

**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 81/ 2012-13

Dated 06.02.2013

Ref: Application of Tvl.TVS Logistics Services Limited, 7-B, West Veli Street, Madurai – 625 001. dated 23-11-2012.

Tvl.TVS Logistics Services Limited, 7-B, West Veli Street, Madurai – 625 001. (TIN: 33825023513) 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:

“Served From India Scheme (SFIS-Rate of tax applicable for the sale of this scrip)”.

3. In the application filed the dealers have indicated that this scrip is like DEPB licence / REP licence.

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 Served From India Scheme (SFIS).

7. "Served From India Scheme" (SFIS) is a scheme introduced by Government of India to facilitate exporter of various type of services. The scheme enables service provider who have a total foreign exchange earning of atleast Rupees ten lakhs in a year to qualify for Duty Credit Scrip. These Scrips may be used for import of any capital goods connected with the main line of business. Served From India Scheme is, therefore, a kind of intangible goods used for trading purposes.

8. Entry 70 of Part B of the First Schedule reads as follows:

"Intangible goods like Copyright, Patent, REP License"

9. The clarification, therefore, is that **Served From India Scheme (SFIS)** is taxable at 5% as intangible goods under Entry 70 of Part B of the First Schedule to 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.TVS Logistics Services Limited,
7-B, West Veli Street,
Madurai – 625 001.

Copy to:

The Assistant Commissioner (CT)
West Veli Assessment Circle,
Madurai

The Joint Commissioner (CT),
Madurai Division.

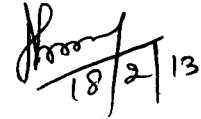
The Joint Commissioner (CS)
To host in the Department Website

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 File3 / Act Cell II / Spare – 5.

//forwarded by order//

A handwritten signature in black ink, followed by a vertical line and the date '18/2/13' written below it.

Commercial Tax Officer.