

**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 91/ 2012-13**

**Dated 20.02.2013**

Ref: Application of Tvl.Meenakshi Packagings Private Limited, No.114, Thandalam Village, Chengalpattu Taluk, Kancheepuram District, Chennai – 603 110 , dated 13-12-2012.

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Tvl.Meenakshi Packagings Private Limited, No.114, Thandalam Village, Chengalpattu Taluk, Kancheepuram District, Chennai – 603 110 (TIN:33611602584) 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:

**“EPS Packing box /packaging sheet / packing material”**

3. In the details filed along with the application the dealers have stated that they are manufacturers of expanded Polystyrene and in the product portfolio enclosed it was indicated that their product includes EPS sheets, pipe section for insulation purpose, fish box, and custom made mould for industrial and granite tile packing.

4. The dealers have requested personal hearing and accordingly personal hearing was given on 05.02.2013 and the dealers appeared and

put forth their contentions. It was stated by them that they are manufacturers of expanded polystyrene as called technically which otherwise is known as thermocole in commercial parlance. The basic raw material for manufacturing this product is expandable polystyrene. It is exclusively used to pack all types of goods and hence they are only packing materials.

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 has sought clarification on **"EPS Packing box/ packaging sheet / packing material"**

8. Expanded polystyrene (EPS) is an excellent material for packaging and for construction as it is a light yet rigid foam with good thermal insulation and high impact resistance. Expanded polystyrene is made from expandable polystyrene, which is a rigid cellular plastic containing an expansion agent. EPS is the best packing option for almost any high value heavy product. These range from pharmaceutical product to electronic components, electrical consumer goods, toys etc., EPS is used extensively as thermal insulation in industrial, commercial and residential constructions.

9. The clarification, therefore, is that **EPS Packing box/ packaging sheet / packing material** are taxable at 14.5% under Entry 69 of Part C of the First Schedule if used for the purposes other than as packing materials and packing materials are taxable at 5% under Entry 94 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.Meenakshi Packagings Private Limited,  
No.114, Thandalam Village,  
Chengalpattu Taluk, Kancheepuram District,  
Chennai – 603 110

**Copy to:**

The Assistant Commissioner (CT)  
Chengalpattu Assessment Circle

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.

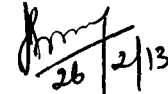
The Additional Commissioners, Deputy Commissioners, Assistant  
Commissioners,

Commercial Tax Officers in CCT's Office

Personal Clerk to the CCT.

Stock File3 / Act Cell II / Spare – 5.

//forwarded by order//



Commercial Tax Officer.