

**ORDER OF CLARIFICATION MADE BY SHRI HARDEEP KUMAR, IAS,  
ADDITIONAL CHIEF SECRETARY, GOVERNMENT OF HARYANA  
EXCISE & TAXATION DEPARTMENT,  
Under Section 56 (3) Of The Haryana Value Added Tax Act, 2003  
To M/s Aggarwal Industries, Karnal**

This order of Clarification is issued under section 56 (3) of the Haryana Value Added Tax Act, 2003 (here-in-after referred to as the Act) on an application received from M/s Aggarwal Industries, Sonkra Road, Vill. Pakhana (Taraori) District Karnal (TIN 06902227841) (here-in-after referred to as the applicant) seeking clarification on the issue i.e. *"Whether wire mesh (Jali) is an item of 'hardware of iron and steel' and covered under entry no 34A of Schedule C of the Haryana VAT Act?"*

2. As per the statement of facts and understanding of the applicant, though presently the wire mesh commonly known as 'jali' is being sold by him as unscheduled item by charging VAT @ 12.5%, but keeping in view the entry 34A of Schedule C of the Act and the decision of the Punjab Tax Tribunal the goods in question is liable to tax @ 5% duly covered under Schedule C of the Act. It is submitted by the applicant that Haryana entry 34 A is identical to Punjab VAT entry and hence there is every reason that the product 'wire mesh' being manufactured and sold by him not to tax under the lower tax rate of 5% being covered under entry 34 A of Schedule of the Act.

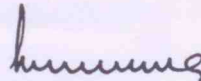
3. The issue has been examined. The entry no 34A in Schedule C of the Haryana VAT Act is reproduced as under:

*"Hardware of iron and steel such as aldrops, latches, handles, hinges, door-springs and door-stoppers whether polished, enameled or plated."*

4. While examining the nature of the product wire mesh the Punjab VAT Tribunal in the case of M/s Darshan Wire and Wire Products, Ludhiana and others V/s State of Punjab reported as (2007) 29 PHT 589 (PVT) in which it was held that *"it would be appropriate to hold wire mesh (zali) of iron and steel as an item of hardware falling under entry 45 of the Schedule B."* Entry 45 of Schedule B of the Punjab VAT Act is identical to the Haryana Entry given here above.

5. Therefore, relying on the above decision, the issue is clarified that the wire mesh made of iron and steel is covered under entry 34A of Schedule C of the Haryana VAT Act and liable to tax accordingly.

The matter stands clarified as above.



(HARDEEP KUMAR)

Additional Chief Secretary to Government of Haryana  
Excise and Taxation Department

Chandigarh

Dated: 26.6.2014.

