

**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. Thiru. Hemant Kumar Sinha, I.A.S.,  
Principal Secretary /  
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 32/ 2011-12**  
**D.Dis.Acts Cell II/3625/2012**

**Dated 02.04.2012**

Ref: Application of Tvl.Mukesh Diamond Company,  
No.164, Mint Street, Sowcarpet,  
Chennai – 600 079, Dated Nil.

**ORDER**

Tvl.Mukesh Diamond Company, No.164, Mint Street, Sowcarpet, Chennai – 600 079, (TIN: 33770220149) 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 sought clarification on the following in column 4 of Form 'VV':

**"Articles of Gold".**

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

4. The Tamil Nadu Value Added Tax (Second Amendment) Act, 2011 came into force on 27.09.2011, by 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 applicant sought clarification on "**Articles of Gold**". Entry 2 of Part-A to First Schedule reads as follows:-

"Gold, Silver, Pearls, noble Metals and Jewellery  
made of it, semi-precious stones and articles made  
of gold and silver".

6. On examination of the brochure filed by the applicant containing complete details of the product, it is seen that the products are not articles of gold but "Electro forming box idols, dome idols,

frames containing pictures of gold plated gods and silver idols. By electro forming of idols, the silver copper base is casted into a mould with blow moulding electro forming process making the figure hallow from inside. A very thin layer of gold is put on the same having 200 ml of pure gold per square inch. Similarly the silver idols also undergo a different process.

7. Moulded idols, be it gold or silver coated, have not been specified in any of the Schedules: Entry 69 of Part-C to First Schedule reads as follows:-

"Any other goods, not specified in any of the schedules.

8. Therefore moulded idols are taxable at 14.5% under entry 69 of Part-C to First Schedule.

9. However, by Notification No.II(1) / CTR / 12 (R-20) / 2011, dated 11-07-2011 the rate of tax on "moulded idols" was reduced from 14.5% to 5%.

10. Therefore, the ruling is that, **Articles of Gold and silver coated moulded idols** are taxable at the reduced rate of 5% as per Notification No.II(1) / CTR / 12 (R-20) / 2011 dated 11.07.2011 under TNVAT Act, 2006.

Sd/- R.Chandramohan  
Additional Commissioner (PR)

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

Sd/- Hemant Kumar Sinha  
Principal Secretary /  
Commissioner of Commercial Taxes

To

Tvl.Mukesh Diamond Company,  
No.164, Mint Street,  
Sowcarpet, Chennai - 600 079

Copy to:

Assistant Commissioner (CT), Sowcarpet - I Assessment Circle.  
Joint Commissioner (CS)

**To host in Website**

The Secretary to Government, Commercial Taxes and Registration  
Department , Secretariat, Chennai - 9.

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

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.

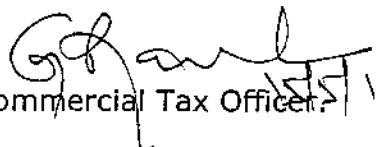
The Deputy Commissioner (CT), Zone-II, Chennai

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. 12