

GOVERNMENT OF TAMILNADU COMMERCIAL TAXES DEPARTMENT		
<u>PROCEEDINGS OF THE AUTHORITY FOR CLARIFICATION AND ADVANCE RULING</u>		
ACAAR No.108/2014-15. Acts cell-II/39574/2014		Dated 31.07.2015
Present:	1. Thiru. K.Rajaraman, I.A.S., Principal Secretary / Commissioner of Commercial Taxes. 2. Thiru. R.Vayanaperumal, Additional Commissioner (CT), (Public Relations) 3. Thiru. K.Mahalingam, Additional Commissioner (CT), (Revision Petitions)	
1.	Name and address of the Applicant	: Tvl. Naga Herbs, 53-A, Maravanatham Road, Salern main Road, Chinnasalem - 606201
2.	Registration Certificate No.	: TIN:33326251905/ CST:398118
3.	Assessment Circle	: Kallakuruchi, Villupuram
4.	Date of application	: 29.09.2014
5.	Date of receipt of application	: 08.09.2014
6.	Clarification sought for	: Rate of Tax on " Coleus forskohili - Root, Stem and Powder "
7.	Date of Personal Hearing	: ---
8.	Represented by	: Thiru. V.Ashok Kumar

ORDER

Tvl. Naga Herbs, Chinnasalem - 606201 (TIN: 33326251905), the registered dealers in the files of Kallakuruchi, Villupuram have preferred application in Form 'VV' and sought clarification under Section 48-A (1) of the TNVAT Act, 2006, read with Rule 12-A of TNVAT Rules, 2007.

2. The applicant-dealers have sought for clarification on the following: Rate of tax on **"Coleus forskohili - Root, Stem and Powder"**.

3. The applicant-dealers have stated that the Coleus forskohili in commercial parlance is called as Coleus, which is an agricultural product; its roots and stems are cut into pieces and converted into powder which is being used as a Medical Herbs and Country drugs for the treatment of Glaucoma and blood pressure.

4. The issue has been examined in detail with reference to the provisions of TNVAT Act, 2006 and Rules, 2007 and the entries regarding the commodities classified under both First and Fourth Schedules to the TNVAT Act, 2006. Section 48-A of TNVAT Act, 2006 provides for clarification on any point concerned with rate of tax for commodities. The applicant-dealers have sought for clarification regarding rate of tax on, **"Coleus forskohili - Root, Stem and Powder"**.

5. There is no general entry in Part-B or Part -C of First Schedule and in Part-B of Fourth Schedule with the description herbs. There is no specification about the herb Coleus forskohili under item no. 21 in the list of medicinal herbs and country drugs including root in fresh (or) dried form under Notification No.II (1)/CTR/30(a-3)/2007 in G.O Ms. No. 79, CT&R (B2) dept, dt 23.03.2007 with effect from 01.01.2007. Therefore Coleus forskohili herbs does not fall under the above said Notification. Therefore, it is not liable for exemption. Besides it is liable to tax @ 14.5% under Entry 69 of Part-C of First Schedule as an unclassified item.

6. The clarification is therefore that the "**Coleus forskohili - Root, Stem and Powder**" are liable to tax at **14.5% under Entry 69-Part-C of First Schedule to the TNVAT Act, 2006.**

Dated this the Thirty First day of July 2015.

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

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

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

To

Tvl. Naga Herbs,
53-A, Maravanatham Road,
Salem main Road,
Chinnasalem - 606201

Copy to:
The Assistant Commissioner (CT)
Kallakuruchi Assessment Circle
Villupuram

The Joint Commissioner (CT),
Villupuram 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//

U.S. Narayan
3815
Commercial Tax Officer