

**GOVERNMENT OF TAMILNADU  
COMMERCIAL TAXES DEPARTMENT**

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

**ACAAR No.15/2015-16**  
**Acts cell-II/13306/2015**

Dated:07.03.2016

- Present:** 1.Thiru. S.K.Prabhakar, I.A.S.,  
Principal 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. Tamil Nadu Minerals Limited,<br>No.31, Kamarajar Salai,<br>Chepauk,<br>Chennai - 600005 |
| 2. | Registration Certificate No.      | : | TIN.No.33790660324<br>CST.37487  |
| 3. | Assessment Circle                 | : | Chepauk Assessment Circle  |
| 4. | Date of application               | : | 03-06-2015   |
| 5. | Date of receipt of application    | : | 04-06-2015   |
| 6. | Clarification sought for          | : | Rate of Tax on " <b>Vermiculite Roof Tiles</b> "   |
| 7. | Date of Personal Hearing          | : | ---  |
| 8. | Represented by                    | : | ---  |

**ORDER**

Tvl. Tamil Nadu Minerals Limited, No.31, Kamarajar Salai, Chepauk, Chennai – 600005 (TIN.No. 33790660324), registered dealers in the files of Chepauk 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).

2.1. The applicant-dealers have stated in the annexure to application that they are producing and selling Exfoliated Vermiculite tile. This tile has properties such as light weight, Non Corrosive, Non Conductor of electricity, Odourless, Acid resistance, Non-abrasive, Reflective, Low Thermal Conductivity, vermin and termite proof, insoluble in water and organic solvents, resistance to heat penetration and high thermal insulation.

2.2. The dealer further demonstrates about the conventional method for weathering course of roof above RCC level. In the conventional method brick jelly, lime mortar, jaggery and kadukkai are laid above RCC, then clay tiles are affixed over them. However this method has flaw as these clay tiles are easily damaged. Also the brick jelly has high dampness property, which may pose damage to the concrete. However, the Vermiculite Roof Tiles can be laid on the roof directly by laying cement mortar on RCC. This tile reduces heat as it has low thermal conductivity and reduces dead load factor over the building due to its low weight.

2.3. The applicant-dealers had stated further that Vermiculite tile marketed as "TAMIN Vermitile" is of size (1 foot x 1 foot x 1 inch) has unique raw materials such as flyash, ground granulated blast furnace slag (more than 25%), Ground granulated slag cement and titanium oxide. In order to further substantiate, the applicant-dealers also enclosed certificates obtained for various properties of the "Vermiculite Tile" from (i).National Test House, Government of India, Taramani, Chennai, (ii).Central Institute of Plastic Engineering and Technology, Government of India, Guindy, Chennai, (iii).Public Works Department, Government of Tamil Nadu, Chepauk, Chennai.

3. The issue has been examined in detail with reference to the provisions of TNVAT Act, 2006 and Rules 2007 and the relative entries regarding the commodities classified under the First and

Fourth Schedule 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.

4.1. The applicant dealers have sought for clarification on rate of tax for "**Vermiculite Tiles**". The Vermiculite Tiles would not fall under any specific entry of the Schedules given under TNVAT Act, 2006. Consequently, Vermiculite Tiles would fall under the residuary Entry No.69 of Part-C of First Schedule to TNVAT Act, 2006.

5. In view of the above discussion, this Committee clarifies that "**Vermiculite Tiles**" is liable to tax at 14.5% as a residuary item falling under Entry 69 of Part-C of First Schedule to the TNVAT Act, 2006.

Dated this the Seventh day of March 2016.

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

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

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

To  
Tvl. Tamil Nadu Minerals Limited,  
No.31, Kamarajar Salai,  
Chepauk,  
Chennai - 600005

Copy to:  
The Assistant Commissioner (CT)  
Chepauk Assessment Circle

The Joint Commissioner (CT),  
Chennai (East) 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//

  
Additional Commissioner (PR)(FAC)