

GOVERNMENT OF KERALA
DEPARTMENT OF COMMERCIAL TAXES
PROCEEDINGS OF THE AUTHORITY FOR CLARIFICATION U/S. 94 OF
KVAT ACT, 2003

Members Present are:-

1. V.Murukesh Kumar, Deputy Commissioner (Gen), O/o the CCT, Tvpm
2. R.Rajasekharan Nair, Deputy Commissioner (A&I) O/o the CCT, Tvpm
3. K.M.Althaf, Deputy Commissioner (Int), O/o the DC(Int) Tvpm

Sub:- KVAT Act 2003- Clarification U/s. 94- Rate of tax of Computer Web-Camera- Orders issued- Reg:

Read:- Application from M/s. Suraaj Computer, Ekm, Dt. 27.04.09.

ORDER No.C3.19251/09/CT Dated.24.08.2009

1. M/s. Suraaj Computer, Ernakulam has put in an application U/s. 94 of the KVAT Act, 2003 seeking clarification on the rate of tax of Computer Web Camera.
2. The applicant has submitted that PC Web camera is an IT product covered by Entry No. 69 of the Third Schedule and is taxable @ 4 %. It is a part and accessory of computer system and peripherals and is covered by the Entry No. 69 (22). PC Web Camera cannot be used independently but only by connecting to a computer. PC web camera is totally different from Photographic cameras, Television cameras, Video Cameras and Digital Cameras, which can be used independently without connecting to a computer system. The applicant has also argued that the cameras mentioned in Entry Nos. 21,77 and 94 of SRO 82/2006 are taxable @ 12.5 %. P.C. Web camera is not covered under the above said notification.
3. The authorized representative of the applicant was heard and the contentions raised were examined.
4. Entry 69(22)(a) of the Third schedule to the KVAT Act 2003 reads "Computer Systems and peripherals " with HSN code 8471.
5. As per the Customs Tariff Act, HSN code 8471.60 reads "Input or Out put units, whether or not containing storage units in the same housing". HSN Code 8471.60.90 describes 'Other'.

6. P C Web Camera is an input unit to data processing machines like computer, it is a computer peripheral, and cannot be used without a computer. Hence Web camera would fall within the HSN Code 8471.60.90.
7. Accordingly the commodity "P C Web Camera" would be taxable at 4 % vide Entry 69 (22) (a) of the Third Schedule to the KVAT Act, 2003, with HSN Code 8471.

The issue raised above is clarified accordingly.



Deputy Commissioner (Gen),
O/o the CCT, Tvpm



Deputy Commissioner (A&I),
O/o the CCT, Tvpm



Deputy Commissioner (Int)
O/o the DC(Int), Tvpm

To

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