

**GOVERNMENT OF TAMIL NADU
COMMERCIAL TAXES DEPARTMENT**

**PROCEEDINGS OF THE
AUTHORITY FOR CLARIFICATION AND ADVANCE RULING**
(Under Section 48-A of TNVAT Act, 2006)

**Present: 1. Dr.K.Manivasan, I.A.S.,
Commissioner of Commercial Taxes,
2. Thiru. R. Chandramohan, M.A.,
Additional Commissioner (PR)
3. Thiru. B. Gnanasekar, M.A.,
Additional Commissioner (RP)**

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A.C.A.A.R 17/ 2012-13
D.Dis.Act Cell II/15858/2012

Dated 25.7.2012

Ref: Application of Tvl. Jagat Edible Oils India Pvt.
Ltd., No.162-C, Chokkampudur Road,
Coimbatore 641 001, Dated 11.05.2012.

ORDER

Tvl. Jagat Edible Oils India Pvt. Ltd., No.162-C, Chokkampudur Road, Coimbatore 641 001 (TIN:33531762484) have filed an application and sought clarification under Section 48-A of TNVAT Act, 2006, read with Rule 12-A of TNVAT Rules, 2006.

2. They have sought clarification on the following in column 4 of Form 'VV':

"Sludge ".

3. The issue has been examined in detail with reference to the provisions of TNVAT Act and Rules and clarification is given.

4. The Tamil Nadu Value Added Tax (Second Amendment) Act, 2011 came into force on 27.09.2011, inserting a new section 48-A for the constitution of a State Level Authority for Clarification and Advance Ruling to clarify any point concerning the rate of tax.

5. The applicants have sought clarification on the rate of tax on **"Sludge"**.

6. It is seen from the details furnished by the applicants that sludge settles at the bottom of the tank where the edible oils are

stored for refining. The said sludge cannot be refined and it has to be sold as such without any processing.

7. The sludge sold by the applicant is only waste of the edible oils.
Entry 67-A(ag) of Part-B of the First Schedule reads as follows:
"Scraps and wastes of all kinds"

8. There is a specific entry in the Schedule for the commodity on which clarification is sought by the applicant. **"Sludge"** is a waste and fits into Entry 67-A(ag) of Part B of the First Schedule to the Act.

9. Therefore, the clarification is that, **Sludge** is taxable at 5% under Entry 67-A(ag) of Part-B of the First Schedule to the TNVAT Act, 2006.

Sd/- R. Chandramohan
Additional Commissioner (PR)

Sd/- B. Gnanasekar
Additional Commissioner(RP)

Sd/- K. Manivasan
Commissioner of Commercial Taxes

To

Tvl. Jagat Edible Oils India Pvt. Ltd.,
No.162-C, Chokkampudur Road,
Coimbatore 641 001

Copy to:

Deputy Commissioner (CT)
R.G.Street Circle, Coimbatore.
The Joint Commissioner (CS)

To host in Department Website

The Secretary to Government, Commercial Taxes and Registration
Department , Secretariat, 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 Joint Commissioner (CT), Coimbatore Division, Coimbatore

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.

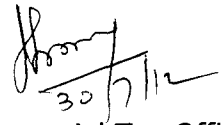
The Deputy Commissioner (CT), Zone-I, Coimbatore.

All Additional Commissioners, Deputy Commissioners, Assistant Commissioners,
Commercial Tax Officers in CCT 's Office

Personal Clerk to the CCT

Stock file / Acts Cell II / Spare-5

//forwarded by order//



Commercial Tax Officer