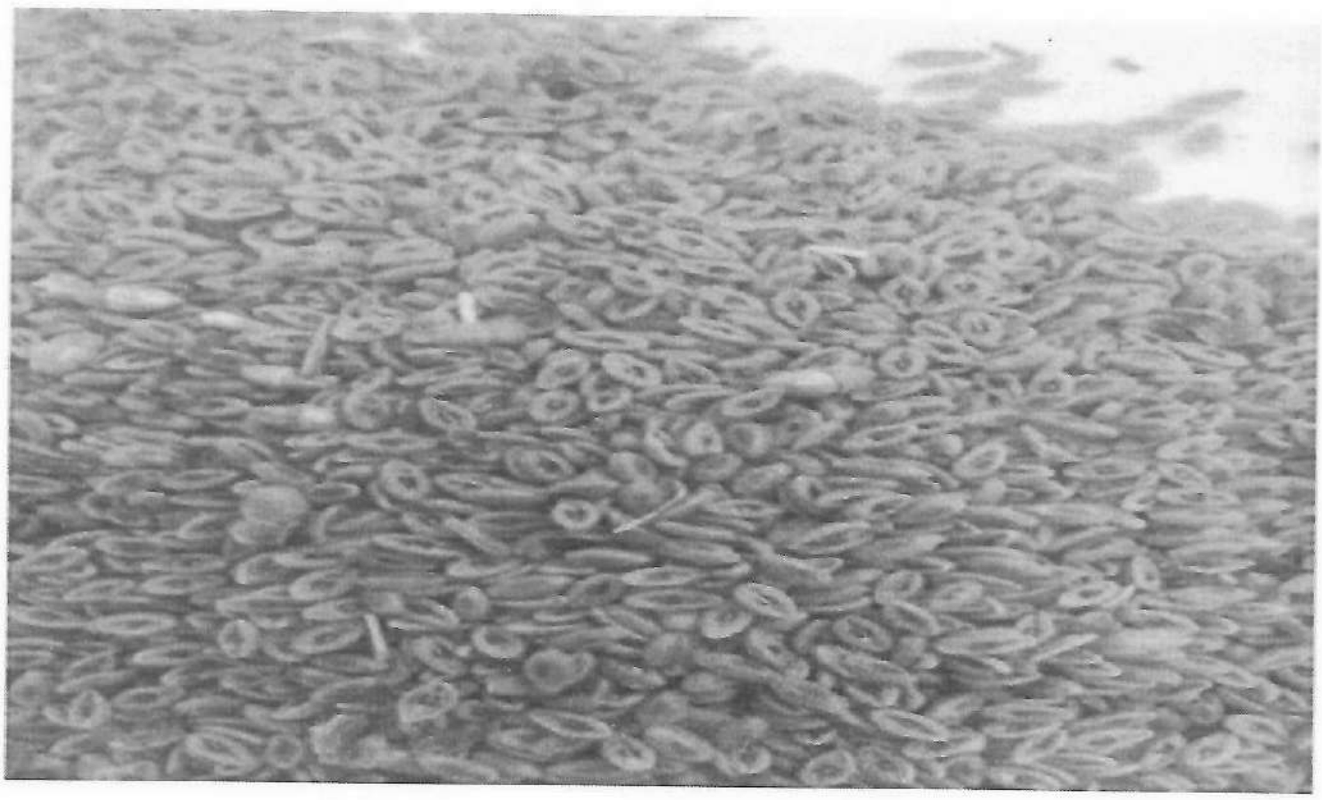
Psyllium Seeds Plant

Psyllium Seeds Threshing





Psyllium Seeds



- Psyllium seeds (Isobgul) are plants or parts of plants (including seeds) used primarily in pharmacy as the seeds constitute the source material for extraction of Psyllium husk which is a recognized pharmaceutical and nutraceutical ingredient. As per the Applicant, such seeds are exempted under Sr. No.87 of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025. Further, Psyllium seeds (Isobgul) are "goods of seed quality" which are capable of germination and sowing which would also qualify for exemption as per Sr. No.77 of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025.

B. <u>INTERPRETATION AND UNDERSTANDING OF APPLICANT ON QUESTION RAISED (IN BRIEF)</u>

The Applicant understands that Psyllium Seeds (Isobgul*)* is classifiable under Chapter 12 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) ("herein after referred to as "Customs Tariff") which covers oil seeds, miscellaneous grains, seeds and fruits; industrial or medicinal plants. Specifically, Psyllium seeds (Isobgul) are covered under Tariff item 12119013 of Customs Tariff. The Tariff Item reads as below:

<u>Heading 1211 as per the First Schedule to the Customs Tariff Act, 1975 (51 of 1975)</u>

1211 PLANTS AND PARTS OF PLANTS (INCLUDING SEEDS AND FRUITS), OF A KIND USED PRIMARILY IN PERFUMERY, IN PHARMACY OR FOR INSECTICIDAL, FUNGICIDAL OR SIMILAR PURPOSE, FRESH, CHILLED, FROZEN OR DRIED, WHETHER OR NOT CUT, CRUSHED OR POWDERED

1211 20 00 - Ginseng roots

1211 30 00 - Coca leaf

1211 40 00 - Poppy straw

1211 50 00 - Ephedra

1211 60 00 - Bark of African cherry (Prunus africana)

1211 90 - Other :

--- Seeds, Kernel, Aril, Fruit, Pericarp, Fruit rind, Endosperm, Mesocarp, Endocarp :

1211 90 11 ---- Ambreue seeds

1211 90 12 ---- Nuxvomica, dried ripe seeds

1211 90 13 ---- Psyllium seed (Isobgul)

- The Applicant submits that classification under Customs Tariff is relevant for determining the classification under GST law as per S. No. (a)(iii) of the Explanation appended in the Notification No. 10/2025 (CGST Rate) dated 17.09.2025. The said explanation is reproduced hereunder:

  Explanation. - For the purposes of this Schedule, -

  (a) the expressions, -

  (iii) "tariff item", "sub-heading" "heading" and "Chapter" shall mean respectively a tariff item, heading, sub-heading and Chapter as specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);

  Hence, having specific entry for Psyllium seeds under Chapter 12, such seeds squarely fall under this Chapter Heading 1211.

- Now coming to the taxability of such Psyllium seeds under GST, the Applicant submits that Entry No. 87 of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 is relevant. Entry No.87 (covering HSN 1211) reads as *'Plants and parts of plants (Including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or chilled,* the relevant Entry No. 87 is reproduced hereunder:

  Notification No.10/2025 (CT Rate) dated 17.09.2025

  In exercise of the powers conferred by sub-section (1) of section 11 of the Central Goods and Services Tax Act, 2017 (12 of 2017), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 02/2017-Central Tax (Rate), dated the 28th June, 2017 published in *the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 674(E), dated the 28th June, 2017, except as respects things done or omitted to be done before such supersession, the Central Government, being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, hereby exempts intra-State supplies of goods, the description of which is specified in column (3) of the Schedule appended to this notification, falling under the tariff item, sub-heading, heading or Chapter, as the case may be, as specified in the corresponding entry in column (2) of the said Schedule, from the whole of the central tax leviable thereon under section 9 of the Central Goods and Services Tax Act, 2017 (12 of 2017).*

S. No.	***Chapter/ Heading/ Sub-heading/ Tariff item***	***Description of goods***
87.	*1211*	*Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or chilled*

- The Ministry of Finance, Government of India vide FAQ F.No.332/2/2017-TRU issued in December, 2017 clarified that Isobgul seeds are classifiable under heading 1211 and fresh Isobgul seeds attract NIL rate of GST. The relevant extracts of FAQ is as under:

S. No.	**Queries**	**Replies**
		flesh of coconut used for the expression of coconut oil (1203). 2. Copra falls under heading 1203 and attracts 5% GST.
14.	What is the HS code and GST rate for tamarind kernel?	1. Tamarind kernel of seed quality attracts Nil GST, whereas 2. Tamarind kernel of other than seed quality attracts 5% GST.
15.	What is the HS code and the GST rate for Isabgol seeds?	1. Isabgol seeds fall under heading 1211. 2. Fresh Isabgol seeds attract Nil GST. 3. Dried or frozen Isabgol seeds attract 5% GST.

Hence, it establishes the intent of the Government also to exempt Fresh Psyllium Seeds from GST.

- Psyllium seeds (Isobgul) are traded as it is, after being harvested, in the same form (fresh form) without any further categorization or drying. Hence, seeds supplied in natural, unprocessed form always remain fresh.

a) Hence, the Psyllium Seeds falling under HSN 1211 qualifies for exemption as these seeds are fresh produce and proposed to be supplied in the same state as harvested without undergoing any drying or freezing process. In present case, no artificial drying like sun drying or mechanical drying or freezing process is proposed to be carried out. Furthermore, the Applicant submits that these psyllium seeds are used for manufacturing of Psyllium husk which is used for pharmacy purposes for stomach related treatment. The Psyllium husk/Psyllium Husk Powder is recognized and used as a natural laxative in the market.

b) It becomes pertinent to ascertain the meaning of 'fresh agricultural produce' in common parlance. In common parlance, 'fresh agricultural produce' refers to raw, unprocessed food items derived from farming, primarily including fresh fruits, vegetables, and root crops that have not been dried, frozen, or heavily processed. As per Oxford Learner's dictionary, 'fresh produce' refers to farm-grown food items that are recently picked or produced and have not been preserved, such as through freezing or canning.

c) The CBIC in Para 3.2. of Circular No.163/19/2021-GST dated 06.10.2021 in the context of fresh nuts (almond, walnut, hazelnut, pistachio etc.) falling under heading 0801 and 0802 clarified as under:

3.2 At present, fresh nuts (almond, walnut, hazelnut, pistachio etc.) falling under heading 0801 and 0802 are exempt from GST, while dried nuts under these headings attract GST at the rate of 5%/ 12%. The general Explanatory Notes to chapter 08 mentions that this chapter covers fruit, nuts intended for human consumption. They may be fresh (including chilled), frozen (whether or not previously cooked by steaming or boiling in water or containing added sweetening matter) or dried (including dehydrated, evaporated or freeze-dried). Thus, HS chapter differentiates between fresh, frozen and dried fruits and nuts. ***Fresh fruit and nuts would thus cover fruit and nuts which are meant to be supplied in the state as plucked. They continue to be fresh even if chilled.*** *However, fruit and nuts do not qualify as fresh, once frozen (cooked or otherwise), or intentionally dried to dehydrate including through sun drying, evaporation or freezing, for supply as dried fruits or nuts. It may be noted that in terms of note 3 to Chapter 8, dried fruits, even if partially re-hydrated, or subject to preservation say by moderate heat treatment, retain the character of dried fruits or dried nuts.*

d) Thus, applying same analogy, the Psyllium seeds (Isobgul) remain in fresh state till any further process carried out.

- Psyllium seeds (Isobgul) are plants or parts of plants (including seeds) used primarily in pharmacy as the seeds constitute the source material for extraction of Psyllium husk which is a recognized pharmaceutical and nutraceutical ingredient. Further, Psyllium seeds (Isobgul) are agricultural produce derived from the plant *Plantago ovata*. The said seeds are cultivated by farmers as a seasonal agricultural crop and are harvested in seed form upon maturity.

- Upon maturity of the crop, the plants are harvested from the field and the seeds are separated by threshing, which is merely a post-harvest agricultural activity for separating the seeds from the plant material. The material obtained at this stage is raw Psyllium seeds (Isobgul). Such seeds continue to retain their natural botanical identity and physical form, and are therefore supplied as agricultural produce without any change in their essential character.

- It is submitted that although "agricultural produce" is not separately defined under the CGST Act, 2017 or under Notification No. 10/2025-Central Tax (Rate) dated 17.09.2025. However, the said expression can be understood from the definition of "Agricultural produce" defined in Notification No. 11/2017-C.T. (Rate) and 12/2017-C.T. (Rate), both dated 28-6-2017 as under:
  "Agricultural produce" means any produce out of cultivation of plants and rearing of all life forms of animals, except the rearing of horses, for food, fibre, fuel, raw material or other similar products, on which either no further processing is done or such processing is done as is usually done by a cultivator or producer which does not alter its essential characteristics but makes it marketable for primary market.

- From the above definition of 'Agricultural Produce', it appears that the processing does not alter the essential characteristics of such produce and the said initial processing is essential to make the produce marketable at the primary stage of marketing. In the instant case, the primary stage of marketing is the selling of such psyllium seeds (Isobgul) through APMC/KUMS by the farmers/cultivators. The process of harvesting and threshing are undertaken at the farmer stage and under this process farmers remove the whole plant from the field and the harvested plants are subjected to threshing, whereby seeds are separated from the spikes, straw and dust. This is the only activity which is to be carried out by the farmers at the Farm House/Field and the subjected psyllium seeds (Isobgul) are brought out in the APMC/KUMS for selling which is intended to be procured by the Applicant directly or through subsequent traders in the same form and condition.

- Upon completion of threshing, the psyllium seeds (Isobgul) are placed in gunny bags in the identical form in which they are severed from the plant, and are conveyed by the cultivators to the APMC/KUMS mandi for disposal by public auction. As on the date of such disposal, the said seeds are entire and unbroken, carry their inherent moisture, and have not undergone dehydration, refrigeration, sorting by grade, roasting, polishing, pulverisation, or any other treatment, whether chemical or mechanical in nature. The Applicant intends to purchase fresh Psyllium seeds (Isobgul) from farmers through the APMC/KUMS auction mechanism directly or through subsequent traders in the same form and condition. Hence, the Applicant submits that Psyllium seeds are exempted under Sr. No.87 of Notfn.No.10/2025-Central Tax (Rate) dated 17.09.2025 as discussed above.

- Further, on same facts, the **'Gujarat Authority for Advance Ruling Goods and Service Tax'** vide Advance Ruling No. GUJ/GAAR/R/2026/21 dated 29.05.2026 reported at **2026-VIL-115-AAR** in the case of **M/s Jignesh Kumar Narayandas Patel**

(Trade Name: Akshar Traders) has pronounced the ruling that the Psyllium seeds (Isobgul) are exempted under Entry No. 87 of (HSN 1211) of Notification No. 10/2025 dated 17.09.2025 as "Plants and Parts of Plants" (including Seeds and Fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or chilled. **Copy of AAR is enclosed and marked as Annexure-4.** The relevant portion of the 'Ruling' is given hereunder:

*"25. We find that the aforementioned Notification covers a comprehensive list of products/items which are exempt from GST. On going through the aforementioned Notification, we find that there are two entries i.e. Entry No.77 which reads as "All goods of seed quality" covering Chapter 12 and the other is Entry No.87 covering heading 1211 and reads as "Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or chilled". As discussed earlier, the product 'Psyllium seeds' is part, of plant (seed) and is used in pharmacy for the production of 'Isobgul'. Moreover, the said seeds are also **'fresh'** as discussed in paras supra. Further, Entry No.77 is a general entry covering all goods of seed quality of Chapter 12 whereas Entry No.87 is a specific entry covering products of heading 1211 only and aptly covers 'Psyllium seeds'. Hence, we find and conclude that "Psyllium seeds" aptly covered under Entry No.87 of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 and are liable to NIL GST.*

26. In view of the above, we rule as under: -

<u>RULING</u>

Q.1. Whether Psyllium Seeds (Isobgul) supplied in their natural, raw and unprocessed form as procured through Agricultural Produce Market Committee (APMC) auctions directly from farmers, without undergoing any drying, freezing, crushing or other processing qualifies as 'fresh" Isobgul seeds and are exempted under Entry 87 (HSN 1211) of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 as "Plants and parts of plants (including seeds and, fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or "chilled"?

A.1. Yes. Psyllium Seeds (Isobgul) supplied in their natural, raw and unprocessed form as procured through Agricultural Produce Market Committee (APMC) auctions directly from farmers, without undergoing any drying, freezing, crushing or other processing qualifies as 'fresh" Isobgul seeds and are exempted under Entry 87 (HSN 1211) of Notification No. 10/2025-Central Tax (Rate) dated 17.09.2025 as "Plants and parts of plants (including seeds and fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or "chilled."

Q.2. Alternatively, whether Psyllium Seeds (Isobgul) as discussed above qualifies as "goods of seed quality" and are exempt from GST under Entry 77 (HSN 12) of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025?"

A.2. No, in view of answer to Question 1.

Rajasthan Authority for Advance Ruling Recognizes Psyllium as a Medicinal Plant Used in Pharmacy

- The Applicant further submits that the Rajasthan Authority for Advance Ruling, in **Advance Ruling No. RAJ/AAR/2020-21/02 dated 06 May 2020** in the case of **M/s Sarda Bio Polymers Pvt. Ltd.** reported at **2020-VIL-138-AAR** while examining the classification of Psyllium Husk Powder, has made important observations regarding the botanical nature and predominant use of Psyllium which is directly relevant for interpreting Entry No. 87 of Notification No. 10/2025-Central Tax (Rate).
- While analysing the product, the Authority first examined the meaning and commercial understanding of the expression "Psyllium". Referring to standard reference sources, the Authority observed that Psyllium (commonly known as Isobgul) belongs to the genus *Plantago* and that its seeds are commercially used for the production of mucilage. The Authority further noticed that Psyllium is extensively recognised for its medicinal properties and is widely used as a natural dietary fibre and laxative. After considering the botanical literature and dictionary meanings, the Authority recorded the following finding:
"Psyllium (commonly known as Isobgul) is a plant whose parts such as seeds and others are used to prepare pharmacy products, especially laxative medicines."

- Hence, your honour, has recognised in your previous ruling that Psyllium is a medicinal plant and that its seeds constitute the source material for pharmaceutical preparations. This finding directly supports the Applicant's contention that Psyllium Seeds answer the statutory description of goods "of a kind used primarily in pharmacy" occurring in Entry No. 87. The relevant portion of the 'Ruling' is given hereunder:-

5. Findings, Analysis and Conclusion:

- *While going through the submissions, we observe that the applicant is engaged in manufacture of Psyllium Husk Powder from Husk of Psyllium in Pali, Rajasthan and has sought advance ruling to ascertain whether rate of GST on supply of Psyllium Husk Powder.*

What is Psyllium?

As per Wikipedia,

Psyllium /'sɪliəm/, or ispaghula (Isobgul) / ɪspə'gu:lə/, is the common name used for several members of the plant genus Plantago whose seeds are used commercially for the production of mucilage. Psyllium is mainly used as a dietary fiber.

Collins Dictionary defines Psyllium as

a grain, Plantago psafra, the husks of which are used medicinally as a laxative and to reduce blood cholesterol levels.

From the above definitions we found that Psyllium (commonly known as Isabghol) is a plant whose parts such as seeds and others are used prepare some Pharmacy products especially laxative medicines.

Alternatively, the Psyllium seeds (Isobgul) is also exempted from GST in terms of Sr.No.77 of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025.

- Further, as per Notification No.10/2025-Central Tax (Rate) dated 17.09.2025, Entry No.77 (covering HSN 12) reads as 'All goods of seed quality' exempts the product from GST. The relevant Entry No. 77 is reproduced hereunder:

S. No.	Chapter/ Heading/ Sub-heading/ Tariff item	Description of goods
77.	12	All goods of seed quality

- The term 'goods of seed quality' is generally understood to refer to seeds that are viable, capable of germination and suitable for sowing or cultivation and such goods retain their basic character as planting material. In the present case, the psyllium seeds supplied are in their natural, unprocessed form and are capable of germination, hence, they also fall within the scope of 'goods of seed quality.' Therefore, Psyllium seeds (Isobgul) which are capable of germination and can be supplied in seed form as harvested from farmers would also qualify for exemption as per Sr.No.77 of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025. In view of above facts and legal position discussed above, the Applicant is of the firm view that the Psyllium seeds (Isobgul) is exempt from GST falling under Sr.No.87 and Sr. No. 77 of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025.

Additional Submission: -

1. The Applicant submitted in tabular format the flowchart of cultivation of Isobgul seeds to its subsequent proposed sale by the Applicant.

Flow of Psyllium Seeds (Isobgul) from Cultivation to Subsequent Trading

S. No.	Stage	Activity undertaken	Condition of Psyllium Seeds	Processing / Value Addition
1	Cultivation & Harvesting	Isobgul crop is cultivated by farmers in agricultural fields. The mature Isobgul crop is harvested by the farmers.	Seeds remain naturally contained in the mature crop. Harvested crop contains the plant material along with the seeds.	No processing.
2	Threshing	Farmers undertake threshing only for separating the Psyllium seeds from the harvested plant.	Whole Psyllium seeds are separated from the plant in their original form.	Mere separation of seeds; no change in form, character,

				composition or essential nature.
3	Packing by farmers	The separated seeds are packed in bags for transportation to the agricultural market.	Seeds remain raw, whole and unprocessed.	No cleaning, sorting, grading, roasting, drying or other treatment.
4	Transportation and Arrival at mandi	The produce is brought into the notified mandi and entered in the mandi records.	Commodity is identified and dealt with as "Isobgul seeds".	No processing or value addition by the APMC/KUMS.
5	Display and inspection	Open Lots of Psyllium seeds are presented before licensed traders or purchasers for inspection.	Seeds continue to remain whole, raw and unprocessed.	Mere inspection does not alter the seeds.
6	Auction in APMC/KUMS	Psyllium seeds are sold through auction conducted or regulated by the APMC/KUMS.	The subject matter of auction is Psyllium seeds in the same condition as procured from farmers.	No cleaning, grading, drying or processing is undertaken for the auction.
7	Transportation to godown	The purchased seeds are transported from the mandi to the applicant's godown.	Seeds remain packed and in the same condition as at the time of auction.	No processing during transportation.
8	Storage in godown	The Psyllium seeds are stored in the godown pending subsequent sale. These Godowns are just normal godowns without any special facilities required.	Seeds are stored in the same condition in which they were procured.	No drying, cleaning, sorting, grading, roasting, freezing or any other processing is undertaken.
9	Sale to traders/ customers	The stored Psyllium seeds are proposed to be supplied to traders or customers for further trading or use.	The commodity supplied continues to be whole and unprocessed "Isobgul seeds".	No processing, treatment or value addition before supply.

2. On the basis of above Table, the Applicant re-iterated the following:

   i. **No process undertaken on the Product:** The Applicant proposes to procure the seed through APMC/KUMS auctions in the very condition in which the cultivator brings it to the mandi, and supplies it onward to customers in that same condition. The Applicant carries out no drying, dehydration, de-humidification, freezing, chilling, cleaning, grading, sorting, roasting, polishing, hulling, crushing, powdering or any other mechanical or chemical treatment whatsoever.

ii. **No Change in Identity of the Product:** The identity, form and essential character of the seed remain unchanged from the stage of procurement to the stage of supply.

iii. **Storage in Normal Godowns:** The Isobgul seeds are stored in a normal godown and do not need any specialized godowns like Cold Storage facilities. Rather, during sale of seeds during auction, it is stacked in open lots and sold which means no processing, no activity carried out and no special care is required to be taken as the product remains same as raw and unprocessed and fresh.

iv. **The seed remains of seed quality.** The seed purchased by the Applicant is whole, unbroken and viable, and retains its capacity to germinate, therefore, it is of seed quality.

3. Entry 87 of Notification No. 10/2025-Central Tax (Rate) dated 17.09.2025, exempts goods of Heading 1211 that are "fresh or chilled". Heading 1211, and Entry 87 in terms, cover "plants and parts of plants (including seeds and fruits)". The expression "fresh" must accordingly be understood in a sense appropriate to the goods it governs, which expressly include seeds.

4. The Applicant submits that "fresh" has not been defined in Customs Tariff and GST Law and hence, it needs to be understood in its common parlance. As per Cambridge Dictionary "fresh" as Adjective is defined as under:

"(of food or flowers) in a natural condition rather than artificially preserved by a process such as freezing:"

5. Further, the Applicant submits that "dried" has not been defined in Customs Tariff and GST Law and hence, it needs to be understood in its common parlance. As per Cambridge Dictionary "Dried" as Adjective is defined as under:

"Dried food or plants have had their liquid removed, especially in order to stop them from decaying: "

6. In the Case of **2022 (7) TMI 471 - Supreme Court** COMMISSIONER OF CUSTOMS AND CENTRAL EXCISE, AMRITSAR (PUNJAB) Versus M/s D.L. STEELS ETC., Hon'ble SC discussed the concept of drying in context of Fruit and also relevant of common parlance test. The relevant Paras are reproduced below:

"12. We would, at this stage, take on record the well-settled principle that words in a taxing statute must be construed in consonance with their commonly accepted meaning in the trade and their popular meaning. ***See Dunlop India Ltd. v. Union of Indian and Ors. (1976) 2 SCC 241, and Commissioner of Central Excise, New Delhi v. Connaught Plaza Restaurant Private Ltd., New Delhi (2012) 13 SCC 639*** *When a word is not explicitly defined, or there is ambiguity as to its meaning, it must be interpreted for the purpose of classification in the popular sense, which is the sense attributed to it by those people who are conversant with the subject matter that the statute is dealing with. This principle should commend to the authorities as it is a good fiscal policy not to put people in doubt or quandary about their tax liability.*

The common parlance test is an extension of the general principle of interpretation of statutes for deciphering the mind of the law-maker. However, the above rule is subject to certain exceptions, for example, when there is an artificial definition or special meaning attached to the word in a statute, then the ordinary sense approach would not be applicable. ***Collector of Central Excise, Kanpur v. Krishna Carbon Paper Company, (1989) 1 SCC 150***

16. The contention of the appellant is that the goods are covered by sub-heading 081340.90. As mentioned in the title of the Heading itself, the Heading does not include fruits which, when fresh, are covered under Headings 08.01 to 08.06. If the dried fruits are relatable to the fresh fruits classified under the Headings 08.07 to 08.10, they would fall in the category of 'other fruits' in 0813.40. The dried fruits, for the purpose of this Heading, may be prepared either by drying directly in the Sun or by industrial process like tunnel drying. The last portion of the Explanatory Note to Heading 08.13 states that products consisting of mixtures of one or more of the dried fruits of this Heading with plants or parts of plants of other Chapters or with other substances, such as one or more plant extracts, are excluded. Reference is made to Heading 21.06 in this regard. This Note, however, is not applicable to the goods in question, as they are not mixed with other plants or parts of plants."

7. As per above, it can be understood that "dried" means a planned process of drying and once product does not undergo the drying process, it will remain as fresh product.

8. This interpretation is line with the clarification of the Board itself. Circular No. 163/19/2021-GST dated 06.10.2021, in the cognate context of Chapter 8, explains that produce "continue[s] to be fresh" when supplied "in the state as plucked", and ceases to be fresh only where it is "intentionally dried to dehydrate ... for supply as dried" goods. Thus, only if there is an intentional act of dehydration for supply as a dried product, then only product will be classified as 'dried', otherwise, it remains in fresh condition.

9. Further, the Applicant submitted that the duration of storage of product cannot decide the nature of the product being fresh or dried. The Applicant submitted that storage of product depends on demand and supply requirements and varied for each business. The distinction of 'fresh' or 'dried' depends on the processing being undertaken on the product. It is further submitted that storage of Isobgul seeds does not require any special storage facilities like cold storage or ventilation and normal warehouse as maintained in factory or by Traders or Farmers at their premises are sufficient without causing any change or damage to the isobgul seeds.

10. Without prejudice to the above submission, the Applicant presses its alternative case under Entry 77 of Notification No. 10/2025-Central Tax (Rate), which exempts "all goods of seed quality" of Chapter 12. Entry 77 is unconditional: it is not qualified by any requirement as to the state of the goods, and in particular does not require the goods to be "fresh", nor does it exclude goods that may be described as "dried". The characterization of the seed as "fresh" or otherwise is therefore immaterial to the applicability of Entry 77. The expression "goods of seed quality" describes an intrinsic attribute of the goods that they are viable and capable of germination and is not controlled by the use to which a particular purchaser may put the seed. The

Isobgul seed is whole, unbroken and viable and retains its germinative capacity. The seed is accordingly "of seed quality" and is exempt under Entry 77, independently of, and in the alternative to, Entry 87.

11. The applicant has further submitted that they sought an adjournment of 15 days to enable it to place additional facts and legal submissions on records. However, only two working days' time was granted, which is insufficient considering the nature and complexity of the issues involved.

C. QUESTIONS ON WHICH THE ADVANCE RULING IS SOUGHT:

Q1) *Whether fresh Psyllium Seeds (Isobgul) procured through Agricultural Produce Market Committee (APMC)/KUMS auctions from farmers/cultivators* directly or through subsequent traders, *without undergoing any drying, freezing, crushing or other processing qualifies for exemption under Entry 87 (HSN 1211) of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 as "Plants and parts of plants (including seeds and fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or "chilled"?*

Q2) *If Answer to Question (1) is No, whether Psyllium Seeds (Isobgul) being goods of seed quality and capable of sowing and germination as discussed above qualifies for exemption from GST under Entry 77 (HSN 12) of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025?"*

Q3) *If the answers to Questions (1) and (2) are both in the negative, what is the correct classification of, and the rate of tax applicable to, the supply of the said Psyllium Seeds (Isobgul) by the Applicant?*

D. COMMENTS OF THE JURISDICTIONAL OFFICER: -

Comments received from the Office of Assistant Commissioner, Central Tax, CGST Division- JODHPUR RURAL, SECOND FLOOR, BSNL BUILDING, SECTOR-E, NEAR POST OFFICE, SHASTRI NAGAR, Jodhpur, Rajasthan vide letter Sr.No.-स.आ./वृत्त-सी-IV/ 2026-27 / 149 dated 28/07/26, are as under:-

1. Questions Raised by the Applicant:

The applicant has sought Advance Ruling on the following issues:

(a) Whether Psyllium Seeds (Isabgol) supplied in their natural, raw and unprocessed form as procured through Agricultural Produce Market Committee (APMC) auctions directly from farmers, without undergoing any drying, freezing, crushing or other processing qualifies as "fresh" Isabgol seeds and are exempted under Entry 87 (HSN 1211) of Notification No. 10/2025-Central Tax (Rate) dated 17.09.2025 as "Plants and parts of plants (including seeds and fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or chilled"?

(b) Alternatively, whether Psyllium Seeds (Isabgol) as discussed above qualifies as "goods of seed quality" and are exempt from GST under Entry 77 (HSN 12) of Notification No. 10/2025-Central Tax (Rate) dated 17.09.2025?

(c) If the answers to Questions (a) and (b) are both in the negative (in the point of view of the applicant), what is the correct classification of, and the rate of tax applicable to, the supply of the said Psyllium Seeds (Isobgul) by the Applicant ?

2. **Nature of Commodity:**

The commodity under consideration is Psyllium Seeds (Isabgol) obtained from Plantago ovata. The material indicates that the crop is cultivated by farmers in Rajasthan and adjoining areas. After maturity, the crop is harvested and threshing is carried out for separating seeds from the spikes and straw.

3. **Examination of Agricultural Practice:**

In general practice of spikes and straw plants require about **2 to 4 days** of sun-drying to completely crisp. If humidity is high or there is recent moisture, it may take up to **5 to 7 days**. The spikes and straw must be thoroughly dried so the seed shells and husks can easily separate during winnowing, which is similarly applicable in the instant case. Whereas, the applicant in their application did not mentioned the same. However, on the basis of general practice this office has following view:-

a) Harvesting and threshing are agronomically recognized as **distinct operations.** Harvesting consists of cutting or uprooting the mature crop from the field. Threshing is a subsequent mechanical operation undertaken after harvesting to separate the seeds from the spikes, straw and other plant material.
b) The agricultural literature itself describes threshing under the separate heading **"Post Harvest Technology,"** stating that harvested plants are spread for few days and thereafter threshed by tractor or bullocks. This clearly identifies threshing as a post-harvest activity rather than harvesting itself.
c) Threshing is a critical mechanical process that separates the marketable psyllium seeds from the non-marketable straw, spikes and other crop residues. Without threshing, the harvested crop cannot yield the commercial seed intended for sale.
d) The fact that threshing does not amount to manufacture does not necessarily mean that it is part of harvesting. An activity may fall short of manufacture yet still constitute a post-harvest processing operation.
e) Therefore, the proposition that threshing is **merely harvesting activity** is not supported by the agricultural process itself. Rather, threshing is a distinct post-harvest mechanical operation performed after the crop has been harvested and, in the case of psyllium, after deliberate drying of the harvested plants.
f) **Further, Harvested psyllium seeds are not supplied in the same condition as naturally plucked from the plant.** After harvesting the crop plucked from the plant is deliberately spread in the field for about few days before threshing. This is not incidental handling but a conscious post-harvest practice intended to ensure adequate drying and facilitate seed separation.
g) The CBIC Circular draws a clear distinction between agricultural produce supplied in its natural fresh condition and produce that has been **"intentionally dried to dehydrate including through sun drying."** Although the circular is issued in the context of Chapter 8 fruits and nuts, it lays down the broader interpretative principle that deliberate drying undertaken after harvest changes the character from fresh produce to dried produce.
h) In the case of psyllium, agricultural recommendations themselves state that:
    - harvesting should take place only when the atmosphere is dry;
    - there should be no moisture on the plants; and
    - harvested plants are spread for few days before threshing.

   These operations indicate a deliberate post-harvest drying process rather than mere transportation or temporary storage.

i) Therefore, the psyllium seeds arriving at the APMC cannot readily be regarded as being supplied in their **natural, raw and completely unprocessed state,** because they have already undergone intentional drying and post-harvest handling before marketing.

4. **Examination of Notification No.09/2025-Central Tax (Rate) dated 17.09.2025:**

In order to determine the taxability of the commodity under consideration, it is necessary to examine the provisions of Notification No.09/2025-Central Tax (Rate) dated 17.09.2025, issued under Section 9(1) of the CGST Act, 2017.

Entry No.71 of Schedule-I of the said Notification covers goods falling under Heading 1211 described as:

> *"Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, frozen or dried, whether or not cut, crushed or powdered."*

The aforesaid entry specifically applies only where the goods supplied are frozen or dried. Thus, the levy of GST under Entry No.71 is attracted only if the commodity answers the description of "frozen" or "dried" goods.

Accordingly, the applicability of Entry No.71 depends upon the factual determination of the condition in which the Psyllium Seeds are supplied.

5. **Examination of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025:**

Entry No. 87 of Notification No. 10/2025-Central Tax (Rate) dated 17.09.2025 exempts:

S. No.	*Chapter/Heading/Sub heading/Tariff item*	*Description of goods*
87	*1211*	*Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or chilled*

A plain reading of the entry makes it evident that the exemption is not available to all goods falling under Heading 1211. As per the notification the description of which is specified in column (3) of the Schedule appended to this notification, falling under the tariff item, sub-heading, heading or Chapter, as the case may be, as specified in the corresponding entry in column (2) of the said Schedule, from the whole of the central tax leviable thereon under section 9 of the Central Goods and Services Tax Act, 2017 (12 of 2017). Therefore, exemption is specifically restricted to such goods as are supplied in "fresh or chilled" condition. Therefore, satisfaction of this condition is a prerequisite for claiming the benefit of the exemption.

6. **Applicability of Entry No.87 of Notification No. 10/2025-Central Tax (Rate) dated 17.09.2025:**

In the case of psyllium, agricultural recommendations themselves state that:

- harvesting should take place only when the atmosphere is dry;

- there should be no moisture on the plants; and
- harvested plants are spread for approximately two days before threshing.

These operations indicate a deliberate post-harvest drying process rather than mere transportation or temporary storage. As per Circular No. 163/19/2021-GST dated 06.10.2021, fruit and nuts do not qualify as fresh, once frozen (cooked or otherwise), or intentionally dried to dehydrate including through sun drying, evaporation or freezing, for supply as dried fruits or nuts. It may be noted that in terms of note 3 to Chapter 8, dried fruits, even if partially re-hydrated, or subject to preservation say by moderate heat treatment, retain the character of dried fruits or dried nuts. It is clear that crops do not qualify as fresh if they are intentionally dried to dehydrate including through sun drying. In this case, in the view of above Psylium seeds do not qualify as fresh and will not fall under Entry 87 of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025.

7. **Overall Conclusion:**

In view of the discussion made hereinabove, the following conclusions appear to emerge:

a) The commodity involved in the present application is correctly classifiable under Tariff Item 12119013 of the First Schedule to the Customs Tariff Act, 1975.

b) The activity of threshing undertaken by cultivators is a distinct post-harvest mechanical operation performed after the crop has been harvested and, in the case of psyllium, after deliberate drying of the harvested plants.

c) As per Circular No. 163/19/2021-GST dated 06.10.2021 it is clear that crops do not qualify as fresh if, they are intentionally dried to dehydrate including through sun drying. In this case, in the view of above Psylium seeds do not qualify as fresh. Further, it is subject to verification that the goods are supplied without intentional drying, dehydration, freezing or any other processing, the commodity appears to answer the description of fresh Psyllium Seeds.

d) In this regard, the applicant has merely stated that no processing is undertaken after procurement from farmers. However, absence of processing does not ipso facto establish that the goods supplied are "fresh or chilled". It is a matter of common commercial understanding that psyllium seeds, after harvesting, are rendered fit for storage, transportation and marketing only after reduction of moisture content. Such goods are commercially traded in dried form. Therefore, merely because the applicant purchases the goods directly from farmers or does not undertake any further processing cannot alter the nature and condition of the goods.

Further, exemption notifications are required to be construed strictly and the burden of proving eligibility rests upon the person claiming the exemption. Unless the applicant clearly establishes that the goods satisfy all the conditions of Entry No. 87, the benefit of exemption cannot be extended. This principle has been authoritatively laid down by the Constitution Bench of the Hon'ble Supreme Court in **Commissioner of Customs v. Dilip Kumar & Co., (2018) 9 SCC 1**. Therefore, the supply of the said goods should not covered under Entry No. 87 of Notification No. 10/2025-Central Tax (Rate) dated 17.09.2025 and the same is classifiable under entry number Entry No. 71 of Notification No. 09/2025-Central Tax (Rate) dated 17.09.2025 and are therefore taxable at the applicable rate.

In the view of above, this office is in opinion that Psyllium seeds does not qualify conditions of exemptions mentioned in above mentioned Notification No. 10/2025 dated 17.09.2025, hence attracts 5% GST.

Further, it is submitted that no proceedings are pending against the applicant as referred to in the first proviso to sub section (2) of section 98 of the CGST Act, 2017 at this office level.

E. PERSONAL HEARING:

In the matter, personal hearing was granted to the applicant on 04.08.2026. Nikhil Mohan Jhanwar (C.A.), Jatin Koolwal (Adv.), Authorized Representative appeared for personal hearing. They reiterated the submission already made by them and also submitted an additional submission during the P.H. On their request, another P.H. was granted to appear on 13.08.2026. Nikhil Mohan Jhanwar (C.A.), Authorized Representative appeared for personal hearing and reiterated the submissions already made by them.

F. DISCUSSIONS AND FINDINGS

1. At the outset, we would like to make it clear that the provisions of both the CGST Act and the RGST Act are the same except for certain provisions. Therefore, unless a mention is specifically made to such dissimilar provisions, a reference to the CGST Act would also mean a reference to the same provision under the RGST Act. Further to the earlier, henceforth for the purposes of this Advance Ruling, a reference to such a similar provision under the CGST Act / RGST Act would be mentioned as being under the "GST Act".

2. We have considered the submissions made by the applicant in their application for advance ruling as well as the submissions made both oral and written during the course of personal hearing. We have also considered the issue involved, the relevant facts & the applicant's submission/views in respect of the questions on which the advance ruling has been sought and the comments of the jurisdictional officer.

3. The applicant has submitted that they intend to start trading business of purchase and sale of raw and fresh Psyllium seeds, commonly known as Isobgul. The Psyllium seeds shall be procured from farmers through auctions conducted by Agricultural Produce Market Committees (APMCs)/ Krishi Upaj Mandi Samiti (KUMS) directly or through subsequent traders in the same form and condition. The Applicant proposes to further sell /supply such fresh Psyllium seeds (Isobgul) in the market to the intended customers viz. Manufacturing Units/Traders etc. The Applicant stated that the Psyllium seeds shall be purchased and sold without undertaking any processing, drying or value addition to these seeds.

4. The applicant has asked the following question before the Advance Ruling Authority:

Q1) Whether fresh Psyllium Seeds (Isobgul) procured through Agricultural Produce Market Committee (APMC)/KUMS auctions from farmers/cultivators directly or through subsequent traders, without undergoing any drying, freezing, crushing or other processing qualifies for exemption under Entry 87 (HSN 1211) of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 as "Plants and parts of plants (including seeds and fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or "chilled"?

Q2) If Answer to Question (1) is No, whether Psyllium Seeds (Isobgul) being goods of seed quality and capable of sowing and germination as discussed above qualifies for exemption from GST under Entry 77 (HSN 12) of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025?"

Q3) If the answers to Questions (1) and (2) are both in the negative, what is the correct classification of, and the rate of tax applicable to, the supply of the said Psyllium Seeds (Isobgul) by the Applicant?

5. Since the applicant is of the opinion that the product supplied by him falls under heading 1211 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), a reference will be required to be made to the Chapter Notes of Chapter 12, headings 1211 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) as well as the HSN notes to heading 1211. The same are reproduced hereunder:

Chapter Notes to Chapter 12 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975):

CHAPTER 12 Oil seeds and oleaginous fruits, miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder

1. Heading 1207 applies, inter alia, to palm nuts and kernels, cotton seeds, castor oil seeds, sesamum seeds, mustard seeds, safflower seeds, poppy seeds and shea nuts (karite nuts). It does not apply to products of heading 0801 or 0802 or to olives (Chapter 7 or Chapter 20).

2. Heading 1208 applies not only to non-defatted flours and meals but also to flours and meals which have been partially defatted or defatted and wholly or partially refatted with their original oils. It does not, however, apply to residues of headings 2304 to 2306.

3. For the purposes of heading 1209, beet seeds, grass and other herbage seeds, seeds of ornamental flowers, vegetable seeds, seeds of forest trees, seeds of fruit trees, seeds of vetches (other than those of the species Vicia faba) or of lupines are to be regarded as 'seeds of a kind used for sowing'. Heading 1209 does not, however, apply to the following even if for sowing: (a) leguminous vegetables or sweet corn (Chapter 7); (b) spices or other products of Chapter 9; (c) cereals (Chapter 10); or (d) products of headings 1201 to 1207 or 1211.

4. **Heading 1211 applies, inter alia, to the following plants or parts thereof: basil, borage, ginseng, hyssop, liquorice, all species of mint, rosemary, rue, sage and wormwood. Heading 1211 does not, however, apply to: (a) medicaments of**

Chapter 30; (b) perfumery, cosmetic or toilet preparations of Chapter 33; or (c) insecticides, fungicides, herbicides, disinfectants or similar products of heading 3808.

5. For the purposes of heading 1212, the term 'seaweeds and other algae' does not include: (a) dead single-cell micro-organisms of heading 2102; (b) cultures of micro-organisms of heading 3002; or (c) fertilizers of heading 3101 or 3105. SUB-HEADING NOTE: For the purposes of sub-heading 1205 10, the expression 'low erucic acid rape or colza seeds' means rape or colza seeds yielding a fixed oil which has an erucic acid content of less than 2% by weight and yielding a solid component which contains less than 30 micromoles of glucosinolates per gram.

Heading 1211 as per the First Schedule to the Customs Tariff Act, 1975 (51 of 1975)

1211 PLANTS AND PARTS OF PLANTS (INCLUDING SEEDS AND FRUITS), OF A KIND USED PRIMARILY IN PERFUMERY, IN PHARMACY OR FOR INSECTICIDAL, FUNGICIDAL OR SIMILAR PURPOSE, FRESH, CHILLED, FROZEN OR DRIED, WHETHER OR NOT CUT, CRUSHED OR POWDERED

1211 20 00	Ginseng roots
1211 30 00	Coca leaf
1211 40 00	Poppy straw
1211 50 00	Ephedra
1211 60 00	Bark of African cherry (Prunus africana)
1211 90	Other :
	--- Seeds, Kernel, Aril, Fruit, Pericarp, Fruit rind, Endosperm, Mesocarp, Endocarp :
1211 90 11	Ambrette seeds
1211 90 12	Nuxvomica, dried ripe seeds
1211 90 13	Psyllium seed (isobgul)
1211 90 14	Neem seed
1211 90 15	Jojoba seed
1211 90 16	Garcinia
1211 90 19	Other
	--- Leaves, Leaf bud, Galls, flowers, Inflorescence, Spadix, Flower bud, Style and Stigma, Stamen and pods
1211 90 21	Belladona leaves
1211 90 22	Senna leaves and pods
1211 90 23	Neem leaves

1211 90 24	Gymnema
1211 90 25	Cubeb
1211 90 26	Pyrethrum
1211 90 29	Other
	--- Bark, husk and rind
1211 90 31	Cascara sagrada bark
1211 90 32	Psyllium husk (isobgul husk)
1211 90 33	Gamboge fruit rind
1211 90 34	Ashoka (Saraca asoca)
1211 90 35	Arjuna (Terminalia arjuna)
1211 90 39	Other
	--- Roots, Root stalk, Bulb, Corn, Tuber, Stolon and rhizome:
1211 90 41	Belladona roots
1211 90 42	Galangal rhizomes and roots
1211 90 43	Ipecac dried rhizome and roots
1211 90 44	Serpentina roots (rowwalfia serpentina and other species of rowwalfias)
1211 90 45	Zedovary roots
1211 90 46	Kuth root
1211 90 47	Sarasaparilla roots
1211 90 48	Sweet flag rhizomes
1211 90 49	Other
	--- Whole Plant, Aerial Part, Stem, Shoot and Wood
1211 90 51	Sandalwood chips and dust
1211 90 52	Vinca rosea herbs
1211 90 53	Mint
1211 90 54	Agarwood
1211 90 55	Chirata
1211 90 56	Basil, hyssop, rosemary, sage and savory
1211 90 57	Ashwagandha (Withania somnifera)
1211 90 58	Giloy (Tinospora cordifolia)
1211 90 59	Other

1211 90 90	Other

HSN Notes to Heading 1211

12.11 - Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh, chilled, frozen or dried, whether or not cut, crushed or powdered.

1211.20 - Ginseng roots; 1211.30 - Coca leaf; 1211.40 - Poppy straw; 1211.50 - Ephedra; 1211.90 - Other

This heading covers vegetable products of a kind used primarily in perfumery, in pharmacy or medicine, or for insecticidal, fungicidal, parasiticidal or similar purposes. They may be in the form of whole plants, mosses or lichens, or of parts (such as wood, bark, roots, stems, leaves, flowers, petals, fruits and seeds (other than oleaginous fruits and oil seeds classified in headings 12.01 to 12.07), or in the form of waste resulting, in the main, from mechanical treatment. They remain in the heading whether fresh, chilled, frozen or dried, whole, cut, crushed, ground or powdered or (where appropriate) grated or hulled. Products of this heading impregnated with alcohol remain classified here.

Plants and parts (including seeds and fruits) of trees, bushes, shrubs or other plants are classified here if of a kind used directly for the purposes specified above or if used for the production of extracts, alkaloids or essential oils suitable for those purposes. On the other hand, the heading excludes seeds and fruits of a kind used for the extraction of fixed oils; these fall in headings 12.01 to 12.07 even if the oils are to be used for the purposes mentioned in this heading.

It should also be noted that vegetable products more specifically described in other headings of the nomenclature are excluded from this heading, even if they are suitable for use in perfumery, pharmacy, etc., e.g.: citrus fruit peel (heading 08.14); vanilla, cloves, aniseed, badian and other products of Chapter 9; hop cones (heading 12.10); chicory roots of heading 12.12; natural gums, resins, gum-resins and oleoresins (heading 13.01).

Live chicory plants and roots and other live seedling plants, bulbs, rhizomes, etc., clearly intended for planting, and flowers, foliage, etc., for ornamental purposes, fall in Chapter 6.

A representative (non-exhaustive) list of plants and parts covered by the heading includes, among others: Aconite (roots and leaves), Ambrette/musk (seeds), Angelica (roots and seeds), Belladonna (herbs, roots, berries, leaves and flowers), Cinchona (bark), Ephedra (Mahuang) (stems and branches), Ginseng (roots), Liquorice (roots), Mint (all species), and Plantago psyllium (herbs and seeds) — among many other listed botanicals. The botanical names given are illustrative only, for identification purposes, and mention of a particular species does not indicate that other species of the same plant family are excluded from the heading.

Certain products of this heading, which are regarded as narcotic drugs under international instruments, are indicated in the list which appears at the end of Chapter 29.

6. We have gone through the Chapter Notes of Chapter 12, products/articles mentioned under tariff heading 1211 as well as the HSN Notes to heading 1211. We find that the product "Psyllium seeds" appears at sub-heading 1211 9013. The name against the sub-heading is mentioned as Psyllium seed (Isobgul). Further, the name Plantago psyllium : herbs and seeds also finds mention under the HSN notes of heading 1211. We, therefore, find that Psyllium seeds are correctly classifiable under Sub-heading 1211 9013 of the First Schedule to the Customs Tariff Act, 1975(51 of 1975).

7. When it comes to decide the rate of tax on Psyllium Seeds, we find that there are three entries relevant for the present application which are as under:

1. As per Notification No.10/2025-Central Tax (Rate) dated 17.09.2025, Entry No.87 (covering HSN 1211) which reads as 'Plants and parts of plants (Including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, **fresh or chilled**, exempts the product from GST.

2. As per Notification No.10/2025-Central Tax (Rate) dated 17.09.2025, Entry No.77 (covering HSN 12) reads as **'All goods of seed quality'** exempts the product from GST.

3. As per Notification No.09/2025-Central Tax (Rate) dated 17.09.2025, Entry No.71 (covering HSN 1211) reads as 'Plants and parts of plants (Including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, **frozen or dried, whether or not cut, crushed or powdered**.' GST rate here is 5%.

8. We find that **in order to decide whether rate of tax is "exempted" or "5%", the test of eligibility hinges on whether the goods supplied by applicant (not purchased by applicant) are "fresh or chilled" or "of seed quality" or "frozen or dried".** We find that the applicant has detailed the entire process followed for obtaining Psyllium seeds in their additional submission which is as under:

S. No.	Stage	Activity undertaken
1	Cultivation & Harvesting	Isobgul crop is cultivated by farmers in agricultural fields. The mature Isobgul crop is harvested by the farmers.
2	Threshing	Farmers undertake threshing only for separating the Psyllium seeds from the harvested plant.
3	Packing by farmers	The separated seeds are packed in bags for transportation to the agricultural market.
4	Transportation and Arrival at mandi	The produce is brought into the notified mandi and entered in the mandi records.

5	Display and inspection	Open Lots of Psyllium seeds are presented before licensed traders or purchasers for inspection.
6	Auction in APMC/KUMS	Psyllium seeds are sold through auction conducted or regulated by the APMC/KUMS.
7	Transportation to godown	The purchased seeds are transported from the mandi to the applicant's godown.
8	Storage in godown	The Psyllium seeds are stored in the godown pending subsequent sale. These Godowns are just normal godowns without any special facilities required.
9	Sale to traders/ customers	The stored Psyllium seeds are proposed to be supplied to traders or customers for further trading or use.

8.1 We find that the process mentioned by applicant is not relevant for the purpose of deciding the condition in which goods are supplied by the applicant. The above referred processes are relevant only upto the stage of supply of goods by farmers to applicant (purchase of applicant) through APMC. Hence whether the above mentioned process involves drying or freezing etc., is of no significance after purchase of the goods by applicant because the question to be decided in this application is whether goods supplied by applicant at a later stage after purchase from farmers through APMC qualify as "fresh or chilled" or "frozen or dried" so as to apply rate of tax.

9. The applicant has further submitted that they propose to procure the seed from farmers through auctions conducted by Agricultural Produce Market Committees (APMCs) / Krishi Upaj Mandi Samiti (KUMS) directly or through subsequent traders in the same form and condition; that After procurement, the seeds are stored in godowns in the same condition, without undertaking any processing activity or drying; the said Psyllium seeds (Isobgul) are thereafter supplied, without processing, to traders or customers; that the commodity proposed to be supplied is raw and fresh Psyllium seeds (Isobgul), being an agricultural produce and at no stage, whether prior to procurement from farmers or prior to subsequent supply to traders/customers, are the Psyllium seeds (Isobgul) subjected to any process, treatment or value addition including drying; that no activity such as cleaning, sorting, grading, roasting, drying, freezing or any other process is undertaken which may alter the form, character or essential nature of the seeds.

9.1 We find that applicant has emphasized that subject goods will be traded in the same form as procured by them from farmers. It is important to note that to be eligible for exemption from tax, the goods should be "fresh or chilled" at the time of supply by the applicant. The applicant has shown in the flow chart that the Psyllium seeds are stored in their Godown after obtaining delivery of seeds through auction process. We find that there is no information on record about the period of storage and in fact it cannot be predicted, secondly when the goods will be stored in godowns, undoubtedly the purpose is to dry them and so it amounts to "drying". By the time the goods are supplied by applicant, they are "dried".

10. The applicant has also made a reference to FAQ F.No.332/2/2017-TRU dated December, 2017, wherein it is mentioned that Isabgol seeds are classifiable under heading 1211, fresh Isabgol seeds attract NIL rate of GST, dried Isabgol seeds attract 5% GST & Isabgol husk falls under heading 1211 attract GST rate of 5%. The applicant has also referred to Circular No.163/19/2021-GST dated 06.10.2021 wherein clarification regarding GST rates and classification (goods) (based on the recommendation of the GST Council in its 45th meeting held on 17.09.2021 at Lucknow) has been provided. They have also referred to para 3.2 of the said Circular stating that the process of drying is discussed in para 3.2. of Circular No.163/19/2021-GST dated 06.10.2021.

11. Since the rate of GST and the Notifications applicable to the Psyllium seeds supplied by the applicant is mainly based on whether the product is "fresh OR chilled" OR "frozen OR dried", we find it prudent to refer to Circular No.163/19/2021-GST dated 06.10.2021 wherein it has been discussed threadbare as to what a fresh product OR dried product OR frozen product means. We find that para-3 of the said Circular covers "applicability of GST on fresh and dried fruits and nuts." Para 3.2 and 3.3 of the said Circular reads as under:

"3.2 At present, fresh nuts (almond, walnut, hazelnut, pistachio etc.) falling under heading 0801 and 0802 are exempt from GST, while dried nuts under these headings attract GST at the rate of 5%/12%. The general Explanatory Notes to chapter 08 mentions that this chapter covers fruit, nuts intended for human consumption. They may be fresh (including chilled), frozen (whether or not previously cooked by steaming or boiling in water or containing added sweetening matter) or dried (including dehydrated, evaporated or freeze-dried). Thus, HS chapter differentiates between fresh, frozen and dried fruits and nuts. Fresh fruit and nuts would thus cover fruit and nuts which are meant to be supplied in the state as plucked. They continue to be fresh even if chilled. However, fruit and nuts do not qualify as fresh, once frozen (cooked or otherwise), or intentionally dried to dehydrate including through sun drying, evaporation or freezing, for supply as dried fruits or nuts. It may be noted that in terms of note 3 to Chapter 8, dried fruits, even if partially re-hydrated, or subject to preservation say by moderate heat treatment, retain the character of dried fruits or dried nuts.

3.3. Therefore, exemption from GST to fresh fruits and nuts covers only such products which are not frozen or dried in any manner as stated above or otherwise processed. Supply of dried fruits and nuts, falling under heading 0801 and 0802 attract GST at the rate of 5%/12% as specified in the respective rate Schedules."

12. We find that the above para refers to fresh nuts falling under headings 0801 and 0802 and explains that fresh fruit and nuts would cover fruit and nuts which are meant to be **supplied in the state as plucked** and would continue to be fresh even if chilled. It is further mentioned therein that fruit and nuts do not qualify as fresh, once frozen (cooked or otherwise), or intentionally dried to dehydrate including through **sun**

drying, evaporation or freezing, for supply as dried fruits or nuts. It is further mentioned therein that exemption from GST to fresh fruits and nuts covers only such products which are not frozen or dried in any manner as stated above or otherwise processed. Supply of dried fruits and nuts, falling under heading 0801 and 0802 attract GST at the rate of 5%/12% as specified in the respective rate Schedules. Since the rate of GST and the Notification in which the Psyllium seeds supplied by the applicant is mainly based on whether the product is fresh OR chilled OR frozen OR dried, we find that the aforementioned analogy would be applicable in toto in the present case.

13. From the submission of the applicant, we find that there is no justification supported by documentary evidences as to how long does it take during the period the goods are **harvested by the farmer till the same are supplied by the applicant**. It is universal fact that shelf life of agricultural produce is enhanced by drying and other processing and in the absence of evidence about the time duration as discussed above, it can not be accepted that the produce remains fresh and in the same condition in which they are brought by farmers to the APMC.

14. Since the product namely Psyllium seeds is an agricultural produce and the applicant is firmly of the view that their product is 'Fresh', it becomes pertinent to ascertain the meaning of 'fresh agricultural produce' in common parlance. In common parlance, 'fresh agricultural produce' refers to raw, unprocessed food items derived from farming, primarily including fresh fruits, vegetables, and root crops that have not been dried, frozen, or heavily processed. As per Oxford Learner's dictionary, 'fresh produce' refers to farm-grown food items that are recently picked or produced and have not been preserved, such as through freezing or canning. We find that there is nothing on record to establish that the subject goods reach the APMC immediately after plucked or harvested and for how much time they are stored by the applicant before being supplied. It is a common practice that plant products are dried to increase their shelf life so that they can be consumed for a longer time as their life cycle in the market before consumption is not definite and certain. We further find that the applicant has relied on the clarification given in para 3.2 of the Circular No. 163/19/2021-GST dated 06.10.2021 to the present case, however, para 3.3 of the said circular clarifies that *"Therefore, exemption from GST to fresh fruits and nuts covers only such products which are not frozen or dried in any manner as stated above or otherwise processed"*. Emphasis is applied on the phrase "dried in any manner" and we find that the psyllium seeds are stored in a dry ventilated place which renders them a dried character. Hence we do not agree that the subject goods can be considered as 'fresh' at the time of supply by applicant.

15. Now, since the applicant wants to know whether the Psyllium seeds are exempted or taxable, we will be required to refer to Notification No.09/2025-Central Tax (Rate) dated 17.09.2025 as well as Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 to ascertain the aspect of GST liability. Notification No.09/2025-Central Tax (Rate) dated 17.09.2025 reads as under:

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

(DEPARTMENT OF REVENUE)

NOTIFICATION NO 9/2025-Central Tax (Rate)

New Delhi, the 17th September, 2025

In exercise of the powers conferred by sub-section (1) of section 9 and sub-section (5) of section 15 of the Central Goods and Services Tax Act, 2017 (12 of 2017), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 01/2017-Central Tax (Rate), dated the 28th June, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 673(E), dated the 28th June, 2017, except as respects things done or omitted to be done before such supersession, the Central Government, on the recommendations of the Council, **hereby notifies the rate of central tax** of-

(i) 2.5 per cent. in respect of goods specified in Schedule I; (ii) 9 per cent. in respect of goods specified in Schedule II; (iii) 20 per cent. in respect of goods specified in Schedule III; (iv) 1.5 per cent. in respect of goods specified in Schedule IV; (v) 0.125 per cent. in respect of goods specified in Schedule V; (vi) 0.75 per cent. in respect of goods specified in Schedule VI, and (vii) 14 per cent. in respect of goods specified in Schedule VII,

appended to this notification (hereinafter referred to as the said Schedules), that shall be levied on intra-State supplies of goods, the description of which is specified in the corresponding entry in column (3) of the said Schedules, falling under the tariff item, sub-heading, heading or Chapter, as the case may be, as specified in the corresponding entry in column (2) of the said Schedules.

Schedule I – 2.5%

S. No.	Chapter/Heading/ Subheading/Tariff item	Description of goods
71	1211	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, frozen or **dried**, whether or not cut, crushed or powdered.

16. On going through the aforementioned Notification, we find that there is only one entry in the said Notification i.e. Entry No.71 falling under Schedule I of Notification No.09/2025-Central Tax (Rate) covering heading 1211 which reads as "Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, frozen or dried, whether or not cut, crushed or powdered," wherein GST rate is 5% (2.5% CGST + 2.5% SGST). The

Psyllium seeds are parts of plants (seeds) of a kind used in pharmacy i.e. manufacture of isabgol, the same is dried, hence the same is squarely covered under the ambit of Entry No.71 of the Schedule-I of Notification No.09/2025- Central Tax (Rate) dated 17.09.2025.

17. Next, we need to refer to Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 which reads as under:

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

(DEPARTMENT OF REVENUE)

NOTIFICATION No. 10/2025-Central Tax (Rate)

New Delhi, the 17th September, 2025

G.S.R...-(E). - In exercise of the powers conferred by sub-section (1) of section 11 of the Central Goods and Services Tax Act, 2017 (12 of 2017), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 02/2017-Central Tax (Rate), dated the 28th June, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 674(E), dated the 28th June, 2017, except as respects things done or omitted to be done before such supersession, the Central Government, being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, hereby **exempts** intra-State supplies of goods, the description of which is specified in column (3) of the Schedule appended to this notification, falling under the tariff item, sub-heading, heading or Chapter, as the case may be, as specified in the corresponding entry in column (2) of the said Schedule, from the whole of the central tax leviable thereon under section 9 of the Central Goods and Services Tax Act, 2017 (12 of 2017).

SCHEDULE

S. No.	Chapter/Heading/ Subheading/Tariff item	Description of goods
77	12	All goods of seed quality
87	1211	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or chilled

18. We find that the aforementioned Notification covers a comprehensive list of products/items which are exempt from GST. On going through the aforementioned Notification, we find that there are two entries i.e. Entry No.77 which reads as "**All goods of seed quality**" covering Chapter 12 and the other is Entry No.87 covering heading 1211 and reads as "Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, **fresh or chilled**". As discussed earlier, the product 'Psyllium seeds' is part of plant (seed) and is used in pharmacy for the production of 'Isabgol'. Moreover, the said seeds can not be termed as 'fresh' at the time of supply by applicant, as discussed in paras supra. Entry No.87 is a specific entry covering products of heading 1211 only and aptly covers 'Psyllium seeds' which are "fresh or chilled" only. Hence, we find and conclude that "Psyllium seeds" being dried as discussed above, are not covered under Entry No.87 of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 under NIL GST.

19. We also note, that the Advance Ruling No. GUJ/GAAR/R/2026/21 dated 29.05.2026 of the Gujarat Authority for Advance Ruling in the case of M/s Jigneshkumar Narayandas Patel (Trade Name: Akshar Traders), which has been referred by applicant said to be based on similar material facts, holding that Psyllium Seeds (Isabgol) supplied in natural, raw and unprocessed form, as procured through APMC auctions directly from farmers, without undergoing drying, freezing, crushing or other processing, qualify as 'fresh' Isabgol seeds exempt to tax under Entry 87 (HSN 1211) of Notification No. 10/2025-Central Tax (Rate) dated 17.09.2025, can not be relied upon to form an opinion in this case as we do not have access to the facts of that case. As per section 103 of the CGST Act 2017, the above referred ruling does not have a binding effect.

20. In view of the foregoing facts, circumstances and provisions of the GST law, we pass the following ruling: -

RULING

Q1) Whether fresh Psyllium Seeds (Isobgul) procured through Agricultural Produce Market Committee (APMC)/KUMS auctions from farmers/cultivators directly or through subsequent traders, without undergoing any drying, freezing, crushing or other processing qualifies for exemption under Entry 87 (HSN 1211) of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 as "Plants and parts of plants (including seeds and fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or "chilled"?

Ans.- No, Psyllium Seeds (Isabgol) procured through Agricultural Produce Market Committee (APMC)/KUMS and supplied by the applicant can not be said to qualify as "fresh" Isabgol seeds and are not exempted under Entry 87 (HSN 1211) of Notification No.10/2025-Central Tax (Rate) dated 17.09.2025 as "Plants and parts of plants (including seeds and fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, fresh or "chilled." The same are liable to tax @ 5% under Notification No. 09/2025-CT(Rate) dtd. 17.09.2025.

Q2) If Answer to Question (1) is No, whether Psyllium Seeds (Isobgul) being goods of seed quality and capable of sowing and germination as discussed above qualifies for exemption from GST under Entry 77 (HSN 12) of Notification No.10/2025-Central Tax (Rate*) dated 17.09.2025?"*

Ans.- No, in view of answer to Question 1 and as discussed in Para 18 of the 'Discussions and Findings'.

Q3) If the answers to Questions (1) and (2) are both in the negative, what is the correct classification of, and the rate of tax applicable to, the supply of the said Psyllium Seeds (Isobgul) by the Applicant?

Ans. - The product "Psyllium seeds" is classified at sub-heading 1211 9013. The rate of tax applicable to the supply of the said Psyllium Seeds (Isobgul) by the Applicant is squarely covered under the ambit of Entry No.71 of the Schedule-I of Notification No.09/2025- Central Tax (Rate) dated 17.09.2025 and GST rate is 5% (2.5% CGST + 2.5% SGST).

25/08/2026
(Mahipal Singh)
MEMBER
CENTRAL TAX

RAJASTHAN AUTHORITY FOR ADVANCE RULING, JAIPUR
G.S.T.

25/08/26
(Dr. Akhedan Charan)
MEMBER
STATE TAX

F. No. AAR/SF/2026-27/ 462 - 467

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3. The Commissioner, CGST and Central Excise, JODHPUR, Rajasthan.
4. The Assistant Commissioner, State Tax, Circle-Phalodi, ZONE- Jodhpur-1st, Divisional Kar Bhawan, Phalodi, Rajasthan
5. The Assistant Commissioner, Central Tax, CGST Division- JODHPUR RURAL, JODHPUR, Rajasthan