

**PROCEEDINGS OF THE AUTHORITY FOR CLARIFICATION AND
ADVANCE RULINGS UNDER SECTION 60 OF THE KARNATAKA VALUE
ADDED TAX ACT, 2003 READ WITH RULES 163 TO 165 OF THE
KARNATAKA VALUE ADDED TAX RULES, 2005**

PRESENT : (1) M.D.Jain
Additional Commissioner of Commercial Taxes
(Head Quarters-I), Bangalore and Chairman.
(2) H.D.Arunkumar,
Additional Commissioner of Commercial
Taxes (Policy & Law), Bangalore and Member.
(3) R.Jagadeesh Prasad,
Additional Commissioner of Commercial Taxes
(Goods and Service Tax), Bangalore and Member

NAME AND ADDRESS OF THE APPLICANT : M/s.Mangalore Refinery and Petrochemicals
Limited, Kuthethoor P.O, Via Katipalla,
Mangalore - 575 030
TIN : 29960081934

JURISDICTIONAL
ASSESSING AUTHORITY : ACCT, LVO-260, Mangalore

REPRESENTED BY : Sri G.Nandagopal Shenoy,
Chartered Accountant and duly
authorized representative.

ORDER NO.AR.CLR.CR.4/2013-14. DATED 21.9.2013

1. M/s.Mangalore Refinery and Petrochemicals Limited, Mangalore ('the applicant' for short) is a dealer registered with TIN-29960081934 under the KVAT Act, 2003 and is also a dealer registered with RC No.30115863 under the KST Act, 1957 since products such as petrol, diesel and aviation turbine fuel are dealt by the applicant.

2. The applicant has sought clarification on the following:

(a) Whether input tax deduction under Sections 20(1)(a) and 10(2) of the KVAT Act, 2003 attributable to sale of exempted goods under Section 5 which are sold in the course of export out of the territory of India.

(b) Whether goods sold in the course of export out of the territory of India form part of 'sales of exempt goods' or 'non-taxable transaction', for calculation of non-deductible input tax under rule 131(3) for arriving at input tax deductible under Section 10(2) of the Act read with Sections 17(1), 17(2), 20(1)(a) and 11(a)(1) of the KVAT Act, 2003.

