

GOVERNMENT OF NCT OF DELHI
DEPARTMENT OF TRADE AND TAXES, (POLICY BRANCH)
VYAPAR BHAWAN, I.P. ESTATE, NEW DELHI – 110 002

No.F.3(217)/P-II/VAT/Misc./2010/798-804

Dated : 10.10.2011

CIRCULAR NO. 13 OF 2011-12

In a case titled M/s Bansal Wire Industries Ltd. and Anr. Vs State of UP and Ors., Hon'ble Supreme Court of India vide its judgment dated 26.04.2011 held that "Stainless Steel Wire" does not fall under the category of 'tools, alloy and special steels' in entry No. (ix) and, therefore, does not fall under "Iron and Steel" as defined under section 14(iv) of the Central Sales Tax Act.

Also, in the case of M/s Sharma Wire Industries, Commissioner, Value Added Tax, vide Order No. 41/CDVAT/2005 dated 20.10.2005 has determined that Steel Wire Ropes, Stainless Steel Ropes, Copper Wire Ropes and Copper Stay Wires are all taxable @ 12.5% as unscheduled goods u/s 4(1)(e) of the DVAT Act, 2004.

In the above context, it is hereby clarified that while determining taxability of such goods, the ratios of above referred judgment of Hon'ble Supreme Court of India and above quoted determination order shall be applicable.

This issues with the approval of the Commissioner, VAT.

(G. C. Lohani)
VATO (Policy)

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Copy forwarded for information and necessary action to :-

- 1 PS to the Commissioner, VAT Department of Trade and Taxes, GNCT of Delhi Vyapar Bhawan, I.P. Estate, New Delhi-02.
- 2 All Spl. / Addl. / Joint Commissioners, Department of Trade and Taxes, GNCT of Delhi Vyapar Bhawan, I.P. Estate, New Delhi-02.
3. All VATOs/AVATOs Department of Trade and Taxes, GNCT of Delhi, Vyapar Bhawan, I.P. Estate, New Delhi-02.
4. AVATO (System), Department of Trade and Taxes, GNCT of Delhi, Vyapar Bhawan, I.P. Estate, New Delhi-02 for uploading the circular on the website of the department.
5. Dy. Director (R&S), Department of Trade and Taxes, GNCT of Delhi, Vyapar Bhawan, I.P. Estate, New Delhi-02.
- 6 The President, Sales Tax Bar Association (Regd.), Vyapar Bhawan, I.P. Estate, New Delhi.
- 7 Guard File.

(G.C. Lohani)
VATO (Policy)