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In the past few months, there has been an upsurge of notices and orders being sent to builders by the GST Department creating demands against them for non- payment of GST on construction of retail markets for the Municipal Corporation of Greater Mumbai (MCGM). The construction activity of MCGM Retail Market by builders is made free of cost (without any monetary consideration) which is in the course of a public function of the MCGM and therefore, is beyond the scope of supply. Section 7(2)(b) of the CGST Act, 2017 reads as under: “7. Scope of supply.- Notwithstanding anything contained in sub- section (1),- activities or transactions specified in Schedule III; or