

**64. PROCEEDINGS OF THE COMMISSIONER OF COMMERCIAL TAXES
THIRUVANANTHAPURAM**

Present:-.Paul Antony. IAS

Sub:- KVAT Act 03- Clarification u/s. 94- Rate of tax on digital multifunctional devices with HSN 8471.60.29-Clarified orders issued- Reg:

Read: 1. Application in form no. 24 Dt. 07.06.06 filed by M/s. Futura Automation, Cochin. 36

ORDER No. C7.24398/06/CT Dt. 29.06.06

M/s. Futura Automation, Cochin 36 has filed an application for clarification U/s. 94 of KVAT Act 03 on the rate of tax applicable on the sale of “Digital multi Functional Devices” and spares under VAT.

The applicant M/s. Futura Automation, Cochin are the dealers of multifunctional printers/Copiers/Scanners and the applicants are getting the above items from M/s. Ricoh India Ltd, Cochin. The applicant stated that M/s. Ricoh India Ltd. Is importing the machines under Central Excise Tariff Code 8471.60.29. The spares and accessories of these equipments are also imported with the Central Excise Tariff code 8473.30.99. The contention of the applicant is that the rate of tax applicable to multifunctional Digital products with HSN 8471 and spares with HSN 8473 will fall under 4 % category under VAT.

The contention of the applicant was examined. Item (22) (a) of Sl.No. 69 of 3rd schedule to KVAT Act 03 cover computer system and peripherals falling under HSN Code 8471. And also as per Sl.No 69(24) parts and accessories of HSN 8471 is also listed under 3rd schedule.

As per rules of interpretation of schedules given in the appendix to the Act, commodities which are given four digit HSN number shall include all other commodities coming under that heading of HSN. Since all commodities coming under HSN Code 8471 are covered by Sl.No. 69(22) (a) of the 3rd schedule, printer covered by HSN Code 8471.60.29 will rightly fall under the above entry and will attract tax @ 4 %.

The point sought for is clarified as above.

Sd/
Commissioner