

**KERALA AUTHORITY FOR ADVANCE RULING
GOODS AND SERVICES TAX DEPARTMENT
TAX TOWER, THIRUVANANTHAPURAM**

BEFORE THE AUTHORITY OF: *Shri. S. Anil Kumar IRS &
: Shri. B.S. Thyagarajababu B.Sc, LL.M*

Legal Name of the applicant	M/s. GEO THOMAS & COMPANY
GSTIN	32AACFG5577A1ZT
Address	2 nd Floor, Rubber Board Office Building, Near KSRTC Bus Stand, Muvattupuzha - 686661.
Advance Ruling sought for	Classification and rate of tax of agricultural implements used for rubber tapping such as Spouts, Cup Holders and Collection Cups.
Date of Personal Hearing	15.06.2019
Authorized Representative	Mr. Lukose Joseph, CA

ADVANCE RULING No. KER/54/2019 Dt.21.06.2019

The process of collection of rubber latex through rubber tapping is an agricultural activity. The applicant is engaged in manufacture and supply of goods / implements used by rubber farmers for agricultural operations including tapping, collection and process. The products include plastic cup, spout and cup holder for latex collection etc. In the pre-GST scenario plastic cup or rubber bowl, spout and cup holder for latex collection are exempted from tax being an agricultural implements.

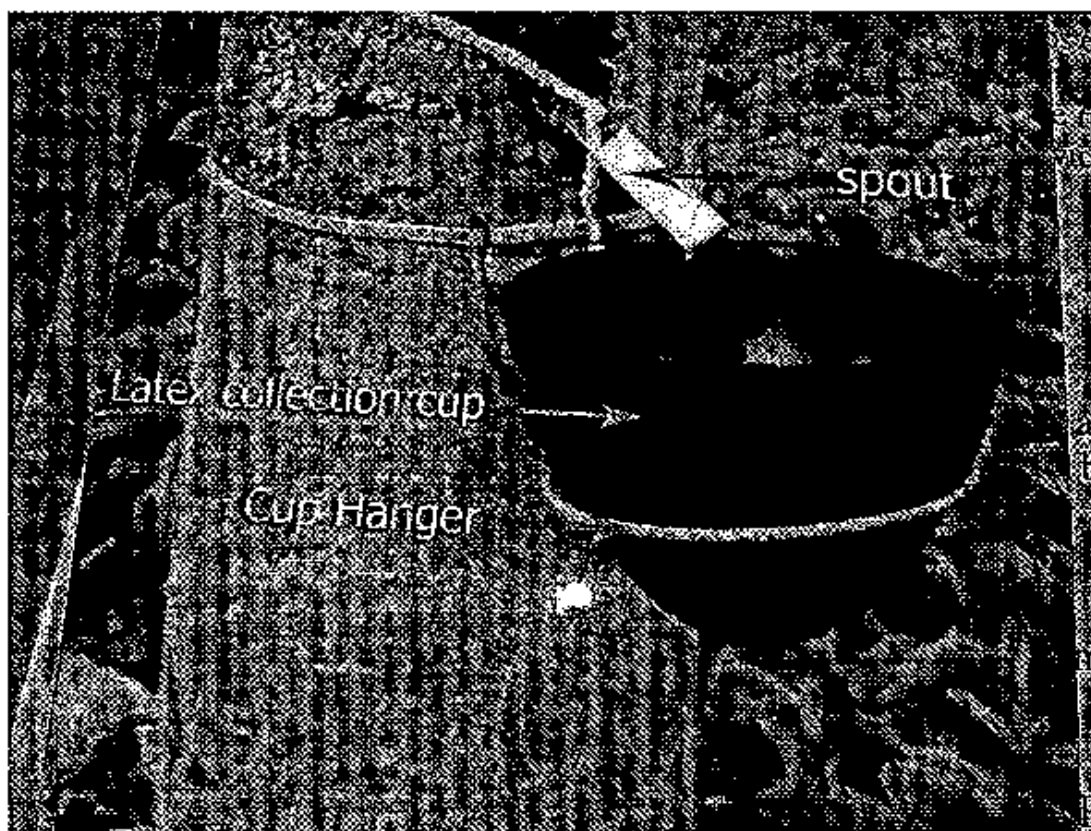
Applicant requested advance ruling on the following:

Classification and rate of tax of agricultural implements used for rubber tapping such as Spouts, Cup Holders and Collection Cups.

The authorized representative of the applicant was heard. The applicant is a manufacturer of spout and cup holder. Spout is a metal piece made of galvanized iron or tin sheet. Bend all alone into 'V' shape. It is given 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 Rubber Board has certified that spout and cup holders are implements used in tapping which is the main agricultural activity in the rubber plantations for harvesting the produce. The applicant is also a supplier of latex collection cup, which is made up of plastic. The Rubber Board has accepted that plastic cups are agricultural implements widely being used in rubber plantations for collection of latex directly from the rubber trees. 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. There is no doubt that spout, cup holder and latex collection cup are agricultural implements exclusively used for rubber tapping. The pictorial illustration given below itself makes it clear the usage of the device.



Hence, this will come under the classification agricultural implements manually operated. These items are not specifically classified in Chapter 82 of Central Excise Tariff. However, these items comes under the description covered under HSN 8201 90 00 "other hand tools of the kind used in agricultural, horticulture or forest".

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 holder and latex collection cup are agricultural implements exclusively used for rubber tapping come under the classification HSN 8201 90 00 "other hand tools of the kind used in agricultural, horticulture or forest". As such these items are exempted from GST.



**S. Anil Kumar, IRS
Additional Commissioner of Central Tax
Member**



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

To

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