

**GOVERNMENT OF TAMILNADU
COMMERCIAL TAXES DEPARTMENT**

**PROCEEDINGS OF THE AUTHORITY FOR CLARIFICATION AND
ADVANCE RULING**

ACAAR No.63/2014-15
Acts cell-II/27050/2015

Dated:25.10.2016

- Present:** 1.Dr.C.Chandramouli, I.A.S.,
Additional Chief Secretary / Commissioner of Commercial
Taxes.
- 2.Thiru. A.Sarvar Allam,
Additional Commissioner (CT), (Public Relations)(FAC)
- 3.Thiru. K. Mahalingam,
Additional Commissioner (CT), (Revision Petitions)

1.	Name and address of the Applicant	:	Tvl. Karthik Engineers & Constructions, No.329/1, Egai Village, Kalpakkam Road, Tirukalukundram (P.P)-603 109
2.	Registration Certificate No.	:	TIN: 33321602695 CST:797124
3.	Name of the Assessment Circle	:	Chengalpet Assessment Circle
4.	Date of application	:	25-08-2014
5.	Date of receipt of application	:	26-08-2015
6.	Clarification sought for	:	Rate of tax on " Rubber Lined MS Tanks, Rubber Lined Pipes and its Fitting "
7.	Date of Personal Hearing	:	Personal hearing not requested
8.	Represented by	:	---

ORDER

Tvl.Karthik Engineers & Constructions, Tirukalukundram - 603109 (TIN:33321602695), registered dealers in the file of Chengalpet Assessment Circle have preferred application in Form 'VV'

and sought clarification under Section 48-A (1) of the Tamil Nadu Value Added Tax Act, 2006 (TNVAT Act, 2006), read with Rule 12-A of Tamil Nadu Value Added Tax Rules, 2007 (TNVAT Rules, 2007).

2. The applicant-dealers have requested the Authority for Clarification and Advance Ruling hereinafter will be referred as Authority to clarify the rate of tax for **"Rubber Lined MS Tanks, Rubber Lined Pipes and Rubber Lined Fitting items"**. The Rubber lining is made out of rubber sheet, when they are pasted on MS Tanks, Pipes and fitting they are called as MSRL Tanks, MSRL Pipes and MSRL Fittings.

3. This committee considered the above application and documents filed along with the application carefully and examined the issue with reference to the Schedules and provisions of TNVAT Act, 2006 and notifications issued under the Act.

4. As per Entry 100 of Part-B of First Schedule which reads as "Pipes, tubes and its fittings of all varieties including hose pipes, ductile pipes and PVC pipes". The **Rubber lined MS Pipes and its Fittings** can be classified under the above entry. However, the **Rubber lined MS Tanks** are not specified in any of the schedules and falls as a residuary item under Entry 69 of Part-C of First Schedule to the TNVAT Act, 2006.

5. In view of the above discussion, it is therefore clarified that

- (i). **"Rubber lined MS Pipes and its Fittings"** are liable to tax at 5% as per Entry 100 of Part-B of First Schedule to the TNVAT Act, 2006; and

- (ii). **"Rubber lined MS Tanks"** are liable to tax at 14.5% as residuary items falling under Entry 69 of Part-C of First Schedule to the TNVAT Act, 2006.

Dated this the Twenty-Fifth day of October 2016.

Sd/- A. Sarvar Allam,
Additional Commissioner (PR)(FAC)

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

Sd/- Dr.C. Chandramouli, I.A.S
Additional Chief Secretary/
Commissioner of Commercial Taxes

To
Tvl. Karthik Engineers & Constructions,
No.329/1, Egai Village,
Kalpakkam Road,
Tirukalukundram (P.P)-603 109

Copy to:
The Assistant Commissioner (CT)
Chengalpet Assessment Circle.

The Joint Commissioner (CT),
Chennai (South) 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 File 3/ Acts Cell-II /Spare – 5.

//Forwarded/By Order//

LGJ - [Signature]
20/16,
Commercial Tax Officer