

10. PROCEEDINGS OF THE COMMISSIONER OF COMMERCIAL TAXES
THIRUVANANTHAPURAM

Present:- Paul Antony. IAS

Sub:- KVAT Act 03- Clarification U/s. 94- Rate of tax on Aluminium
Composite Panel- Clarified orders issued- Reg:

Ref:- Application in Form No. 24 Dt. 29.01.08 filed by IAC(CI) Dept.of
CT, Tvpm

ORDER No. C3. 4111/08/CT Dt. 15.02.08

Inspecting Asst. Commissioner (Commercial Investigation, Commercial Taxes Department, Thiruvananthapuram has filed an application for clarification u/s 94 of KVAT Act 03 to clarify the rate of tax on Aluminium Composite Panel (ACP).

It is stated in the application that all the dealers have misclassified the commodity as aluminium sheets or structural glazing etc and billed the item @ 4 % under VAT and hence requested to clarify the rate of tax of the commodity U/s. 94.

A sample piece of the item has also been attached. Aluminum Composite panel is a new commodity in track which is used for exterior and interior decoration of multistoried buildings. The item consists of two layers of aluminium skins sandwiching a thermoplastic coat in a continued lamination process. The thermo plastic forms the major part of the thickness of the material. The question to be clarified is whether the item will fall under entry 3 of 3rd schedule to KVAT Act 03.

The issue has been examined in detail. As per entry 3 of 3rd schedule, Aluminium bar rods, profiles wire, plates, strips, pre-fabricated structures etc. alone attracts tax @ 4 %. The item Aluminium Composite panel will not fall under the said category. Further, the item has not been included in any of the schedules to KVAT Act 03.

In the circumstance, it is clarified that the item Aluminum Composite Panel will fall under Sl. No. 103 of SRO 82/06 and taxable @ 12.5%.

The point sought for is clarified accordingly.

Commissioner