

**ORDER OF CLARIFICATION MADE BY SH. RAMENDRA JAKHU,  
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 Ganesh Timber, Shambhu Colony, Yamuna-Nagar.**

**Subject: Clarification u/s 56(3) of the Haryana Value Added Tax Act, 2003- M/s Ganesh Timber, Shambhu Colony, Yamuna-Nagar holding TIN No. 06661616582.**

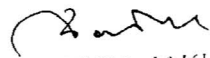
M/s Ganesh Timbers Shambhu Colony, Badi Majara, Yamuna-Nagar is a dealer registered under Haryana VAT Act holding TIN No. 06661616582 and is engaged in purchase and sale of timber, timber products and timber bye products and has sought clarification as to whether timber planks, say timber after cutting into different sizes viz phatti, cut size timber or sawn wood etc., is covered under entry 98-A of Schedule 'C' viz "Wooden crates, wood and timber but not including Plywood, Plyboard, Medium Density Fibre Board, Particle Board, Hardboard, Veneer or Coated boards such as Sunmica, Formica and Laminated boards." The applicant has further sought clarification as to whether Rulla less than 6 inches thickness (diameter) is covered under entry 21 of schedule 'B' viz Fire wood, Wood charcoal and Biomass Rolls(Briquettes) and is exempt from VAT.

The matter has been examined. Timber planks derived after cutting timbers into different sizes by saw machine remains timber since application of such planks remains that of timber( used for carpentry purposes) and hence timber planks are covered under entry 98-A of schedule 'C' appended to the Haryana VAT Act and attracts VAT @ 5%.

As to the rulla of less than 6 inches thickness (diameter) derived through pilling of log in a pilling machine, the application of this item is not as fire wood and the same can be used for diverse purposes say as decorative wooden pillars used in stairs or railings , such rullas can be further sawn and battens can be derived out of such rullas and hence the product is more akin to timber as such covered under entry 98-A of schedule 'C' and is not covered under

entry 21 of schedule 'B' viz Fire wood, Wood charcoal and Biomass  
Rolls (Briquettes) and hence attract VAT @ 5%.

Matter is clarified accordingly.

  
(RAMENDRA JAKHU)

Chandigarh  
Dated: 12-1-2011

Financial Commissioner & Principal Secretary  
to Govt. Haryana, Excise and Taxation Department.

From

Excise & Taxation Commissioner,  
Haryana, Panchkula.

To

All the Dy. Excise & Taxation Commissioner (ST),  
in the State of Haryana.

Memo No. *51* /ST-1,  
Panchkula, dated the *17-1-2011*

Subject :- **Circulation of Clarification-M/s Ganesh Timber, Shambhu Colony, Yamuna Nagar holding TIN No. 06661696582.**

MEMORANDUM

A copy of clarification order issued by Financial Commissioner & Principal Secretary to Government of Haryana, Excise & Taxation Department under section 56(3) of Haryana Value Added Tax Act, 2003 sought by M/s Ganesh Timber, Shambhu Colony, Yamuna Nagar holding TIN No. 06661696582 is sent herewith for information and necessary action by all the concerned.

*DNB 17/1/11*  
Superintendent (Sales Tax)  
for Excise & Taxation Commissioner, Haryana.

Endst. No. *52* /ST-1, Panchkula, dated the *17-1-2011*

A copy alongwith copy of clarification is forwarded to the following for information and necessary action :-

1. Sh. Dharam Dev Mittal, # 187-B, Nr. Haryana High School, East Bhatia Nagar, Yamuna Nagar- 135001.
2. Addl. Excise & Taxation Commissioner, Haryana Institute of Public Administration, 76 HIPA Complex, Sector-18, Gurgaon.
3. Jt. Excise & Taxation Commissioner (Division/Range) Ambala, Faridabad, Gurgaon and Hisar.
4. All Joint. Excise & Taxation Commissioners (Appeals) in the State of Haryana.
5. Senior Deputy Accountant General (Audit), Haryana, Chandigarh.
6. Dy. Excise & Taxation Commissioner (Vigilance), Haryana Vigilance Bureau, Sector - 6, Panchkula.

*DNB 17/1/11*  
Superintendent (Sales Tax)  
for Excise & Taxation Commissioner, Haryana.

Endst. No. *53* /ST-1, Panchkula, dated the *17-1-2011*

A copy alongwith copy of clarification is forwarded to the following in the Head Office for information and necessary action :-

1. All Addl. Excise and Taxation Commissioners
2. All Jt. Excise and Taxation Commissioners
3. Jt. Director (L)-I and II
4. Dy. Excise and Taxation Commissioners
5. DA-I and II
6. DDA-I & II
7. Superintendent (C) for sending E-mail to all the DETC(ST) and uploading on website.
8. ST-II only (For adding in Annual Sales Tax Circular, 2011).

*DNB 17/1/11*  
Superintendent (Sales Tax)  
for Excise & Taxation Commissioner, Haryana.