

**11. PROCEEDINGS OF THE COMMISSIONER OF COMMERCIAL TAXES,  
THIRUVANANTHAPURAM**

PRESENT : P. MARA PANDIYAN, I.A.S.

Sub:- KVAT Act 03- Clarification U/s. 94- Rate of tax on phenolic  
impregnated-paper grounds- clarification U/s. 94- orders issued-  
Reg:

Read;\_ Application dt. 16.12.08, M/s. Everest Ply woods, Perumbavoor

**ORDER No.C3.54436/08/CT/Dated.02.03.09**

(1). M/s. Everest Ply woods, Perumbavoor has filed an application for clarification U/s. 94 of the KVAT Act seeking clarification on the rate of tax on “phenolic impregnated-paper”.

(2).The authorised representative of the applicant was heard and issues raised were examined. The point sought for is the rate of tax of “phenolic impregnated-paper”

(3).The applicant imports phenolic impregnated paper for the purpose of manufacturing film face ply. The product is made from natural craft paper and then impregnated with phenolic resins “phenolic: is the substance with which the paper is impregnated with.

(4). The entry 96(12) of 3<sup>rd</sup> schedule to KVAT Act with HSN 4811 read as “paper, paper board, cellulose, wadding and webs of cellulose fibres, coated , impregnated covered, surface-coloured, surface decorated or printed, in rolls or rectangular (including square) sheet of any size other than goods of the kind described in headings 4803, 4809 & 4810.

(5). Since phenolic is only the substance with which the paper is impregnated with it does not make any difference in respect of the commodity covered by the HSN 4811.

(6). Therefore the item “phenolic impregnated paper would fall under entry 96(12) of the 3<sup>rd</sup> schedule to KVAT Act 03 taxable @ 4 %.

The point sought for is clarified accordingly.

Commissioner.