

**GOVERNMENT OF TAMILNADU
COMMERCIAL TAXES DEPARTMENT**

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

ACAAR No.86/2015-16
Acts cell-II/33065/2015

Dated: 11.05.2018

- Present:**
1. Dr.T.V. Somanathan, I.A.S.,
Principal Secretary / Commissioner of Commercial Taxes.
 2. Thiru M. Parameswaran,
Additional Commissioner (ST), (Public Relations)(FAC)
 3. Dr. C. Palani,
Additional Commissioner (ST), (Revision Petitions)(FAC)

1	Name and address of the Applicant	:	Tvl. Vel Chakra Coffee Private Limited, 16/31, Kandappa Chetty Street, Kothawal Bazzar, Chennai - 600 001.
2.	Registration Certificate No.	:	TIN :33866279059 CST : 919942
3.	Assessment Circle	:	Loan Square Assessment Circle
4.	Date of application	:	09.10.2015
5.	Date of receipt of application	:	26.10.2015
6.	Clarification sought for	:	Rate of Tax on " Coffee Powder "
7.	Date of Personal Hearing	:	--
8.	Represented by	:	--

ORDER

Tvl. Vel Chakra Coffee Private Limited, 16/31, Kandappa Chetty Street, Kothawal Bazzar, Chennai - 600 001. (TIN 33866279059), the registered dealers in the files of Loan Square Assessment Circle, Chennai have preferred application in Form 'VV' and sought clarification under Section 48-A (1) of the Tamil Nadu Value Added Tax Act (TNVAT Act, 2006), read with Rule 12-A of the Tamil Nadu Value Added Tax Rules, 2007 (TNVAT Rules, 2007).

2. The applicant-dealer have sought for clarification on the rate of Tax on "**Coffee Powder**". They stated that they are prepared to sell coffee powder packed in pouches or any other containers.

3. The issue has been examined in detail with reference to the provisions of the TNVAT Act, 2006 and TNVAT Rules, 2007 and the related entries regarding the commodities classified under the First and Fourth Schedules to the TNVAT Act, 2006. Section 48-A of the TNVAT Act, 2006 provides for clarification on any point concerned with rate of tax for commodities.

4. Item No. 1 of the Notification No. II(1)/CTR/12 (R-20)/2011 published in G.O. Ms. No. 78, Commercial Taxes and Registration (B2) Department, dated 11th July 2011 which reduces the rate of tax applicable on the goods enumerated thereunder to 5%, reads as follows:-

"Chicory and Unbranded Coffee Powder other than instant coffee"

5. In view of the above, it is clarified that **Coffee Powder is liable to tax at the reduced rate of 5% vide item No.1 in Notification No. II(1)/CTR/12(R-20)/2011 published in G.O.Ms.No.78, Commercial Taxes and Registration (B2) Department, dated 11.07.2011 if it is "unbranded" and liable to tax @ 14.5% if it is "Branded"**.

Dated this the eleventh day of May 2018.

Sd/- M. Parameswaran,
Additional Commissioner (PR)(FAC)

Sd/- C. Palani,
Additional Commissioner (RP) (FAC)

Sd/- T.V. Somanathan,
Principal Secretary/
Commissioner of Commercial Taxes

To

Tvl. Vel Chakra Coffee Private Limited,
16/31, Kandappa Chetty Street,
Kothawal Bazaar,
Chennai – 600 001.

Copy to:

The Assistant Commissioner (ST),
Loan Square Assessment Circle.

The Joint Commissioner (ST),
Chennai (North) 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 (ST) including Enforcement, LTU, MOU and ISIC.
All Deputy Commissioners (ST), 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//


State Tax Officer 14/00/18.