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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF TAX & EXCISE
ITANAGAR

Notification No. 28/2017-State Tax (Rate)

The 26th September, 2017

No. GST/24/2017.— In exercise of the powers conferred by sub-section (1) of Section 11 of the Arunachal Pradesh Goods and Services Tax Act, 2017 (7 of 2017), the State Government, on the recommendations of the Council, hereby makes the following amendments in the notification of the Government of Arunachal Pradesh, Department of Tax & Excise, No.2/2017-State Tax (Rate), dated the 28th June, 2017, published in the Extra ordinary Gazette of Arunachal Pradesh, vide number 192, Vol XXIV, dated the 30th June, 2017, namely:-

In the said notification,-

(B) in the Schedule,-

- (i) against serial number 27, in column (3), for the words “other than put up in unit containers and bearing a registered brand name”, the words, brackets and letters “other than those put up in unit container and,-
 - (a) bearing a registered brand name; or
 - (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily, subject to the conditions as in the ANNEXURE I]”, shall be substituted ;
- (jj) against serial numbers 29 and 45, in column (3), for the words “other than put up in unit container and bearing a registered brand name”, the words, brackets and letters “other than those put up in unit container and,-
 - (a) bearing a registered brand name; or
 - (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily, subject to the conditions as in the ANNEXURE I]”, shall be substituted;
- (jjj) against serial numbers 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77 and 78, in column (3), for the words “other than those put up in unit container and bearing a registered brand name”, the words, brackets and letters “other than those put up in unit container and,-
 - (a) bearing a registered brand name; or
 - (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily, subject to the conditions as in the ANNEXURE I]”, shall be substituted;
- (vi) against serial number 101, in column (3), for the words “other than put up in unit container and bearing a registered brand name”, the words, brackets and letters “other than those put up in unit container and,-
 - (a) bearing a registered brand name; or
 - (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily, subject to the conditions as in the ANNEXURE I]”, shall be substituted;

(vii) against serial number 108, in column (3), for the words “other than put up in unit containers and bearing a registered brand name”, the words, brackets and letters “other than those put up in unit container and,-

(a) bearing a registered brand name; or

(b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily, subject to the conditions as in the ANNEXURE I], shall be substituted;

(viii) in Sl. No. 102, for the entries in column (2), the entries “2301, 2302, 2308, 2309”, shall be substituted;

(ix) after Sl. No. 102 and the entries relating thereto, the following serial number and the entries shall be inserted, namely:-

“102A	2306	Cotton seed oil cake” ;
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(ix) after Sl. No. 130 and the entries relating thereto, the following serial number and the entries shall be inserted, namely:-

“130A	50 to 56	Khadi fabric, sold through Khadi and Village Industries Commission(KVIC) and KVIC certified institutions/ outlets” ;
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(x) after Sl. No. 135 and the entries relating thereto, the following serial number and the entries shall be inserted, namely:-

“135A	69	Idols made of clay” ;
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(xi) in Sl. No. 138, for the entry in column (3), the entry “Charkha for hand spinning of yarns, including amber charkha”, shall be substituted;

(xi) in S. No. 143, for the entry in column (3), the entry “Indigenous handmade musical instruments as listed in ANNEXURE II”, shall be substituted;

(xii) in Sl. No. 144, for the entry in column (3), the entry “Muddhas made of sarkanda, Brooms or brushes, consisting of twigs or other vegetable materials, bound together, with or without handles”, shall be substituted;

(B) in the *Explanation*, for clause (ii), the following shall be substituted, namely: -

“(ii)(a) The phrase “brand name” means brand name or trade name, that is to say, a name or a mark, such as symbol, monogram, label, signature or invented word or writing which is used in relation to such specified goods for the purpose of indicating, or so as to indicate a connection in the course of trade between such specified goods and some person using such name or mark with or without any indication of the identity of that person.

(c) The phrase “registered brand name” means,-

(A) a brand registered as on the 15th May, 2017 under the Trade Marks Act, 1999 irrespective of whether or not the brand is subsequently deregistered;

(B) a brand registered as on the 15th May, 2017 under the Copyright Act, 1957(14 of 1957);

(C) a brand registered as on the 15th May, 2017 under any law for the time being in force in any other country.”;

(D) after paragraph 2, the following Annexures shall be inserted, namely: -

“ANNEXURE - I

For foregoing an actionable claim or enforceable right on a brand name,-

(c) the person undertaking packing of such goods in unit containers which bears a brand name shall file an affidavit to that effect with the **jurisdictional commissioner of State tax** that he is voluntarily foregoing his actionable claim or enforceable right on such brand name as defined in Explanation (ii)(a); and

(d) the person undertaking packing of such goods in unit containers which bear a brand name shall, on each such unit containers, clearly print in indelible ink, both in English and the local language, that in respect of the brand name as defined in Explanation (ii)(a) printed on the unit containers he has foregone his actionable claim or enforceable right voluntarily.

ANNEXURE - II**List of indigenous handmade musical instruments**

1. Bulbul Tarang
2. Dotar, Dotora, or Dotara
3. Ektara
4. Getchu Vadyam or Jhallari
5. Gopichand or Gopiyantra or Khamak
6. Gottuvadhyam or Chitravina
7. Katho
8. Sarod
9. Sitar
10. Surbahar
11. Surshringar
12. Swarabat
13. Swarmandal
14. Tambura
15. Tumbi
16. Tuntuna
17. Magadi Veena
18. Hansaveena
19. Mohan Veena
20. Nakula Veena
21. Nanduni
22. Rudra Veena
23. Saraswati Veena
24. Vichitra Veena
25. Yazh
26. Ranjan Veena
27. Triveni Veena
28. Chikara
29. Dilruba
30. Ektara violin
31. Esraj
32. Kamaicha
33. Mayuri Vina or Taus
34. Onavillu
35. Behala(violin type)
36. Pena or Bana
37. Pulluvan veena - one stringed violin
38. Ravanahatha
39. Folk sarangi
40. Classical sarangi
41. Sarinda
42. Tar shehnai
43. Gethu or Jhallari
44. Gubguba or Jamuku - Percussion string instrument
45. Pulluvankutam
46. Santoor - Hammered chord box
47. Pepa
48. Pungi or Been

49. Indian Harmonium: Double reed
50. Kuzhal
51. Nadaswaram
52. Shehnai
53. Sundari
54. Tangmuri
55. Alghoza - double flute
56. Bansuri
57. Venu (Carnatic flute) Pullanguzhal
58. Mashak
59. Titti
60. Sruti upanga
61. Gogona
62. Morsing
63. Shruti box
64. Harmonium (hand-pumped)
65. Ekkalam
66. Karnal
67. Ramsinga
68. Kahal
69. Nagphani
70. Turi
71. Dhad
72. Damru
73. Dimadi
74. Dhol
75. Dholak
76. Dholki
77. Duggi
78. Ghat singhari or gada singari
79. Ghumot
80. Gummeta
81. Kanjira
82. Khol
83. Kinpar and Dhopar (tribal drums)
84. Maddale
85. Maram
86. Mizhavu
87. Mridangam
88. Pakhavaj
89. Pakhavaj jori - Sikh instrument similar to tabla
90. Panchamukha vadyam
91. Pung
92. Shuddha madalam or Maddalam
93. Tabala / tabl / chameli - goblet drum
94. Tabla
95. Tabla tarang - set of tablas
96. Tamte
97. Thanthi Panai
98. Thimila
99. Tumbak, tumbaknari, tumbaknaer

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100. Daff, duff, daf or duf Dimdi or dimri - small frame drum without jingles
 101. Kanjira - small frame drum with one jingle
 102. Kansi - small without jingles
 103. Patayani thappu - medium frame drum played with hands
 104. Chenda
 105. Dollu
 106. Dhak
 107. Dhol
 108. Dholi
 109. Idakka
 110. Thavil
 111. Udukai
 112. Chande
 113. Nagara - pair of kettledrums
 114. Pambai - unit of two cylindrical drums
 115. Parai thappu, halgi - frame drum played with two sticks
 116. Sambal
 117. Stick daff or stick duff - daff in a stand played with sticks
 118. Tamak'
 119. Tasha - type of kettledrum
 120. Urumee
 121. Jaltarang Chimpla - fire tong with brass jingles
 122. Chengila - metal disc
 123. Elathalam
 124. Geger - brass vessel
 125. Ghatam and Matkam (Earthenware pot drum)
 126. Ghungroo
 127. Khartal or Chiplaya
 128. Manjeera or jhanj or taal
 129. Nut - clay pot
 130. Sankarjang - lithophone
 131. Thali - metal plate
 132. Thattukazhi mannai
 133. Kanch tarang, a type of glass harp
 134. Kashtha tarang, a type of xylophone."
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Marnya Ete
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Government of Arunachal Pradesh,
Itanagar.