

DEPARTMENT OF COMMERCIAL TAXES, KERALA
PROCEEDINGS OF THE AUTHORITY FOR CLARIFICATION
U/s.94 OF THE KERALA VALUE ADDED TAX ACT, 2003.

Members present are:

1. *Abdul Jabbar.V.K, Joint Commissioner (Audit & Inspection), O/o.CCT, Tvpm.*
2. *T.V. Kamala Bai, Joint Commissioner (Law), O/o.CCT, Tvpm.*
3. *A. Asok Kumar, Deputy Commissioner (Internal Audit), O/o.CCT, Tvpm.*

Sub:- KVAT Act, 2003- Clarification U/s. 94 - Rate of tax of Stainless Steel Pipes and Stainless Steel Pipes Fittings - Orders issued.

Read:- Application from M/s. Kripa Steel Industries, Kottarakkara dated 31/12/2009.

ORDER No.C3/314/10/CT DATED 15/6/2011.

1. M/s. Kripa Steel Industries, Kottarakkara has preferred an application U/s 94 of the Kerala Value Added Tax Act, 2003, seeking clarification on the rate of tax of Stainless Steel Pipes and Stainless Steel Pipes Fittings.

2. The applicant is a dealer in Stainless Steel Pipes and Stainless Steel Pipes Fittings. The entire purchase is from outside Kerala and sale effected within the state. The applicant has been collecting and remitting VAT at 4%. But the assessing authority has issued notice proposing assessment at the rate of 12.5% for the sale of the commodity.

3. The applicant contends that Stainless Steel Pipes and Stainless Steel Pipes Fittings will come under Entry 43(28) of the Third Schedule to the Act and is taxable at 4%. The applicant has requested to clarify the rate of tax of the commodity.

4. The applicant was heard and the contentions raised were examined.

5. Stainless Steel Pipes would fall under the HSN Code 7304 and would consequently fall under Entry 99(1)(e) of the Third Schedule to the Kerala Value Added Tax Act, 2003, and is taxable at 4%.

6. Stainless Steel Pipes Fittings would fall under the HSN Code 7307 and hence would fall under Entry 99(2)(c) of the Third Schedule to the Kerala Value Added Tax Act, 2003, and is taxable at 4%.

The issues raised above are clarified accordingly.

Abdul Jabbar. V.K
Joint Commissioner (A&I)
O/o CCT

T.V. Kamala Bai
Joint Commissioner (Law)
O/o CCT

A. Asok Kumar
Deputy Commissioner (IA)
O/o CCT