

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

Present:-.Paul Antony. IAS

Sub:- KVAT Act 03- Clarification U/s. 94- Rate of tax on Gum Paste- clarified orders issued- Reg:

Read:- 1. Application in Form No. 24 Dt. 17.04.06 filed by Kairaly Industries,
S.Kalamassery
2. Hearing Notice No.C7.17740.06/CT Dt. 02.05.06.

ORDER No.C7.17740/06/CT DT. 07.07.06

M/s. Kairaly Industries, S.Kalamassery has filed an application for clarification under section 94 of KVAT Act 03 on the following.

The applicant dealer is a manufacturer and seller of gum paste. The applicant pointed out that as per entry 123(21) of 3rd schedule to KVAT Act 03, as amended by KVAT (Amendment) Act 05, gum paste is taxable @ 4 %. At the same time as per SRO 82/06 adhesive of all kinds including gum, glue, adhesive solution etc are taxable @ 12.5 % vide Sl. 3. Hence the applicant requested to issue a clarification to avoid confusion in the above matter.

The authorised representative of the applicant was heard. The contentions of the applicant were examined. As per entry 3 of the SRO 82/06, Adhesive of all kinds including gum, glue, adhesive solution etc are classified. Hence it is clarified that the item “gum paste” manufactured and marketed by M/s. Kairaly industries, S.Kalamassery will fall under entry 3 of SRO 82/06, taxable @ 12.5 %.

The point sought for is clarified accordingly

Sd/
Commissioner