

ISSUED VIDE MEMO NO. 2010/ST-1, Dated 7.7.2006

**ORDER OF CLARIFICATION MADE BY SHRI L.S.M. SALINS,
FINANCIAL COMMISSIONER & PRINCIPAL SECRETARY,
GOVERNMENT OF HARYANA, EXCISE AND TAXATION
DEPARTMENT UNDER SECTION 56(3) OF THE
HARYANA VALUE ADDED TAX ACT, 2003**

Querist: M/s MRF Limited,

The querist sought clarification regarding the rate of tax on sale of tyres, tubes and flaps to trailers and harvester combines stating that they appeared to be covered under entry 89 in Schedule 'C' to the Haryana Value Added Tax Act, 2003 and, therefore, taxable @4%.

The matter has been examined. Entry 89 in Schedule 'C' reads w.e.f. 1.1.2006, as under -

“89. Agricultural tractors, harvesters and attachments and parts thereof including tyres, tubes and flaps of agricultural tractors.”

A plain reading of the entry shows that so far as tyres, tubes and flaps are concerned, only tyres, tubes and flaps of agricultural tractors fall within the entry and it does not include tyres, tubes and flaps of either trailers or harvester combines. These do not make part of any of the Schedules to the Haryana Value Added Tax Act, 2003 and as such rate of tax applicable on their sale is 12.5% with effect from 1.7.2005.

Chandigarh
Dated 4.7.2006

(L.S.M.SALINS)
Financial Commissioner & Principal Secretary
to Govt. Haryana, Excise & Taxation Department