

**29. PROCEEDINGS OF THE COMMISSIONER OF COMMERCIAL TAXES
THIRUVANANTHAPURAM
Present: Sri.Paul Antony.I.A.S**

Sub:- Kerala Value Added Tax Act -2003- Clarification
U/s.94- rate of tax of Polyster pigment paste- clarified
orders issued- Reg:
Read:- Application dt. 16-9.06 of M/s Poly Colours
International, Kochi.

ORDER No.C3.46438/06/CT Dated.15-05-2007

M/s. Poly Colours Internationals, Kochi has preferred an application U/s.94 of Kerala Value Added Tax Act seeking clarification on the rate of tax applicable to pigments under Kerala Value Added Tax Act -2003.

The applicants were given an opportunity of being heard on 17-1-07. But the applicant had not turned up and so the case is disposed on merits with reference to relevant statutory provisions.

According to the applicant the product 'Polyster pigment paste' is prepared using titanium dioxide, organic and inorganic pigments , non reactive resin and additives and are used for colouring the fibre glass and moulding for specialized purposes.

All prepared pigments would fall under the HSN 3207 which has been specifically brought under the entry 74(1) of SRO 82/2006 which reads as;

“Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, egobes(slips), liquid luster and similar preparations of a kind used in the ceramic, enamelling or glass industry other than glass frit and other glasses in the form of powder, granules or flakes”.

Since the product 'Polyster pigment paste' is a prepared pigment used in glass industry the item would fall under the entry 74(1) of SRO 82/2006 and is taxable @ 12.5%.

The point raised is clarified accordingly.

Commissioner