

**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. E. Rathinasamy, M.Sc., B.L.,  
Additional Commissioner (RP) (FAC)

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**A.C.A.A.R. 26/ 2013-14**  
(Acts Cell-II/17047/2013)

**Dated 14.08.2013**

Ref: Application of Tvl. The Metal Powder Company  
Limited, Maravan Kulam-625 706,  
Thirumangalam, Madurai District, dated  
03.06.2013.

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An application has been filed by Tvl. The Metal Powder Company Limited, Maravan Kulam-625 706, Thirumangalam, Madurai District seeking clarification under Section 48-A of TNVAT Act, 2006 read with Rule 12-A of the TNVAT Rules, 2007.

2. The dealer is registered at Thiruparankundram Circle having TIN 33616230260.

3. The clarification is sought on the following in column 4 of Form V V:

**"Aluminium Powder"**

4. The dealer sought personal hearing and accordingly Thiru S.Karunakar, Advocate and Auhtorised Representative, appeared on 13.08.2013 before the Authority and explained the product details. He also filed additional written submissions at the time of personal hearing.

5. It was informed that Aluminium Powder is obtained from non-ferrous metal ingots which are powdered by using different or various processes and sold as aluminium powder. The powdered Aluminium Ingots are sold as Aluminium Powder, Atomised Aluminium powder, Pyrotechnic Aluminium Powder which finds application in different fields like firework industries, paint industries, automobile industries and defence and hence aluminium powder is liable to be taxed at 5% under Entry 89 (ii) of Part-B of the First Schedule.

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

7. Section 48-A of the TNVAT Act, 2006 provides for clarification on any point concerning rate of tax.

8. The dealer had sought clarification on **"Aluminium Powder"**.

9. Aluminium powder is a highly flammable powder created by grinding aluminium into fine grains. The products thus obtained like Atomised Aluminium Powder, Pyrotechnic Aluminium Powder, and PPP Aluminium Powder have varied applications in different fields. Simply stated, Aluminium Powder is obtained from the raw-material Aluminium Ingots by the process of melting. From the description given for the products and the perusal of details furnished, it is seen that the product sold by the dealer is identifiable with Entry 89 of Part-B of the First Schedule.

10. Entry 89 of Part-B of the First Schedule reads as follows:

- (i) .....
- (ii) Metal powder including metal pastes of all types and grades and metal scraps other than those falling under the declared goods.
- (iii) ....
- (iv) ....

11. Therefore **"Aluminium Powder"** fits into the description given under Entry 89 (ii) of the Part-B of the First Schedule.

12. The clarification therefore is that **"Aluminium Powder"** is taxable at 5% under Entry 89 (ii) of Part B of the First Schedule to the TNVAT Act, 2006.

Sd/- R. Chandramohan  
Additional Commissioner (PR)

Sd/- E. Rathinasamy  
Additional Commissioner (RP) (FAC)

Sd/- Dr. K. Manivasan  
Commissioner of Commercial Taxes

To

Tvl. The Metal Powder Company Limited,  
Maravan Kulam-625 706,  
Thirumangalam, Madurai District.

Copy to:  
The Assistant Commissioner (CT),  
Thiruparankundram Assessment Circle.

The Joint Commissioner (CT),  
Madurai Division.

The Joint Commissioner (CS)

**To host in the Department Website**

The Secretary to Government, CT & R Department, Chennai – 9.

All Joint Commissioners (CT) including Enforcement, LTU, MOU and ISIC.

All Deputy Commissioners (CT), (Territorial) and (Enforcement).

All Head of Officers (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 and Commercial Tax Officers in CCT's Office.

Personal Clerk to the CCT.

Stock File3 / Act Cell II / Spare – 5.

/Forwarded/By order/



Commercial Tax Officer