

**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 66/ 2012-13

Dated 11.02.2013

Ref: Application of Tvl.S.T.P. Limited, No.55 and 56,
A & B Developed Plots, SIDCO Industrial
Estate, Ambattur, Chennai-600 098 dated
05-10-2012.

Tvl.S.T.P. Limited, No.55 and 56, A & B Developed Plots, SIDCO Industrial Estate, Ambattur, Chennai-600 098 (TIN: 33841442068) have filed an application and sought clarification under Section 48-A of the TNVAT Act, 2006 read with Rule 12-A of the TNVAT Rules, 2007.

2. The clarification was sought on the following in column 4 of Form V V:

"Asphaltic Roofing Felt".

3. The dealers have stated that they are manufacturer of Bituminous products, water proofing felt, construction chemicals and APP modified water proofing membrane. It was stated that the APP modified water proofing membrane is treated as asphaltic roofing by certain dealers and taxing the product at 5%. The APP modified water proofing membrane is a multi-layered design consisting of polyester/fibre glass sheets with varying strength as a centre core. The said polyester/fibre glass sheet is coated on both sides with APP modified Bitumen and finally finished with Thermofusible Polyethylene film on both sides. This

combination gives the proven waterproofing quantities of bitumen plasticity, excellent resistance to heat, ageing and weathering. Since the APP modified water proofing membrane is sold by certain dealers as asphaltic roofing felt at 5% tax rate, the dealer has sought clarification on the rate of tax.

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

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

6. The dealer has sought clarification on Asphaltic Roofing Felt.

7. Asphaltic is a brownish – black solid or semi-solid mixture of bitumens obtained as a bi-product of petroleum used in paving, roofing and water proofing. Asphaltic roofing felt is for roof protection design to protect residential and commercial buildings. Felt is on a roll and goes on one strip at a time. Bitumen is mixed with a filler component such as limestone or sand. Polymers are added to the bitumen that gives rigidity and tear resistance. Base products like polyester, fibre glass, Hessian and paper in role form are full through the bitumen mixes on huge rollers. These base products become saturated in huge tanks by the tar like bitumen substance, creating rolls of water proof materials. Small granules are added to the top of the felt, decreasing the products fire vulnerability. This product is added to the base of the felt during manufacturing which stops the felt from sticking to itself when rolled up during packing process.

8. Asphaltic Roofing Felt on which clarification sought by the dealer has not been specifically mentioned in any of the Schedules to the TNVAT Act, 2006.

9. Entry 69 of Part C of the First Schedule reads as follows:

“Any other goods not specified in any of the Schedules.”

10. The clarification, therefore, is that **Asphaltic Roofing Felt** is unclassified item taxable at 14.5% under Entry 69 of Part C of the First Schedule to the TNVAT Act, 2006.

Sd/- R.Chandramohan
Additional Commissioner (PR)

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

Sd/- K. Manivasan
Commissioner of Commercial Taxes

To

Tvl.S.T.P. Limited,
No.55 and 56, A & B Developed Plots,
SIDCO Industrial Estate,
Ambattur,
Chennai-600 098

Copy to:

The Assistant Commissioner (CT)
Korattur Assessment Circle,
Chennai

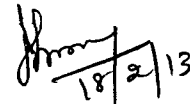
The Joint Commissioner (CT),
Chennai (South) Division.

The Joint Commissioner (CS)
To host in the Department Website

The 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 File 3 / Act Cell II / Spare - 5.

//forwarded by order//



Commercial Tax Officer.