

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. K. Mahalingam, M.Sc.,
Additional Commissioner (RP)**

A.C.A.A.R 70/2013-14
(Acts Cell-II/27833/2013)

Dated 06.12.2013

Ref: Application of Tvl. P.K. Mookanambalam & Co, Civil Engineering Contractors, 21, Jawahar Nagar, Gandhi Nagar, Madurai - 20 dated 06.09.2013.

Tvl. P.K. Mookanambalam & Co, Civil Engineering Contractors, 21, Jawahar Nagar, Gandhi Nagar, Madurai - 20 (TIN: 33094880403) 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:

**“Rate of tax for the purchase of materials from
unregistered sources under Section 12 by contractors”**

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

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

5. The dealer had sought clarification on the rate of tax for the purchase of materials from unregistered sources under Section 12 by contractors. In the letter accompanying application in Form 'V V' it was stated that clarification was required for the rate of tax on the purchases of raw materials such as jelly, sand, bricks from unregistered dealers under Section 12 of TNVAT Act by the contractors for contract works.

6. The materials purchased from unregistered sources are liable to be taxed under Section 12 of TNVAT Act in the circumstances specified thereon. The dealer being a contractor, is liable to pay purchase tax on the materials purchased from unregistered sources and used for executing contracts at the rates as provided under the First Schedule to the TNVAT Act.

7. The clarification therefore is that **"the purchase of materials from unregistered sources for execution of contracts is taxable under Section 12 of the TNVAT Act"**, subject to circumstances specified thereon.

Sd/- R.Chandramohan
Additional Commissioner (PR)

Sd/- K. Mahalingam
Additional Commissioner(RP)

Sd/- K. Manivasan
Commissioner of Commercial Taxes

To
Tvl. P.K. Mookanambalam & Co,
Civil Engineering Contractors,
21, Jawahar Nagar,
Gandhi Nagar, Madurai - 20.

Copy to:
The Assistant Commissioner (CT),
Thallakulam Assessment Circle, Madurai
The Joint Commissioner (CT),
Madurai 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 (CT) including Enforcement, LTU, MOU and ISIC.

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

All Head of Offices (Assessment).

The State Representative, Sales Tax Appellate Tribunal, (Main Bench), Chennai - 104.

The Addl. State Representative, (AB) Chennai, Madurai and Coimbatore.

The Director, CTSTI, Greams Road, Chennai - 6.

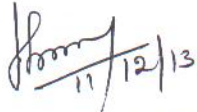
The Chief Executive Officer, Traders Welfare Board, Chennai - 5.

The Additional Commissioners, Joint 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//


11/12/13
Commercial Tax Officer