

5. PROCEEDINGS OF THE COMMISSIONER OF COMMERCIAL TAXES, THIRUVANANTHAPURAM

Present : Sri.Paul Antony .IAS

Sub:- KVAT Act 2003- Clarification U/s. 94- rate of tax on Paints-Reg:

Read:- Application dt. 24.11.06 put in by M/s. Asian Paints (I) Ltd, Ernakulam

ORDER No. C3.55728/06/DT. 20.01.07

M/s. Asian Paints (I) Ltd, Ernakulan has preferred an application under section 94 of KVAT Act 2003 seeking clarification on rate of tax applicable to following items:

1. Cement Paint
2. Distemper Paint
3. Emulsion Paint
4. Enamel Paint
5. Polish/Varnish clear
6. Primer
7. Putty/ Filler
8. Stainers
9. Thinner

In view of the amendment made in section 6(1) (a) of KVAT Act, only the following items of paint will attract tax @ 20 %.

1. Acrylic Emulsion
2. Automotive Paints
3. Distemper
4. Epoxy Paints
5. Polyurethane Paints
6. Melamine clear/ colour
7. Polyurethane Clear/ Colour
8. Lacquers

All others items of Paints, Polish, Varnish, Primer, Putty, Filler, Stainer and Thinner will attract tax @ 12.5 %.

The issue raised is clarified accordingly.

Sd/-
Commissioner.

PROCEEDINGS OF THE COMMISSIONER OF COMMERCIAL
TAXES, THIRUVANANTHAPURAM

Present : Sri.Paul Antony .IAS

Sub:- KVAT Act 2003- Clarification U/s. 94- rate of tax on
Paints, Enamels, Primers, Varnish, Emulsion & Distemper-
Reg:

Read:- Application put in by M/s. Berger Paints India Ltd,
Edappally, Cochin.

ORDER No.C3.54628/06/CT .18.01.07

M/s. Berger Paints India Ltd, Edappally, Cochin has preferred an application U/s. 94 of KVAT seeking clarification on the rate of tax applicable to Paints, Enamels, Primers, Varnish, Emulsion and Distemper.

The applicant was given an opportunity of being heard on 06.12.06. The issues raised were analyzed with reference to relevant statutory provisions.

As per the amendment made in section 6(1)(a), of the KVAT Act the following items of paints only will come under 20 % category.

1. Acrylic Emulsion
2. Automotive Paints
3. Distemper
4. Epoxy Paints
5. Polyurethane Paints
6. Melamine Colour
7. Polyurethane Clear/Colour and
8. Lacquers

All other items of Paints Enamels, Primers and Varnish are taxable @ 12.5 %

The points raised are clarified accordingly.

Sd/-
Commissioner.