

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

ACAAR No.51/ 2014-15.
Acts cell-II/23199/2014

Dated 27.01.2015

- 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.Modern Machine Tools Co. No.66(62), Devanga High School Road, Coimbatore-641 002.
2.	Registration Certificate No.	:	TIN.No.33921940313
3.	Date of application	:	22.07.2014
4.	Date of receipt of application	:	22.07.2014
5.	Clarification sought for	:	Rate of Tax on " Motor "
6.	Date of Personal Hearing	:	02.12.2014
7.	Represented by	:	Thiru.J.R.Sunil, Proprietor,

ORDER

Tvl.Modern Machine Tools Co.No.66(62), Devanga High School Road, Coimbatore-641 002.(TIN.No. 33921940313) , the registered dealers in the files of R.S.Puram (East) assessment circle, Chennai, 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 "Motor"

3. The applicant dealer in their Form VV have requested to clarify the rate of tax on sale of "Motor" which are manufactured and sold locally. The applicant dealer has also requested to grant a personal hearing before pronouncing the ruling on the questions raised in this application.

4. The issue has been examined in detail with reference to the relevant entries under entry 27 Part-C First Schedule to TNVAT Act 2006, section 2(11) and entry 67 of Part B of First Schedule to TNVAT Act 2006.

- a) Electric Motor is liable to 14.5% under entry 27 Part-C First Schedule to TNVAT Act 2006.
- b) If it is sold to a manufacturing unit within the State of Tamil Nadu for use as Capital Goods in manufacturing process, it is liable to tax at 5% as Capital Goods under section 2(11) of TNVAT Act 2006.
- c) If it is sold to manufacturers of Power operated machinery as a component in the manufacture of machinery within the State of Tamil Nadu, it is also liable to tax at 5% under entry 67 of Part B of First Schedule to the TNVAT Act 2006 read with Rule 6(3)(b) of the TNVAT Rule 2007 as industrial input.

Dated this the 27th day of January 2015.

R. Vayanaperumal,
Additional Commissioner (PR)

K. Mahalingam,
Additional Commissioner (RP)

K. Rajaraman,
Principal Secretary/
Commissioner of Commercial Taxes

To
Tvl.Modern Machine Tools Co.
No.66(62), Devanga High School Road,
Coimbatore - 641 002.

Copy to:
The Assistant Commissioner (CT)
R.S.Puram (East) Assessment Circle

The Joint Commissioner (CT),
Coimbatore 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)