

**GOVERNMENT OF TAMILNADU  
COMMERCIAL TAXES DEPARTMENT**

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

**ACAAR No.18/2015-16**  
**Acts cell-II/13727/2015**

Dated:02.05.2016

- 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. V.M.S Textiles, 512/7-A, Trichy Main Road, Sri Devi Sowdeswari Complex, Gugai, Salem - 636 006
2.	Registration Certificate No.	:	TIN.No.33362765315 CST.1109949
3.	Assessment Circle	:	Annathanapatty Assessment Circle
4.	Date of application	:	22-04-2015
5.	Date of receipt of application	:	29-04-2015
6.	Clarification sought for	:	Rate of Tax on " <b>Zari</b> "
7.	Date of Personal Hearing	:	---
8.	Represented by	:	---

**ORDER**

Tvl. V.M.S Textiles, 512/7-A, Trichy Main Road, Sri Devi Sowdeswari Complex, Gugai, Salem - 636 006 (TIN.No. 33362765315), registered dealers in the files of Annathanapatty Assessment Circle, Salem Division 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 to clarify whether the Exemption granted for "Zari" in Notification VIII in G.O.Ms. No.33 CT&R(B2) dated 29.03.2010 is still in force or not? The applicant dealers also attached the copy of Notification and a Letter from Commissioner of Commercial Taxes in Lr.No.L.Dis, Acts Cell-II/35630/2012 dated 11-12-2012 which states that "Notification mentioned by you is still in force".

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. The applicant dealers have sought for clarification on whether the Exemption granted for "Zari" vide Notification VIII in G.O.Ms. No.33 CT&R(B2) dated 29.03.2010 is still continuing. The above said notification is not yet cancelled or varied by any subsequent notifications issued under Section 30(3). Hence, the exemption granted on Zari of all kinds excluding polyester film yarn and radiant yarn" is continuing and still in force.

5. In view of the above discussion, this Committee clarifies that **"Zari of all kinds excluding polyester film yarn and radiant yarn" are exempt from VAT vide Notification No.II(1)/CTR/4(b-8)/2010 in G.O.No.33-VIII, Commercial Taxes and Registration Department dated 29.03.2010, with effect from 01.04.2010.**

Dated this the Second day of May 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. V.M.S Textiles,  
 512/7-A, Trichy Main Road,  
 Sri Devi Sowdeswari Complex,  
 Gugai, Salem – 636 006

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

The Joint Commissioner (CT),  
 Salem 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//

*K. S. Narayanan*  
 Commercial Tax Officer