

	KERALA AUTHORITY FOR ADVANCE RULING GOODS AND SERVICES TAX DEPARTMENT TAX TOWER, THIRUVANANTHAPURAM	
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BEFORE THE AUTHORITY OF : Shri. Sivaprasad .S, IRS &

: Shri.B.S. Thyagarajababu, B.Sc, LL.M

Legal Name of the applicant	Tainakathuveetil Appukuttan Dayanandan M/s. Sun Polymers
GSTIN	32BKTPD5491G1ZZ
Address	XXIII/553, Kerala State Industrial Development Corporation Ltd., Kallettumkara, Thazhekadu, Thrissur – 680683
Advance Ruling sought for	Rate of tax of agricultural implements used for rubber tapping such as spouts, cub holders and collection cups.
Date of Personal Hearing	10-03-2020
Authorized Representative	Mr. Tainakathuveetil Appukuttan Dayanandan

ADVANCE RULING No.KER/86/2020 Dated 20-05-2020

The process of collection of rubber latex through rubber tapping is an agricultural activity. Plastic cups are used to collect latex from rubber trees. The plastic cups are placed below the spouts using cup hangers. The applicant is engaged in the manufacture and supply of plastic cups, which is used by rubber farmers for agricultural operations including tapping, collection etc. In the pre-GST scenario plastic cup or rubber bowl, spout and cup holder for latex collection were exempted from tax being an agricultural implement. Applicant requested advance ruling on the following:

Classification and rate of tax of agricultural implements used for, rubber tapping such as spouts, cup holder and collection cups.

The applicant was heard. The applicant is engaged in manufacture and sale of plastic cups which are exclusively used for collection of rubber latex. Spout is a metal piece made of galvanized iron or tin sheet bend all alone into 'V' shape. It is driven into

the bark of rubber tree, a few inches below the front end of the tapping cut to guide the latex into the collection cup. Cup holders are used to keep the collection cup in place below the spout. It is made up of GI wire and tied on the tree with the help of plastic thread. The applicant is a supplier of latex collection cup, which is made up of plastic. Therefore, it is pointed out that spout, cup holder and latex collection cup are agricultural implements used for rubber tapping and the main implements used in the rubber plantations for harvesting the rubber latex.

The matter was examined in detail. This authority has already issued ruling on the issue vide Ruling No.KER/54/2019 dated 21.06.2019, that latex collection cup is an agricultural implement exclusively used for rubber tapping. There is no doubt that latex collection cup is an agricultural implement exclusively used for rubber tapping. Hence, this will come under the classification agricultural implements manually operated.

In view of the observations stated above, the following rulings are issued:

Classification and rate of tax of agricultural implements used for rubber tapping such as spouts, cup holders and collection cups.

Spout, Cup Holders and Collection Cups are agricultural implements used for rubber tapping and are covered under the description under HSN 8201 90 00 "other hand tools of the kind used in agricultural, horticulture or forest" and are exempt from GST as per Sl No. 137 of Notification No. 02/2017 Central Tax (Rate) dated 28.06.2017.



Sivaprasad S, IRS
Joint Commissioner of Central Tax
Member



B.S. Thyagarajababu, B.Sc, LL.M.
Additional Commissioner of State Tax
Member

To

Mr. Tainakathuveetil Appukuttan Dayanandan,
M/s. Sun Polymers,
XXIII/553, Kerala State Industrial Development Corpn. Ltd.,
Kallettumkara, Thazhekadu, Thrissur – 680683.