

<b>PROCEEDINGS OF THE AUTHORITY FOR CLARIFICATION AND ADVANCE RULING</b>	
<b><u>ACAAR No. 137/2013-14.</u></b> <b><u>(Acts Cell – II/9324/2014)</u></b>	Dated 31.10.2014
<b><u>Present:</u></b>	<ol style="list-style-type: none"> <li>1. Thiru. K.Rajaraman, I.A.S., Principal Secretary / Commissioner of Commercial Taxes.</li> <li>2. Thiru. R.Vayanaperumal, Additional Commissioner (CT), (Public Relations)</li> <li>3. Thiru. K.Mahalingam, Additional Commissioner (CT), (Revision Petitions)</li> </ol>
1	Name and address of the Applicant : Tvl. Balaji Oil Industries (P) Ltd., 39, 2 <sup>nd</sup> Main Road, Sipcot Industrial Complex, Ranipet- 623403.
2.	Registration Certificate No. : TIN:33044360268
3.	Date of application : 18.03.2014
4.	Date of receipt of application : 18.03.2014
5.	Clarification sought for : Rate of Tax on " <b>Bakery Shortening</b> "
6.	Date of Personal Hearing : 01.10.2014
7.	Represented by : Thiru. M. Senthilathiban, Managing Director.

### **ORDER**

Tvl. RMC Readymix (India) AC-26, DIDCO Industrial Estate, Thirumudivakkam, Chennai-600 044. (TIN:33044360268), registered dealers in the file of Assistant Commissioner(CT) Ranipet, SIPCOT, Assessment Circle, manufacturing and marketing "**Bakery Shortening**" have preferred application in Form "VV" and sought for clarification under section 48-A of the TNVAT Act 2006.

2. The applicant-dealer sought for clarification on the following:-

Rate of tax on **"Bakery Shortening"**

The applicant dealer in their Form VV have requested to clarify the rate of tax on sale of **"Bakery Shortening"** which are manufactured and sold locally. The applicant dealer has not requested personal hearing in this case.

The issue has been examined in detail with reference to the Entry 144 of Part-B of First Schedule to the TNVAT Act 2006. Clarification sought for is rate of tax on Bakery Shortening Oil. As per definition 2(b) of the Vegetable Oil Products (Regulations) order 1998, bakery shortening means **"Vanaspathy"** meant for use as a shortening or leavening agent in the manufacture of bakery products.

As per Entry 144 of Part-B Vanaspathy, (Hydrogenated vegetable oil) under Commodity Code No.2144 is liable to tax at 5%.

Therefore the clarification may be that the sale of **"Bakery Shortening"** is liable to tax at 5% as **"Vanaspathy"** under Entry 144 of Part-B, First Schedule to TNVAT Act 2006.

Dated this, the 31<sup>st</sup> day of October, 2014

Sd/- R. Vayanaperumal,  
Additional Commissioner (PR)

Sd/- K. Mahalingam,  
Additional Commissioner (RP)

Sd/- K. Rajaraman,  
Principal Secretary/  
Commissioner of Commercial Taxes

To

Tvl. Balaji Oil Industries (P) Ltd.,  
39, 2<sup>nd</sup> Main Road,  
Sipcot Industrial Complex,  
Ranipet- 623403.

Copy to:

The Assistant Commissioner (CT)  
Ranipet Sipcot Assessment Circle

The Joint Commissioner (CT),  
Vellore Division.

The Joint Commissioner (CS)

**To host in the Department Website**

The Principal Secretary to Government, Commercial Taxes & Registration Department, Chennai - 9.

All Joint Commissioners (CT) including Enforcement, LTU, MOU and ISIC.

All Deputy Commissioners (CT), Territorial, Assessment and Enforcement

All Head of Offices (Assessment)

The State Representative, Sales Tax Appellate Tribunal, Chennai - 104.

The Addl. State Representative, (AB) Chennai, Madurai and Coimbatore.

The Director, CTSTI, Greams Road, Chennai - 6.

The Executive Officer, Traders Welfare Board, Chennai - 5.

The Accountant General (Audit)-II, No.44, Greams Road, Chennai - 6.

The Additional Commissioners, Deputy Commissioners, Assistant Commissioners, Commercial Tax Officers in CCT's Office.

Personal Clerk to the CCT.

Stock File3 / Acts Cell-II / Spare - 5.

//Forwarded/By order//

  
Additional Commissioner (PR)