

**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 74/2013-14**  
**(Acts Cell-II/30019/2013)**

**Dated 06.12.2013**

Ref: Application of Tvl. Airmaster Flowtec (P) Limited, 10, Park Avenue Apartment, 44, Pulla Avenue, Shenoy Nagar, Chennai - 30, dated 01.10.2013.

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Tvl. Airmaster Flowtec (P) Limited, 10, Park Avenue Apartment, 44, Pulla Avenue, Shenoy Nagar, Chennai - 30 (TIN: 33681024668) 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:

**"Parts and Accessories of Refrigeration"**

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 **"Parts and Accessories of Refrigeration"**. The dealer manufactures "Air conditioning, Air terminals". These products are sold to air conditioning equipment manufacturers & Centralised Air conditioning System supply and installing Contractors. These products are used only in Centralised Air conditioning System and without these products the whole system will not be complete. It was further stated that they are charging 14.5% on the sale of these products whereas other dealers in similar business charge 5% on these products as industrial input and accordingly sought clarification.

6. The products sold by the dealer fit into the description given under Entry 3 of Part-C of the First Schedule relating to Air conditioning products.

7. Entry 3 of Part-C of the First Schedule reads as below:

- “(i) Air-conditioning plants, air-conditioners and other air-conditioning appliances, air-coolers, room coolers including all cooling appliances, apparatus and instruments.
- (ii) Refrigeration plants and all kinds of refrigerating appliances and equipments including refrigerators, deep freezers, mechanical water-coolers, coffee coolers, walk-in-coolers.
- (iii) Water-cooler-cum-heater units.
- (iv) Parts and accessories of items (i) to (iii) above”.

8. If the said products are sold as industrial input, tax is attracted at 5% under Entry 67 of Part-B of the First Schedule subject to production of a certificate to avail the rate of tax at 5%.

9. The clarification therefore is that **“Parts and Accessories of Refrigeration”** are taxable at 14.5% under Entry 3 of Part-C of the First Schedule to the TNVAT Act. However, if the said products are sold as industrial input, tax is attracted at 5% under Entry 67 of Part-B of the First Schedule subject to fulfillment of conditions contained under Rule 6 (3) (b) of TNVAT Rules, 2007.

Sd/- R.Chandramohan  
Additional Commissioner (PR)

Sd/- K. Mahalingam  
Additional Commissioner(RP)

Sd/- K. Manivasan  
Commissioner of Commercial Taxes

To  
Tvl. Airmaster Flowtec (P) Limited,  
25, Kanniamman Koil Street,  
Kachinakuppam, SIDCO, Ambattur, Chennai-98.

Copy to:  
The Assistant Commissioner (CT),  
Aminjikarai Assessment Circle, Chennai  
The Joint Commissioner (CT),  
Chennai (Central) 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.

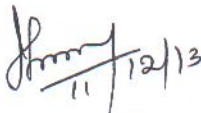
The Chief Executive Officer, Traders Welfare Board, Chennai - 5.

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