

**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 8/ 2013-14

Dated 05.06.2013

Ref: Application of Tvl.Metco Roof Private Limited,
No.33, Chakrapani Street Extension, West
Mambalam, Chennai – 600 033, dated NIL.

Tvl.Metco Roof Private Limited, No.33, Chakrapani Street Extension, West Mambalam, Chennai – 600 033 (TIN: 33074701643) 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:

“Iron Steel Sheet Corrugated”.

3. The dealer had sought for personal hearing. The Authority for Clarification and Advance Ruling convened a meeting on 04.06.2013 and the dealers were given intimation in writing to appear before the Authority on 04.06.2013. Accordingly, Thiru. V.Thirumaran, Chief Executive – Operations appeared on 04.06.2013 and also filed written submissions.

4. It was stated that cold rolled coils are brought into the State by way of imports or directly purchased locally / outside the State and such sheets are corrugated to various standard sizes and sold without any fabrication or welding undertaken on those sheets. The iron steel sheets are corrugated by passing between ridged rollers by a rollforming machine and hence such corrugated iron steel sheets are nothing but steel sheets only without transformation into a new and different commodity and hence such corrugated steel sheets are to be classified as Declared Goods only taxable at 5% under Entry 41 of the First Schedule to the TNVAT Act read with Section 14 of CST Act.

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

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

7. The dealer had sought clarification on "**Iron Steel Sheet Corrugated**".

8. Entry 41 of Part B of the First Schedule reads as "Declared Goods". The goods of special importance in inter-state trade or commerce have been enumerated under Section 14 of the CST Act which are called Declared Goods. The various articles that fall under iron and steel or enumerated in Entry (iv) of Section 14.

9. The dealers procure bare galvanized / colour galvanized / pre painted galvanized CR sheets / HR sheets in coil form by way of imports or from outside the State or within the State and such iron sheets are corrugated by passing between ridged rollers by a rollforming machine. The sheets are corrugated to various standard sizes and sold by the dealers. The process of corrugation involves passing flat sheets through powerful presses to make the corrugated sheets very rigid and portable. The corrugation is done in one direction which gives increased stiffness and strength to the iron sheets. The iron steel sheets procured are sold after corrugation without any further processes to make it a different and distinct commodity commercially. The corrugated sheets therefore still retains the identity as steel sheet only and that corrugated iron sheets are merely iron in another shape and continued to retain the character of iron in the absence of outcome of any manufactured end product.

10. Sub-clause (vi) to Entry (iv) in Section 14 of CST Act reads as follows:

"Sheets, hoops, strips and scalp both black and galvanized hot and cold rolled, plying and corrugated in all qualities in straight lengths and in coil form, as rolled and in rivetted condition".

11. Corrugated iron steel sheets sold by the dealers therefore fit into the description given under sub-clause (vi) to Entry (iv) of Section 14 of CST Act. Therefore, corrugated iron steel sheets are Declared Goods as provided under Entry 41 of Part B of the First Schedule read with Entry (iv) of Section 14 of CST Act since there is a specific mention about the commodity corrugated sheets.

12. The clarification therefore is that corrugated iron steel sheets are taxable at 5% under Entry 41 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/- K. Manivasan
Commissioner of Commercial Taxes

To

Tvl.Metco Roof Private Limited,
No.33, Chakrapani Stree Extension,
West Mambalam,
Chennai – 600 033.

Copy to:
The Assistant Commissioner (CT),
Villupuram - II Assessment Circle.

The Joint Commissioner (CT),
Vellore 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 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.

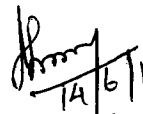
The Accountant General (Audit)-II, No.44, Greams Road, Chennai – 6.

The Additional Commissioners, Deputy Commissioners, Assistant
Commissioners, Commercial Tax Officers in CCT's Office.

Personal Clerk to the CCT.

Stock File / Act Cell II / Spare – 5.

/Forwarded/By Order/


14/6/13
Commercial Tax Officer