



# **Agenda for 43<sup>rd</sup> Meeting of the GST Council**

**Annexure to Agenda Item Nos.11.4 and 11.5**

**28<sup>th</sup> May 2021**

**Volume – 4**





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**MOST URGENT**

To,  
Shri S.K. Rahman,  
Joint Secretary to GST Council,  
Janpath Road, Connaught Place,  
New Delhi-110 001

U.S. - (Ar. 11.11.20) / 10. (S. 11.11.20)  
ML  
25/11  
Date: 25.11.2020  
25.11.20  
Ganesh Singh  
(Comptt)

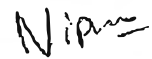
Subject: Representation to the GST Council in Nipun Malhotra vs Union of India [Writ Petition (Civil) No. 725 of 2017]

Respected Sir/Madam,

1. The Undersigned has preferred a Writ Petition under Article 32 of the Constitution of India, W.P. (C) No. 725 of 2017, praying for the setting aside of the imposition of Goods and Services Tax (hereinafter "GST") upon accessibility equipment such as braille paper, listening aids, prosthetic limbs, wheelchairs etc. required by persons with disabilities as being violative of the Fundamental Rights guaranteed to them under Articles 14, 15, 19, 21 and 21 A of the Constitution. The Writ Petition is pending before the Hon'ble Supreme Court of India and is tentatively listed for hearing in March, 2021.
2. The above-mentioned Matter was called on **26.10.2020** before a Bench comprising of Justice D.Y. Chandrachud, Justice Indu Malhotra and Justice Indira Banerjee. The Hon'ble Bench was pleased to implead the GST Council as a necessary party in the present case. **The Court further directed the Petitioners to file a representation to the GST Council seeking the abolishment of the levy of 5% GST on the abovementioned disability aids and equipment. Therefore, this Representation Letter is being preferred by the Petitioners.**
3. The levy of 5% GST on the Disability aids and equipment is incorrectly stated as "beneficial" for the end disabled user by the Respondent No. 1 i.e. the Union of India. This argument vests on the false and misleading assumption that the levy of 5% GST allows for the reduction of cost of these products for the end disabled-user in domestic markets as the manufacturers are able to claim Input Tax Credit (hereinafter "ITC") on the inputs (i.e. the raw materials) used to manufacture these products. This 'benefit' is wrongly referenced to a "zero-tax regime". This so because the benefit accrued from such an ITC accrues only to the manufacturer and not to the disabled consumer.

4. The levy of 5% GST on disability aids and equipment violates the fundamental rights of the persons with disability as envisaged under Articles 14, 15, 19, 21 and 21 A of the Constitution. The Hon'ble Supreme Court has in the cases of **Jindal Stainless Steel v. State of Haryana** [(2017) 12 SCC 1], **Aashirwad Films v Union of India** [(2007) 6 SCC 624] and **Indian Express Newspapers v. Union of India** [(1985) 1 SCC 641] held that the levy of taxes which violate the fundamental rights of a class of persons to be unconstitutional.
5. Therefore, in light of the abovementioned facts and the Order dt. 26.10.2020 by the Hon'ble Supreme Court, this Representation is served upon the GST Council.

Regards,



Nipun Malhotra

Petitioner

B-28, Noida Sector – 51,

Noida

(M): +91 98719 53332

(E): nipun@nipunmalhotra.com

Enclosed:

1. Order dt. 26.10.2020 by the Hon'ble Supreme Court
2. WP (C) No. 725 of 2017 filed by the Petitioner
3. Counter Affidavit by the Respondent No. 1
4. Interlocutory Application No. 108032/2020 seeking directions for issuance of Notice to GST Council

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ITEM NO.19

Court 6 (Video Conferencing)

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No.725/2017

NIPUN MALHOTRA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(With appln.(s) for IA Nos.41354/2018 & 76693/2017 - STAY)

Date : 26-10-2020 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MS. JUSTICE INDU MALHOTRA  
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Pinaki Misra, Sr. Adv.  
Mr. Jai Dehadrai, Adv.  
Mr. Sidharth Arora, Adv.  
Mr. Sameer Shrivastava, AOR

For Respondent(s) Mr. K.K. Venugopal, AG  
Mr. Sanjay Jain, ASG  
Ms. Nisha Bagchi, Adv.  
Mr. Zoheb Hussain, Adv.  
Ms. Vishaka, Adv.  
Mr. B. Krishna Prasad, AOR

UPON hearing the counsel the Court made the following  
O R D E R

- 1 The application for intervention on behalf of Ms Manasi Joshi is allowed.
- 2 The application for impleading the GST Council is allowed. The amendment be carried out within a period of two weeks. Notice shall issue to the newly impleaded respondent.

Signature Valid

Digitally signed by  
Arun K. Singh  
Date: 2020.10.27  
18:16:35  
Reason:

- 3 Mr K K Venugopal, Attorney General for India has, in pursuance of the previous hearing, assisted the Court. The Learned Attorney General states that after a detailed discussion with the Secretary - Revenue, it has been found that it may not be possible to accede to the request of the petitioners that an exemption from tax be granted on 'mobility devices' because of the policy implications. However, he submitted that the petitioner may move a representation before the GST Council.
- 4 Mr Pinaki Misra, learned senior counsel appearing on behalf of the petitioner states that he would wish to press the petition. However, he submitted that since the petition under Article 32 of the Constitution has been instituted in the public interest to safeguard the interests of a large number of similarly situated disabled persons, who have to suffer a tax on mobility devices, at this stage he would move a representation with the GST Council.
- 5 The Attorney General states that there could be no objection to the petitioner pursuing a representation.
- 6 The counter affidavit(s) be filed within two months.
- 7 List the Writ Petition for final disposal, in March 2021.

**(Chetan Kumar)**  
**A.R. -cum-P.S.**

**(Saroj Kumari Gaur)**  
**Court Master**

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION PIL (CIVIL) NO. 785 of 2017

IN THE MATTER OF:

Nipun Malhotra

... Petitioner

Versus

Union of India

... Respondent

PAPERBOOK

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mobility aids; Braille paper

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ADVOCATE FOR THE PETITIONER: MANISHA AMBANI

S.No	Particulars of Document	Page Number of part of which it belongs		Remarks
		Part I (Contents of Paper Book)	Part II (Contents of file alone)	
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	Court Fees Rs 530/-			
1.	Listing Proforma	A1-A2		
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PROFORMA FOR FIRST LISTING

SECTION \_\_\_\_\_

This case pertains to (Please tick/check the correct box):

- ☐ Central Act: *Get Act*
- ☐ Section: *N/A*
- ☐ Central Rule: (Title) *N/A*
- ☐ Rule No(s): *N/A*
- ☐ State Act: (Title) *N/A*
- ☐ Section: *N/A*
- ☐ State Rule: (Title) *N/A*
- ☐ Rule No(s): *N/A*
- ☐ Impugned Interim Order: (Date) *N/A*
- ☐ High Court: (Name) *N/A*
- ☐ Name of Judges: *N/A*
- ☐ Tribunal/Authority: (Name) *N/A*

1. Nature of matter: ☒ Civil ☐ Criminal

2. (a) Petitioner/appellant No. 1: *Nipun Malhotra*

(b) e-mail ID: *N/A*

(c) Mobile phone number: *N/A*

3. (a) Respondent No. 1: *Union of India*

(b) e-mail ID: *N/A*

A2

(c) Mobile phone number: N/A

4. (a) Main category classification: 18

(b) Sub classification: 1802

5. Not to be listed before: N/A

6. Similar/Pending matter: No Similar Matter

7. Criminal Matters: N/A

(a) Whether accused/convict has surrendered: ☐ Yes ☒ No

(b) FIR No. N/A Date: N/A

(c) Police Station: N/A

(d) Sentence Awarded: N/A

(e) Sentence Undergone: N/A

8. Land Acquisition Matters:

(a) Date of Section 4 notification: N/A

(b) Date of Section 6 notification: N/A

(c) Date of Section 17 notification: N/A

9. Tax Matters: State the tax effect: \_\_\_\_\_

10. Special Category (first petitioner/appellant only): ~~1802~~

☐ Senior citizen > 65 years ☐ SC/ST ☐ Woman/child ☒ Disabled

☐ Legal Aid Case ☐ In custody

11. Vehicle number (in case of Motor Accident Claim matters): N/A

12. Decided cases with citation: N/A

Date: 14/7/2017

M. Ambwani  
AOR for the Petitioner  
Manisha Ambwani  
Code No. 2394

B

### SYNOPSIS

Writ Petition under Article 32 of the Constitution of India,  
for the Issuance of a Writ of Mandamus or any other  
appropriate Writ, Order or Direction quashing the  
Government Notification No. 01/2017 and the decision  
taken in the GST Council Meeting dated 11.06.2017,  
specifically imposing Goods and Services Tax (GST) on  
mobility aids (such as wheelchairs, specially equipped  
motor-vehicles for wheelchair users, tricycles for  
disabled, braille-paper and braille watches etc.) used by  
disabled citizens as being violative of their Fundamental  
Rights under Article 14, 15, 19(1)(d), 21 & 21A of the  
Constitution of India.

### LIST OF DATES AND EVENTS

09.09.2016	The Hon'ble President of India gives formal assent to the Constitution (One Hundred and First Amendment) Act, 2016 on Goods and Services Tax (GST).
03.06.2017	15 <sup>th</sup> Goods and Services Tax (GST) Council Meeting is held where all the Transition Rules from the present tax regime to

C  
the proposed GST regime are finalised. All the Council members agreed to the 1<sup>st</sup> July, 2017 roll-out.

11.06.2017

In the 16<sup>th</sup> Goods and Services Tax (GST) Council meeting revised rate for certain goods was released. Imposition of 5% rate of tax on goods necessary for day-to-day use of disabled citizens like Braille paper, Braille typewriters, Braille watches, Hearing aids etc.

20  
16.06.2017

The petitioner, aggrieved by the proposed GST on mobility aids used by disabled community, sends representation to the Ministry of Finance seeking withdrawal of all GST related levies on implements/equipments used by disabled under the proposed regime. Petitioner seeks zero-tax regime, which also exempts manufacturers of disability-

D

equipment from input GST - as  
is prevalent abroad.

01.07.2017

Goods and Services Tax (GST)  
is officially notified by the  
Government of India as a  
comprehensive indirect tax  
reform. The tax rate with regard  
to the equipment used by the  
disabled confirmed from  
midnight.

**IN THE SUPREME COURT OF INDIA**

**CIVIL ORIGINAL JURISDICTION**

**WRIT PETITION (CIVIL) NO. \_\_\_\_\_ of 2017**

**IN THE MATTER OF:**

**Nipun Malhotra**

**B-28, Noida Sector - 51,**

**Noida, U. P.**

**...Petitioner**

**VERSUS**

**Union of India**

**(Ministry of Finance)**

**Through Finance Secretary**

**Room No. 46, North Block,**

**Central Secretariat,**

**New Delhi - 110001**

**Respondent**

**WRIT PETITION UNDER ARTICLE 32 OF THE  
CONSTITUTION OF INDIA SEEKING  
DIRECTIONS AGAINST THE RESPONDENTS.**

**To**

**THE Hon'ble Chief Justice of India**

**and His Companion HON'BLE Judges of the**

**Supreme Court of India**

**THE HUMBLE PETITION OF**

**THE PETITIONER ABOVE NAMED:****Most Respectfully Showeth:**

- i. The present Writ Petition is being filed in the Public Interest under Article 32 of the Constitution of India, seeking a Writ of Mandamus to strike down the provisions under the Goods and Services Tax Act, 2017, specifically relating to provisions which levy a tax burden on disabled citizens who use medical devices and mobility equipment to carry out their day-to-day living, so as to lead normal lives like other able-bodied Indian citizens. That, the imposition of any tax on any essential mobility-aid used by a disabled person, is in gross violation of the Fundamental Rights as guaranteed under Articles 21, 21A, 19 (1) (d), 14 & 15. In view of the Hon'ble Supreme Court's numerous decisions on the subject, if any tax is of a socially divisive nature, it must be struck down. The Petitioner is filing this petition strictly in the public interest of the entire disabled community of India and has no pecuniary/monetary interest in the matter, since



this is a grave issue concerning the fundamental rights of a large section of the population, especially their right to lead a life of dignity and their freedom to move freely throughout the territory of India, among various other rights that are also at stake. The Petitioner also seeks a purposive interpretation of the phrase "place of birth" contained within Article 15 of the Constitution, to include 'disability' within its meaning. The purpose of including the protection granted under Article 15 was to prevent any form of discrimination against citizens on arbitrary grounds of religion, race, sex and caste - and its express purpose was to create an equitable society. Thus, the inclusion of 'disability,' that too physical disability, is but a natural and legitimate extension of the protections envisaged by the drafters of the Indian Constitution.

- II. That the appropriate government agency was approached for relief, prior to filing this petition. The said letter is annexed herewith and marked as ANNEXURE P1 dated 15.06.2017.

to which no reply till date has been received  
from the authorities.

## **2. PARTICULARS OF THE PETITIONER**

The Petitioner is a citizen of India. His email ID is nipunmalhotra@gmail.com and his mobile phone number is +91 98719-53332. He is the Chief Executive Officer of the Nipman Foundation, a Charitable Trust established under the Society's Act, 1860 which works in the field of disability-related policy and education for the economically underprivileged. He is also the Executive Director of Nipman Fasteners Pvt. Ltd., which is an automotive ancillary supplier. The Pan Card as also the relevant Income Tax Returns of the Petitioner is annexed herewith. Annexure P 2 – Aadhar Card of the Petitioner; Annexure P 3 – PAN Card of the Petitioner along with ITR Return Statement.

## **3. DECLARATION AND UNDERSTANDING OF THE PETITIONER:-**

a. The Petitioner, Shri Nipun Malhotra, age 28 years, is one of India's leading disability rights activists and scholars. Despite having a locomotor disability from birth called 'arthrogryposis', which leads to a lack of muscles in his arms and legs and renders him permanently dependent upon a wheelchair for basic mobility, he has worked tirelessly to improve the lives of thousands of other disabled citizens in India who face accessibility, financial and social barriers. The Petitioner, with support from his mother Mrs. Priyanka Malhotra, set-up a charitable organization called the Nipman Foundation, which, inter alia, works in the fields of disability-related awareness and public-policy research, and also provides education to economically underprivileged children across India. The foundation also distributes free wheelchairs and mobility aids to the economically underprivileged disabled community. The said Foundation is a properly registered entity under the Societies Registration Act, 1860, and is fully compliant with all the relevant rules and laws including auditing requirements. The Foundation also recognizes the social contribution of Corporate Houses to the cause of inclusion of the disabled into the

6

mainstream and subsequently awards those companies which are making a positive impact. This awards ceremony is an annual activity of the Foundation and has also received recognition from the Ministry of Social Justice and Empowerment, apart from other leading multinational corporations. Annexure P 4 – Long Form CV of the Petitioner.

- b. That, apart from being a disability rights activist and scholar, the Petitioner is also extremely well-qualified educationally and has graduated on merit and hard-work from the prestigious St. Stephens College, Delhi University, with a Bachelor's Degree in Economics and has also obtained his Master's Degree from the Delhi School of Economics. That, not one to allow his physical disability to deter him from pursuing him a Master's Degree in Business from one of India's premier Business Schools, the Petitioner has also obtained a Degree from the Indian School of Business (ISB) at Mohali and presently serves on its Board. Professionally, the Petitioner heads one of India's largest auto component businesses as its Executive Director. Notably, he has achieved all of this on his own

ment and hard work. However, he specifically acknowledges the role of his parents and others who were instrumental in helping him overcome barriers to various opportunities. That, having been the grateful recipient of valuable educational and work related opportunities, he established his charitable foundation with the sole objective of helping others who were similarly affected by locomotor disabilities. The instant Petition has been filed purely for bonafide reasons and the Petitioner has come with clean hands and has no pecuniary/extraneous interest whatsoever in its outcome.

#### **4. FACTS IN BRIEF:**

##### **IMPUGNED GST ACT, 2017 & NOTIFICATION DATED (28.06.2017) IMPOSING GOODS & SERVICES TAX ON MOBILITY AIDS USED BY DISABLED PERSONS**

A. That, pursuant to the meeting of the GST Council dated 11.06.2017, the Respondent No. 1 decided to impose taxes, in different brackets/categories, on a variety of physical aids meant specifically for 'persons with disabilities'. For instance, it is shocking to note that taxes have been introduced and sustained on the most basic mobility aids used

reasonable differential for doing so. **Annexure P 5**

– Minutes of the Council meeting dated 11.06.2017

B. The Petitioner, who on account of his permanent locomotor disability i.e. arthrogryposis does not have developed muscles in his limbs and is permanently reliant on a motorized wheelchair. Apart from his wheelchair, the Petitioner also uses a specially equipped motor vehicle which is enabled with a forklift for his wheelchair. That, nearly all citizens with locomotor disabilities rely permanently on external disability aids, and hence would stand severely affected as a class of citizens by any arbitrary increase in the price of such equipment.

**IMPOSITION OF TAX ON BASIC MOBILITY AIDS  
AMOUNTS TO PENALTY/DISCRIMINATION ON  
ENTIRE DISABLED COMMUNITY**

C. It is submitted that any tax/levy which has the effect of making a basic mobility aid more expensive – specifically on items which enable those individuals to walk or read, when otherwise they would not have been able to do so, would

by those citizens who would otherwise not be able to carry out daily activities (such as walking and reading) which are taken for granted (and are tax free) by those who are able bodied. This list includes a cascading tax scheme on items such as wheelchairs, wheelchair enabled cars, braille paper, braille typewriters and braille watches, crutches/walkers, instruments and implants for severely handicapped patients and joint replacement and spinal instrument and implants including bone cement. That, even though the GST rate on these devices/equipment is at 5% and is therefore sought to be justified as being "concessional", the fact is that any tax imposed on such items would amount to discrimination as envisaged under Article 15 of the Constitution and also under Article 19 (1) (d) which guarantees the unhindered right of movement to all citizens — irrespective of their personal physical disability and finally Article 21, which guarantees the right to lead a dignified life - regardless of disability. The said tax scheme violates Article 14 of the Constitution, as it permits a disadvantageous situation for a particular class of people, without specifying any

necessarily amount to a gross violation of their most basic fundamental rights. Such a tax would therefore violate not only Article 21 which guarantees the Right to Life and Dignity of a citizen, but in effect would also permit the establishment of a tax structure which discriminates amongst those who are disabled, and must be struck down. That, any taxation scheme which levies a charge on domestic or even foreign manufacturers of mobility aids, would directly violate the disabled community's fundamental rights as a whole. It is critical to note that foreign manufacturers often produce mobility aids which are not produced by domestic manufacturers, and hence any additional tax on their import also violates the Fundamental Rights of Indian citizens who are disabled.

D. That, for the convenience of this Hon'ble Court, the taxes leviable on mobility aids under the GST Act, 2017, used by Persons with Disabilities are extracted below:

**REVISED GST RATE FOR CERTAIN GOODS**

S. No.	Chapter/Heading/	Description of Goods	Earlier GST rate	Revised GST rate
--------	------------------	----------------------	------------------	------------------



	Sub-Heading/ Tariff item		approved by the GST Council	approved by the GST Council
69.	4823 90 11, 8472, 9101, 9102, 9021	Braille paper, braille typewriters, braille watches, hearing aids and other appliances to compensate for a defect or disability [These goods are covered in List 32 appended to notification No.12/2012-Customs, dated 17.03.2012 and are already at 5% GST rate (Chapter 90)]	-	5%
256	90 or any other chapter	Parts of the following goods, namely:- (i) Crutches; (ii) Wheel chairs; (iii) Walking frames; (iv) Tricycles; (v) Brailers; and (vi) Artificial limbs	-	5%
243	8713	Carriages for disabled persons, whether or not motorised or otherwise mechanically propelled	-	5%
165	8703	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including station wagons and racing cars [other than Cars for physically handicapped persons]	-	28%
400	8703	Cars for physically handicapped persons, subject to the following conditions: a) an officer not below the rank of Deputy Secretary to the Government of India	-	18%

		in the Department of Heavy Industries certifies that the said goods are capable of being used by the physically handicapped persons; and		
		b) the buyer of the car gives an affidavit that he shall not dispose of the car for a period of five years after its purchase.		

That, from the aforesaid table, it is absolutely clear that the impugned tax provisions impose an unjustifiable financial burden upon a class of citizens, which is arbitrary and patently unjust. The same would amount to a tax on the 'free movement' or 'freedom to learn' of a disabled citizen and is therefore ultra vires the Constitutional scheme. Annexure P 6 – Notification No. 1/2017 dated 28.06.2017 is annexed herewith.

**PROHIBITION AGAINST DISCRIMINATION BY THE  
STATE OF PERSONS WITH DISABILITIES  
GUARANTEED U/A 15 OF THE CONSTITUTION**

E. That, while Article 15 of the Constitution of India specifically prohibits discrimination on the basis of religion, race, caste, sex or place of birth, it also creates an implied duty upon the State not to

subject any citizen with an unreasonable burden, especially, in the nature of a financial levy or penalty which discriminates between citizens on grounds which are arbitrary and unjust. The impugned tax regime permits an unreasonable differentia which is sought to be carved out between citizens who are able bodied and those who are disabled. This 'discrimination' pertains specifically to the performance of basic activities, such as 'movement' (for those with locomotor disabilities) and 'reading' or 'learning' (for the blind). Therefore, the imposition of any tax, whatsoever be its rate, on a wheelchair used by a permanently disabled person, for instance, has the effect of creating a State-sponsored financial-barrier/penalty on a disabled person wanting to attain parity with another citizen who can 'move' or 'read' without the use of any external aids. It is in this regard that even a 0.01% (zero point zero one percent) tax imposed on an essential mobility item such as braille paper or wheelchairs would be totally discriminatory and thus fundamentally unfair. It is also submitted, that the Petitioner and others like him, possess a constitutionally ingrained Fundamental Right under Article 19 (1)

(d) and 15, to not be prevented, either by statutory, financial or physical barriers, from accessing public spaces or becoming literate owing simply to their physical limitations. It is therefore the constitutionally mandated duty of the State to not only remove barriers to the progress and development of those inherently disadvantaged class of citizens, but it is also their obligation to not (even unintentionally) impose financial burdens in the form an unconscionable tax burden on basic rights.

That, it is therefore respectfully submitted that any tax or government levy on any item which is an essential commodity for the use of persons with disabilities would amount to a State sponsored penalty on the disability of the affected person. The present petition specifically challenges the vires of such a tax levied upon the end users (disabled persons) as also those who manufacture such devices/equipments used exclusively by disabled persons - who form 2.7% of the total population as per the 2011 Census conducted by the Government of India.

**PURPOSIVE INTERPRETATION OF ARTICLE 15 OF  
THE CONSTITUTION TO INCLUDE 'DISABILITY' IN  
THE PHRASE 'PLACE OF BIRTH'**

F. It is respectfully submitted, that the phrase 'place of birth' in Article 15 of the Constitution intends to protect the rights of citizens from all forms of discriminatory actions by the State, primarily on factors which are arbitrary and beyond the control of the individual citizen. These relate to the religion, race, sex, caste and place of birth of the citizen in question. Thus, the express intention of the framers of the Constitution was to create a constitutional 'protection' which purposefully prohibited the State from discriminating against citizens on arbitrary grounds. The phrase 'place of birth' relates to one such prejudicial bias, and relates not only to overt considerations such as the actual geographical place where the citizen was born and/or the local community to which he/she belongs, but also subtle considerations relating to the physiological circumstances of the citizen's birth - owing to congenital/genetic defects at birth which limit his/her physical or intellectual capabilities. Furthermore, permitting a State action, in the form of a taxing statute or any other statutory

policy, which allows the State to discriminate against an entire class of citizens for a limitation which is entirely beyond their control would be patently unconstitutional and must be struck down. The Petitioner contends that the meaning and consequent legal interpretation of the phrase 'place of birth' must necessarily include the physiological characteristics a citizen is endowed with at the time of his/her birth. Let us take an illustration. The Petitioner, although born with a severe physical disability which put him at an immediate disadvantage as compared to his peers, overcame his limitations and obtained a first-grade education and is today an extremely productive member of society. Thus, any Tax or Statutory charge which acts as a barrier to his basic freedoms of movement or learning, would be an additional barrier to his efforts to obtain parity with his fellow citizens who are not dependent on external mobility aids. It is therefore respectfully submitted, that the time has now come to accord the entire disabled community constitutional recognition as a specially protected class of people who deserve the protection carved out under the heads specified in Article 15 of the Constitution.

The most effective way of achieving this 'purpose' of Article 15, as envisaged by the drafters of the Constitution, would be to expand the meaning of the phrase 'place of birth' to include the health-conditions or characteristics a citizen is born with, or even acquires later in life owing to an accident or for medical reasons. That, in the case of *Hindustan Lever Ltd. v. Ashok Vishnu Kate & Ors.*, [1996 (6) SCC 326], this Hon'ble Court upheld the method of 'purposive construction' if it gives effect to the true legislative purpose, as intended by those who drafted the provision in question. The Court was interpreting the provisions of the Maharashtra Act, and held, that while considering and interpreting a Social Welfare Act the approach to statutory interpretation must be one which effectuates the 'purpose' for which such legislation was enacted. In the present case, the contention of the Petitioner, most respectfully, is that Article 15 must not be read restrictively and in a manner which limits the purpose for which it was enacted by the makers of our constitution - it must be interpreted in a manner that extend the maximum benefit (or protection against discrimination in this case) to the maximum

number of citizens - including those with disabilities.

**FUNDAMENTAL RIGHT OF MOVEMENT**  
**GUARANTEED UNDER ARTICLE 19(1) (d):**

G. That furthermore, Article 19(1) (d) of the Indian Constitution expressly guarantees to all citizens (disabled included), the fundamental right to move freely throughout the territory of India. This guarantee is impliedly extended to even those with loco-motor disabilities and hence the imposition of any tax or levy which curtails that right in any manner is unconstitutional and must be set aside. The Petitioner, and others like him who are permanently dependent upon mobility aids such as wheelchairs, are directly affected as a community by the imposition of the GST on these goods. Such a taxing provision has the effect of taxing a basic function of their life - i.e. movement. That even a prima facie analysis of the taxation scheme under the GST reveals a highly discriminatory approach against those with disabilities, as it equates their consumption of mobility aids with that of able-bodied citizens who do not 'depend' upon such



equipment for their movement. Although such an effect cannot be attributed to malice on the part of the State or said to be 'intended,' however, the consequence of such a levy is patently unconstitutional for an entire section of the population and must be struck down.

**FUNDAMENTAL RIGHT TO LIFE AND  
EDUCATION GUARANTEED UNDER ARTICLE 21  
& 21A:**

H. The imposition of any tax/levy even on input materials purchased by any member of the manufacturing chain which produces mobility aids, ought to be eligible for 100% input tax credit, so as not to pass on any of the tax burden to the disabled consumer, even indirectly. The resultant input tax credit refunded to the manufacturer is not only desirable, but also the constitutional mandate of the State, inasmuch as it prevents the tax burden from being passed on to the disabled consumer. Similarly, the tax rate upon the final consumer, which is presently at 5% for most disabled items, is patently unconstitutional and should be struck down. Under the present GST

regime, although the manufacturer receives 100% input credit, however the end-user i.e. the disabled consumer, is still burdened by the 5% tax rate. This increase, albeit small, in the total price of the mobility aid is grossly unfair and tantamount to a penalty for being disabled and wanting to be mobile. Such an increase directly affects the ability of the disabled person to purchase the product. In *Indian Express Newspapers vs. Union of India*, [1985 (1) SCC 641], the Hon'ble Supreme Court struck down the Customs Duty imposed on newsprint used by newspapers and classified it as an "over-burden" on newspaper companies. The Court also observed that a "wise administrator should realize that an imposition of tax like the customs duty on new newsprint is an imposition on knowledge and would virtually amount to a burden imposed on the common-man for being literate and for being conscious of his duty as a citizen to inform himself about the world around him." In the present case the same analogy would apply, whereby the imposition of tax, no matter how minimal it might be in absolute terms and also in its impact upon the intended audience, it would still amount to an impermissible burden on a section of

society which is compulsorily dependent on such goods for reasons beyond their control. In the same case, this Court also observed that where fundamental rights and freedom of the individual are being considered, a Court should be very cautious before accepting the view that some particular disregard of them is of minimal account. In the present case, it would be grossly violative of the constitutional rights of the disabled community if the impugned taxes are accepted as just and reasonable.

- I. That also, in the case of *Sakal Papers (P) Ltd. vs. Union of India*, [(1962) 3 SCR 842], this Court struck down Government imposed restrictions of advertising on newspapers as being violative of the fundamental right of freedom of expression. The Court accepted the reasoning that the restriction of reduced advertising would lead to an increase in the price of the newspaper, which in-turn would cause a reduction in the circulation of the paper. In the instant case the same analogy applies, whereby any imposition of a tax on braille paper or wheelchairs would automatically lead to a reduction in their usage, thus creating a direct and

unreasonable restriction on the fundamental right of a certain class of citizens to obtain education as to move freely.

J. It is a settled principle of taxing statutes, that the power to tax and even discriminate is governed by an overarching rider -- that the classification it seeks to draw must be just and reasonable. Furthermore, the extent of reasonability of any taxing statute lies in its ability to achieve the object as sought by the statute. The final test for any statute - taxing or otherwise, is that it must not offend Part III of the Constitution. Thus, the classification share a nexus with the Object sought to be achieved. In the present case the short-title of the Act creates a provision for the levy and collection of tax on inter-state supply of goods or services or both, by the Central Government and matters connected therewith. In the case *Aashirwad Films vs. Union of India*[2007 (6) SCC 624], this Hon'ble Court held that even in statutes where the objective has a wide range, the entire subject matter is also required to be considered from a 'social angle'. It was further held, that it cannot be the object of any statute to

be socially divisive in which case it shall fall foul of the constitutional scheme enshrined under Articles 19, 21, 21A, 14 & 15 and also the Preamble of the Constitution of India. This court specifically held that the object of a taxing statute has to be tested on the touchstone of social values as mentioned in the Constitution, and an adverse conclusion can be drawn if a particular provision offends those constitutional guarantees. This Court further observed that "it is one thing to say that a taxation statute does not further social good, but quite another when it disturbs the social fabric. The Court may take adverse note in respect to statutes falling in the latter category." In the present case the GST imposed on devices and equipment for the disabled has the direct and immediate effect of creating an unreasonable and unjustifiable disadvantage upon those who require these goods to carry out their normal day-to-day activities. That furthermore, it is a long settled principle laid down by this Hon'ble Court that the validity of the legislation imposing a tax can be challenged on the ground that it violates the Fundamental Rights guaranteed under Part III of the Constitution. (Raja

**JagannathBaksh Singh vs. State of U. P. [1962  
AIR 1563])**

K. That, the recognition accorded to the Fundamental Rights of a 'person with disabilities' has been upheld by this Court very recently in the matter of **JeejaGhosh vs. Union of India, [(2016) 7 SCC 761]**, where this Court was constrained to hold that the "non-disabled do not understand disabled ones" (Para 34 of the Judgment). The instant petition highlights this pressing issue of total lack of sensitivity on the part of the officials responsible for imposing a Good and Services Tax (GST) on medical devices and equipment used by people with disabilities. This Court went on to hold that "the rights that are guaranteed to differently abled persons under the Persons with Disabilities Act, 1995 are founded on the sound principle of human dignity which is the core value of human rights and is treated as a significant facet of the right to life and liberty. Such a right, now treated as a 'human right' of the persons who are disabled, has its roots in Article 21 of the Constitution. Jurisprudentially, three types of models for determining the content

of the constitutional value of human dignity are recognized.

These are:

(i) Theological Models, (ii) Philosophical Models, and (iii) Constitutional Models. Legal scholars were called upon to determine the theological basis of human dignity as a constitutional value and as a constitutional right. Philosophers also came out with their views justifying human dignity as core human value. Legal understanding is influenced by theological and philosophical views, though these two are not identical. Aquinas and Kant discussed the jurisprudential aspects of human dignity based on the aforesaid philosophies. Over a period of time, human dignity has found its way through constitutionalism, whether written or unwritten. Even right to equality is interpreted based on the value of human dignity. Insofar as India is concerned, we are not even required to take shelter under theological or philosophical theories. We have a written Constitution which guarantees human rights that are contained in Part III with the caption "Fundamental Rights". One such right enshrined in Article 21 is right to life and liberty.

Right to life is given a purposeful meaning by this Court to include right to live with dignity. It is the purposive interpretation which has been adopted by this Court to give a content of the right to human dignity as the fulfillment of the constitutional value enshrined in Article 21. Thus, human dignity is a constitutional value and a constitutional goal. What are the dimensions of constitutional value of human dignity?

It is beautifully illustrated by Aharon Barak (Former Chief Justice of the Supreme Court of Israel) in the following manner:

"The constitutional value of human dignity has a central normative role. Human dignity as a constitutional value is the factor that unites the human rights into one whole. It ensures the normative unity of human rights. This normative unity is expressed in the three ways: first, the value of human dignity serves as a normative basis for constitutional rights set out in the constitution; second, it serves as an interpretative principle for determining



the scope of constitutional rights, including the right to human dignity; third, the value of human dignity has an important role in determining the proportionality of a statute limiting a constitutional right."

All the three goals of human dignity as a constitutional value are expanded by the author in a scholarly manner. Some of the excerpts thereof, are reproduced below which give a glimpse of these goals: 2 Aharon Barak "Human Dignity – The Constitutional Value and the Constitutional Right" Cambridge University Press (2015) Writ Petition (C) No. 382 of 2014 Page 44 of 54 "The first role of human dignity as a constitutional value is expressed in the approach that it comprises the foundation for all of the constitutional rights. Human dignity is the central argument for the existence of human rights. It is the rationale for them all. It is the justification for the existence of rights. According to Christoph Enders, it is the constitutional value that determines that every person has the right to have rights... The second role of human dignity as a constitutional value is to provide meaning to the norms of the legal system.

According to purposive interpretation, all of the provisions of the constitution, and particularly all of the rights in the constitutional bill of rights, are interpreted in light of human dignity... Lastly, human dignity as a constitutional value influences the development of the common law. Indeed, where common law is recognized, judges have the duty to develop it, and if necessary modify it, so that it expresses constitutional values, including the constitutional value of human dignity. To the extent that common law determines rights and duties between individuals, it might limit the human dignity of one individual and protect the human dignity of the other."

ARTICLE 14:

L. That, the Petitioner challenges the Constitutionality of the impugned GST levy on essential mobility devices meant for the disabled upon the touchstone of Article 14. It is respectfully submitted, that any tax or levy on a basic mobility item used by the disabled, fails the long-standing test of equality laid down by the Hon'ble Supreme Court. This Hon'ble Court held in Sri

**Srinivasan Threster and Ors vs. Government of Tamil Nadu**, [1992 (2) SCC 16], that "Article 14 of the Constitution enjoins upon the State not to deny to any person 'Equality before law' or 'the equal protection of laws' within the territory of India. The two expressions do not mean the same thing even if there may be much in common 'Equality before law' is a dynamic concept having many facets. One facet - the most commonly acknowledged - is that there shall be no privileged person or class and that none shall be above law. A facet which is of immediate relevance herein is the obligation upon the State to bring about, through the machinery of law, a more equal society envisaged by the Preamble and Part IV of our Constitution. For, equality before law can be predicated meaningfully only in an equal society i.e., in a society contemplated by Article 38 of the Constitution, which reads:

Article 38: State to secure a social order for the promotion of welfare of the people. In the present case, the imposition of a tax upon essential goods used by the disabled creates a stark distinction between the able bodied

and the disabled, whereby the former are effectively treated as a privileged class unencumbered by any tax on their movement as also their ability to read. Such a discrimination is inherently flawed - even though it might be unintended, but the direct consequence is patently unconstitutional as it deprives equal treatment to a segment of society, and that too on no intelligible differentia.

#### **CANADIAN SYSTEM OF GST - PROTECTION DISABLED**

M. It would be profitable to refer to the GST systems in operation in other Commonwealth Countries, which specifically carve out an exception for manufacturers and users of disability aids. These exceptions are in the form of statutory tax exemptions, whereby the entire manufacturing/supply chain right up till the end user is fully exempted from paying any taxes for all Goods and Services meant for the use of Persons with Disabilities. Extracted below is a chart which

deals with the country wise tax exemptions offered  
for persons with disabilities.

**COUNTRY-WISE COMPARATIVE GST RATES  
ON MEDICAL EQUIPMENT FOR DISABLED  
PERSONS**

COUNTRY	GST RATE	INPUT TAX CREDIT
✓ Canada	0%	Available
✓ Australia	0%	Available
✓ United Kingdom	0%	Available
✓ Ireland	0%	
✓ New Zealand	0%	Available

That, from the aforesaid table it becomes absolutely clear that most commonwealth nations give due recognition to the rights of the disabled and does not burden them with the imposition of additional taxes on essential mobility aids. Annexure P 7-GST in Canada on disability

good; Annexure P8 - GST in Australia on disability good; Annexure P 9 - GST in United Kingdom on disability good; Annexure P 10 - GST in Ireland on disability good; Annexure P 11 - GST in New Zealand on disability good.

**GROUNDS:**

- a) Because the imposition of any tax/duty/levy, such as the one contemplated under the Goods and Services Tax Act, 2017 on essential mobility aids used by disabled people is totally violative of Fundamental Rights guaranteed under Articles 21, 21A, 19 (1) (d), 14 and 15.
- b) Because the imposition of a tax on wheelchairs meant for those with permanent locomotor disabilities, is akin to imposing a financial penalty on the able-bodied for walking. Such a taxing regime is directly violative of Article 19 (1) (d) as also Article 14 of the Constitution and must be immediately struck down.
- c) Because the imposition of any tax/cess on Braille-material and writing paper is akin to imposing a State sponsored financial burden on reading.

which is directly violative of the Right of Free Speech and Expression for the entire blind community which relies on such aids as essential goods.

d) Because Article 15 of the Constitution specifically prohibits any discrimination by the State against any citizens on grounds of "place of birth" among other grounds of religion, race, sex and caste. Therefore, the circumstances of any citizen's birth which render him/her disabled (whether genetic or acquired later in life), would indeed be covered under the protection envisaged by the framers of the Constitution. The Imposition of any tax which discriminates against a class of citizens, who by virtue of their 'place of birth' are rendered disabled and, who, to obtain parity with other able-bodied citizens rely upon mobility aids upon such tax is imposed, would necessarily be prohibited as unconstitutional. Furthermore, Article 15 also protects against any discrimination which poses a restriction upon a citizen's right to access or use public spaces.

e) Because Article 47 of the Constitution enjoins the State to protect the health, nutrition and welfare of

all its citizens (emphasis supplied). The improvement of public health is a duty cast upon the State and necessarily includes the welfare of the disabled. Thus any State action which runs contrary to such a duty, would be rendered unjust on this ground as well and must therefore be struck down.

- f) Because in the case of *Ashirward Films*, [(2007) 6 SCC 624], this Hon'ble Court clearly stated that the objective of any taxing statute must be tested against Article 14 and cannot in any event be permitted to have a socially divisive outcome.
- g) Because there is a Statutory duty cast upon of the State in respect of the Rights of a Person with Disability Act, 2016, whereby the entire frame-work of the Act is dedicated to the establishment of equality and removal of barriers faced by Persons with Disabilities. Because also, sections 25, 28, 31, 40, 41, 44, and 47 deal directly with the removal of barriers faced by persons with disabilities.
- h) Because, Section 2 (s) of the Persons with Disabilities Act, 2016, defines a person with a disability "as someone with long-term physical, mental, intellectual or sensory impairment which, in



interaction with barriers hinders his/her full and effective participation in society equally with others. Thus, while on the one hand the Government accepts its statutory responsibility toward those with disabilities and ensuring their equal development and it cannot, on the other hand, permit an imposition of a tax on equipment which brings basic relief to those who are inherently disadvantaged due to their disability.

#### PRAYER:

In view of the facts and circumstances stated above, it is therefore prayed that this Hon'ble Court in Public Interest may be pleased to:

A) Strike down the levy of GST on essential equipment for disabled people (wheelchairs, specially equipped vehicles for disabled, braille papers, crutches etc.) as being unconstitutional under Articles 14, 15, 19(1)(d), 21, and 21-A; and

B) Apply a purposive interpretation to Article 15 of the Constitution and expand the meaning of the phrase 'place of birth' to include 'disabilities' acquired either by birth or by extraneous reasons beyond the control of the citizen; and

C) any other appropriate writ, order or direction may  
be kindly issued in the interest of justice and fair  
play.

AND FOR THIS ACT OF KINDNESS, THE  
PETITIONER AS IN DUTY BOUND SHALL EVER  
PRAY.

DRAWN BY:  
(JAI ANANT DEHADRAI)

FILED BY:

(MANISHA AMBWANI)

ADVOCATE FOR THE PETITIONER

NEW DELHI

DRAWN ON:

FILED ON:

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**IN THE SUPREME COURT OF INDIA**

**CIVIL ORIGINAL JURISDICTION**

**WRIT PETITION (PIL) (CIVIL) NO. \_\_\_\_\_ of 2017**

**IN THE MATTER OF:**

**Nipun Malhotra**

**....Petitioner**

**Versus**

**Union of India**

**... Respondent**

**PAPERBOOK**

**(FOR INDEX PLEASE SEE INSIDE)**

**ADVOCATE FOR THE PETITIONER: MANISHA AMBWANI**

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IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION (PIL) NO. OF 2017

IN THE MATTER OF:

Nipun Malhotra

.....Petitioner

vs.

Union of India

.....Respondent

**AFFIDAVIT**

I, Mr. Nipun Malhotra, S/o Shri Pravin Malhotra, aged about 28 years, R/o B - 28, Noida Sector - 51, Noida, presently at New Delhi do hereby solemnly affirm and state as follows:-

1. I am the Petitioner in the abovementioned Writ Petition and I am well conversant with the facts, proceedings and circumstances of the case.
2. I say that I have read and understood the contents of the accompanying Writ Petition paras 1 to 8 para — at page / no. / to 36 and the list of dates, pages B to D and I say that the facts stated therein are true to my knowledge and belief.
3. That I have read and understood the contents of the accompanying Writ Petition. and I say that the contents thereof are true and correct to my knowledge and belief.
4. That, I have not filed any other Writ Petition in this Hon'ble Court.
5. I say that the averments of facts stated herein above are true to my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

*Nipun*  
DEPONENT



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VERIFICATION

I, the deponent above named do hereby verify and state that the contents of the affidavit are true and correct to the best of my knowledge and belief.

Verified this day of 14 JUL 2017 at New Delhi

*[Signature]*  
DEPONENT

I identified the deponent who  
has signed in my presence



14 JUL 2017

CERTIFIED THAT THE DEPONENT  
Shri/Smt./Mn. M. B. K. K. K.  
S/o, W/o, D/o M. B. K. K. K.  
R/o M. B. K. K. K.  
Identified M. B. K. K. K.  
has solemnly sworn that the contents of the affidavit are true and correct to the best of his knowledge.

*[Signature]*  
Oath Commissioner

## IN THE SUPREME COURT OF INDIA

## CIVIL ORIGINAL JURISDICTION

WRIT PETITION (PIL) (CIVIL) NO. \_\_\_\_\_ of 2017

## IN THE MATTER OF:

Nipun Malhotra

.... Petitioner

versus

Union of India

... Respondent

## AFFIDAVIT

I, Mr. Nipun Malhotra, S/o Shri Pravin Malhotra, Age 28 years, Resident of B-28 Noida Sector -51, Noida, Uttar Pradesh, presently at New Delhi do hereby solemnly affirm and state as follows:-

1. I am Petitioner in the above Writ Petition and I am well conversant with the facts, proceedings and circumstances of the case.
2. That in compliance of Order 37 Rule 12 (1)(2)(a) of the Supreme Court Rules 2013, I state that my name is Nipun Malhotra, resident of B-28 Noida Sector -51, Noida, Uttar Pradesh, nipunmalhotra@gmail.com, phone no. 9871953332. The details regarding his personal identification is annexed as Annexure P2 and P3 of the Writ Petition which includes his annual income and pan card details along with Income Tax Return. I state that I am a citizen of India and currently working as a Chief Executive Officer of Nipun Foundation, which is a Charitable Trust.
3. That in compliance with Order 37 Rule 12 (1)(2)(b) of the Supreme Court Rules-2013, it is submitted that the instant Writ Petition is being filed as a Public Interest Litigation under Article

32 of the Constitution of India is being filed for the issuance of a Writ of Mandamus or any other appropriate Writ, Order or Direction quashing the Government Notification No. 01/2017 and the decision taken in the GST Council Meeting dated 11.06.2017, specifically imposing Goods and Services Tax (GST) on mobility aids (such as wheelchairs, specially equipped motor-vehicles for wheelchair users, tricycles for disabled, braille-paper and braille watches etc.) used by disabled citizens as being violative of their Fundamental Rights under Article 14, 15, 19(1)(d), 21 & 21A of the Constitution of India.

4. That in compliance of Order 37 Rule 12 (1)(2)(c) of the Supreme Court Rules 2013, it is submitted that the Instant Writ Petition is filed in public interest with a prayer to strike down the levy of GST on essential equipment for disabled people at large (such as wheel chairs, specially equipped vehicles for disabled, Braille papers, crutches etc.) as being unconstitutional under Article 14, 15, 19(1)(d), 21 & 21A of the Constitution of India. Therefore, the Instant Writ Petition is filed in public interest for the community at large.
5. That in compliance of Order 37 Rule 12 (1)(2)(d) of the Supreme Court Rules 2013, it is stated and submitted that the Instant Writ Petition does not have any private motive and the prayers made before this Hon'ble Court is purely in public interest and the petitioner does not have any personal interest.

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6. That in compliance of Order 37 Rule 12 (1)(2)(e) of the Supreme Court Rules 2013, it is stated that the Petitioner is a law abiding citizen and has no past civil, criminal or revenue litigation, involving the petitioner, which has or any legal nexus with the issue(s) involved in the Instant Writ Petition filed in Public Interest.
  7. That in compliance of Order 37 Rule 12 (1)(2)(f) of the Supreme Court Rules 2013, It is stated that the Petitioner moved a representation before the Respondent herein, and the same is a annexed herein as Annexure P1 in the Instant Writ Petition. It is submitted that no reply has been received by the Respondents to the representations received.
  8. Thus it is stated that that I have no personal gain, private motive or oblique reasons in filing the Instant Writ Petition in public interest. The instant Public Interest Litigation is being filed purely for bonafide reasons and the Petitioner has come with clean hands and has no pecuniary/extraneous interest whatsoever in its outcome. The instant petition will affect the public at large. It is stated that no other similar Writ Petition in public interest has been filed by the instant petitioner or the appropriate authorities, and the instant petition is not a private motivated petition.

DEPONENT



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**VERIFICATION**

I, the deponent above named do hereby verify and state that the contents of the application are true and correct to the best of my knowledge and belief.

Verified this      day of      2017 at New Delhi

**DEPONENT**

Annexure P-I

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**NIPUN KUMAR MALHOTRA**

113, 1<sup>st</sup> Floor Park Centra,

Next to Star Mail,

Gurugram- 122002, Haryana, India

Mobile: 9871953332

EMAIL ID: nipunmalh@gmail.com

**MOST URGENT – REPRESENTATION**

Date: 20.06.2017

**1. Shri Ashok Lavasa, I.A.S.**

Finance secretary

Ministry of Finance

3<sup>rd</sup> Floor, Jeevan Deep Building,

Sansad Marg,

New Delhi-110001

**2. Shri Hasmukh Adhiya, I.A.S.**

Revenue Secretary

Ministry of Finance

3<sup>rd</sup> Floor, Jeevan Deep Building

Sansad Marg,

New Delhi-110001

**SUBJECT: GST EXEMPTION FOR THE GOODS NECESSARILY**

**REQUIRED BY PERSONS WITH DISABILITIES**

Dear Ashok Lavasa Ji,

A. I am writing to you on behalf of the 2.21% population of India which is disabled.

B. At the outset, I would like to extend my sincere admiration towards the inclusive policies adopted by our Government and particularly the zeal with which our Hon'ble Prime Minister is fighting for the rights of millions of disabled Indians like me.

C. I ..... remember the message delivered by the Hon'ble Prime Minister on the event of International Day for Persons with Disabilities 03.12.2016 when he exhorted the nation as "continue our ongoing efforts with renewed vigour and create a nation where both accessibility and equality prevail" as the mantra for Inclusion of Person with Disabilities and the Sugamya Bharat Abhiyaan (Accessible Bharat Abhiyaan) has become a collective call to action for the country.

D. Furthermore in addition from being a social activist, I am not an entrepreneur, and therefore I would like to further extend my admiration at this Government's determined resolve to strongly ..... come forth with the much awaited GST policy programme. The credit for the bold reform goes to the strong leadership, combined efforts of your Ministry and its dedication for instituting public oriented policies under the remarkable stewardship of our dear Prime Minister, Shri Narendra Modi Ji, that after 16 years and 4 Lok Sabhas, the GST Model is finally on the verge of becoming a reality. Amidst this phenomenal growth, both in terms of social indicators and economic progress, it pains me to have to point

our, what may have been an unintended oversight by the drafters of the GST Model.

E. As per the GST Council meeting dated 18.05.2017, I was quite surprised to learn of a proposal to levy GST on commodities essentially required by Persons with Disabilities. I reproduce the Table for your reference, below:

S.NO.	PRODUCT NAME	PROPOSED GST
1.	Braille Paper	5%
2.	Braille Typewriters, Electric Non Electric	5%
3.	Carriage for Disabled Persons, whether or not motorized	5%
4.	Cars for Physically Handicapped Persons	18%
5.	Braille Watches	5%
6.	Assistive Devices, rehabilitation aids, and other goods for Disabled Specified in List 32 Appended to Notification No. 12/2012 Customs, dt. 17.03.2012 (at SI No. 90 (5)	5%
7.	Hearing aids and Other Appliances which are worn on carried or implanted in the body, to compensate for a defect or disability	12%

As is clear from the above table, it is rather unfair the those who are already burdened with physical limitations which further have the effect of limiting mobility and interaction with one's environment, instead of measures to reduce these barriers our Government is proposing to impose onerous financial barriers. This Policy decision should be reconsidered and reversed, keeping in mind our Hon'ble Prime Minister's vision qua the rights of the disabled.

Even in countries like Austria and Canada, where GST, is enforced tax exemptions are provided to the Persons with Disabilities. Our legislators and judiciary have always worked for the cause of inclusion of persons with disability and have protected their constitutionally guaranteed right of equality, dignity and freedom of movement. For your convenience, I am reproducing below, some instance where our Judiciary has actively intervened to uphold the cause of the cause of social inclusion of persons with disability:

1. In Union of India v. National Federation of Blind and Ors. the.....

Hon'ble Supreme Court held that "It is an alarming reality that the disabled people are out of job not because of their disability comes in the way of their functioning rather it is the social and practical barriers that prevent them from joining the workforce. As a result, many disabled people live in poverty and in deplorable conditions. They are denied the right to make a useful contribution to their own lives and to the lives of their family. the Hon'ble Supreme Court also held that "the Union of

India, the State Governments as well as Union Territories bare a categorical obligation under the Constitution of India and under various International relating to human rights in general and treaties for disabled persons in particular, to protect the rights of the disabled persons."

2. In National Federation for Blinds, U.P. Branch V. State of U.P.

(AIR 2000 All 258), while stressing on the need for integration of the disabled people in the society, the Court held that "Problems on disability is a mere syndrome, the root causes are inherent in mass poverty, social segregation and illiteracy. The Court further held that the only permanent solution of disability problem, which a handicapped person faces, could be their social and economic integration and proper placement which will enable them to stand on their own with dignity and decency."

3. In Jeeja Ghosh V. Union of India the Hon'ble Supreme Court

held that the disabled persons are viewed as abnormal, deserving of pity, and not as individuals who are entitled to enjoy the same opportunities to live a full and satisfying life as other members of society. This resulted in marginalizing the disabled persons and their exclusion both from the mainstream of the society and enjoyment of their fundamental rights and freedoms. Disability tends to be couched within a medical and welfare framework, identifying people with disabilities as ill, different from their non-disabled peers, and in need of care. Because the emphasis is on the medical needs of people with

disabilities, there is a corresponding neglect of their wider social needs, which has resulted in severe isolation for people with disabilities and their families. The Supreme Court further held that there should be a full recognition of the fact that persons with disability are integral part of the community, equal in dignity and entitled to enjoy the same human rights and freedoms as others.

4. In *Pramod Arora v. Hon'ble Lt. Governor of Delhi and Ors* the Hon'ble High Court of Delhi while emphasizing the significance of Article 14 of Constitution of India read with the Disability reads held that the emergence of the disability rights movement in several parts of the world, and location of the needs of persons (and children) with disabilities in the discourse within the larger canvass of civil rights, along with gender, minority groups and other marginalized sections of societies, is a move away from the present, paternalistic model of disability rights. In the model known and practiced within country, disability rights are viewed from a medical or charity perspective, where disability is a handicap one is born with. Therefore, in the interest of providing an inclusive perspective to the people at large, it is necessary that the GST Council revises the proposed tax levels for Goods and Commodities used by the Persons with Disability.
5. In *Mrs. Valsamma paul v. Cochin University & Ors. (1996)* the Hon'ble Apex Court held that the Constitution thoughts its Preamble, Fundamental Rights and Directive Principle created

a Secular State based on the Principle of equality and non-discrimination, striking a balance between the rights of the individuals and the duty and commitment of the State to establish an egalitarian social order. The emphasis, therefore, is on a citizen to improve excellence and equal status and dignity of person with the advancement of human rights and constitutional philosophy of social and economic democracy in a democratic polity to all the citizens on equal footing. Therefore, for the purpose of achieving dreams dreamt by the Drafters of Our Constitution it is essential that this Government, re-examines the present GST levied on Good and Commodities required by Persons with Disability, only then will we be empowered enough to achieve an egalitarian society.

6. In *State Bank of Patiala & Ors v. Vinesh Kumar Bhasin* (2010) the Hon'ble Supreme Court while upholding the constitution validity of provisions of the Person with Disabilities Act, 1995 held that a certain affirmative actions is required to provide Persons with Disability, a level plying field which so that they can have adequate opportunities in matters of education and employment.
7. In *Suchita Srivastava v. Chandigarh administration* the Hon'ble Supreme Court held that since India has ratified the Convention on the Rights of Persons with Disabilities (CRPD) on October 1, 2007 its contents would be binding on our legal system.



8. The Hon'ble Supreme Court in *Mangal Singh and Ors v. Shrimati Ratno & Anr* (1967 3 SCR 454) held that "It is seen that if after the Constitution came into force the right to equality and dignity of person enshrined in the Preamble of the Constitution, Fundamental Rights and Directive Principles which are a Trinity intended to remove discrimination or disability on grounds only of social status or gender, removed the pre-existing impediments that stood in the way of female or weaker segments of the society"

My objective of sending this letter to your Ministry stems from my bonafide belief that this Government in particular, is genuinely concerned about not only protecting the Constitutionally guaranteed rights of those who are disabled but even beyond that, is willing to work for the actual upliftment of those who are restricted in their movement due to genetic or other reasons.

I am also reminded of the guarantee under Article 15 of our Constitution which prohibits discrimination on grounds of religion, race, caste, sex or place of birth. Although I am no Constitutional expert, but I do believe that the meaning of the term 'place of birth' must necessarily include circumstances of one's birth as well, since those who are born with a disability or even those who by way of some unfortunate incident become disabled, are in effect born again. In my view, therefore, the State must at the very least remove barriers which have the effect of further disabling those who are already disabled.

I trust that you will take my suggestions in the right spirit and as an expression of hope, from someone who shares our dear Prime Minister's vision for an inclusive and just Bharat.

I hope you will consider my plea on behalf of the entire disabled community of India, and waive all taxes which directly affect the disabled community. I am happy to make myself available for a meeting, should your department require that.

Yours Sincerely,

Nipun Malhotra

CEO, Nipman Foundation



AnneFusion P-2

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भारत सरकार  
Unique Identification Authority of India

सामाजिक कर्म / Enrollment No.: 2098/10053/13568

To  
शिवम कुमार मल्होत्रा  
Nipun Kumar Malhotra  
S/O: Praveen Kumar Malhotra  
Apartment No - H - 401 Calitona Ambience Island  
Apartment  
Behind Ambience Mall, Near NH 66 Sector - 24  
Noida (67)  
Noida  
Farukh Nagar Gurgaon  
Haryana 122002  
9871953332  
MD-2738865FH

आपका आधार क्रमांक / Your Aadhaar No. :

**5962 2310 8160**

मेरा आधार, मेरी पहचान



शिवम कुमार मल्होत्रा  
Nipun Kumar Malhotra  
जन्म तिथि / DOB : 01/08/1987  
पुरुष / Male

**5962 2310 8160**

मेरा आधार, मेरी पहचान



सत्यमेव जयते  
Truth Alone Triumphs



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### सूचना

- आधार पहचान का प्रमाण है, नागरिकता का नहीं।
- पहचान का प्रमाण ऑनलाइन सत्यापन द्वारा प्राप्त करें।

### INFORMATION

- Aadhaar is proof of identity, not of citizenship.
- To establish identity, authenticate online.

- आधार देश भर में मान्य है।
- आधार अभिष्य में सरकारी और गैर-सरकारी सेवाओं का लाभ उठाने में उपयोगी होगा।
- Aadhaar is valid throughout the country.
- Aadhaar will be helpful in availing Government and Non-Government services in future.



प्रधान सचिव, आवास-सचिवालय  
Chief Secretary, Housing Society of India

पता:

आसन्न: प्रवीण कुमार मथोरा,  
अपार्टमेंट नं - एच - 401, कैलिफोर्निया  
अम्ब्लेन्स आइलैंड अपार्टमेंट, अम्ब्लेन्स  
मल्ल पीछे, एन एच 08 के पास,  
सेक्टर - 24, नाथपुर 67, गुडगाँव,  
नाथपुर, हरियाणा, 122002

Address:

S/O: Previn Kumar Mathotra,  
Apartment No - H - 401, California  
Ambulance Island Apartment,  
Behind Ambulance Mall, Near NH  
08, Sector - 24, Nathpur(67),  
Gurgaon, Nathpur, Haryana,  
122002

5962 2310 8160



1017

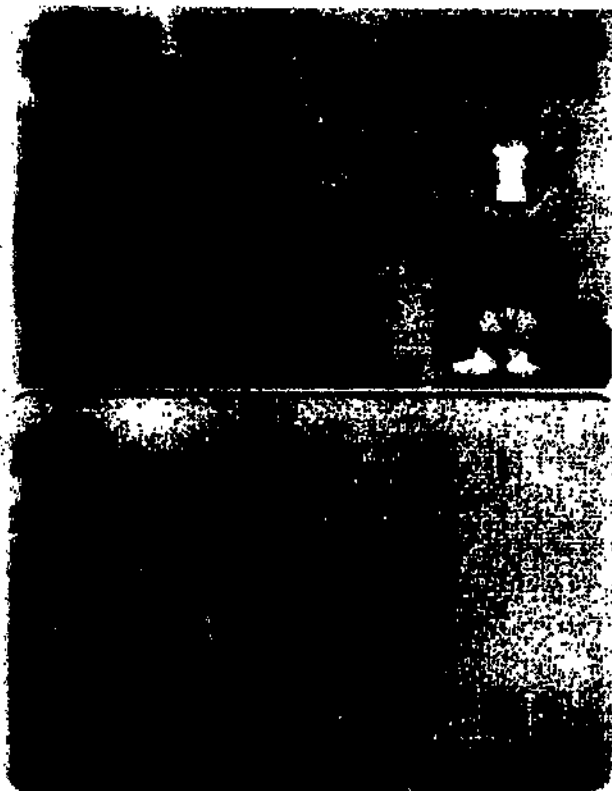


help@uidai.gov.in



www.uidai.gov.in

Annexure P-3  
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Nipun Malhotra is co-founder and CEO of the *Nipman Foundation* that works in the area of health and advocacy for Persons with Disabilities. He is a visiting Research Fellow at *World Enabled*, a Pineda Foundation initiative. He is a member of the CII National Committee on Special Abilities that promotes inclusion of Persons with Disabilities in the corporate sector. He is the brand ambassador of *Umoja Travels*, India's first accessible travel company. And is on the board of Directors at *Vishwas*, a non-profit working on disability and development. Malhotra is also the Executive Director of *Nipman Fastener Industries* - a leading automotive fastener manufacturing company in India.

Nipun is an alumnus of St. Stephen's College, Delhi School of Economics and the Indian School of Business. He is a World Economic Forum Global Shaper and a part of the Kellogg Innovation Network.

Since 2015, Nipun has been at the forefront of numerous efforts to ensure access for the disabled. The wheelchair access filters in restaurant listings on Zomato, the availability of wheelchairs at the recent NH7 and the Jaipur Literature Festival, are direct results. He also lobbied with the Delhi Government to get the Disabled exempted from the Odd-Even car rule. Since August 2016 he is part of NITI Aayog's (formerly the Indian Planning Commission) experts panel. He is the Curator of the Nipman Foundation Equal Opportunity Awards that recognise institutions employing PWDs

He is the founder of 'Wheels for Life' ([www.wheelsforlife.in](http://www.wheelsforlife.in)) - a crowdsourcing platform connecting those who need wheelchairs to donors who can financially contribute for them

An avid tweeter, Nipun writes regularly on Disability issues. His writing has appeared on Scroll.in, the Indian Express, NDTV Blog etc. He has also authored a comic titled 'No red card for the disabled'.

Nipun was born with Arthrogryposis, a rare congenital disorder. He is a wheelchair user.

**REVISED GST RATE FOR CERTAIN GOODS**[As per discussions in the 16<sup>th</sup> GST Council Meeting held on 11<sup>th</sup> June, 2017]

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of goods	Earlier GST rate approved by the GST Council	Revised GST Rate approved by the GST Council
1.	0506, 0507 90	Bones and horn cores, bone grist, bone meal, etc.; hoof meal, horn meal, etc.	5%	0%
2.	0801	Cashew nut	12%	5%
3.	0801	Cashew nut in shell	12%	5% [under reverse charge]
4.	0806	Raisin	12%	5%
5.	1104	Cereal grains hulled	5%	0%
6.	1702	Palmyra jaggery	18%	0%
7.	20 [All goods]	Preparations of vegetables, fruits, nuts or other parts of plants, including pickle, murabba, chutney, jam, jelly	18%/12%	12%
8.	2103, 2103 00, 2103 90 90	Ketchup & Sauces [other than curry paste; mayonnaise and salad dressings; mixed condiments and mixed seasonings], Mustard sauces	18%	12%
9.	2103 90 10, 2103 90 30, 2103 90 40	Curry paste; mayonnaise and salad dressings; mixed condiments and mixed seasonings	28%	18%
10.	2106	Bari made of pulses including mungodi	18%	12%
11.	2201 90 10	Ice and snow	12%	5%
12.	2501	Salt, all types	5%	0%
13.	27	Bio gas	12%	5%
14.	28	Dicalcium phosphate (DCP) of animal feed grade conforming to IS specification No.5470 : 2002	12%	0%
15.	30	Insulin	12%	5%
16.	29, 30, 3302	(i) Menthol and menthol crystals, (ii) Peppermint (Mentha Oil), (iii) Fractionated / de-terpenated mentha oil (DTMO), (iv) De-mentholised oil (DMO), (v) Spearmint oil, (vi) Mentha piperita oil	18%	12%



**REVISED GST RATE FOR CERTAIN GOODS**[As per discussions in the 16<sup>th</sup> GST Council Meeting held on 11<sup>th</sup> June, 2017]

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of goods	Earlier GST rate approved by the GST Council	Revised GST Rate approved by the GST Council
17.	3304 20 00	Kajal [other than kajal pencil sticks]	28%	Nil
18.	3304 20 00	Kajal pencil sticks	28%	18%
19.	3307	Agarbatti	12%	5%
20.	3407	Dental wax	28%	18%
21.	3822	All diagnostic kits and reagents	18%	12%
22.	3926	Plastic beads	28%	12%
23.	3926 90 99	Plastic Tarpaulin	28%	18%
24.	4202	(i) School satchels and bags other than of leather or composition leather; (ii) Toilet cases [4202 12 10]; (iii) Hand bags and shopping bags of artificial plastic material [4202 22 10], of cotton [4202 22 20], of jute [4202 22 30], vanity bags [4202 22 40]; (iv) Handbags of other materials excluding wicker work or basket work [4202 29 10].	28%	18%
25.	4820	Exercise books and note books	18%	12%
26.	4823	Kites	12%	5%
27.	4903	Children's' picture, drawing or colouring books	12%	Nil
28.	57	Coir mats, matting and floor covering	12%	5%
29.	65 [All goods]	Headgear and parts thereof	28%	18%
30.	6703	Human hair, dressed, thinned, bleached or otherwise worked	28%	0%
31.	68	Fly ash blocks	28%	12%
32.	6810 11 90	Pre cast Concrete Pipes	28%	18%
33.	6906	Salt Glazed Stone Ware Pipes	28%	18%
34.	7015 10	Glasses for corrective spectacles and flint buttons	18%	12%
35.	71	Rough precious and semi-precious stones	3%	0.25%
36.	7607	Aluminium foil	28%	18%

**REVISED GST RATE FOR CERTAIN GOODS**[As per discussions in the 16<sup>th</sup> GST Council Meeting held on 11<sup>th</sup> June, 2017]

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of goods	Earlier GST rate approved by the GST Council	Revised GST Rate approved by the GST Council
37.	8215	Spoons, forks, ladles, skimmers, cake servers, fish knives, tongs	18%	12%
38.	8308	All goods, including hooks and eyes	28%	18%
39.	84	Pawan Chakki that is Air Based Atta Chakki	28%	5%
40.	84	Fixed Speed Diesel Engines	28%	12%
41.	4011	Rear Tractor tyres and rear tractor tyre tubes	28%	18%
42.	8708	Rear Tractor wheel rim, tractor centre housing, tractor housing transmission, tractor support front axle	28%	18%
43.	8423 & 9016	Weighing Machinery [other than electric or electronic weighing machinery]	28%	18%
44.	8443	Printers [other than multifunction printers]	28%	18%
45.	8482	Ball bearing, Roller Bearings, Parts & related accessories	28%	18%
46.	8504	Transformers Industrial Electronics	28%	18%
47.	8504	Electrical Transformer	28%	18%
48.	8504	Static Convertors (UPS)	28%	18%
49.	8521	Recorder	28%	18%
50.	8525	CCTV	28%	18%
51.	8525-60	Two-way radio (Walkie talkie) used by defence, police and paramilitary forces etc.	28%	12%
52.	8528	Set top Box for TV	28%	18%
53.	8528	Computer monitors not exceeding 17 inches	28%	18%
54.	8539	Electrical Filaments or discharge lamps	28%	18%
55.	8544	Winding Wires	28%	18%
56.	8544	Coaxial cables	28%	18%
57.	8544 70	Optical Fiber	28%	18%
58.	8472	Perforating or stapling machines (staplers), pencil sharpening machines	28%	18%
59.	8715	Baby carriages	28%	18%
60.	9002	Intraocular lens	18%	12%
61.	9004	Spectacles, corrective	18%	12%

**REVISED GST RATE FOR CERTAIN GOODS**[As per discussions in the 16<sup>th</sup> GST Council Meeting held on 11<sup>th</sup> June, 2017]

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of goods	Earlier GST rate approved by the GST Council	Revised GST Rate approved by the GST Council
62.	9017	Instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers)	28%	18%
63.	9403	Bamboo furniture	28%	18%
64.	9504	Playing cards, chess board, carom board and other board games, like ludo, etc. [other than Video game consoles and Machines]	28%	12%
65.	9506	Swimming pools and padding pools	28%	18%
66.	9603 10 00	Muddhas made of sarkanda and phool bahari jhadoo	5%	0%
67.	9704	Postage or revenue stamps, stamp-post marks, first-day covers, etc.	12%	5%
68.	9705	Numismatic coins	12%	5%
69.	4823 90 11, 8472, 9101, 9102, 9021	Braille paper, braille typewriters, braille watches, hearing aids and other appliances to compensate for a defect or disability [These goods are covered in List 32 appended to notification No.12/2012-Customs, dated 17.03.2012 and are already at 5% GST rate (Chapter 90)]	-	5%

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[TO BE PUBLISHED IN PART II, SECTION 3, SUB-SECTION (I) OF THE GAZETTE OF INDIA, EXTRAORDINARY]

GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(Department of Revenue)

Notification No.1/2017-Integrated Tax (Rate)

New Delhi, the 28th June, 2017

G.S.R. (E).- In exercise of the powers conferred by sub-section (1) of section 5 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), the Central Government, on the recommendations of the Council, hereby notifies the rate of the integrated tax of-

- (i) 5 per cent. in respect of goods specified in Schedule I,
- (ii) 12 per cent. in respect of goods specified in Schedule II,
- (iii) 18 per cent. in respect of goods specified in Schedule III,
- (iv) 28 per cent. in respect of goods specified in Schedule IV,
- (v) 3 per cent. in respect of goods specified in Schedule V, and
- (vi) 0.25 per cent. in respect of goods specified in Schedule VI

appended to this notification (hereinafter referred to as the said Schedules), that shall be levied on inter-State supplies of goods, the description of which is specified in the corresponding entry in column (3) of the said Schedules, falling under the tariff item, sub-heading, heading or Chapter, as the case may be, as specified in the corresponding entry in column (2) of the said Schedules.

Schedule I - 5%

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
1.	0303	Fish, frozen, excluding fish fillets and other fish meat of heading 0304
2.	0304	Fish fillets and other fish meat (whether or not minced), frozen
3.	0305	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of fish, fit for human consumption
4.	0306	Crustaceans, whether in shell or not, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption
5.	0307	Molluscs, whether in shell or not, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebra other than crustaceans, fit for human consumption
6.	0308	Aquatic invertebrates other than crustaceans and molluscs, frozen, dried, salted or in brine; smoked aquatic invertebrates other than crustaceans and molluscs, whether or not cooked before or during

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		the smoking process: flours, meals and pellets of aquatic invertebrates other than crustaceans and molluscs, fit for human consumption
7.	0401	Ultra High Temperature (UHT) milk
8.	0402	Milk and cream, concentrated or containing added sugar or other sweetening matter, including skimmed milk powder, milk food for babies [other than condensed milk]
9.	0403	Cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa
10.	0404	Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included
11.	0406	Chena or paneer put up in unit container and bearing a registered brand name
12.	0408	Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter.
13.	0409	Natural honey, put up in unit container and bearing a registered brand name
14.	0410	Edible products of animal origin, not elsewhere specified or included
15.	0502	Pigs' hogs' or boars' bristles and hair; badger hair and other brush making hair; waste of such bristles or hair.
16.	0504	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked.
17.	0505	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers
18.	0507 [Except 050790]	Ivory, tortoise-shell, whalebone and whalebone hair, horns, unworked or simply prepared but not cut to shape; powder and waste of these products.
19.	0508	Coral and similar materials, unworked or simply prepared but not otherwise worked; shells of molluscs, crustaceans or echinoderms and cuttle-bone, unworked or simply prepared but not cut to shape, powder and waste thereof.
20.	0510	Ambergris, castoreum, civet and musk; cantharides; bile, whether or not dried; glands and other animal products used in the preparation

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		of pharmaceutical products, fresh, chilled, frozen or otherwise provisionally preserved.
21.	0511	Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption, other than semen including frozen semen.
22.	7	Herb, bark, dry plant, dry root, commonly known as jaribooti and dry flower
23.	0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen
24.	0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
25.	0713	Dried leguminous vegetables, shelled, whether or not skinned or split [put up in unit container and bearing a registered brand name]
26.	0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, frozen or dried, whether or not sliced or in the form of pellets
27.	0801	Cashew nuts, whether or not shelled or peeled
28.	0802	Dried areca nuts, whether or not shelled or peeled
29.	0802	Dried chestnuts (singhada), whether or not shelled or peeled
30.	08	Dried makhana, whether or not shelled or peeled
31.	0806	Grapes, dried, and raisins
32.	0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter
33.	0812	Fruit and nuts, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
34.	0814	Peel of citrus fruit or melons (including watermelons), frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions
35.	0901	Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any proportion [other than coffee beans not roasted]
36.	0902	Tea, whether or not flavoured [other than unprocessed green leaves of tea]
37.	0903	Maté
38.	0904	Pepper of the genus Piper; dried or crushed or ground fruits of the genus Capsicum or of the genus Pimenta
39.	0905	Vanilla
40.	0906	Cinnamon and cinnamon-tree flowers
41.	0907	Cloves (whole fruit, cloves and stems)
42.	0908	Nutmeg, mace and cardamoms
43.	0909	Seeds of anise, badian, fennel, coriander, cumin or caraway; juniper

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		berries [other than of seed quality]
44.	0910 [other than 0910 11 10, 0910 30 10]	Ginger other than fresh ginger, saffron, turmeric (curcuma) other than fresh turmeric, thyme, bay leaves, curry and other spices
45.	10	All goods i.e. cereals, put up in unit container and bearing a registered brand name
46.	1001	Wheat and meslin put up in unit container and bearing a registered brand name
47.	1002	Rye put up in unit container and bearing a registered brand name
48.	1003	Barley put up in unit container and bearing a registered brand name
49.	1004	Oats put up in unit container and bearing a registered brand name
50.	1005	Maize (corn) put up in unit container and bearing a registered brand name
51.	1006	Rice put up in unit container and bearing a registered brand name
52.	1007	Grain sorghum put up in unit container and bearing a registered brand name
53.	1008	Buckwheat, millet and canary seed; other cereals such as Jawar, Bajra, Ragi] put up in unit container and bearing a registered brand name
54.	1101	Wheat or meslin flour put up in unit container and bearing a registered brand name.
55.	1102	Cereal flours other than of wheat or meslin i.e. maize (corn) flour, Rye flour, etc. put up in unit container and bearing a registered brand name
56.	1103	Cereal groats, meal and pellets, including suji and dalia, put up in unit container and bearing a registered brand name
57.	1104	Cereal grains otherwise worked (for example, rolled, flaked, pearled, sliced or kibbled), except rice of heading 1006; germ of cereals, whole, rolled, flaked or ground [other than hulled cereal grains]
58.	1105	Meal, powder, flakes, granules and pellets of potatoes put up in unit container and bearing a registered brand name
59.	1106	Meal and powder of the dried leguminous vegetables of heading 0713 (pulses) [other than guar meal 1106 10 10 and guar gum refined split 1106 10 90], of sago or of roots or tubers of heading 0714 or of the products of Chapter 8, put up in unit container and bearing a registered brand name
60.	1106 10 10	Guar meal
61.	1106 10 90	Guar gum refined split
62.	1109 00 00	Wheat gluten, whether or not dried
63.	12	All goods other than of seed quality
64.	1201	Soya beans, whether or not broken other than of seed quality.
65.	1202	Ground-nuts, not roasted or otherwise cooked, whether or not

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		shelled or broken other than of seed quality.
66.	1203	Copra other than of seed quality
67.	1204	Linseed, whether or not broken other than of seed quality.
68.	1205	Rape or colza seeds, whether or not broken other than of seed quality.
69.	1206	Sunflower seeds, whether or not broken other than of seed quality
70.	1207	Other oil seeds and oleaginous fruits (i.e. Palm nuts and kernels, cotton seeds, Castor oil seeds, Sesamum seeds, Mustard seeds, Safflower ( <i>Carthamus tinctorius</i> ) seeds, Melon seeds, Poppy seeds, Ajams, Mango kernel, Niger seed, Kokam) whether or not broken, other than of seed quality
71.	1208	Flour and meals of oil seeds or oleaginous fruits, other than those of mustard
72.	1210	Hop cones, dried, whether or not ground, powdered or in the form of pellets; lupulin
73.	1211	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purpose, frozen or dried, whether or not cut, crushed or powdered
74.	1212	Locust beans, seaweeds and other algae, sugar beet and sugar cane, frozen or dried, whether or not ground; fruit stones and kernels and other vegetable products (including unroasted chicory roots of the variety <i>Cichorium intybus sativum</i> ) of a kind used primarily for human consumption, not elsewhere specified or included
75.	1301	Natural gums, resins, gum-resins and oleoresins (for example, balsams) [other than lac and shellac]
76.	1301	Compounded asafoetida commonly known as heeng
77.	1401	Vegetable materials of a kind used primarily for plaiting (for example, bamboos, rattans, reeds, rushes, osier, raffia, cleaned, bleached or dyed cereal straw, and lime bark)
78.	1404 [other than 1404 90 10, 1404 90 40, 1404 90 50]	Vegetable products not elsewhere specified or included such as cotton linters, Cotton linters, Soap nuts, Hard seeds, pips, hulls and nuts, of a kind used primarily for carving, coconut shell, unworked, Rudraksha seeds [other than bidi wrapper leaves (tendu), betel leaves, Indian katha]
79.	1507	Soya-bean oil and its fractions, whether or not refined, but not chemically modified
80.	1508	Ground-nut oil and its fractions, whether or not refined, but not chemically modified.
81.	1509	Olive oil and its fractions, whether or not refined, but not chemically modified.
82.	1510	Other oils and their fractions, obtained solely from olives, whether or not refined, but not chemically modified, including blends of these oils or fractions with oils or fractions of heading 1509



S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
83.	1511	Palm oil and its fractions, whether or not refined, but not chemically modified.
84.	1512	Sunflower-seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified.
85.	1513	Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified.
86.	1514	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified.
87.	1515	Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified.
88.	1516	Vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared.
89.	1517	Edible mixtures or preparations of vegetable fats or vegetable oils or of fractions of different vegetable fats or vegetable oils of this Chapter, other than edible fats or oils or their fractions of heading 1516
90.	1518	Vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading 1516
91.	1701	Beet sugar, cane sugar, khandsari sugar
92.	1702	Palmyra sugar
93.	1801	Cocoa beans whole or broken, raw or roasted
94.	1802	Cocoa shells, husks, skins and other cocoa waste
95.	1803	Cocoa paste whether or not de-fatted
96.	1901 20 00	Mixes and doughs for the preparation of bread, pastry and other baker's wares
97.	1902	Seviyan (vermicelli)
98.	1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms. (sabudana)
99.	1905	Pizza bread
100.	1905 40 00	Rusks, toasted bread and similar toasted products
101.	2106 90	Sweetmeats
102.	2201 90 10	Ice and snow
103.	2301	Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves
104.	2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets
105.	2304	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soyabean oil [other than aquatic feed including shrimp feed and prawn feed, poultry

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
		feed & cattle feed, including grass, hay & straw, supplement & husk of pulses, concentrates & additives, wheat bran & de-oiled cake]
106.	2305	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of ground-nut oil[other than aquatic feed including shrimp feed and prawn feed, poultry feed & cattle feed, including grass, hay & straw, supplement & husk of pulses, concentrates & additives, wheat bran & de-oiled cake]
107.	2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading 2304 or 2305[other than aquatic feed including shrimp feed and prawn feed, poultry feed & cattle feed, including grass, hay & straw, supplement & husk of pulses, concentrates & additives, wheat bran & de-oiled cake]
108.	2307	Wine lees; argol
109.	2401	Tobacco leaves
110.	2502	Unroasted iron pyrites.
111.	2503[except 2503 00 10]	Sulphur of all kinds, other than sublimed sulphur, precipitated sulphur and colloidal sulphur [other than sulphur recovered as by-product in refining of crude oil]
112.	2504	Natural graphite.
113.	2505	Natural sands of all kinds, whether or not coloured, other than metal bearing sands of Chapter 26.
114.	2506	Quartz (other than natural sands); quartzite, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape.
115.	2507	Kaolin and other kaolinic clays, whether or not calcined.
116.	2508	Other clays (not including expanded clays of heading 6806), andalusite, kyanite and sillimanite, whether or not calcined; mullite; chamotte or dinas earths.
117.	2509	Chalk.
118.	2510	Natural calcium phosphates, natural aluminium calcium phosphates and phosphatic chalk.
119.	2511	Natural barium sulphate (barytes); natural barium carbonate (witherite), whether or not calcined, other than barium oxide of heading 2816.
120.	2512	Siliceous fossil meals (for example, kieselguhr, tripolite and diatomite) and similar siliceous earths, whether or not calcined, of an apparent specific gravity of 1 or less.
121.	2513	Pumice stone; emery; natural corundum, natural garnet and other natural abrasives, whether or not heat-treated.
122.	2514	Slate, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape.
123.	2515	Ecaussine and other calcareous monumental or building stone;

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
	[Except 2515 12 10, 2515 12 20, 2515 12 90]	alabaster [other than marble and travertine]
124.	2516 [Except 2516 11 00, 2516 12 00]	Porphyry, basalt, sandstone and other monumental or building stone, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape.
125.	2516 11 00	Granite crude or roughly trimmed
126.	2517	Pebbles, gravel, broken or crushed stone, of a kind commonly used for concrete aggregates, for road metalling or for railway or other ballast, shingle and flint, whether or not heat-treated; macadam of slag, dross or similar industrial waste, whether or not incorporating the materials cited in the first part of the heading; tarred macadam; granules cheeping and powder of stones heading 2515 or 2516 whether or not heat treated.
127.	2518	Dolomite, whether or not calcined or sintered, including dolomite roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape; dolomite ramming mix. 2518 10 dolomite. Not calcined or sintered
128.	2519	Natural magnesium carbonate (magnesite); fused magnesia; dead-burned (sintered) magnesia, whether or not containing small quantities of other oxides added before sintering; other magnesium oxide, whether or not pure.
129.	2520	Gypsum; anhydrite; plasters (consisting of calcined gypsum or calcium sulphate) whether or not coloured, with or without small quantities of accelerators or retarders.
130.	2521	Limestone flux; limestone and other calcareous stone, of a kind used for the manufacture of lime or cement.
131.	2522	Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide of heading 2825.
132.	2524	Asbestos
133.	2525	Mica, including splitting; mica waste.
134.	2526	Natural steatite, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape; talc.
135.	2528	Natural borates and concentrates thereof (whether or not calcined), but not including borates separated from natural brine; natural boric acid containing not more than 85% of $H_3BO_3$
136.	2529	Feldspar; leucite, nepheline and nepheline syenite; <sup>fluorapatite</sup> fluorapatite.
137.	2530	Mineral substances not elsewhere specified or included.
138.	26 [other than 2619, 2620,	All ores and concentrates [other than slag, dross (other than granulated slag), scalings and other waste from the manufacture of

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
	2621]	iron or steel; slag, ash and residues (other than from the manufacture of iron or steel) containing metals, arsenic or their compounds; other slag and ash, including seaweed ash (kelp); ash and residues from the incineration of municipal waste]
139.	2601	Iron ores and concentrates, including roasted iron pyrites
140.	2602	Manganese ores and concentrates, including ferruginous manganese ores and concentrates with a manganese content of 20% or more, calculated on the dry weight.
141.	2603	Copper ores and concentrates.
142.	2604	Nickel ores and concentrates.
143.	2605	Cobalt ores and concentrates.
144.	2606	Aluminium ores and concentrates.
145.	2607	Lead ores and concentrates.
146.	2608	Zinc ores and concentrates.
147.	2609	Tin ores and concentrates.
148.	2610	Chromium ores and concentrates.
149.	2611	Tungsten ores and concentrates.
150.	2612	Uranium or thorium ores and concentrates.
151.	2613	Molybdenum ores and concentrates.
152.	2614	Titanium ores and concentrates.
153.	2615	Niobium, tantalum, vanadium or zirconium ores and concentrates.
154.	2616	Precious metal ores and concentrates.
155.	2617	Other ores and concentrates
156.	2618	Granulated slag (slag sand) from the manufacture of iron or steel
157.	27	Bio-gas
158.	2701	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
159.	2702	Lignite, whether or not agglomerated, excluding jet
160.	2703	Peat (including peat litter), whether or not agglomerated
161.	2704	Coke and semi coke of coal, of lignite or of peat, whether or not agglomerated; retort carbon
162.	2705	Coal gas, water gas, producer gas and similar gases, other than petroleum gases and other gaseous hydrocarbons
163.	2706	Tar distilled from coal, from lignite or from peat
164.	2710	Kerosene PDS
165.	2711 12 00, 2711 13 00, 2710 19 00	Liquefied Propane and Butane mixture, Liquefied Propane, Liquefied Butane and Liquefied Petroleum Gases (LPG) for supply to household domestic consumers or to non-domestic exempted category (NDEC) customers by the Indian Oil Corporation Limited, Hindustan petroleum Corporation Limited or Bharat Petroleum Corporation Limited.
166.	28	Thorium oxalate
167.	28	Enriched KBF <sub>4</sub> (enriched potassium fluoborate)
168.	28	Enriched elemental boron

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
169.	28	Nuclear fuel
170.	2805 11	Nuclear grade sodium
171.	2845	Heavy water and other nuclear fuels
172.	2853	Compressed air
173.	30	Insulin
174.	3002, 3006	Animal or Human Blood Vaccines
175.	30	Diagnostic kits for detection of all types of hepatitis
176.	30	Desferrioxamine injection or deferiprone
177.	30	Cyclosporin
178.	30	Medicaments (including veterinary medicaments) used in bio-chemic systems and not bearing a brand name
179.	30	Oral re-hydration salts
180.	30	Drugs or medicines including their salts and esters and diagnostic test kits, specified in List 1 appended to this Schedule
181.	30	Formulations manufactured from the bulk drugs specified in List 2 appended to this Schedule
182.	3101	All goods i.e. animal or vegetable fertilisers or organic fertilisers put up in unit containers and bearing a brand name
183.	32	Wattle extract, quebracho extract, chestnut extract
184.	3202	Enzymatic preparations for pre-tanning
185.	3307 41 00	Agarbatti
186.	3402	Sulphonated castor oil, fish oil or sperm oil
187.	3605 00 10	Handmade safety matches Explanation.- For the purposes of this entry, handmade matches mean matches, in or in relation to the manufacture of which, none of the following processes is ordinarily carried on with the aid of power, namely: - (i) frame filling; (ii) dipping of splints in the composition for match heads; (iii) filling of boxes with matches; (iv) pasting of labels on match boxes, veneers or cardboards; (v) packaging
188.	4001	Natural rubber, balata, gutta-percha, guayule, chicle and similar natural gums, in primary forms or in plates, sheets or strip
189.	4016	Toy balloons made of natural rubber latex
190.	4011, 4013	Pneumatic tyres or inner tubes, of rubber, of a kind used on / in bicycles, cycle -rickshaws and three wheeled powered cycle rickshaws
191.	4016	Erasers
192.	4101	Raw hides and skins of bovine (including buffalo) or equine animals (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not dehaired or split
193.	4102	Raw skins of sheep or lambs (fresh, or salted, dried, limed, pickled

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not with wool on or split
194.	4103	Other raw hides and skins (fresh, or salted, dried, lined, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not dehaired or split
195.	4104	Tanned or crust hides and skins of bovine (including buffalo) or equine animals, without hair on, whether or not split, but not further prepared
196.	4105	Tanned or crust skins of sheep or lambs, without wool on, whether or not split, but not further prepared
197.	4106	Tanned or crust hides and skins of other animals, without wool or hair on, whether or not split, but not further prepared
198.	4401	Wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
199.	4801	Newsprint, in rolls or sheets
200.	4823	Kites
201.	4901	Brochures, leaflets and similar printed matter, whether or not in single sheets
202.	5004 to 5006	Silk yarn
203.	5007	Woven fabrics of silk or of silk waste
204.	5104	Garneted stock of wool or of fine or coarse animal hair, shoddy wool
205.	5105	Wool and fine or coarse animal hair, carded or combed
206.	5106 to 5110	Yarn of wool or of animal hair
207.	5111 to 5113	Woven fabrics of wool or of animal hair
208.	5201 to 5203	Cotton and Cotton waste
209.	5204	Cotton sewing thread, whether or not put up for retail sale
210.	5205 to 5207	Cotton yarn [other than khadi yarn]
211.	5208 to 5212	Woven fabrics of cotton
212.	5301	All goods i.e. flax, raw or processed but not spun; flax tow and waste (including yarn waste and garneted stock)
213.	5302	True hemp ( <i>Cannabis sativa</i> L.), raw or processed but not spun; tow and waste of true hemp (including yarn waste and garneted stock)
214.	5303	All goods i.e. textile bast fibres [other than jute fibres, raw or processed but not spun]; tow and waste of these fibres (including yarn waste and garneted stock)
215.	5305 to 5308	All goods [other than coconut coir fibre] including yarn of flax, jute, other textile bast fibres, other vegetable textile fibres; paper yarn
216.	5309 to 5311	Woven fabrics of other vegetable textile fibres, paper yarn
217.	5407, 5408	Woven fabrics of manmade textile materials
218.	5512 to 5516	Woven fabrics of manmade staple fibres
219.	5705	Coir mats, matting and floor covering
220.	5809, 5810	Embroidery or zari articles, that is to say, - imi, zari, kasab, saima,

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		dabka, chunki, gotasitara, naqsi, kora, glass beads, badla, glzal
221.	60	Knitted or crocheted fabrics [All goods]
222.	61	Articles of apparel and clothing accessories, knitted or crocheted, of sale value not exceeding Rs. 1000 per piece
223.	62	Articles of apparel and clothing accessories, not knitted or crocheted, of sale value not exceeding Rs. 1000 per piece
224.	63	Other made up textile articles, sets, worn clothing and worn textile articles and rags, of sale value not exceeding Rs. 1000 per piece
225.	64	Footwear having a retail sale price not exceeding Rs.500 per pair, provided that such retail sale price is indelibly marked or embossed on the footwear itself.
226.	6901 00 10	Bricks of fossil meals or similar siliceous earths
227.	6904 10 00	Building bricks
228.	6905 10 00	Earthen or roofing tiles
229.	7018	Glass beads.
230.	84	Pawan Chakki that is Air Based Atta Chakki
231.	8413, 8413 91	Hand pumps and parts thereof
232.	8419 19	Solar water heater and system
233.	8437	Machines for cleaning, sorting or grading, seed, grain or dried leguminous vegetables; machinery used in milling industry or for the working of cereals or dried leguminous vegetables other than farm type machinery and parts thereof
234.	84 or 85	Following renewable energy devices & parts for their manufacture (a) Bio-gas plant (b) Solar power based devices (c) Solar power generating system (d) Wind mills, Wind Operated Electricity Generator (WOEG) (e) Waste to energy plants / devices (f) Solar lantern / solar lamp (g) Ocean waves/tidal waves energy devices/plants
235.	8601	Rail locomotives powered from an external source of electricity or by electric accumulators
236.	8602	Other rail locomotives; locomotive tenders; such as Diesel-electric locomotives, Steam locomotives and tenders thereof
237.	8603	Self-propelled railway or tramway coaches, vans and trucks, other than those of heading 8604
238.	8604	Railway or tramway maintenance or service vehicles, whether or not self-propelled (for example, workshops, cranes, ballast tampers, trackliners, testing coaches and track inspection vehicles)
239.	8605	Railway or tramway passenger coaches, not self-propelled; luggage vans, post office coaches and other special purpose railway or tramway coaches, not self-propelled (excluding those of heading 8604)
240.	8606	Railway or tramway goods vans and wagons, not self-propelled

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
241.	8607	Parts of railway or tramway locomotives or rolling-stock; such as Bogies, bissel-bogies, axles and wheels, and parts thereof
242.	8608	Railway or tramway track fixtures and fittings; mechanical (including electro-mechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields; parts of the foregoing
243.	8713	Carriages for disabled persons, whether or not motorised or otherwise mechanically propelled
244.	8802	Other aircraft (for example, helicopters, aeroplanes), other than those for personal use.
245.	8803	Parts of goods of heading 8802
246.	8901	Cruise ships, excursion boats, ferry-boats, cargo ships, barges and similar vessels for the transport of persons or goods
247.	8902	Fishing vessels; factory ships and other vessels for processing or preserving fishery products
248.	8904	Tugs and pusher craft
249.	8905	Light-vessels, fire-floats, dredgers, floating cranes and other vessels the navigability of which is subsidiary to their main function; floating docks; floating or submersible drilling or production platforms
250.	8906	Other vessels, including warships and lifeboats other than rowing boats
251.	8907	Other floating structures (for example, rafts, tanks, coffer-dams, landing-stages, buoys and beacons)
252.	Any chapter	Parts of goods of headings 8901, 8902, 8904, 8905, 8906, 8907
253.	90	Coronary stents and coronary stent systems for use with cardiac catheters
254.	90 or any other Chapter	Artificial kidney
255.	90 or 84	Disposable sterilized dialyzer or micro barrier of artificial kidney
256.	90 or any other Chapter	Parts of the following goods, namely:- (i) Crutches; (ii) Wheel chairs; (iii) Walking frames; (iv) Tricycles; (v) Brailers; and (vi) Artificial limbs
257.	90 or any other Chapter	Assistive devices, rehabilitation aids and other goods for disabled, specified in List 3 appended to this Schedule
258.	9405 50 31	Kerosene pressure lantern
259.	9405 91 00, 9405 92 00 or 9405 99 00	Parts of kerosene pressure lanterns including gas mantles
260.	9603 10 00	Broomsticks



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S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
261.	9704	Postage or revenue stamps, stamp-postmarks, first-day covers, postal stationery (stamped paper), and the like, used or unused, other than those of heading 4907
262.	9705	Numismatic coins
263.	9804	Drugs or medicines including their salts and esters and diagnostic test kits specified at S.No.180 above and Formulations specified at S.No.181 above, intended for personal use.

**List 1 [See S.No.180 of the Schedule I]**

- (1) Amikacin
- (2) Amphotericin-B
- (3) Amrinone
- (4) Aprotinin
- (5) Baclofen
- (6) Bleomycin
- (7) Busulphan
- (8) BCG vaccine, Iopromide, Iotrolan
- (9) Chlorambucil
- (10) Chorionic Gonadotrophin
- (11) Clindamycin
- (12) Cyclophosphamide
- (13) Dactinomycin
- (14) Daunorubicin
- (15) Desferrioxamine
- (16) Dimercaprol
- (17) Disopyramide phosphate
- (18) Dopamine
- (19) Eptifibatide
- (20) Glucagon
- (21) Hydroxyurea
- (22) Isoprenaline
- (23) Isoflurane
- (24) Lactulose
- (25) Lomustine
- (26) Latanoprost
- (27) Melphalan
- (28) Mesna
- (29) Methotrexate
- (30) MMR (Measles, mumps and rubella) vaccine
- (31) Mustin Hydrochloride
- (32) Pancuronium Bromide
- (33) Praziquantel
- (34) Protamine
- (35) Quinidine

- (36) Sodium Cromoglycate spin caps and cartridges
- (37) Sodium Hyaluronatesterile 1% and 1.4% solution
- (38) Somatostatin
- (39) Strontium Chloride (85Sr.)
- (40) Thioguanine
- (41) Tobramycin
- (42) Tetanusimmunoglobulin
- (43) Typhoid Vaccines:
  - (a) VI Antigen of Salmonella Typhi, and
  - (b) Ty2la cells and attenuated non-pathogenic strains of S.Typhi
- (44) Tretinoin
- (45) Tribavirin / Ribavirin
- (46) Urokinase
- (47) Ursodeoxycholic Acid
- (48) Vancomycin
- (49) Vasopressin
- (50) Vecuronium Bromide
- (51) Zidovudine
- (52) 5-Fluorouracil
- (53) Pegulated Liposomal Doxorubicin Hydrochloride injection
- (54) Ketoanalogue preparation of essential amino acids
- (55) Pergolide
- (56) Kit for bedside assay of Troponin-T
- (57) Solution for storing, transporting, flushing donor organs for transplant
- (58) Mifepristone
- (59) Milrinone Lactate
- (60) Methoxy Isobutyl Isonitrile (MIBI)
- (61) Haemophilus Influenzae Type b Vaccine
- (62) Mycophenolate Sodium
- (63) Verteporfin
- (64) Daclizumab
- (65) Ganciclovir
- (66) Drotrecogin alpha (activated)
- (67) Eptacogin alpha activated recombinant coagulation factor VIIa
- (68) Muromonab CD3
- (69) Japanese encephalitis vaccine
- (70) Valganciclovir
- (71) Low molecular weight heparin
- (72) Efavirenz
- (73) Emtricitabine;
- (74) Azathioprine;
- (75) Antinomycin D;
- (76) Cytosine Arabinoside (Cytarabine);
- (77) Vinblastine Sulphate
- (78) Vincristine;
- (79) Eurocollins Solution;
- (80) Everolimus tablets/dispersible tablets;
- (81) Poractant alfa
- (82) Troponin-I whole blood test kit;
- (83) Blower/mister kit for beating heart surgery;

- (84) Fluoro Enzyme Immunoassay Diagnostic kits
- (85) Tablet Telfivudine
- (86) Injection Exenatide
- (87) DTaP-IPV-Hibor PRP-T combined Vaccine
- (88) Pneumococcal-7 Valent Conjugate Vaccine(Diphtheria CRM197 Protein)
- (89) Injection Thyrotropin Alfa
- (90) Injection Omalizumab.
- (91) Abatacept
- (92) Daptomycin
- (93) Entacevir
- (94) Fondaparinux Sodium
- (95) Influenza Vaccine
- (96) Ixabepilone
- (97) Lapatinib
- (98) Pegaptanib Sodium injection
- (99) Sunitinib Malate
- (100) Tocilizumab
- (101) Agalsidase Beta
- (102) Anidulafungin
- (103) Capsosfungin acetate
- (104) Desflurane USP
- (105) Hemostatic Matrix with Gelatin and human Thrombin
- (106) Imiglucerase
- (107) Maraviroc
- (108) Radiographic contrast media (Sodium and Meglumine ioxitalamate, Iobitridol and Sodium and meglumine ioxaglate)
- (109) Sorafenib tosylate
- (110) Varenciline tartrate
- (111) 90 Yttrium
- (112) Nilotinib
- (113) Pneumococcal acchride Conjugate vaccine adsorbed 13-valent suspension for injection
- (114) Micafungin sodium for injection
- (115) Bevacizumab
- (116) Raltegravir potassium
- (117) Rotavirus Vaccine (Live Oral Pentavalent)
- (118) Pneumococcal Polysaccharide Vaccine
- (119) Temsirolimus Concentrate for infusion for injection
- (120) Natalizumab
- (121) Octreoside
- (122) Somatropin
- (123) Aurothiomalate Sodium
- (124) Asperaginase
- (125) Agglutinating Sera
- (126) Anti-Diphtheria Normal Human Immunoglobulin
- (127) Anti-human lymphocyte immunoglobulin IV
- (128) Anti-human thymocyte immunoglobulin IV
- (129) Anti-Pertussis Normal Human Immunoglobulin
- (130) Anti-Plague serum
- (131) Anti-Pseudomonas Normal Human Immunoglobulin

- (132) Basiliximab
- (133) Beractant Intra-tracheal Suspension
- (134) Blood group sera
- (135) Botulinum Toxin Type A
- (136) Burn therapy dressing soaked in gel
- (137) Bovine Thrombin for invitro test for diagnosis in Haemorrhagic disorders
- (138) Bovine Albumin
- (139) Bretyleum Tossylate
- (140) Calcium Disodium Edetate
- (141) Camustine
- (142) Cesium Tubes
- (143) Calcium folinate
- (144) Cholestyramine
- (145) Christmas Factor Concentrate (Coagulation factor IX prothrombin complex concentrate).
- (146) Cobalt-60
- (147) Corticotrophin
- (148) Cyanamide
- (149) Diagnostic Agent for Detection of Hepatitis B Antigen
- (150) Diagnostic kits for detection of HIV antibodies
- (151) Diphtheria Antitoxin sera
- (152) Diazoxide
- (153) Edrophonium
- (154) Enzyme linked Immunoabsorbent Assay kits [ELISA KITS]
- (155) Epirubicin
- (156) Fibrinogen
- (157) Floxuridine
- (158) Flucytosin
- (159) Flecainide
- (160) Fludarabine Phosphate
- (161) Foetal Bovine Serum (FBS)
- (162) Gadolinium DTPA Dimeglumine
- (163) Gallium Citrate
- (164) Gasgangrene Anti-Toxin Serum
- (165) Goserlin Acetate
- (166) Hepatitis B Immunoglobulin
- (167) Hexamethylmelamine
- (168) Hydralazine
- (169) Idarubicine
- (170) Idoxuridine
- (171) Immuno-assay kit for blood Fibrinogen degradation product for direct estimation for diagnostic test in D.I.C.
- (172) Inactivated rabies vaccine [Human diploid cell]
- (173) Inactivated rabies vaccine [Vero-cell]
- (174) Intravenous amino acids
- (175) Intravenous Fat Emulsion
- (176) Iopamidol
- (177) Iohexol
- (a) Indium(III) imbleomycin
- (b) Indium 113 Sterile generator and elution accessories

- (c) Indium 113 in brain scanning kit
- (d) Indium 113 in liver scanning kit
- (178) Iscador, CLIA diagnostic kits
- (179) Levodopa with benserazine
- (180) Lenograstin
- (181) Meningococcal A and C combined vaccine with diluant solvent
- (182) Methicillin
- (183) Metrizamide Inj with diluant
- (184) Monocomponent insulins
- (185) Mycophenolate Mofetil
- (186) Normal Human plasma
- (187) Normal Human immunoglobulin
- (188) Nuclear magnetic resonance contrast agent
- (189) Normal Human serum Albumin
- (190) Penicillamine
- (191) Pentamidine
- (192) Penicillinase
- (193) Poliomyelitis vaccine (inactivated and live)
- (194) Potassium Aminobenzoate
- (195) Porcine Insulin Zinc Suspension
- (196) Prednimustine
- (197) Porcine and Bovine insulin
- (198) Purified Chick Embryo Cell Rabies Vaccine
- (199) Pyridostigmine
- (200) Pneumocystis carinii F kits
- (201) Prostaglandin E1 (PGE1)
- (202) Radio-immunoassay kit for hormones (T3, T4, TSH Insulin, Glucogen, Growth Hormone, Cortisol, L. H., FSH and Digoxin)
- (203) Radioisotope Tl 201
  - (a) Rabbit brains thromboplastin for PT test
  - (b) Reagent for PT tests
  - (c) Human Thrombin for TT tests
- (204) Rabies immune globulin of equine origin
- (205) Sevoflurane
- (206) Recuronium Bromide
- (207) Septopal beads and chains
- (208) Sodium Arsenate
- (209) Freeze Dried Form of Human Follicle Stimulating and Luteinising Hormones
- (210) Solution of Nucleotides and Nucleosides
- (211) Specific Desensitizing Vaccine
- (212) Sterile Absorbable Haemostat for control of surgical vessel bleeding
- (213) Strontium SR-89 Chloride
- (214) Suxamethonium Chloride
- (215) Selenium-75
- (216) Teicoplanin
- (217) Tetrofosmin
- (218) Ticarcillin
- (219) Tranexamic Acid
- (220) Tocainide
- (221) Tri-iodothyronine

- (222) Triethylene Tetramine
- (223) Thrombokinas
- (224) Teniposide
- (225) Trans-1-diamino cyclohexane Oxalatoplatinum
- (226) Ticarcillin Disodium and Potassium Clavulanate combination
- (227) Vindesin Sulphate
- (228) X-ray diagnostic agents, the following:-
  - (a) Propylidone
  - (b) Ethyliodophenylundecylate
  - (c) Iodipamide methyl glucamine
  - (d) Lipidollutra fluid
  - (e) Patentblue
  - (f) Zalcitabine
- (229) Zoledronic Acid
- (230) Anti-Haemophilic Factors Concentrate (VIII and IX)

**List 2 [See S.No.181 of the Schedule I]**

- (1) Streptomycin
- (2) Isoniazid
- (3) Thiacezone
- (4) Ethambutol
- (5) Sodium PAS
- (6) Pyrazinamide
- (7) Dapsone
- (8) Clo- fazamine
- (9) Tetracycline Hydrochloride
- (10) Pilocarpine
- (11) Hydrocortisone
- (12) Idoxuridine
- (13) Acetazolamide
- (14) Atro- pine
- (15) Homatropn
- (16) Chloroquine
- (17) Amodiaquine
- (18) Quinine
- (19) Pyrimethamine
- (20) Sulfametho pyrezine
- (21) Diethyl Carbamazine
- (22) Arteether or formulation of artemisinin.

**List 3 [See S.No.257 of the Schedule I]**

- (A) (1) Braille writers and braille writing instruments
- (2) Hand writing equipment Braille Frames, Slates, Writing Guides, Script Writing Guides, Styli, Braille Erasers
- (3) Canes, Electronic aids like the Sonic Guide
- (4) Optical, Environmental Sensors
- (5) Arithmetic aids like the Taylor Frame (arithmetic and algebra types), Cubarythm, Speaking or Braille calculator

- (6) Geometrical aids like combined Graph and Mathematical Demonstration Board, Braille Protractors, Scales, Com- passes and Spar Wheels
- (7) Electronic measuring equipment, such as calipers, micrometers, comparators, gauges, gauge blocks Levels, Rules, Rulers and Yardsticks
- (8) Drafting, Drawing aids, tactile displays
- (9) Specially adapted clocks and watches
- (B) (1) Orthopaedic appliances falling under heading No. 90.21 of the First Schedule
- (2) Wheel chairs falling under heading No. 87.13 of the First Schedule
- (C) Artificial electronic larynx and spares thereof
- (D) Artificial electronic ear (Cochlear implant)
- (E) (1) Talking books (in the form of cassettes, discs or other sound reproductions), and large-print books, braille embossers, talking calculators, talking thermometers
- (2) Equipment for the mechanical or the computerized production of braille and recorded material such as braille computer terminals and displays, electronic braille, transfer and pressing machines and stereo typing machines
- (3) Braille paper
- (4) All tangible appliances including articles, instruments, apparatus, specially designed for use by the blind
- (5) Aids for improving mobility of the blind such as electronic orientation and obstacle detectbn appliance and white canes
- (6) Technical aids for education, rehabilitation, vocational training and employment of the blind such as Braille typewriters, braille watches, teaching and learning aids, games and other instruments and vocational aids specifically adapted for use of the blind
- (7) Assistive listening devices, audiometers
- (8) External catheters, special jelly cushions to prevent bed sores, stair lift, urino collection bags
- (9) Instruments and implants for severely physically handicapped patients and joints replacement and spinal instru- ments and implants including bone cement.

## Schedule II - 12%

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
1.	01012100, 010129	Live horses
2.	0202	Meat of bovine animals, frozen and put up in unit containers
3.	0203	Meat of swine, frozen and put up in unit containers
4.	0204	Meat of sheep or goats, frozen and put up in unit containers
5.	0205	Meat of horses, asses, mules or hinnies, frozen and put up in unit containers
6.	0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, frozen and put up in unit containers
7.	0207	Meat and edible offal, of the poultry of heading 0105, frozen and put up in unit containers

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
8.	0208	Other meat and edible meat offal, frozen and put up in unit containers
9.	0209	Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, frozen and put up in unit containers
10.	0209	Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, salted, in brine, dried or smoked, put up in unit containers
11.	0210	Meat and edible meat offal, salted, in brine, dried or smoked put up in unit containers; edible flours and meals of meat or meat offal put up in unit containers
12.	0405	Butter and other fats (i.e. ghee, butter oil, etc.) and oils derived from milk; dairy spreads
13.	0406	Cheese
14.	0801	Brazil nuts, dried, whether or not shelled or peeled
15.	0802	Other nuts, dried, whether or not shelled or peeled, such as Almonds, Hazelnuts or filberts ( <i>Corylus</i> spp.), walnuts, Chestnuts ( <i>Castanea</i> spp.), Pistachios, Macadamia nuts, Kola nuts ( <i>Cola</i> spp.) [other than dried areca nuts]
16.	0804	Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, dried
17.	0813	Fruit, dried, other than that of headings 0801 to 0806; mixtures of nuts or dried fruits of Chapter 8
18.	1108	Starches; inulin
19.	1501	Pig fats (including lard) and poultry fat, other than that of heading 0209 or 1503
20.	1502	Fats of bovine animals, sheep or goats, other than those of heading 1503
21.	1503	Lard stearin, lard oil, oleo stearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared
22.	1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified
23.	1505	Wool grease and fatty substances derived therefrom (including lanolin)
24.	1506	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified
25.	1516	Animal fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared.
26.	1517	Edible mixtures or preparations of animal fats or animal oils or of fractions of different animal fats or animal oils of this Chapter, other than edible fats or oils or their fractions of heading 1516
27.	1518	Animal fats and animal oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included



S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
28.	1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products
29.	1602	Other prepared or preserved meat, meat offal or blood
30.	1603	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates
31.	1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs
32.	1605	Crustaceans, molluscs and other aquatic invertebrates prepared or preserved
33.	2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid
34.	2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid
35.	2003	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid
36.	2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006
37.	2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006
38.	2006	Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallised)
39.	2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter
40.	2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included; such as Ground-nuts, Cashew nut, roasted, salted or roasted and salted, Other roasted nuts and seeds, squash of Mango, Lemon, Orange, Pineapple or other fruits
41.	2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter.
42.	2101 30	Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof
43.	2102	Yeasts and prepared baking powders
44.	2103 [other than 2103 90 10, 2103 90 30, 2103 90 40]	Sauces and preparations therefor [other than Curry paste; mayonnaise and salad dressings; mixed condiments and mixed seasoning
45.	2106	Texturised vegetable proteins (soya bari) and Bari made of pulses including mungodi
46.	2106 90	Namkeens, bhujia, mixture, chabena and similar edible preparations in ready for consumption form

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
47.	2202 90 10	Soya milk drinks
48.	2202 90 20	Fruit pulp or fruit juice based drinks
49.	2202 90 90	Tender coconut water put up in unit container and bearing a registered brand name
50.	2202 90 30	Beverages containing milk
51.	2515 12 10	Marble and travertine blocks
52.	2516	Granite blocks
53.	28	Anaesthetics
54.	28	Potassium Iodate
55.	28	Steam
56.	28	Micronutrients, which are covered under serial number 1(f) of Schedule 1, Part (A) of the Fertilizer Control Order, 1985 and are manufactured by the manufacturers which are registered under the Fertilizer Control Order, 1985
57.	2801 20	Iodine
58.	2847	Medicinal grade hydrogen peroxide
59.	29	Gibberellic acid
60.	3001	Glands and other organs for organo-therapeutic uses, dried, whether or not powdered; extracts of glands or other organs or of their secretions for organo-therapeutic uses; heparin and its salts; other human or animal substances prepared for therapeutic or prophylactic uses, not elsewhere specified or included
61.	3002	Animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes; toxins, cultures of micro-organisms (excluding yeasts) and similar products
62.	3003	Medicaments (excluding goods of heading 30.02, 30.05 or 30.06) consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses, not put up in measured doses or in forms or packings for retail sale, including Ayurvedic, Unani, Siddha, homoeopathic or Bio-chemic systems medicaments
63.	3004	Medicaments (excluding goods of heading 30.02, 30.03 or 30.06) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses (including those in the form of transdermal administration systems) or in forms or packings for retail sale, including Ayurvedic, Unani, homoeopathic siddha or Bio-chemic systems medicaments, put up for retail sale
64.	3005	Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in forms or packings for retail sale for medical, surgical, dental or veterinary purposes
65.	3006	Pharmaceutical goods specified in Note 4 to this Chapter [i.e. Sterile surgical catgut, similar sterile suture materials (including sterile

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
		animals, without hair on, whether or not split, other than leather of heading 4114
87.	4112	Leather further prepared after tanning or crusting, including parchment-dressed leather, of sheep or lamb, without wool on, whether or not split, other than leather of heading 4114
88.	4113	Leather further prepared after tanning or crusting, including parchment-dressed leather, of other animals, without wool or hair on, whether or not split, other than leather of heading 4114
89.	4114	Chamois (including combination chamois) leather; patent leather and patent laminated leather; metallised leather
90.	4115	Composition leather with a basis of leather or leather fibre, in slabs, sheets or strip, whether or not in rolls; parings and other waste of leather or of composition leather, not suitable for the manufacture of leather articles; leather dust, powder and flour
91.	4203	Gloves specially designed for use in sports
92.	44 or any Chapter	The following goods, namely: — a. Cement Bonded Particle Board; b. Jute Particle Board; c. Rice Husk Board; d. Glass-fibre Reinforced Gypsum Board (GRG) e. Sisal-fibre Boards; f. Bagasse Board; and g. Cotton Stalk Particle Board h. Particle/fibre board manufactured from agricultural crop residues
93.	4404	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like
94.	4405	Wood wool; wood flour
95.	4406	Railway or tramway sleepers (cross-ties) of wood
96.	4408	Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6 mm [for match splints]
97.	4415	Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood
98.	4416	Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves
99.	4417	Tools, tool bodies, tool handles, broom or brush bodies and handles, of wood; boot or shoe lasts and trees, of wood
100.	4420	Wood marquetry and inlaid wood; caskets and cases for jewellery or

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		absorbable surgical or dental yarns) and sterile tissue adhesives for surgical wound closure; sterile laminaria and sterile laminaria tents; sterile absorbable surgical or dental haemostatics; sterile surgical or denatal adhesion barriers, whether or not absorbable; Waste pharmaceuticals] [other than contraceptives]
66.	3102	Mineral or chemical fertilisers, nitrogenous, other than those which are clearly not to be used as fertilizers
67.	3103	Mineral or chemical fertilisers, phosphatic, other than those which are clearly not to be used as fertilizers
68.	3104	Mineral or chemical fertilisers, potassic, other than those which are clearly not to be used as fertilizers
69.	3105	Mineral or chemical fertilisers containing two or three of the fertilising elements nitrogen, phosphorus and potassium; other fertilisers; goods of this Chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg, other than those which are clearly not to be used as fertilizers
70.	3215	Fountain pen ink
71.	3215	Ball pen ink
72.	3306 10 10	Tooth powder
73.	3307 41 00	Odoriferous preparations which operate by burning [other than agarbattis]
74.	29, 30, 3302	Following goods namely:- a. Menthol and menthol crystals, b. Peppermint (Mentha Oil), c. Fractionated / de-terpenated mentha oil (DTMO), d. De-mentholised oil (DMO), e. Spearmint oil, f. Mentha piperita oil
75.	3406	Candles, tapers and the like
76.	3701	Photographic plates and film for x-ray for medical use
77.	3705	Photographic plates and films, exposed and developed, other than cinematographic film
78.	3706	Photographic plates and films, exposed and developed, whether or not incorporating sound track or consisting only of sound track, other than feature films.
79.	3818	Silicon wafers
80.	3822	All diagnostic kits and reagents
81.	3926	Feeding bottles
82.	3926	Plastic beads
83.	4007	Latex Rubber Thread
84.	4014	Nipples of feeding bottles
85.	4015	Surgical rubber gloves or medical examination rubber gloves
86.	4107	Leather further prepared after tanning or crusting, including parchment-dressed leather, of bovine (including buffalo) or equine

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		cutlery, and similar articles, of wood; statuettes and other ornaments, of wood; wooden articles of furniture not falling in Chapter 94
101.	4421	Other articles of wood; such as clothes hangers, Spools, cops, bobbins, sewing thread reels and the like of turned wood for various textile machinery, Match splints, Pencil slats, Parts of wood, namely oars, paddles and rudders for ships, boats and other similar floating structures, Parts of domestic decorative articles used as tableware and kitchenware [other than Wood paving blocks, articles of densified wood not elsewhere included or specified, Parts of domestic decorative articles used as tableware and kitchenware]
102.	4501	Natural cork, raw or simply prepared
103.	4601	Plaits and similar products of plaiting materials, whether or not assembled into strips; plaiting materials, plaits and similar products of plaiting materials, bound together in parallel strands or woven, in sheet form, whether or not being finished articles (for example, mats matting, screens) of vegetable materials such as of Bamboo, of rattan, of Other Vegetable materials
104.	4602	Basketwork, wickerwork and other articles, made directly to shape from plaiting materials or made up from goods of heading 4601; articles of loofah
105.	4701	Mechanical wood pulp
106.	4702	Chemical wood pulp, dissolving grades
107.	4703	Chemical wood pulp, soda or sulphate, other than dissolving grades
108.	4704	Chemical wood pulp, sulphite, other than dissolving grades
109.	4705	Wood pulp obtained by a combination of mechanical and chemical pulping processes
110.	4706	Pulps of fibres derived from recovered (waste and scrap) paper or paperboard or of other fibrous cellulosic material
111.	4707	Recovered (waste and scrap) paper or paperboard
112.	4802	Uncoated paper and paperboard, of a kind used for writing, printing or other graphic purposes, and non perforated punch-cards and punch tape paper, in rolls or rectangular (including square) sheets, of any size, other than paper of heading 4801 or 4803; hand-made paper and paperboard
113.	4804	Uncoated kraft paper and paperboard, in rolls or sheets, other than that of heading 4802 or 4803
114.	4805	Other uncoated paper and paperboard, in rolls or sheets, not further worked or processed than as specified in Note 3 to this Chapter
115.	4806 20 00	Greaseproof papers
116.	4806 40 10	Glassine papers
117.	4807	Composite paper and paperboard (made by sticking flat layers of paper or paperboard together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
118.	4808	Paper and paperboard, corrugated (with or without glued flat surface

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
		sheets), creped, crinkled, embossed or perforated, in rolls or sheets, other than paper of the kind described in heading 4803
119.	4810	Paper and paperboard, coated on one or both sides with kaolin (China clay) or other inorganic substances, with or without a binder, and with no other coating, whether or not surface-coloured, surface-decorated or printed, in rolls or rectangular (including square) sheets of any size
120.	4811	Aseptic packaging paper
121.	4817 30	Boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery
122.	4819	Cartons, boxes and cases of corrugated paper or paper board
123.	4820	Exercise book, graph book, & laboratory note book and notebooks
124.	4823	Paper pulp moulded trays
125.	48	Paper splints for matches, whether or not waxed, Asphaltic roofing sheets
126.	4904 00 00	Music, printed or in manuscript, whether or not bound or illustrated
127.	4906 00 00	Plans and drawings for architectural, engineering, industrial, commercial, topographical or similar purposes, being originals drawn by hand; hand-written texts; photographic reproductions on sensitised paper and carbon copies of the foregoing
128.	4907	Unused postage, revenue or similar stamps of current or new issue in the country in which they have, or will have, a recognised face value; stamp-impressed paper; banknotes; cheque forms; stock, share or bond certificates and similar documents of title
129.	4908	Transfers (decalcomanias)
130.	4909	Printed or illustrated postcards; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings
131.	4910	Calendars of any kind, printed, including calendar blocks
132.	4911	Other printed matter, including printed pictures and photographs; such as Trade advertising material, Commercial catalogues and the like, printed Posters, Commercial catalogues, Printed inlay cards, Pictures, designs and photographs, Plan and drawings for architectural engineering, industrial, commercial, topographical or similar purposes reproduced with the aid of computer or any other devices
133.	5601	Wadding of textile materials and articles thereof; such as Absorbent cotton wool
134.	5602	Felt, whether or not impregnated, coated, covered or laminated
135.	5603	Nonwovens, whether or not impregnated, coated, covered or laminated
136.	5604	Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics
137.	5605	Metallised yarn, whether or not gimped, being textile yarn, or strip or the like of heading 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal; such as Real zari thread

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		(gold) and silver thread, combined with textile thread), imitation zari thread
138.	5606	Gimped yarn, and strip and the like of heading 5404 or 5405, gimped (other than those of heading 5605 and gimped horsehair yarn); chenille yarn (including flock chenille yarn); loop wale-yarn
139.	5607	Twine, cordage, ropes and cables, whether or not plaited or braided and whether or not impregnated, coated, covered or sheathed with rubber or plastics
140.	5608	Knotted netting of twine, cordage or rope; made up fishing nets and other made up nets, of textile materials
141.	5609	Articles of yarn, strip or the like of heading 5404 or 5405, twine, cordage, rope or cables, not elsewhere specified or included
142.	5701	Carpets and other textile floor coverings, knotted, whether or not made up
143.	5702	Carpets and other textile floor coverings, woven, not tufted or flocked, whether or not made up, including "Kelem", "Schumacks", "Karamanie" and similar hand-woven rugs
144.	5703	Carpets and other textile floor coverings, tufted, whether or not made up
145.	5704	Carpets and other textile floor coverings, of felt, not tufted or flocked, whether or not made up
146.	5705	Other carpets and other textile floor coverings, whether or not made up; such as Mats and mattings including Bath Mats, where cotton predominates by weight, of Handloom, Cotton Rugs of handloom
147.	5801	Woven pile fabrics and chenille fabrics, other than fabrics of heading 5802 or 5806
148.	5802	Terry towelling and similar woven terry fabrics, other than narrow fabrics of heading 5806; tufted textile fabrics, other than products of heading 5703
149.	5803	Gauze, other than narrow fabrics of heading 5806
150.	5804	Tulles and other net fabrics, not including woven, knitted or crocheted fabrics; lace in the piece, in strips or in motifs, other than fabrics of headings 6002 to 6006
151.	5805	Hand-woven tapestries of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point, cross stitch), whether or not made up
152.	5806	Narrow woven fabrics, other than goods of heading 5807; narrow fabrics consisting of warp without weft assembled by means of an adhesive (bolducs)
153.	5807	Labels, badges and similar articles of textile materials, in the piece, in strips or cut to shape or size, not embroidered
154.	5808	Braids in the piece; ornamental trimmings in the piece, without embroidery, other than knitted or crocheted; tassels, pompons and similar articles

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
155.	5809	Woven fabrics of metal thread and woven fabrics of metallised yarn of heading 5605, of a kind used in apparel, as furnishing fabrics or for similar purposes, not elsewhere specified or included; such as Zari borders [other than Embroidery or zari articles, that is to say, - imi, zari, kasab, saina, dabka, chumki, gota sitara, naqsi, kora, glass beads, badla, glzal]
156.	5810	Embroidery in the piece, in strips or in motifs, Embroidered badges, motifs and the like [other than Embroidery or zari articles, that is to say, - imi, zari, kasab, saina, dabka, chumki, gota sitara, naqsi, kora, glass beads, badla, glzal]
157.	5811	Quilted textile products in the piece, composed of one or more layers of textile materials assembled with padding by stitching or otherwise, other than embroidery of heading 5810
158.	5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations
159.	5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon
160.	5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading 5902
161.	5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape
162.	5905	Textile wall coverings
163.	5906	Rubberised textile fabrics, other than those of heading 5902
164.	5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio back-cloths or the like
165.	5908	Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles or the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not impregnated
166.	5909	Textile hose piping and similar textile tubing, with or without lining, armour or accessories of other materials
167.	5910	Transmission or conveyor belts or belting, of textile material, whether or not impregnated, coated, covered or laminated with plastics, or reinforced with metal or other material
168.	5911	Textile products and articles, for technical uses, specified in Note 7 to this Chapter; such as Textile fabrics, felt and felt-lined woven fabrics, coated, covered or laminated with rubber, leather or other material, of a kind used for card clothing, and similar fabrics of a kind used for other technical purposes, including narrow fabrics made of velvet impregnated with rubber, for covering weaving spindles (weaving beams); Bolting cloth, whether or Not made up; Felt for cotton textile industries, woven; Woven textiles felt, whether or not impregnated or



S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		coated, of a kind commonly used in other machines, Cotton fabrics and articles used in machinery and plant, Jute fabrics and articles used in machinery or plant, Textile fabrics of metalised yarn of a kind commonly used in paper making or other machinery, Straining cloth of a kind used in oil presses or the like, including that of human hair, Paper maker's felt, woven, Gaskets, washers, polishing discs and other machinery parts of textile articles
169.	61	Articles of apparel and clothing accessories, knitted or crocheted, of sale value exceeding Rs. 1000 per piece
170.	62	Articles of apparel and clothing accessories, not knitted or crocheted, of sale value exceeding Rs. 1000 per piece
171.	63	Other made up textile articles, sets, worn clothing and worn textile articles and rags, of sale value exceeding Rs. 1000 per piece
172.	6601	Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas)
173.	6602	Walking-sticks, seat-sticks, whips, riding-crops and the like
174.	6603	Parts, trimmings and accessories of articles of heading 6601 or 6602
175.	6701	Skins and other parts of birds with their feathers or down, feathers, parts of feathers, down and articles thereof (other than goods of heading 0505 and worked quills and scapes)
176.	68	Sand lime bricks
177.	6815	Fly ash bricks and fly ash blocks
178.	7015 10	Glasses for corrective spectacles and flint buttons
179.	7020	Globes for lamps and lanterns, Founts for kerosene wick lamps, Glass chimneys for lamps and lanterns
180.	7310 or 7326	Mathematical boxes, geometry boxes and colour boxes, pencil sharpeners
181.	7317	Animal shoe nails
182.	7319	Sewing needles
183.	7321	Kerosene burners, kerosene stoves and wood burning stoves of iron or steel
184.	7323	Table, kitchen or other household articles of iron & steel; Utensils
185.	7418	Table, kitchen or other household articles of copper; Utensils
186.	7615	Table, kitchen or other household articles of aluminium; Utensils
187.	8211	Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading 8208, and blades therefor
188.	8214	Paper knives, Pencil sharpeners and blades therefor
189.	8215	Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware
190.	8401	Fuel elements (cartridges), non-irradiated, for nuclear reactors
191.	8408	Fixed Speed Diesel Engines of power not exceeding 15HP
192.	8413	Power driven pumps primarily designed for handling water, namely, centrifugal pumps (horizontal and vertical), deep tube-well turbine pumps, submersible pumps, axial flow and mixed flow vertical pumps

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
193.	8414 20 10	Bicycle pumps
194.	8414 20 20	Other hand pumps
195.	8414 90 12	Parts of air or vacuum pumps and compressors of bicycle pumps
196.	8432	Agricultural, horticultural or forestry machinery for soil preparation or cultivation; lawn or sports-ground rollers
197.	8433	Harvesting or threshing machinery, including straw or fodder balers; grass or hay mowers; machines for cleaning, sorting or grading eggs, fruit or other agricultural produce, other than machinery of heading 8437
198.	8434	Milking machines and dairy machinery
199.	8436	Other agricultural, horticultural, forestry, poultry-keeping or bee-keeping machinery, including germination plant fitted with mechanical or thermal equipment; poultry incubators and brooders
200.	8452	Sewing machines
201.	8479	Composting Machines
202.	8517	Telephones for cellular networks or for other wireless networks
203.	85	Parts for manufacture of Telephones for cellular networks or for other wireless networks
204.	8525 60	Two-way radio (Walkie talkie) used by defence, police and paramilitary forces etc.
205.	8539	LED lamps
206.	87	Electrically operated vehicles, including two and three wheeled electric motor vehicles
207.	8701	Tractors (except road tractors for semi-trailers of engine capacity more than 1800 cc)
208.	8712	Bicycles and other cycles (including delivery tricycles), not motorised
209.	8714	Parts and accessories of bicycles and other cycles (including delivery tricycles), not motorised, of 8712
210.	8716 20 00	Self-loading or self-unloading trailers for agricultural purposes
211.	8716 80	Hand propelled vehicles. (e.g. hand carts, rickshaws and the like); animal drawn vehicles
212.	90 or any other Chapter	Blood glucose monitoring system (Glucometer) and test strips
213.	90 or any other Chapter	Patent Ductus Arteriosus / Atrial Septal Defect occlusion device
214.	9001	Contact lenses; Spectacle lenses
215.	9002	Intraocular lens
216.	9004	Spectacles, corrective
217.	9017 20	Drawing and marking out instruments; Mathematical calculating instruments; pantographs; Other drawing or marking out instruments
218.	9018	Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments
219.	9019	Mechano-therapy appliances; massage apparatus; psychological

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S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
		aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus
220.	9020	Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters
221.	9021	Orthopaedic appliances, including crutches, surgical belts and trusses; splints and other fracture appliances; artificial parts of the body
222.	9022	Apparatus based on the use of X-rays or of alpha, beta or gamma radiations, for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus, X-ray tubes and other X-ray generators, high tension generators, control panels and desks, screens, examinations or treatment tables, chairs and the light
223.	9404	Coir products [except coir mattresses]
224.	9404	Products wholly made of quilted textile materials
225.	9405, 9405-50 31	Hurricane lanterns, Kerosene lamp / pressure lantern, petromax, glass chimney, and parts thereof
226.	9405	LED lights or fixtures including LED lamps
227.	9405	LED (light emitting diode) driver and MCPCB (Metal Core Printed Circuit Board)
228.	9503	Toys like tricycles, scooters, pedal cars etc. (including parts and accessories thereof) [other than electronic toys]
229.	9504	Playing cards, chess board, carom board and other board games, like hudo, etc. [other than Video game consoles and Machines]
230.	9506	Sports goods other than articles and equipments for general physical exercise
231.	9507	Fishing rods, fishing hooks, and other line fishing tackle; fish landing nets, butterfly nets and similar nets; decoy "birds" (other than those of heading 9208) and similar hunting or shooting requisites
232.	9608	Pens [other than Fountain pens, stylograph pens]
233.	9608, 9609	Pencils (including propelling or sliding pencils), crayons, pastels, drawing charcoals and tailor's chalk
234.	9615	Combs, hair-slides and the like; hairpins, curling pins, curling grips, hair-curlers and the like, other than those of heading 8516, and parts thereof
235.	9619	Sanitary towels (pads) and tampons, napkins and napkin liners for babies and similar articles, of any material
236.	9701	Paintings, drawings and pastels, executed entirely by hand, other than drawings of heading 4906 and other than hand-painted or hand-decorated manufactured articles; collages and similar decorative plaques
237.	9702	Original engravings, prints and lithographs
238.	9703	Original sculptures and statuary, in any material
239.	9705	Collections and collectors' pieces of zoological, botanical, mineralogical, anatomical, historical, archaeological, paleontological, ethnographic or numismatic interest [other than numismatic coins]

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
240.	9706	Antiques of an age exceeding one hundred years
241.	9804	Other Drugs and medicines intended for personal use
242.	-	<p>Lottery run by State Governments</p> <p><i>Explanation 1.-</i> For the purposes of this entry, value of supply of lottery under sub-section (5) of section 15 of the Central Goods and Services Tax Act, 2017 read with section 20 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017) shall be deemed to be 100/112 of the face value of ticket or of the price as notified in the Official Gazette by the organising State, whichever is higher.</p> <p><i>Explanation 2.-</i></p> <p>(1) "Lottery run by State Governments" means a lottery not allowed to be sold in any state other than the organising state.</p> <p>(2) Organising state has the same meaning as assigned to it in clause (f) of sub-rule (1) of rule 2 of the Lotteries (Regulation) Rules, 2010.</p>

## Schedule III – 18%

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
1.	0402 91 10, 0402 99 20	Condensed milk
2.	1107	Malt, whether or not roasted
3.	1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products.
4.	1404 90 10	Bidi wrapper leaves (tendu)
5.	1404 90 50	Indian katha
6.	1517 10	All goods i.e. Margarine, Linosyn
7.	1520 00 00	Glycerol, crude; glycerol waters and glycerol lyes
8.	1521	Vegetable waxes (other than triglycerides), Beeswax, other insect waxes and spermaceti, whether or not refined or coloured
9.	1522	Degras, residues resulting from the treatment of fatty substances or animal or vegetable waxes
10.	1701 91, 1701 99	All goods, including refined sugar containing added flavouring or colouring matter, sugar cubes
11.	1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel [other than palmyra sugar and Palmyra jaggery]
12.	1704	Sugar confectionery (excluding white chocolate and bubble / chewing gum) [other than bura, batasha]

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
13.	1901	Preparations suitable for infants or young children, put up for retail sale
14.	1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared
15.	1904 [other than 1904 10 20]	All goods i.e. Corn flakes, bulgar wheat, prepared foods obtained from cereal flakes [other than Puffed rice, commonly known as Muri, flattened or beaten rice, commonly known as Chira, parched rice, commonly known as khoi, parched paddy or rice coated with sugar or gur, commonly known as Murki]
16.	1905 [other than 1905 32 11, 1905 90 40]	All goods i.e. Waffles and wafers other than coated with chocolate or containing chocolate; biscuits; Pastries and cakes [other than pizza bread, Waffles and wafers coated with chocolate or containing chocolate, papad, bread]
17.	2101 20	All goods i.e. Extracts, essences and concentrates of tea or mate, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or mate
18.	2103 90 10	Curry paste
19.	2103 90 30	Mayonnaise and salad dressings
20.	2103 90 40	Mixed condiments and mixed seasoning
21.	2104	Soups and broths and preparations therefor; homogenised composite food preparations
22.	2105 00 00	Ice cream and other edible ice, whether or not containing cocoa
23.	2106	All kinds of food mixes including instant food mixes, soft drink concentrates, Sharbat, Betel nut product known as "Supari", Sterilized or pasteurized millstone, ready to eat packaged food and milk containing edible nuts with sugar or other ingredients, Diabetic foods; [other than Namkeens, bhujia, mixture, chabena and similar edible preparations in ready for consumption form]
24.	2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured
25.	2207	Ethyl alcohol and other spirits, denatured, of any strength
26.	2209	Vinegar and substitutes for vinegar obtained from acetic acid
27.	2503 00 10	Sulphur recovered as by-product in refining of crude oil
28.	2619	Slag, dross (other than granulated slag), scalings and other waste from the manufacture of iron or steel
29.	2620	Slag, ash and residues (other than from the manufacture of iron or steel) containing metals, arsenic or their compounds
30.	2621	Other slag and ash, including seaweed ash (kelp); ash and residues from the incineration of municipal waste
31.	2707	Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, such as Benzole (benzene), Toluole (toluene), Xylol (xylenes), Naphthelene

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
32.	2708	Pitch and pitch coke, obtained from coal tar or from other mineral tars
33.	2710	Petroleum oils and oils obtained from bituminous minerals, other than petroleum crude; preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils; [other than Avgas and Kerosene PDS and other than petrol, Diesel and ATF, not in GST]
34.	2711	Petroleum gases and other gaseous hydrocarbons, such as Propane, Butanes, Ethylene, propylene, butylene and butadiene [Other than Liquefied Propane and Butane mixture, Liquefied Propane, Liquefied Butane and Liquefied Petroleum Gases (LPG) for supply to household domestic consumers or to non-domestic exempted category (NDEC) customers by the Indian Oil Corporation Limited, Hindustan petroleum Corporation Limited or Bharat Petroleum Corporation Limited]
35.	2712	Petroleum jelly; paraffin wax, micro-crystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured
36.	2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals
37.	2714	Bitumen and asphalt, natural; bituminous or oil shale and tar sands; asphaltites and asphaltic rocks
38.	2715	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
39.	28	All inorganic chemicals [other than those specified in the Schedule for exempted goods or other Rate Schedules for goods]
40.	29	All organic chemicals other than gibberellic acid
41.	30	Nicotine polacrifex gum
42.	3102	Mineral or chemical fertilisers, nitrogenous, other than those which are clearly not to be used as fertilizers
43.	3103	Mineral or chemical fertilisers, phosphatic, which are clearly not to be used as fertilizers
44.	3104	Mineral or chemical fertilisers, potassic, which are clearly not to be used as fertilizers
45.	3105	Mineral or chemical fertilisers containing two or three of the fertilising elements nitrogen, phosphorus and potassium; other fertilisers; goods of this Chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg. which are clearly not to be used as fertilizers
46.	3201	Tanning extracts of vegetable origin; tannins and their salts, ethers, esters and other derivatives (other than Wattle extract, quebracho extract, chestnut extract)
47.	3202	Synthetic organic tanning substances; inorganic tanning substances;

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		tanning preparations, whether or not containing natural tanning substances (other than Enzymatic preparations for pre-tanning)
48.	3203	Colouring matter of vegetable or animal origin (including dyeing extracts but excluding animal black), whether or not chemically defined; preparations as specified in Note 3 to this Chapter based on colouring matter of vegetable or animal origin
49.	3204	Synthetic organic colouring matter, whether or not chemically defined; preparations as specified in Note 3 to this Chapter based on synthetic organic colouring matter; synthetic organic products of a kind used as fluorescent brightening agents or as luminophores, whether or not chemically defined
50.	3205	Colour lakes; preparations as specified in Note 3 to this Chapter based on colour lakes
51.	3206	Other colouring matter; preparations as specified in Note 3 to this Chapter, other than those of heading 32.03, 32.04 or 32.05; inorganic products of a kind used as luminophores, whether or not chemically defined
52.	3207	Prepared pigments, prepared opacifiers, prepared colours, vitrifiable enamels, glazes, engobes (slips), liquid lustres, and other similar preparations of a kind used in ceramic, enamelling or glass industry
53.	3211 00 00	Prepared driers
54.	3212	Pigments (including metallic powders and flakes) dispersed in non-aqueous media, in liquid or paste form, of a kind used in the manufacture of paints (including enamels); stamping foils; dyes and other colouring matter put up in forms or packings for retail sale
55.	3215	Printing ink, writing or drawing ink and other inks, whether or not concentrated or solid (Fountain pen ink and Ball pen ink)
56.	3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils; such as essential oils of citrus fruit, essential oils other than those of citrus fruit such as Eucalyptus oil, etc., Flavouring essences all types (including those for liquors), Attars of all kinds in fixed oil bases
57.	3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages; such as Synthetic perfumery compounds [other than Menthol and menthol crystals, Peppermint (Mentha Oil), Fractionated / de-terpenated mentha oil (DTMO), De-mentholised oil (DMO), Spearmint oil, Mentha piperita oil]
58.	3304 20 00	Kajal pencil sticks

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
59.	3305 9011, 3305 90 19	Hair oil
60.	3306 10 20	Dentifrices - Toothpaste
61.	3401 [except 340130]	Soap; organic surface-active products and preparations for use as soap, in the form of bars, cakes, moulded pieces or shapes, whether or not containing soap
62.	3404	Artificial waxes and prepared waxes
63.	3407	Preparations known as "dental wax" or as "dental impression compounds", put up in sets, in packings for retail sale or in plates, horseshoe shapes, sticks or similar forms; other preparations for use in dentistry, with a basis of plaster (of calcined gypsum or calcium sulphate)
64.	3501	Casein, caseinates and other casein derivatives; casein glues
65.	3502	Albumins (including concentrates of two or more whey proteins, containing by weight more than 80% whey proteins, calculated on the dry matter), albuminates and other albumin derivatives
66.	3503	Gelatin (including gelatin in rectangular (including square) sheets, whether or not surface-worked or coloured) and gelatin derivatives; isinglass; other glues of animal origin, excluding casein glues of heading 3501
67.	3504	Peptones and their derivatives; other protein substances and their derivatives, not elsewhere specified or included; hide powder, whether or not chromed; including Isolated soya protein
68.	3505	Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches
69.	3506	Prepared glues and other prepared adhesives, not elsewhere specified or included; products suitable for use as glues or adhesives, put up for retail sale as glues or adhesives, not exceeding a net weight of 1 kg
70.	3507	Enzymes, prepared enzymes
71.	3601	Propellant powders
72.	3603	Safety fuses; detonating fuses; percussion or detonating caps; igniters; electric detonators
73.	3605	Matches (other than handmade safety matches [3605 00 10])
74.	3701	Photographic plates and film in the flat, sensitised, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensitised, unexposed, whether or not in packs; such as Instant print film, Cinematographic film (other than for x-ray for Medical use)
75.	3702	Photographic film in rolls, sensitised, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitised, unexposed
76.	3703	Photographic paper, paperboard and textiles, sensitised; unexposed
77.	3704	Photographic plates, film, paper, paperboard and textiles, exposed but not developed



S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
78.	3706	Photographic plates and films, exposed and developed, whether or not incorporating sound track or consisting only of sound track, for feature films
79.	3707	Chemical preparations for photographic uses (other than varnishes, glues, adhesives and similar preparations); unmixed products for photographic uses, put up in measured portions or put up for retail sale in a form ready for use
80.	3801	Artificial graphite; colloidal or semi-colloidal graphite; preparations based on graphite or other carbon in the form of pastes, blocks, plates or other semi-manufactures
81.	3802	Activated carbon; activated natural mineral products; animal black, including spent animal black
82.	3803 00 00	Tall oil, whether or not refined
83.	3804	Residual lyes from the manufacture of wood pulp, whether or not concentrated, desugared or chemically treated, including lignin sulphonates
84.	3805	Gum, wood or sulphate turpentine and other terpenic oils produced by the distillation or other treatment of coniferous woods; crude dipentene; sulphite turpentine and other crude para-cymene; pine oil containing alpha-terpineol as the main constituent
85.	3806	Rosin and resin acids, and derivatives thereof; rosin spirit and rosin oils; run gums
86.	3807	Wood tar; wood tar oils; wood creosote; wood naphtha; vegetable pitch; brewers' pitch and similar preparations based on rosin, resin acids or on vegetable pitch
87.	3808	Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products
88.	3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included
89.	3810	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding electrodes or rods
90.	3812	Prepared rubber accelerators; compound plasticisers for rubber or plastics, not elsewhere specified or included; anti-oxidising preparations and other compound stabilisers for rubber or plastics; such as Vulcanizing agents for rubber
91.	3815	Reaction initiators, reaction accelerators and catalytic preparations, not elsewhere specified or included
92.	3816	Refractory cements, mortars, concretes and similar compositions, other

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		than products of heading 3801
93.	3817	Mixed alkylbenzenes and mixed alkyl-naphthalenes, other than those of heading 2707 or 2902
94.	3818	Chemical elements doped for use in electronics, in the form of discs, wafers or similar forms; chemical compounds doped for use in electronics [other than silicon wafers]
95.	3821	Prepared culture media for the development or maintenance of micro-organisms (including viruses and the like) or of plant, human or animal cells
96.	3823	Industrial monocarboxylic fatty acids, acid oils from refining; industrial fatty alcohols
97.	3824	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included
98.	3825	Residual products of the chemical or allied industries, not elsewhere specified or included; [except municipal waste; sewage sludge; other wastes specified in Note 6 to this Chapter.]
99.	3826	Biodiesel and mixtures thereof, not containing or containing less than 70% by weight of petroleum oils and oils obtained from bituminous minerals
100.	3901 to 3913	All goods i.e. polymers; Polyacetals, other polyethers, epoxide resins, polycarbonates, alkyd resins, polyallyl esters, other polyesters; polyamides; Amino-resins, phenolic resins and polyurethanes; silicones; Petroleum resins, coumarone-indene resins, polyterpenes, polysulphides, polysulphones and other products specified in Note 3 to this Chapter, not elsewhere specified or included; Cellulose and its chemical derivatives, not elsewhere specified or included; Natural polymers (for example, alginic acid) and modified natural polymers (for example, hardened proteins, chemical derivatives of natural rubber), not elsewhere specified or included; in primary forms
101.	3914	Ion exchangers based on polymers of headings 3901 to 3913, in primary forms
102.	3915	Waste, parings and scrap, of plastics
103.	3916	Monofilament of which any cross-sectional dimension exceeds 1 mm, rods, sticks and profile shapes, whether or not surface-worked but not otherwise worked, of plastics
104.	3917	Tubes, pipes and hoses, and fittings therefor, of plastics
105.	3919	Self-adhesive plates, sheets, film, foil, tape, strip and other flat shapes, of plastics, whether or not in rolls
106.	3920	Other plates, sheets, film, foil and strip, of plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other materials
107.	3921	Other plates, sheets, film, foil and strip, of plastics

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
108.	3923	Articles for the conveyance or packing of goods, of plastics; stoppers, lids, caps and other closures, of plastics
109.	3924	Tableware, kitchenware, other household articles and hygienic or toilet articles, of plastics
110.	3925	Builder's wares of plastics, not elsewhere specified
111.	3926	PVC Belt Conveyor, Plastic Tarpaulin
112.	4002	Synthetic rubber and factice derived from oils, in primary forms or in plates, sheets or strip; mixtures of any product of heading 4001 with any product of this heading, in primary forms or in plates, sheets or strip; such as Latex, styrene butadiene rubber, butadiene rubber (BR), Isobutene-isoprene (butyl) rubber (IIR), Ethylene-propylene-Non-conjugated diene rubber (EPDM)
113.	4003	Reclaimed rubber in primary forms or in plates, sheets or strip
114.	4004	Waste, parings and scrap of rubber (other than hard rubber) and powders and granules obtained therefrom
115.	4005	Compounded rubber, unvulcanised, in primary forms or in plates, sheets or strip
116.	4006	Other forms (for example, rods, tubes and profile shapes) and articles (for example, discs and rings), of unvulcanised rubber
117.	4007	Vulcanised rubber thread and cord, other than latex rubber thread
118.	4008	Plates, sheets, strip, rods and profile shapes, of vulcanised rubber other than hard rubber
119.	4009	Tubes, pipes and hoses, of vulcanised rubber other than hard rubber, with or without their fittings (for example, joints, elbows, flanges)
120.	4010	Conveyor or transmission belts or belting, of vulcanised rubber
121.	4011	Rear Tractor tyres and rear tractor tyre tubes
122.	4014	Hygienic or pharmaceutical articles (including teats), of vulcanised rubber other than hard rubber, with or without fittings of hard rubber; such as Hot water bottles, Ice bags [other than Sheath contraceptives, Rubber contraceptives, male (condoms), Rubber contraceptives, female (diaphragms), such as cervical caps]
123.	4015	Articles of apparel and clothing accessories (including gloves, mittens and mitts), for all purposes, of vulcanised rubber other than hard rubber [other than Surgical gloves]
124.	4202	School satchels and bags other than of leather or composition leather
125.	4202 12 10	Toilet cases
126.	4202 22 10	Hand bags and shopping bags, of artificial plastic material
127.	4202 22 20	Hand bags and shopping bags, of cotton
128.	4202 22 30	Hand bags and shopping bags, of jute
129.	4202 22 40	Vanity bags
130.	4202 29 10	Handbags of other materials excluding wicker work or basket work
131.	4301	Raw furskins (including heads, tails, paws and other pieces or cuttings, suitable for furriers' use), other than raw hides and skins of heading 4101, 4102 or 4103.

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S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
132.	4302	Tanned or dressed furskins (including heads, tails, paws and other pieces or cuttings), unassembled, or assembled (without the addition of other materials) other than those of heading 4303
133.	4304	Artificial fur and articles thereof
134.	4403	Wood in the rough
135.	4407	Wood sawn or chipped
136.	4408	Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6 mm [other than for match splints]
137.	4409	Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, v-jointed, beaded, moulded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or end-jointed
138.	44 or any Chapter	Resin bonded bamboo mat board, with or without veneer in between
139.	44 or any Chapter	Bamboo flooring tiles
140.	4419	Tableware and Kitchenware of wood
141.	4501	Waste cork; crushed, granulated or ground cork
142.	4502	Natural cork, debarked or roughly squared, or in rectangular (including square) blocks, plates, sheets or strip (including sharp-edged blanks for corks or stoppers)
143.	4503	Articles of natural cork such as Corks and Stoppers, Shuttlecock cork bottom
144.	4504	Agglomerated cork (with or without a binding substance) and articles of agglomerated cork
145.	4803	Toilet or facial tissue stock, towel or napkin stock and similar paper of a kind used for household or sanitary purposes, cellulose wadding and webs of cellulose fibres, whether or not creped, crinkled, embossed, perforated, surface-coloured, surface-decorated or printed, in rolls or sheets
146.	4806 [Except 4806 20 00, 4806 40 10]	Vegetable parchment, tracing papers and other glazed transparent or translucent papers, in rolls or sheets (other than greaseproof paper, glassine paper)
147.	4809	Carbon paper, self-copy paper and other copying or transfer papers (including coated or impregnated paper for duplicator stencils or offset plates), whether or not printed, in rolls or sheets
148.	4811	Paper, paperboard, cellulose wadding and webs of cellulose fibres, coated, impregnated, covered, surface-coloured, surface-decorated or printed, in rolls or rectangular (including square) sheets, of any size, other than goods of the kind described in heading 4803, 4809 or 4810 [Other than aseptic packaging paper]

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
149.	4812	Filter blocks, slabs and plates, of paper pulp
150.	4813	Cigarette paper, whether or not cut to size or in the form of booklets or tubes
151.	4816	Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes
152.	4817 [Except 4817 30]	Envelopes, letter cards, plain postcards and correspondence cards, of paper or paperboard; [other than boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery including writing blocks]
153.	4818	Toilet paper and similar paper, cellulose wadding or webs of cellulose fibres, of a kind used for household or sanitary purposes, in rolls of a width not exceeding 36 cm, or cut to size or shape; handkerchiefs, cleansing tissues, towels, table cloths, serviettes, napkins for babies, tampons, bed sheets and similar household, sanitary or hospital articles, articles of apparel and clothing accessories, or paper pulp, paper, cellulose wadding or webs of cellulose fibres
154.	4820	Registers, account books, order books, receipt books, letter pads, memorandum pads, diaries and similar articles, blotting-pads, binders (loose-leaf or other), folders, file covers, manifold business forms, interleaved carbon sets and other articles of stationery, of paper or paperboard; and book covers, of paper or paperboard [other than note books and exercise books]
155.	4821	Paper or paperboard labels of all kinds, whether or not printed
156.	4822	Bobbins, spools, cops and similar supports of paper pulp, paper or paperboard (whether or not perforated or hardened)
157.	4823	Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape; other articles of paper pulp, paper, paperboard, cellulose wadding or webs of cellulose fibres [other than paper pulp moulded trays, Braille paper]
158.	5401	Sewing thread of manmade filaments, whether or not put up for retail sale
159.	5402, 5404, 5406	All synthetic filament yarn such as nylon, polyester, acrylic, etc.
160.	5403, 5405, 5406	All artificial filament yarn such as viscose rayon, Cuprammonium, etc.
161.	5501, 5502	Synthetic or artificial filament tow
162.	5503, 5504, 5506, 5507	Synthetic or artificial staple fibres
163.	5505	Waste of manmade fibres
164.	5508	Sewing thread of manmade staple fibres
165.	5509, 5510, 5511	Yarn of manmade staple fibres
166.	6401	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes
167.	6402	Other footwear with outer soles and uppers of rubber or plastics

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
168.	6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather
169.	6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials
170.	6405	Other footwear
171.	6406	Parts of footwear (including uppers whether or not attached to soles other than outer soles); removable in-soles, heel cushions and similar articles; gaiters, leggings and similar articles, and parts thereof
172.	6501	Hat-forms, hat bodies and hoods of felt, neither blocked to shape nor with made brims; plateaux and manchons (including slit manchons), of felt
173.	6502	Hat-shapes, plaited or made by assembling strips of any material, neither blocked to shape, nor with made brims, nor lined, nor trimmed
174.	6504 00 00	Hats and other headgear, plaited or made by assembling strips of any material, whether or not lined or trimmed
175.	6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed
176.	6506	Other headgear, whether or not lined or trimmed
177.	6507	Head-bands, linings, covers, hat foundations, hat frames, peaks and chinstraps, for headgear
178.	6804	Millstones, grindstones, grinding wheels and the like, without frameworks, for grinding, sharpening, polishing, truing or cutting, hand sharpening or polishing stones, and parts thereof, of natural stone, of agglomerated natural or artificial abrasives, or of ceramics, with or without parts of other materials
179.	6805	Natural or artificial abrasive powder or grain, on a base of textile material, of paper, of paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up
180.	6806	Slag wool, rock wool and similar mineral wools; exfoliated vermiculite, expanded clays, foamed slag and similar expanded mineral materials; mixtures and articles of heat-insulating, sound-insulating or sound-absorbing mineral materials, other than those of heading 6811 or 6812 or chapter 69
181.	6810	Pre cast Concrete Pipes
182.	6811	Articles of asbestos-cement, of cellulose fibre-cement or the like
183.	6902	Refractory bricks, blocks, tiles and similar refractory ceramic constructional goods, other than those of siliceous fossil meals or similar siliceous earths
184.	6903	Other refractory ceramic goods (for example, retorts, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, pipes, sheaths and rods), other than those of siliceous fossil meals or of similar siliceous earths

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
185.	6906	Salt Glazed Stone Ware Pipes
186.	6911	Tableware, kitchenware, other household articles and toilet articles, of porcelain or china
187.	6912	Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china [other than Earthen pot and clay lamps]
188.	7001	Cullet and other waste and scrap of glass; glass in the mass
189.	7002	Glass in balls (other than microspheres of heading 70.18), rods or tubes, unworked
190.	7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass
191.	7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading 7010 or 7018)
192.	7015	Clock or watch glasses and similar glasses, glasses for non-corrective spectacles, curved, bent, hollowed or the like, not optically worked; hollow glass spheres and their segments, for the manufacture of such glasses
193.	7017	Laboratory, hygienic or pharmaceutical glassware, whether or not graduated or calibrated
194.	7018	Imitation pearls, imitation precious or semi-precious stones and similar glass smallwares, and articles thereof other than imitation jewellery; glass eyes other than prosthetic articles; statuettes and other ornaments of lamp-worked glass, other than imitation jewelry; glass microspheres not exceeding 1 mm in diameter
195.	7019	Glass fibres (including glass wool) and articles thereof (for example, yarn, woven fabrics)
196.	7201	Pig iron and spiegeleisen in pigs, blocks or other primary forms
197.	7202	Ferro-alloys
198.	7203	Ferrous products obtained by direct reduction of iron ore and other spongy ferrous products, in lumps, pellets or similar forms; iron having a minimum purity by weight of 99.94%, in lumps, pellets or similar forms
199.	7204	Ferrous waste and scrap; remelting scrap ingots of iron or steel
200.	7205	Granules and powders, of pig iron, spiegeleisen, iron or steel
201.	7206	Iron and non-alloy steel in ingots or other primary forms (excluding iron of heading 7203)
202.	7207	Semi-finished products of iron or non-alloy steel
203.	7208 to 7212	All flat-rolled products of iron or non-alloy steel
204.	7213 to 7215	All bars and rods, of iron or non-alloy steel
205.	7216	Angles, shapes and sections of iron or non-alloy steel
206.	7217	Wire of iron or non-alloy steel

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
207.	7218	Stainless steel in ingots or other primary forms; semi-finished products of stainless steel
208.	7219, 7220	All flat-rolled products of stainless steel
209.	7221, 7222	All bars and rods, of stainless steel
210.	7223	Wire of stainless steel
211.	7224	Other alloy steel in ingots or other primary forms; semi-finished products of other alloy steel
212.	7225, 7226	All flat-rolled products of other alloy steel
213.	7227, 7228	All bars and rods of other alloy steel.
214.	7229	Wire of other alloy steel
215.	7301	Sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements; welded angles, shapes and sections, of iron or steel
216.	7302	Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips bedplates, ties and other material specialized for jointing or fixing rails
217.	7303	Tubes, pipes and hollow profiles, of cast iron
218.	7304	Tubes, pipes and hollow profiles, seamless, of iron (other than cast iron) or steel
219.	7305	Other tubes and pipes (for example, welded, riveted or similarly closed), having circular cross-sections, the external diameter of which exceeds 406.4 mm, of iron or steel
220.	7306	Other tubes, pipes and hollow profiles (for example, open seam or welded, riveted or similarly closed), of iron or steel
221.	7307	Tube or pipe fittings (for example, couplings, elbows, sleeves), of iron or steel
222.	7308	Structures (excluding prefabricated buildings of heading 94.06) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frame-works, doors and windows and their frames and thresholds for doors, and shutters, balustrades, pillars, and columns), of iron or steel; plates, rods, angles, shapes, section, tubes and the like, prepared for using structures, of iron or steel [other than transmission towers]
223.	7309	Reservoirs, tanks, vats and similar containers for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment
224.	7310	Tanks, casks, drums, cans, boxes and similar containers, for any material (other than compressed or liquefied gas), of iron or steel, of a capacity not exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment



S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
225.	7311	Containers for compressed or liquefied gas, of iron or steel
226.	7312	Stranded wire, ropes, cables, plaited bands, slings and the like, of iron or steel, not electrically insulated
227.	7313	Barbed wire of iron or steel; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of a kind used for fencing, of iron or steel
228.	7314	Cloth (including endless bands), grill, netting and fencing, of iron or steel wire; expanded metal of iron or steel
229.	7315	Chain and parts thereof, of iron or steel falling under 7315 20, 7315 81, 7315 82, 7315 89, 7315 90
230.	7316	Anchors, grapnels and parts thereof, of iron or steel
231.	7317	Nails, tacks, drawing pins, corrugated nails, staples (other than those of heading 8305) and similar articles, of iron or steel, whether or not with heads of other material, but excluding such articles with heads of copper
232.	7318	Screws, bolts, nuts, coach screws, screw hooks, rivets, cotters, cotter-pins, washers (including spring washers) and similar articles, of iron or steel
233.	7319	Sewing needles, knitting needles, bodkins, crochet hooks, embroidery stilettos and similar articles, for use in the hand, of iron or steel; safety pins and other pins of iron or steel, not elsewhere specified or included
234.	7320	Springs and leaves for springs, of iron and steel
235.	7321	LPG stoves
236.	7323	Iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like, of iron or steel
237.	7325	Other cast articles of iron or steel; such as Grinding balls and similar articles for mills, Rudders for ships or boats, Drain covers, Plates and frames for sewage water or similar system
238.	7326	Other articles of iron and steel, forged or stamped, but not further worked; such as Grinding balls and similar articles for mills, articles for automobiles and Earth moving implements, articles of iron or steel Wire, Tyre bead wire rings intended for use in the manufacture of tyres for cycles and cycle-rickshaws, Belt lacing of steel, Belt fasteners for machinery belts, Drain covers, plates, and frames for sewages, water or similar system, Enamelled iron ware (excluding utensil & sign board), Manufactures of stainless steel (excluding utensils), Articles of clad metal
239.	7401	Copper mattes; cement copper (precipitated copper)
240.	7402	Unrefined copper; copper anodes for electrolytic refining
241.	7403	Refined copper and copper alloys, unwrought
242.	7404	Copper waste and scrap
243.	7405	Master alloys of copper
244.	7406	Copper powders and flakes
245.	7407	Copper bars, rods and profiles

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
246.	7408	Copper wire
247.	7409	Copper plates, sheets and strip, of a thickness exceeding 0.12.5 mm
248.	7410	Copper foils
249.	7411	Copper tubes and pipes
250.	7412	Copper tube or pipe fittings (for example, couplings, elbows, sleeves)
251.	7413	Stranded wires and cables
252.	7415	Nails, tacks, drawing pins, staples (other than those of heading 83.05) and similar articles, of copper or of iron or steel with heads of copper; screws, bolts, nuts, screw hooks, rivets, cotters, cotter-pins, washers (including spring washers) and similar articles, of copper
253.	7419 91 00	Metal castings
254.	7501	Nickel mattes, nickel oxide sinters and other intermediate products of nickel metallurgy
255.	7502	Unwrought nickel
256.	7503	Nickel waste and scrap
257.	7504	Nickel powders and flakes
258.	7505	Nickel bars, rods, profiles and wire
259.	7506	Nickel plates, sheets, strip and foil
260.	7507	Nickel tubes, pipes and tube or pipe fittings (for example, couplings, elbows, sleeves)
261.	7508	Other articles of nickel
262.	7601	Aluminium alloys; such as Ingots, Billets, Wire-bars, Wire-rods
263.	7602	Aluminium waste and scrap
264.	7603	Aluminium powders and flakes
265.	7604	Aluminium bars, rods and profiles
266.	7605	Aluminium wire
267.	7606	Aluminium plates, sheets and strip, of a thickness exceeding 0.2 mm
268.	7607	Aluminium foil (whether or not printed or backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0.2 mm
269.	7608	Aluminium tubes and pipes
270.	7609	Aluminium tube or pipe fittings (for example, couplings, elbows, sleeves)
271.	7610 [Except 7610 10 00]	Aluminium structures (excluding prefabricated buildings of heading 94.06 and doors, windows and their frames and thresholds for doors under 7610 10 00) and parts of structures (for example, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, balustrades, pillars and columns); aluminium plates, rods, profiles, tubes and the like, prepared for use in structures
272.	7611	Aluminium reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of a capacity exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment
273.	7612	Aluminium casks, drums, cans, boxes, etc.

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
274.	7613	Aluminium containers for compressed or liquefied gas
275.	7614	Stranded wires and cables
276.	7616	Other articles of aluminium
277.	7801	Unwrought lead
278.	7802	Lead waste and scrap
279.	7804	Lead plates, sheets, strip and foil; lead powders and flakes
280.	7806	Other articles of lead (including sanitary fixtures and Indian lead seals)
281.	7901	Unwrought zinc
282.	7902	Zinc waste and scrap
283.	7903	Zinc dust, powders and flakes
284.	7904	Zinc bars, rods, profiles and wire
285.	7905	Zinc plates, sheets, strip and foil
286.	7907	Other articles of zinc including sanitary fixtures
287.	8001	Unwrought tin
288.	8002	Tin waste and scrap
289.	8003	Tin bars, rods, profiles and wire
290.	8007	Other articles of tin
291.	8101 to 8112	Other base metals, namely, Tungsten, Molybdenum, Tantalum, Magnesium, Cobalt mattes, and other intermediate products of cobalt metallurgy, Bismuth, Cadmium, Titanium, Zirconium, Antimony, Manganese, Beryllium, chromium, germanium, vanadium, gallium, hafnium, indium, niobium (columbium), rhenium and thallium, and articles thereof, including waste and scrap
292.	8113	Cermets and articles thereof, including waste and scrap
293.	8202	Hand saws; blades for saws of all kinds (including slitting, slotting or toothless saw blades)
294.	8203	Files, rasps, pliers (including cutting pliers), pincers, tweezers, metal cutting shears, pipe-cutters, bolt croppers, perforating punches and similar hand tools
295.	8204	Hand-operated spanners and wrenches (including torque meter wrenches but not including tap wrenches); interchangeable spanner sockets, with or without handles
296.	8205	Hand tools (including glaziers' diamonds), not elsewhere specified or included; blow lamps; vices, clamps and the like, other than accessories for and parts of, machine-tools or water-jet cutting machines; anvils; portable forges; hand or pedal-operated grinding wheels with frameworks
297.	8206	Tools of two or more of the headings 8202 to 8205, put up in sets for retail sale
298.	8207	Interchangeable tools for hand tools, whether or not power-operated, or for machine-tools (for example, for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning or screw driving), including dies for drawing or extruding metal, and rock drilling or earth boring tools

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
299.	8208	Knives and cutting blades, for machines or for mechanical appliances
300.	8209	Plates, sticks, tips and the like for tools, unmounted, of cermets
301.	8210 00 00	Hand-operated mechanical appliances, weighing 10 kg. or less, used in the preparation, conditioning or serving of food or drink
302.	8213 00 00	Scissors, tailors' shears and similar shears, and blades therefor
303.	8301	Padlocks and locks (key, combination or electrically operated), of base metal; clasps and frames with clasps, incorporating locks, of base metal; keys for any of the foregoing articles, of base metal
304.	8306	Bells, gongs and the like, non-electric, of base metal; statuettes and other ornaments, of base metal; photograph, picture or similar frames, of base metal; mirrors of base metal
305.	8307	Flexible tubing of base metal, with or without fittings
306.	8308	Clasps, frames with clasps, buckles, buckle-clasps, hooks, eyes, eyelets and the like, of base metal, of a kind used for clothing or clothing accessories, footwear, jewellery, wrist watches, books, awnings, leather goods, travel goods or saddlery or for other made up articles; tubular or bifurcated rivets, of base metal; beads and spangles, of base metal
307.	8309	Stoppers, caps and lids (including crown corks, screw caps and pouring stoppers), capsules for bottles, threaded bungs, bung covers, seals and other packing accessories, of base metal
308.	8311	Wire, rods, tubes, plates, electrodes and similar products, of base metal or of metal carbides, coated or cored with flux material, of a kind used for soldering, brazing, welding or deposition of metal or of metal carbides; wire and rods, of agglomerated base metal powder, used for metal spraying
309.	8401	Nuclear reactors; machinery and apparatus for isotopes separation
310.	8402	Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); super-heated water boilers
311.	8403	Central heating boilers other than those of heading 8402
312.	8404	Auxiliary plant for use with boilers of heading 8402 or 8403 (for example, economisers, super-heaters, soot removers, gas recoverers); condensers for steam or other vapour power units
313.	8405	Producer gas or water gas generators, with or without their purifiers; acetylene gas generators and similar water process gas generators, with or without their purifiers
314.	8406	Steam turbines and other vapour turbines
315.	8410	Hydraulic turbines, water wheels, and regulators therefor
316.	8411	Turbo-jets, turbo-propellers and other gas turbines - turbo-jets
317.	8412	Other engines and motors (Reaction engines other than turbo jets, Hydraulic power engines and motors, Pneumatic power engines and motors, other, parts) [other than wind turbine or engine]
318.	8416	Furnace burners for liquid fuel, for pulverised solid fuel or for gas; mechanical stokers, including their mechanical grates, mechanical ash

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S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		dischargers and similar appliances
319.	8417	Industrial or laboratory furnaces and ovens, including incinerators, non-electric
320.	8419 20	Medical, surgical or laboratory sterilisers
321.	8420	Calendering or other rolling machines, other than for metals or glass, and cylinders therefor
322.	8421	Centrifuges, including centrifugal dryers; filtering or purifying machinery and apparatus, for liquids or gases
323.	8422 20 00, 8422 30 00, 8422 40 00, 8522 90 [other than 8422 11 00, 8422 19 00]	Machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing or labelling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; other packing or wrapping machinery (including heat-shrink wrapping machinery); machinery for aerating beverages [other than dish washing machines]
324.	8423	Weighing machinery (excluding balances of a sensitivity of 5 centigrams or better), including weight operated counting or checking machines; weighing machine weights of all kinds [other than electric or electronic weighing machinery]
325.	8424	Mechanical appliances (whether or not hand-operated) for projecting, dispersing or spraying liquids or powders; spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines [other than fire extinguishers, whether or not charged]
326.	8425	Pulley tackle and hoists other than skip hoists; winches and capstans; jacks
327.	8426	Ship's derricks; cranes including cable cranes; mobile lifting frames, straddle carriers and works trucks fitted with a crane
328.	8431	Parts suitable for use solely or principally with the machinery of headings 8425 to 8430
329.	8435	Presses, crushers and similar machinery used in the manufacture of wine, cider, fruit juices or similar beverages
330.	8438	Machinery, not specified or included elsewhere in this Chapter, for the industrial preparation or manufacture of food or drink, other than machinery for the extraction or preparation of animal or fixed vegetable fats or oils
331.	8439	Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard
332.	8440	Book-binding machinery, including book-sewing machines
333.	8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds
334.	8442	Machinery, apparatus and equipment (other than the machines of headings 8456 to 8465) for preparing or making plates, printing components; plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished)
335.	8443	Printing machinery used for printing by means of plates, cylinders and

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
		other printing components of heading 84.42; Printers [other than machines which perform two or more of the functions of printing, copying or facsimile transmission] capable of connecting to an automatic data processing machine or to a network printers [other than copying machines, facsimile machines]; parts and accessories thereof [other than ink cartridges with or without print head assembly and ink spray nozzle]
336.	8444	Machines for extruding, drawing, texturing or cutting man-made textile materials
337.	8445	Machines for preparing textile fibres; spinning, doubling or twisting machines and other machinery for producing textile yarns; textile reeling or winding (including wend-winding) machines and machines for preparing textile yarns for use on the machines of heading 8446 or 8447
338.	8446	Weaving machines (looms)
339.	8447	Knitting machines, stitch-bonding machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net and machines for tufting
340.	8448	Auxiliary machinery for use with machines of heading 84.44, 84.45, 84.46 or 84.47 (for example, dobbies, Jacquards, automatic stop motions, shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of this heading or of heading 8444, 8445, 8446 or 8447 (for example, spindles and spindles flyers, card clothing, combs, extruding nipples, shuttles, healds and heald frames, hosiery needles)
341.	8449	Machinery for the manufacture or finishing of felt or nonwovens in the piece or in shapes, including machinery for making felt hats; blocks for making hats
342.	8451	Machinery (other than machines of heading 8450) for washing, cleaning, wringing, drying, ironing, pressing (including fusing presses), bleaching, dyeing, dressing, finishing, coating or impregnating textile yarns, fabrics or made up textile articles and machines for applying the paste to the base fabric or other support used in the manufacture of floor covering such as linoleum; machines for reeling, unreeling, folding, cutting or pinking textile fabrics
343.	8453	Machinery for preparing, tanning or working hides, skins or leather or for making or repairing footwear or other articles of hides, skins or leather, other than sewing machines
344.	8454	Converters, ladles, ingot moulds and casting machines, of a kind used in metallurgy or in metal foundries
345.	8455	Metal-rolling mills and rolls therefor
346.	8456	Machine-tools for working any material by removal of material, by laser or other light or photon beam, ultrasonic, electro-discharge, electro-chemical, electron beam, ionic-beam or plasma arc processes

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
347.	8457	Machining centres, unit construction machines (single station) and multi-station transfer machines, for working metal
348.	8458	Lathes (including turning centres) for removing metal
349.	8459	Machine-tools (including way-type unit head machines) for drilling, boring, milling, threading or tapping by removing metal, other than lathes (including turning centres) of heading 8458
350.	8460	Machine-tools for deburring, sharpening, grinding, honing, lapping, polishing or otherwise finishing metal, or cermets by means of grinding stones, abrasives or polishing products, other than gear cutting, gear grinding or gear finishing machines of heading 8461
351.	8461	Machine-tools for planing, shaping, slotting, broaching, gear cutting, gear grinding or gear finishing, sawing, cutting-off and other machine-tools working by removing metal or cermets, not elsewhere specified or included
352.	8462	Machine-tools (including presses) for working metal by forging, hammering or die-stamping; machine-tools (including presses) for working metal by bending, folding, straightening, flattening, shearing, punching or notching; presses for working metal or metal carbides, not specified above
353.	8463	Other machine-tools for working metal, or cermets, without removing material
354.	8464	Machine-tools for working stone, ceramics, concrete, asbestos-cement or like mineral materials or for cold working glass
355.	8465	Machine-tools (including machines for nailing, stapling, glueing or otherwise assembling) for working wood, cork, bone, hard rubber, hard plastics or similar hard materials
356.	8466	Parts and accessories suitable for use solely or principally with the machines of headings 8456 to 8465 including work or tool holders, self-opening dieheads, dividing heads and other special attachments for the machines; tool holders for any type of tool, for working in the hand
357.	8467	Tools for working in the hand, pneumatic, hydraulic or with self-contained electric or non-electric motor
358.	8468	Machinery and apparatus for soldering, brazing or welding, whether or not capable of cutting, other than those of heading 8512.5; gas-operated surface tempering machines and appliances
359.	8470	Calculating machines and pocket-size data recording, reproducing and displaying machines with calculating functions; accounting machines, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device; cash registers
360.	8471	Automatic data processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
361.	8472	Perforating or stapling machines (staplers), pencil sharpening machines
362.	8473	Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of headings 8470 to 8472
363.	8474	Machinery for sorting, screening, separating, washing, crushing, grinding, mixing or kneading earth, stone, ores or other mineral substances, in solid (including powder or paste) form; machinery for agglomerating, shaping or moulding solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand
364.	8475	Machines for assembling electric or electronic lamps, tubes or valves or flashbulbs, in glass envelopes; machines for manufacturing or hot working glass or glassware
365.	8477	Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this Chapter
366.	8479	Machines and mechanical appliances having individual functions, not specified or included elsewhere in this Chapter [other than Passenger boarding bridges of a kind used in airports (8479 71 00) and other (8479 79 00)]
367.	8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics
368.	8481	Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the like, including pressure-reducing valves and thermostatically controlled valves
369.	8482	Ball bearing, Roller Bearings
370.	8486	Machines and apparatus of a kind used solely or principally for the manufacture of semiconductor boules or wafers, semiconductor devices, electronic integrated circuits or flat panel displays; machines and apparatus specified in Note 9 (C) to this Chapter; parts and accessories
371.	8487	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features not specified or included elsewhere in this chapter
372.	8501	Electric motors and generators (excluding generating sets)
373.	8502	Electric generating sets and rotary converters
374.	8503	Parts suitable for use solely or principally with the machines of heading 8501 or 8502
375.	8504	Transformers Industrial Electronics; Electrical Transformer; Static Convertors (UPS)
376.	8505	Electro-magnets; permanent magnets and articles intended to become permanent magnets after magnetisation; electro-magnetic or permanent magnet chucks, clamps and similar holding devices; electro-magnetic



S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
		couplings, clutches and brakes; electro-magnetic lifting heads
377.	8514	Industrial or laboratory electric furnaces and ovens (including those functioning by induction or dielectric loss); other industrial or laboratory equipment for the heat treatment of materials by induction or dielectric loss
378.	8515	Electric (including electrically heated gas), laser or other light or photo beam, ultrasonic, electron beam, magnetic pulse or plasma arc soldering, brazing or welding machines and apparatus, whether or not capable of cutting; electric machines and apparatus for hot spraying of metals or cermets
379.	8517	Telephone sets; other apparatus for the transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network), other than transmission or reception apparatus of heading 8443, 8525, 8527 or 8528
380.	8518	Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures [other than single loudspeakers, mounted in their enclosures]; headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers;
381.	8521	Video recording or reproducing apparatus, whether or not incorporating a video tuner
382.	8523	Discs, tapes, solid-state non-volatile storage devices, "smart cards" and other media for the recording of sound or of other phenomena, whether or not recorded, including matrices and masters for the production of discs, but excluding products of Chapter 37
383.	8525	Closed-circuit television (CCTV)
384.	8528	Computer monitors not exceeding 17 inches, Set top Box for Television (TV)
385.	8532	Electrical capacitors, fixed, variable or adjustable (pre-set)
386.	8533	Electrical resistors (including rheostats and potentiometers), other than heating resistors
387.	8534 00 00	Printed Circuits
388.	8535	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, fuses, lightning arresters, voltage limiters, surge suppressors, plugs and other connectors, junction boxes), for a voltage exceeding 1,000 volts
389.	8538	Parts suitable for use solely or principally with the apparatus of heading 8535, 8536 or 8537
390.	8539	Electrical Filaments or discharge lamps
391.	8540	Thermionic, cold cathode or photo-cathode valves and tubes (for example, vacuum or vapour or gas filled valves and tubes, mercury arc rectifying valves and tubes, cathode-ray tubes, television camera tubes)
392.	8541	Diodes, transistors and similar semi-conductor devices; photosensitive

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S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
		semi-conductor devices; light-emitting diodes (LED); mounted piezo-electric crystals
393.	8542	Electronic integrated circuits
394.	8543	Electrical machines and apparatus, having individual functions, not specified or included elsewhere in this Chapter
395.	8544	Winding Wires; Coaxial cables; Optical Fiber
396.	8545	Carbon electrodes
397.	8546	Electrical insulators of any material
398.	8548	Waste and scrap of primary cells; primary batteries and electric accumulators; spent primary cells, spent primary-batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified or included elsewhere in this Chapter
399.	8609	Containers (including containers for the transport of fluids) specially designed and equipped for carriage by one or more modes of transport (including refrigerated containers)
400.	8703	Cars for physically handicapped persons, subject to the following conditions: a) an officer not below the rank of Deputy Secretary to the Government of India in the Department of Heavy Industries certifies that the said goods are capable of being used by the physically handicapped persons; and b) the buyer of the car gives an affidavit that he shall not dispose of the car for a period of five years after its purchase.
401.	8704	Refrigerated motor vehicles
402.	8708	Following parts of tractors namely: a. Rear Tractor wheel rim, b. tractor centre housing, c. tractor housing transmission, d. tractor support front axle
403.	8715	Baby carriages and parts thereof
404.	8801	Balloons and dirigibles, gliders and other non-powered aircraft
405.	8804	Parachutes (including dirigible parachutes and paragliders) and parachutes; parts thereof and accessories thereto and parts thereof
406.	8805	Aircraft launching gear, deck arrestor or similar gear; ground flying trainers and parts thereof
407.	8908.00.00	Vessels and other floating structures for breaking up
408.	9001	Optical fibres and optical fibre bundles; optical fibre cables other than those of heading 8544; sheets and plates of polarising material; prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked
409.	9002	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked [other than intraocular lens]

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Simplified

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
410.	9003	Frames and mountings for spectacles, goggles or the like, and parts thereof
411.	9004	Spectacles [other than corrective]; goggles and the like, corrective, protective or other
412.	9016	Balances of a sensitivity of 5 cg or better, with or without weights [other than electric or electronic balances]
413.	9017	Instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in the chapter
414.	9024	Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics)
415.	9025	Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments
416.	9026	Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 9014, 9015, 9028 or 9032
417.	9027	Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes
418.	9028	Gas, liquid or electricity supply or production meters, including calibrating meters therefor
419.	9029	Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading 9014 or 9015; stroboscopes
420.	9030	Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading 9028; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionising radiations
421.	9031	Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter; profile projectors
422.	9032	Automatic regulating or controlling instruments and apparatus
423.	9033	Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90
424.	9103	Clocks with watch movements, excluding clocks of heading 9104
425.	9105	Other clocks
426.	9109	Clock movements, complete and assembled
427.	9114	Other clock parts

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S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
428.	9110	Complete clock movements, unassembled or partly assembled (movement sets); incomplete clock movements, assembled; rough clock movements
429.	9112	Clock cases, and parts thereof
430.	9301	Military weapons other than revolvers, pistols
431.	9303	Other firearms and similar devices which operate by the firing of an explosive charge (for example, sporting shotguns and rifles, muzzle-loading firearms, very pistols and other devices designed to project only signal flares, pistols and revolvers for firing blank ammunition, captive-bolt humane killers, line-throwing guns)
432.	9304	Other arms (for example, spring, air or gas guns and pistols, truncheons), excluding those of heading 9307
433.	9305	Parts and accessories of articles of headings 9301 to 9304
434.	9306	Bombs, grenades, torpedoes, mines, missiles, and similar munitions of war and parts thereof; cartridges and other ammunition and projectiles and parts thereof, including shot and cartridge wads
435.	9307	Swords, cut lasses, bayonets, lances and similar arms and parts thereof and scabbards and sheaths therefor
436.	9402	Medical, surgical, dental or veterinary furniture (for example, operating tables, examination tables, hospital beds with mechanical fittings, dentists' chairs); barbers' chairs and similar chairs, having rotating as well as both reclining and elevating movements; parts of the foregoing articles
437.	9403	Bamboo furniture
438.	9404	Coir mattresses, cotton pillows, mattress and quilts
439.	9406	Prefabricated buildings
440.	9503	Electronic Toys like tricycles, scooters, pedal cars etc. (including parts and accessories thereof)
441.	9506	Swimming pools and padding pools
442.	9606 21 00, 9606 22 00, 9606 29, 9606 30	Buttons, of plastics not covered with the textile material, of base metals, buttons of coconut shell, button blanks
443.	9603 [other than 9603 10 00]	Brushes (including brushes constituting parts of machines, appliances or vehicles), hand operated mechanical floor sweepers, not motorised, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers; squeegees (other than roller squeegees) [other than brooms and brushes, consisting of twigs or other vegetable materials bound together, with or without handles]
444.	9604 00 00	Hand sieves and hand riddles
445.	9605	Travel sets for personal toilet, sewing or shoe or clothes cleaning
446.	9607	Slide fasteners and parts thereof
447.	9608	Fountain pens, stylograph pens and other pens
448.	9610 00 00	Boards, with writing or drawing surface, whether or not framed
449.	9612	Typewriter or similar ribbons, inked or otherwise prepared for giving

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S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes
450.	9620 00 00	Monopods, bipods, tripods and similar articles
451.	9801	All items of machinery including prime movers, instruments, apparatus and appliances, control gear and transmission equipment, auxiliary equipment (including those required for research and development purposes, testing and quality control), as well as all components (whether finished or not) or raw materials for the manufacture of the aforesaid items and their components, required for the initial setting up of a unit, or the substantial expansion of an existing unit, of a specified: <ol style="list-style-type: none"> <li>(1) industrial plant,</li> <li>(2) irrigation project,</li> <li>(3) power project,</li> <li>(4) mining project,</li> <li>(5) project for the exploration for oil or other minerals, and</li> <li>(6) such other projects as the Central Government may, having regard to the economic development of the country notify in the Official Gazette in this behalf;</li> </ol> and spare parts, other raw materials (including semi-finished materials of consumable stores) not exceeding 10% of the value of the goods specified above, provided that such spare parts, raw materials or consumable stores are essential for the maintenance of the plant or project mentioned in (1) to (6) above.
452.	9802	Laboratory chemicals
453.	Any Chapter	Goods which are not specified in Schedule I, II, IV, V or VI

**Schedule IV - 28%**

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
1.	1703	Molasses
2.	1704	Chewing gum / bubble gum and white chocolate, not containing cocoa
3.	1804	Cocoa butter, fat and oil
4.	1805	Cocoa powder, not containing added sugar or sweetening matter.
5.	1806	Chocolates and other food preparations containing cocoa
6.	1901 90 [other than 1901 10, 1901 20 00]	Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading 0401 to 0404, not containing cocoa or containing less than 5% by weight of cocoa calculated on a totally defatted basis not elsewhere specified or

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		included [other than preparations for infants or young children, put up for retail sale and mixes and doughs for the preparation of bakers' wares of heading 1905]
7.	1905 32	Waffles and wafers coated with chocolate or containing chocolate
8.	2101 11; 2101 12 00	Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee
9.	2106	Food preparations not elsewhere specified or included i.e. Protein concentrates and textured protein substances, Sugar-syrups containing added flavouring or colouring matter, not elsewhere specified or included; lactose syrup; glucose syrup and malto dextrine syrup, Compound preparations for making non-alcoholic beverages, Food flavouring material, Churna for pan, Custard powder
10.	2106 90 20	Pan masala
11.	2202 90 90	Other non-alcoholic beverages
12.	2202 10	All goods [including aerated waters], containing added sugar or other sweetening matter or flavoured
13.	2401	Unmanufactured tobacco; tobacco refuse [other than tobacco leaves]
14.	2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes
15.	2403	Other manufactured tobacco and manufactured tobacco substitutes; "homogenised" or "reconstituted" tobacco; tobacco extracts and essences [including biris]
16.	2515 12 20, 2515 12 90	Marble and travertine, other than blocks
17.	2516 12 00	Granite, other than blocks
18.	2523	Portland cement, aluminous cement, slag cement, super sulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinkers
19.	2710	Avgas
20.	3208	Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in a non-aqueous medium; solutions as defined in Note 4 to this Chapter
21.	3209	Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in an aqueous medium
22.	3210	Other paints and varnishes (including enamels, lacquers and distempers); prepared water pigments of a kind used for finishing leather
23.	3213	Artists', students' or signboard painters' colours, modifying tints, amusement colours and the like, in tablets, tubes, jars, bottles, pans or in similar forms or packings
24.	3214	Glaziers' putty, grafting putty, resin cements, caulking compounds and

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S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
		other mastics; painters' fillings; non-refractory surfacing preparations for facades, indoor walls, floors, ceilings or the like
25.	3303	Perfumes and toilet waters
26.	3304	Beauty or make-up preparations and preparations for the care of the skin (other than medicaments), including sunscreen or sun tan preparations; manicure or pedicure preparations [other than kajal, Kumkum, Bindi, Sindur, Alta]
27.	3305 [other than 3305 9011, 3305 90 19]	All goods, i.e. preparations for use on the hair such as Shampoos; Preparations for permanent waving or straightening; Hair lacquers; Brilliantines (spirituous); Hair cream, Hair dyes (natural, herbal or synthetic) [other than Hair oil]
28.	3306 [other than 3306 10 10, 3306 10 20]	Preparations for oral or dental hygiene, including and powders; yarn used to clean between the teeth (dental floss), in individual retail packages [other than dentifrices in powder or paste form (tooth powder or toothpaste)]
29.	3307	Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, depilatories and other perfumery, cosmetic or toilet preparations, not elsewhere specified or included; prepared room deodorisers, whether or not perfumed or having disinfectant properties; such as Pre-shave, shaving or after-shave Preparations, Shaving cream, Personal deodorants and antiperspirants
30.	3401 30	Organic surface-active products and preparations for washing the skin, in the form of liquid or cream and put up for retail sale, whether or not containing soap; paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent
31.	3402	Organic surface-active agents (other than soap); surface-active preparations, washing preparations (including auxiliary washing preparations) and cleaning preparations, whether or not containing soap, other than those of heading 3401
32.	3403	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals
33.	3405	Polishes and creams, for footwear, furniture, floors, coachwork, glass or metal; scouring pastes and powders and similar preparations (whether or not in the form of paper, wadding, felt, nonwovens, cellular plastics or cellular rubber, impregnated, coated or covered with such preparations), excluding waxes of heading 3404
34.	3407	Modelling pastes, including those put up for children's amusement
35.	3602	Prepared explosives, other than propellant powders; such as Industrial explosives

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
36.	3604	Fireworks, signalling flares, rain rockets, fog signals and other pyrotechnic articles
37.	3606	Ferro-cerium and other pyrophoric alloys in all forms; articles of combustible materials as specified in Note 2 to this Chapter; such as liquid or liquefied-gas fuels in containers of a kind used for filling or refilling cigarette or similar lighters
38.	3811	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and other prepared additives, for mineral oils (including gasoline) or for other liquids used for the same purposes as mineral oils
39.	3813	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades
40.	3814	Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers
41.	3819	Hydraulic brake fluids and other prepared liquids for hydraulic transmission, not containing or containing less than 70% by weight of petroleum oils or oils obtained from bituminous minerals
42.	3820	Anti-freezing preparations and prepared de-icing fluids
43.	3918	Floor coverings of plastics, whether or not self-adhesive, in rolls or in form of tiles; wall or ceiling coverings of plastics
44.	3922	Baths, shower baths, sinks, wash basins, bidets, lavatory pans, seats and covers, flushing cisterns and similar sanitary ware of plastics
45.	3926 [other than 3926 40 11, 3926 90 10]	Other articles of plastics and articles of other materials of headings 3901 to 3914 [other than bangles of plastic, PVC Belt Conveyor, plastic beads and plastic tarpaulins]
46.	4011	New pneumatic tyres, of rubber [other than of a kind used on/in bicycles, cycle-rickshaws and three wheeled powered cycle rickshaws; and Rear Tractor tyres]
47.	4012	Retreaded or used tyres and flaps
48.	4013	Inner tubes of rubber [other than of a kind used on/in bicycles, cycle-rickshaws and three wheeled powered cycle rickshaws; and Rear Tractor tyre tubes]
49.	4016 [other than 4016 92 00]	Other articles of vulcanised rubber other than hard rubber (other than erasers)
50.	4017	Hard rubber (for example ebonite) in all forms, including waste and scrap; articles of hard rubber
51.	4201	Saddlery and harness for any animal (including traces, leads, knee pads, muzzles, saddle cloths, saddle bags, dog coats and the like), of any material
52.	4202	Trunks, suit-cases, vanity-cases, executive-cases, brief-cases, school satchels, spectacle cases, binocular cases, camera cases, musical instrument cases, gun cases, holsters and similar containers; travelling-bags, insulated food or beverages bags, toilet bags, rucksacks, handbags, shopping bags, wallets, purses, map-cases, cigarette-cases,



S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		to-bacco- pouches, tool bags, sports bags, bottle-cases, jewellery boxes, powder-boxes, cutlery cases and similar containers, of leather, of sheeting of plastics, of textile materials, of vulcanised fibre or of paperboard, or wholly or mainly covered with such materials or with paper [other than School satchels and bags other than of leather or composition leather, Toilet cases, Hand bags and shopping bags, of artificial plastic material, of cotton, or of jute, Vanity bags, Handbags of other materials excluding wicker work or basket work]
53.	4203	Articles of apparel and clothing accessories, of leather or of composition leather
54.	4205	Other articles of leather or of composition leather
55.	4206	Articles of gut (other than silk-worm gut), of goldbeater's skin, of bladders or of tendons
56.	4303	Articles of apparel, clothing accessories and other articles of furskin
57.	4304	Articles of artificial fur
58.	4410	Particle board, Oriented Strand Board (OSB) and similar board (for example, wafer board) of wood or other ligneous materials, whether or not agglomerated with resins or other organic binding substances, other than specified boards
59.	4411	Fibre board of wood or other ligneous materials, whether or not bonded with resins or other organic substances, other than specified boards
60.	4412	Plywood, veneered panels and similar laminated wood
61.	4413	Densified wood, in blocks, plates, strips, or profile shapes
62.	4414	Wooden frames for paintings, photographs, mirrors or similar objects
63.	4418	Builders' joinery and carpentry of wood, including cellular wood panels, assembled flooring panels, shingles and shakes
64.	4421	Wood paving blocks, articles of densified wood not elsewhere included or specified, Parts of domestic decorative articles used as tableware and kitchenware
65.	4814	Wall paper and similar wall coverings; window transparencies of paper
66.	6702	Artificial flowers, foliage and fruit and parts thereof; articles made of artificial flowers, foliage or fruit
67.	6703	Wool or other animal hair or other textile materials, prepared for use in making wigs or the like
68.	6704	Wigs, false beards, eyebrows and eyelashes, switches and the like, of human or animal hair or of textile materials; articles of human hair not elsewhere specified or included
69.	6801	Setts, curbstones and flagstones, of natural stone (except slate)
70.	6802	Worked monumental or building stone (except slate) and articles thereof, other than goods of heading 6801; mosaic cubes and the like, of natural stone (including slate), whether or not on a backing; artificially coloured granules, chippings and powder, of natural stone (including slate); of marble, travertine and alabaster, of Granite, of Other calcareous stone

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
71.	6803	Worked slate and articles of slate or of agglomerated slate
72.	6807	Articles of asphalt or of similar material (for example, petroleum bitumen or coal tar pitch)
73.	6808	Panels, boards, tiles, blocks and similar articles of vegetable fibre, of straw or of shavings, chips, particles, sawdust or other waste, of wood, agglomerated with cement, plaster or other mineral binders
74.	6809	Articles of plaster or of compositions based on plaster; such as Boards, sheets, panels, tiles and similar articles, not ornamented
75.	6810	Articles of cement, of concrete or of artificial stone, whether or not reinforced; such as Tiles, flagstones, bricks and similar articles, Building blocks and bricks, Cement bricks, Prefabricated structural components for Building or civil engineering, Prefabricated structural components for building or civil engineering
76.	6812	Fabricated asbestos fibres; mixtures with a basis of asbestos or with a basis of asbestos and magnesium carbonate; articles of such mixtures or of asbestos (for example, thread, woven fabric, clothing, headgear, footwear, gaskets), whether or not reinforced, other than goods of heading 6811 or 6813
77.	6813	Friction material and articles thereof (for example, sheets, rolls, strips, segments, discs, washers, pads), not mounted, for brakes, for clutches or the like, with a basis of asbestos, of other mineral substances or of cellulose, whether or not combined with textiles or other materials
78.	6814	Worked mica and articles of mica, including agglomerated or reconstituted mica, whether or not on a support of paper, paperboard or other materials
79.	6815	Articles of stone or of other mineral substances (including carbon fibres, articles of carbon fibres and articles of peat), not elsewhere specified or included
80.	6901	Blocks, tiles and other ceramic goods of siliceous fossil meals (for example, kieselguhr, tripolite or diatomite) or of similar siliceous earths
81.	6904	Ceramic flooring blocks, support or filler tiles and the like
82.	6905	Chimney-pots, cowls, chimney liners, architectural ornaments and other ceramic constructional goods
83.	6906	Ceramic pipes, conduits, guttering and pipe fittings
84.	6907	Ceramic flags and paving, hearth or wall tiles; ceramic mosaic cubes and the like, whether or not on a backing; finishing ceramics
85.	6909	Ceramic wares for laboratory, chemical or other technical uses; ceramic troughs, tubs and similar receptacles of a kind used in agriculture; ceramic pots, jars and similar articles of a kind used for the conveyance or packing of goods
86.	6910	Ceramic sinks, wash basins, wash basin pedestals, baths, bidets, water closet pans, flushing cisterns, urinals and similar sanitary fixtures
87.	6913	Statuettes and other ornamental ceramic articles
88.	6914	Other ceramic articles

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S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
89.	7003	Cast glass and rolled glass, in sheets or profiles, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked
90.	7004	Drawn glass and blown glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked
91.	7005	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked
92.	7006 00 00	Glass of heading 70.03, 70.04 or 70.05, bent, edge-worked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials
93.	7007	Safety glass, consisting of toughened (tempered) or laminated glass
94.	7008	Multiple-walled insulating units of glass
95.	7009	Glass mirrors, whether or not framed, including rear-view mirrors
96.	7011	Glass envelopes (including bulbs and tubes), open, and glass parts thereof, without fittings, for electric lamps, cathode-ray tubes or the like
97.	7014	Signalling glassware and optical elements of glass (other than those of heading 7015), not optically worked
98.	7016	Paving blocks, slabs, bricks, squares, tiles and other articles of pressed or moulded glass, whether or not wired, of a kind used for building or construction purposes; glass cubes and other glass smallwares, whether or not on a backing, for mosaics or similar decorative purposes; leaded lights and the like; multi-cellular or foam glass in blocks, panels, plates, shells or similar forms
99.	7020	Other articles of glass [other than Globes for lamps and lanterns, Founts for kerosene wick lamps, Glass chimneys for lamps and lanterns]
100.	7321	Stoves [other than kerosene stove and LPG stoves], ranges, grates, cookers (including those with subsidiary boilers for central heating), barbecues, braziers, gas-rings, plate warmers and similar non-electric domestic appliances, and parts thereof, of iron or steel
101.	7322	Radiators for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including distributors which can also distribute fresh or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel
102.	7324	Sanitary ware and parts thereof of iron and steel
103.	7418	All goods other than utensils i.e. sanitary ware and parts thereof of copper
104.	7419	Other articles of copper [including chain and parts thereof under 7419 10 and other articles under 7419 99] but not including metal castings under 7419 91 00
105.	7610 10 00	Doors, windows and their frames and thresholds for doors
106.	7615	All goods other than utensils i.e. sanitary ware and parts thereof

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
107.	8212	Razors and razor blades (including razor blade blanks in strips)
108.	8214	Other articles of cutlery (for example, hair clippers, butchers' or kitchen cleavers, choppers and mincing knives,); manicure or pedicure sets and instruments (including nail files) [other than paper knives, pencil sharpeners and blades thereof]
109.	8302	Base metal mountings, fittings and similar articles suitable for furniture, doors, staircases, windows, blinds, coachwork, saddlery, trunks, chests, caskets or the like; base metal hat-racks, hat-pegs, brackets and similar fixtures; castors with mountings of base metal; automatic door closers of base metal
110.	8303	Armoured or reinforced safes, strong-boxes and doors and safe deposit lockers for strong-rooms, cash or deed boxes and the like, of base metal
111.	8304	Filing cabinets, card-index cabinets, paper trays, paper rests, pen trays, office-stamp stands and similar office or desk equipment, of base metal, other than office furniture of heading 9403
112.	8305	Fittings for loose-leaf binders or files, letter clips, letter corners, paper clips, indexing tags and similar office articles, of base metal; staples in strips (for example, for offices, upholstery, packaging), of base metal
113.	8310	Sign-plates, name-plates, address-plates and similar plates, numbers, letters and other symbols, of base metal, excluding those of heading 9405
114.	8407	Spark-ignition reciprocating or rotary internal combustion piston engine
115.	8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)
116.	8409	Parts suitable for use solely or principally with the engines of heading 8407 or 8408
117.	8413	Pumps for dispensing fuel or lubricants of the type used in filling stations or garages [8413 11], Fuel, lubricating or cooling medium pumps for internal combustion piston engines [8413 30], concrete pumps [8413 40 00], other rotary positive displacement pumps [8413 60], [other than hand pumps falling under tariff item 8413 11 10]
118.	8414	Air or vacuum pumps, air or other gas compressors and fans; ventilating or recycling hoods incorporating a fan, whether or not fitted with filters
119.	8415	Air-conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated
120.	8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading 8415
121.	8419	Storage water heaters, non-electric [8419 19] (other than solar water heater and system), Pressure vessels, reactors, columns or towers or chemical storage tanks [8419 89 10], Glass lined equipment [8419 89

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		20]. Auto claves other than for cooking or heating food, not elsewhere specified or included [8419 89 30]. Cooling towers and similar plants for direct cooling (without a separating wall) by means of recirculated water [8419 89 40]. Plant growth chambers and rooms and tissue culture chambers and rooms having temperature, humidity or light control [8419 89 60]. Apparatus for rapid heating of semi-conductor devices, apparatus for chemical or physical vapour deposition on semiconductor wafers; apparatus for chemical vapour deposition on LCD substrates [8419 89 70]; parts [8419 90]
122.	8422	Dish washing machines, household [8422 11 00] and other [8422 19 00]
123.	8423	Electric or electronic weighing machinery (excluding balances of a sensitivity of 5 centigrams or better), including weight operated counting or checking machines; weighing machine weights of all kinds
124.	8424	Fire extinguishers
125.	8427	Fork-lift trucks; other works trucks fitted with lifting or handling equipment
126.	8428	Other lifting, handling, loading or unloading machinery (for example, lifts, escalators, conveyors, teleferics)
127.	8429	Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and road rollers
128.	8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers
129.	8443	Printers which perform two or more of the functions of printing, copying or facsimile transmission, capable of connecting to an automatic data processing machine or to a network printers; copying machines, facsimile machines; ink cartridges with or without print head assembly and ink spray nozzle
130.	8450	Household or laundry-type washing machines, including machines which both wash and dry
131.	8472	Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, automatic banknote dispensers, coin sorting machines, coin counting or wrapping machines [other than Braille typewriters, electric or non-electric, Perforating or stapling machines (staplers), pencil sharpening machines])
132.	8476	Automatic goods-vending machines (for example, postage stamps, cigarette, food or beverage machines), including money changing machines
133.	8478	Machinery for preparing or making up tobacco, not specified or included elsewhere in this chapter
134.	8479	Passenger boarding bridges of a kind used in airports [8479 71 00] and other [8479 79 00]

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
135.	8483	Transmission shafts (including cam shafts and crank shafts) and cranks; bearing housings and plain shaft bearings; gears and gearing; ball or roller screws; gear boxes and other speed changers, including torque converters; flywheels and pulleys, including pulley blocks; clutches and shaft couplings (including universal joints)
136.	8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings; mechanical seals
137.	8504	Static converters (for example, rectifiers) and inductors [other than Transformers Industrial Electronics; Electrical Transformer; Static Converters (UPS)]
138.	8506	Primary cells and primary batteries
139.	8507	Electric accumulators, including separators therefor, whether or not rectangular (including square)
140.	8508	Vacuum cleaners
141.	8509	Electro-mechanical domestic appliances, with self-contained electric motor, other than vacuum cleaners of heading 8508
142.	8510	Shavers, hair clippers and hair-removing appliances, with self-contained electric motor
143.	8511	Electrical ignition or starting equipment of a kind used for spark-ignition or compression-ignition internal combustion engines (for example, ignition magnetos, magneto-dynamos, ignition coils, sparking plugs and glow plugs, starter motors); generators (for example, dynamos, alternators) and cut-outs of a kind used in conjunction with such engines
144.	8512	Electrical lighting or signalling equipment (excluding articles of heading 8539), windscreen wipers, defrosters and demisters, of a kind used for cycles or motor vehicles
145.	8513	Portable electric lamps designed to function by their own source of energy (for example, dry batteries, accumulators, magnetos); other than lighting equipment of heading 8512
146.	8516	Electric instantaneous or storage water heaters and immersion heaters; electric space heating apparatus and soil heating apparatus; electrothermic hair-dressing apparatus (for example, hair dryers, hair curlers, curling tong heaters) and hand dryers; electric smoothing irons; other electro-thermic appliances of a kind used for domestic purposes; electric heating resistors, other than those of heading 8545
147.	8517	ISDN System [8517 69 10], ISDN Terminal Adaptor [8517 69 20], X 25 Pads [8517 69 40]
148.	8518	Single loudspeakers, mounted in their enclosures [8518 21 00], Audio-frequency electric amplifiers [8518 40 00], Electric sound amplifier sets [8518 50 00], Parts [8518 90 00]
149.	8519	Sound recording or reproducing apparatus

S. No.	Chapter / Heading / Sub-heading / Tariff Item	Description of Goods
(1)	(2)	(3)
150.	8522	Parts and accessories suitable for use solely or principally with the apparatus of headings 8519 or 8521
151.	8525	Transmission apparatus for radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras, digital cameras and video cameras recorders [other than CCTV]
152.	8526	Radar apparatus, radio navigational aid apparatus and radio remote control apparatus
153.	8527	Reception apparatus for radio-broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock
154.	8528	Monitors and projectors, not incorporating television reception apparatus; reception apparatus for television, whether or not incorporating radio-broadcast receiver or sound or video recording or reproducing apparatus [other than computer monitors not exceeding 17 inches]
155.	8529	Parts suitable for use solely or principally with the apparatus of headings 8525 to 8528
156.	8530	Electrical signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields (other than those of heading 8608)
157.	8531	Electric sound or visual signalling apparatus (for example, bells, sirens, indicator panels, burglar or fire alarms), other than those of heading 8512 or 8530
158.	8536	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders, and other connectors, junction boxes), for a voltage not exceeding 1,000 volts : connectors for optical fibres optical fibres, bundles or cables
159.	8537	Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of chapter 90, and numerical control apparatus, other than switching apparatus of heading 8517
160.	8539	Sealed beam lamp units and ultra-violet or infra-red lamps; arc lamps [other than Electric filament or discharge lamps and LED lamps]
161.	8544	Insulated (including enamelled or anodised) wire, cable and other insulated electric conductors, whether or not fitted with connectors [other than Winding Wires; Coaxial cables; Optical Fiber]
162.	8545	Brushes [8545 20 00] and goods under 8545 (including arc lamp carbon and battery carbon)
163.	8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal (for example, threaded sockets) incorporated

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		during moulding solely for the purposes of assembly, other than insulators of heading 8546; electrical conduit tubing and joints therefor, of base metal lined with insulating material
164.	8702	Motor vehicles for the transport of ten or more persons, including the driver
165.	8703	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including station wagons and racing cars [other than Cars for physically handicapped persons]
166.	8704	Motor vehicles for the transport of goods [other than Refrigerated motor vehicles]
167.	8705	Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (for example, breakdown lorries, crane lorries, fire fighting vehicles, concrete-mixer lorries, road sweeper lorries, spraying lorries, mobile workshops, mobile radiological unit)
168.	8706	Chassis fitted with engines, for the motor vehicles of headings 8701 to 8705
169.	8707	Bodies (including cabs), for the motor vehicles of headings 8701 to 8705
170.	8708	Parts and accessories of the motor vehicles of headings 8701 to 8705 [other than specified parts of tractors]
171.	8709	Works trucks, self-propelled, not fitted with lifting or handling equipment, of the type used in factories, warehouses, dock areas or airports for short distance transport of goods; tractors of the type used on railway station platforms; parts of the foregoing vehicles
172.	8710	Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles
173.	8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars
174.	8714	Parts and accessories of vehicles of headings 8711 and 8713
175.	8716	Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof [other than Self-loading or self-unloading trailers for agricultural purposes, and Hand propelled vehicles (e.g. hand carts, rickshaws and the like); animal drawn vehicles]
176.	8802	Aircrafts for personal use
177.	8903	Yachts and other vessels for pleasure or sports; rowing boats and canoes
178.	9004	Goggles
179.	9005	Binoculars, monoculars, other optical telescopes, and mountings therefor; other astronomical instruments and mountings therefor, but not including instruments for radio-astronomy
180.	9006	Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of



S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
		heading 8539
181.	9007	Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus
182.	9008	Image projectors, other than cinematographic; photographic (other than cinematographic) enlargers and reducers
183.	9010	Apparatus and equipment for photographic (including cinematographic) laboratories, not specified or included elsewhere in this Chapter; negatoscopes; projection screens
184.	9011	Compound optical microscopes, including those for photomicrography cinephotomicrography or microprojection
185.	9012	Microscopes other than optical microscopes; diffraction apparatus
186.	9013	Liquid crystal devices not constituting articles provided for more specifically in other headings; lasers, other than laser diodes; other optical appliances and instruments, not specified or included elsewhere in this Chapter
187.	9014	Direction finding compasses; other navigational instruments and appliances
188.	9015	Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders
189.	9016	Electric or electronic balances of a sensitivity of 5 cg or better, with or without weights
190.	9022	Apparatus based on the use of X-rays or of alpha, beta or gamma radiations, for \ including radiography or radiotherapy apparatus, X-ray tubes and other X-ray generators, high tension generators, control panels and desks, screens, examinations or treatment tables, chairs and the light
191.	9023	Instruments, apparatus and models, designed for demonstrational purposes (for example, in education or exhibitions), unsuitable for other uses
192.	9101	Wrist-watches, pocket-watches and other watches, including stop-watches, with case of precious metal or of metal clad with precious metal
193.	9102	Wrist-watches, pocket-watches and other watches, including stop watches, other than those of heading 9101
194.	9104	Instrument panel clocks and clocks of a similar type for vehicles, aircraft, spacecraft or vessels
195.	9106	Time of day recording apparatus and apparatus for measuring, recording or otherwise indicating intervals of time, with clock or watch movement or with synchronous motor (for example, time registers, time-recorders)
196.	9107	Time switches with clock or watch movement or with synchronous motor
197.	9108	Watch movements, complete and assembled

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
198.	9110	Complete watch movements, unassembled or partly assembled (movement sets); incomplete watch movements, assembled; rough watch movements
199.	9111	Watch cases and parts thereof
200.	9112	Cases for other than clocks, and parts thereof
201.	9113	Watch straps, watch bands and watch bracelets, and parts thereof
202.	9114	Other watch parts
203.	9201	Pianos, including automatic pianos; harpsi-chords and other keyboard stringed instruments
204.	9202	Other string musical instruments (for example, guitars, violins, harps)
205.	9205	Wind musical instruments (for example, keyboard pipe organs, accordions, clarinets, trumpets, bagpipes), other than fairground organs and mechanical street organs
206.	9206 00 00	Percussion musical instruments (for example, drums, xylophones, cymbals, castanets, maracas)
207.	9207	Musical instruments, the sound of which is produced, or must be amplified, electrically (for example, organs, guitars, accordions)
208.	9208	Musical boxes, fairground organs, mechanical street organs, mechanical singing birds, musical saws and other musical instruments not falling within any other heading of this chapter; decoy calls of all kinds; whistles, call horns and other mouth-blown sound signalling instruments
209.	9209	Parts (for example, mechanisms for musical boxes) and accessories (for example, cards, discs and rolls for mechanical instruments) of musical instruments; metronomes, tuning forks and pitch pipes of all kinds
210.	9302	Revolvers and pistols, other than those of heading 9303 or 9304
211.	9401	Seats (other than those of heading 9402), whether or not convertible into beds, and parts thereof
212.	9403	Other furniture [other than bamboo furniture] and parts thereof
213.	9404	Mattress supports; articles of bedding and similar furnishing (for example, mattresses, quilts, eiderdowns, cushions, pouffes and pillows) fitted with springs or stuffed or internally fitted with any material or of cellular rubber or plastics, whether or not covered
214.	9405	Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included
215.	9504	Video games consoles and Machines
216.	9505	Festive, carnival or other entertainment articles, including conjuring tricks and novelty jokes
217.	9506	Articles and equipment for general physical exercise, gymnastics, athletics
218.	9508	Roundabouts, swings, shooting galleries and other fairground amusements; [other than travelling circuses and travelling menageries]

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
219.	9601	Worked ivory, bone, tortoise-shell, horn, antlers, coral, mother-of-pearl and other animal carving material, and articles of these materials (including articles obtained by moulding)
220.	9602	Worked vegetable or mineral carving material and articles of these materials moulded or carved articles of wax, of stearin, of natural gums or natural resins or of modelling pastes, and other moulded or carved articles, not elsewhere specified or included; worked, unhardened gelatin (except gelatin of heading 3503) and articles of unhardened gelatin
221.	9611	Date, sealing or numbering stamps, and the like (including devices for printing or embossing labels), designed for operating in the hand; hand-operated composing sticks and hand printing sets incorporating such composing sticks
222.	9613	Cigarette lighters and other lighters, whether or not mechanical or electrical, and parts thereof other than flints and wicks
223.	9614	Smoking pipes (including pipe bowls) and cigar or cigarette holders, and parts thereof
224.	9616	Scent sprays and similar toilet sprays, and mounts and heads therefor; powder-puffs and pads for the application of cosmetics or toilet preparations
225.	9617	Vacuum flasks and other vacuum vessels, complete with cases; parts thereof other than glass inners
226.	9618	Tailors' dummies and other lay figures; automata and other animated displays, used for shop window dressing
227.	9804	All dutiable articles intended for personal use
228.	-	<p>Lottery authorized by State Governments</p> <p><i>Explanation 1.-</i> For the purposes of this entry, value of supply of lottery under sub-section (5) of section 15 of the Central Goods and Services Tax Act, 2017 read with section 20 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017) shall be deemed to be 100/128 of the face value of ticket or of the price as notified in the Official Gazette by the organising State, whichever is higher.</p> <p><i>Explanation 2.-</i></p> <p>(1) "Lottery authorized by State Governments" means a lottery which is authorized to be sold in State(s) other than the organising state also.</p> <p>(2) Organising state has the same meaning as assigned to it in clause (f) of sub-rule (1) of rule 2 of the Lotteries (Regulation) Rules, 2010.</p>

## Schedule V - 3%

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
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(1)	(2)	(3)
1.	7101	Pearls, natural or cultured, whether or not worked or graded but not strung, mounted or set; pearls, natural or cultured, temporarily strung for convenience of transport
2.	7102	Diamonds, whether or not worked, but not mounted or set [other than Non-Industrial Unworked or simply sawn, cleaved or bruted]
3.	7103	Precious stones (other than diamonds) and semi-precious stones, whether or not worked or graded but not strung, mounted or set; ungraded precious stones (other than diamonds) and semi-precious stones, temporarily strung for convenience of transport [other than Unworked or simply sawn or roughly shaped]
4.	7104	Synthetic or reconstructed precious or semi-precious stones, whether or not worked or graded but not strung, mounted or set; ungraded synthetic or reconstructed precious or semi-precious stones, temporarily strung for convenience of transport [other than Unworked or simply sawn or roughly shaped]
5.	7105	Dust and powder of natural or synthetic precious or semi-precious stones
6.	7106	Silver (including silver plated with gold or platinum), unwrought or in semi-manufactured forms, or in powder form
7.	7107	Base metals clad with silver, not further worked than semi-manufactured
8.	7108	Gold (including gold plated with platinum) unwrought or in semi-manufactured forms, or in powder form
9.	7109	Base metals or silver, clad with gold, not further worked than semi-manufactured
10.	7110	Platinum, unwrought or in semi-manufactured forms, or in powder form
11.	7111	Base metals, silver or gold, clad with platinum, not further worked than semi-manufactured
12.	7112	Waste and scrap of precious metal or of metal clad with precious metal; other waste and scrap containing precious metal or precious metal compounds, of a kind used principally for the recovery of precious metal.
13.	7113	Articles of jewellery and parts thereof, of precious metal or of metal clad with precious metal
14.	7114	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or of metal clad with precious metal
15.	7115	Other articles of precious metal or of metal clad with precious metal
16.	7116	Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed)
17.	7117	Imitation jewellery
18.	7118	Coin

## Schedule VI - 0.25%

S. No.	Chapter / Heading / Sub-heading / Tariff item	Description of Goods
(1)	(2)	(3)
1.	7102	Diamonds, non-industrial unworked or simply sawn, cleaved or bruted
2.	7103	Precious stones (other than diamonds) and semi-precious stones, unworked or simply sawn or roughly shaped
3.	7104	Synthetic or reconstructed precious or semi-precious stones, unworked or simply sawn or roughly shaped

**Explanation.** – For the purposes of this Schedule,–

(i) The phrase “unit container” means a package, whether large or small (for example, tin, can, box, jar, bottle, bag, or carton, drum, barrel, or canister) designed to hold a pre-determined quantity or number, which is indicated on such package.

(ii) The phrase “registered 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, and which is registered under the Trade Marks Act, 1999.

(iii) “Tariff item”, “sub-heading” “heading” and “Chapter” shall mean respectively a tariff item, sub-heading, heading and chapter as specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975).

(iv) The rules for the interpretation of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), including the Section and Chapter Notes and the General Explanatory Notes of the First Schedule shall, so far as may be, apply to the interpretation of this notification.

2. This notification shall come into force with effect from the 1<sup>st</sup> day of July, 2017.

[F.No.354/117/2017-TRU]

(Mohit Tewari)  
Under Secretary to the Government of India



Canada Revenue  
Agency

Agence du revenu  
du Canada

Tax measures for persons with disabilities

# Disability-Related Information

## 2016



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**Canada**

## Is this guide for you?

**T**his guide is for persons with disabilities and their supporting persons. It gives information on:

- the criteria for the disability tax credit and how to apply;
- related tax credits you can claim on the income tax and benefit return; and
- other disability-related information.

This guide uses plain language to explain most common tax situations. It is provided for information only and does not replace the law.

## What's new for 2016?

### Home accessibility tax credit

You or a supporting person may be eligible to claim up to \$10,000 in qualifying renovations. For more information, see page 24.

### Children's fitness and arts tax credits

These credits are reduced for the 2016 tax year. They will be cancelled by the 2017 tax year. For more information on the amounts you can claim, see pages 23 and 26.

If you are blind or partially sighted, you can get our publications in braille, large print, etext, or MP3 by going to [cra.gc.ca/alternate](http://cra.gc.ca/alternate). You can also get our publications and your personalized correspondence in these formats by calling 1-800-959-8281.

La version française de ce guide est intitulée *Renseignements relatifs aux personnes handicapées*.

[cra.gc.ca](http://cra.gc.ca)

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## **Services for persons with disabilities**

### **Help for persons who have a hearing or speech impairment**

**Do you use a teletypewriter (TTY)?** – If you do, call 1-800-665-0354 during business hours.

**Do you use an operator-assisted relay service?** – You can call 1-800-959-8281 during business hours. As of January 2017, you do not need to authorize the relay service operator to communicate with the Canada Revenue Agency (CRA).

**Would you like to use a sign language interpreter?** – If you give us notice, we can have a sign language interpreter at an interview or meeting.

### **Help for persons who are blind or partially sighted**

If you have difficulty filling out regular print forms and returns, you can file them in braille or in large print. To get your publications in the format you want, go to [cra.gc.ca/alternate](http://cra.gc.ca/alternate) or call 1-800-959-8281.

### **Community Volunteer Income Tax Program**

If you have a modest income and a simple tax situation, community volunteers may be able to prepare your return for you. For more information, go to [cra.gc.ca/volunteer](http://cra.gc.ca/volunteer).

## Non-refundable tax credits

**N**on-refundable tax credits are amounts that reduce the income tax you may have to pay.

### Disability tax credit

A person with a severe and prolonged impairment in physical or mental functions may be eligible for the disability tax credit (DTC). Once they are eligible for the DTC, the disability amount could be claimed on the return.

Being eligible for the DTC can allow you to claim certain deductions, credits, and benefits, which are mentioned in this guide.

### Definitions and criteria

The following definitions and criteria are used for the DTC. They will help you understand eligibility for the credit and how to apply.

**Basic activities of daily living** – The basic activities of daily living are:

- speaking;
- hearing;
- walking;
- eliminating (bowel and bladder functions);
- feeding;
- dressing; and
- mental functions necessary for everyday life.

**Effects of impairment** – The effects of impairment must be such that, even with therapy and the use of appropriate devices and medication, you are restricted at least 90% of the time.

#### Notes

For a patient with a walking impairment, the medical practitioner might state the number of hours spent in bed or in a wheelchair each day because of the impairment.

For a patient with an impairment in mental functions necessary for everyday life, the medical practitioner might describe the degree to which his or her patient needs support and supervision.

**Inordinate amount of time** – This is a clinical judgment made by a medical practitioner who observes a recognizable difference in the time it takes a person to do an activity. Usually, this equals three times the average time needed to complete the activity by a person who does not have the impairment.

**Life-sustaining therapy** – You must meet both of the following criteria:

- the therapy is needed to support a vital function, even if it eases the symptoms; and
- the therapy is needed at least 3 times per week, for an average of at least 14 hours per week.

You must dedicate time for the therapy – that is, you have to take time away from your normal, everyday activities to receive it. It includes the time you need to set up a portable device.

If your therapy requires a regular dosage of medication that needs to be adjusted daily, the time spent on activities directly related to determining the dosage and administering the medication can be counted in the 14 hours per week requirement. For example:

- checking blood glucose levels;
- preparing and administering the insulin;
- calibrating necessary equipment;
- testing ketones; or
- keeping a log book of blood glucose levels.

If a child cannot do the activities related to the therapy because of his or her age, the time spent by the child's primary caregivers to do and supervise these activities can be counted in the 14 hours per week requirement. For example, for a child with Type 1 diabetes, supervision includes:

- having to wake the child at night to test his or her blood glucose level;
- checking the child to decide if more blood glucose testing is needed (during or after physical activity); or
- other supervisory activities that can reasonably be considered necessary to adjust the dosage of insulin.

However, some activities do not count in the 14 hours per week requirement, such as:

- the time a portable or implanted device takes to deliver the therapy (such as an insulin pump, a CPAP machine, or a pacemaker);
- activities related to dietary restrictions or regimes, even when these activities are a factor in determining the daily dosage of medication (such as carbohydrate calculation);
- activities related to exercising, even when these activities are a factor in determining the daily dosage of medication;
- travel time to receive the therapy;
- going to medical appointments (other than appointments where the therapy is received);
- buying medication; or
- recuperation after therapy.

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**Markedly restricted** – You are markedly restricted if you are unable or it takes you an inordinate amount of time to do one or more of the basic activities of daily living, even with therapy (other than therapy to support a vital function) and the use of appropriate devices and medication. This restriction must be present all or substantially all of the time (at least 90% of the time).

**Medical practitioner** – For the DTC, the medical practitioners who can certify an impairment are:

- medical doctors;
- nurse practitioners (under proposed changes);
- optometrists;
- audiologists;
- occupational therapists;
- physiotherapists;
- psychologists; and
- speech-language pathologists.

**Prolonged** – An impairment is prolonged if:

- it has lasted for a continuous period of at least 12 months; or
- is expected to last for a continuous period of at least 12 months.

**Significantly restricted** – This means that although you do not quite meet the criteria for markedly restricted, your vision or ability to do a basic activity of daily living is still greatly restricted all or substantially all of the time (at least 90% of the time).

#### **Who is eligible for the DTC?**

For you to be eligible for the DTC, a medical practitioner must certify that you have a severe and prolonged impairment in physical or mental functions. The medical practitioner also needs to describe the effects of the person's impairment. Eligibility for the DTC is based on the effects of the impairment, not on the medical condition itself.

If you receive Canada Pension Plan or Quebec Pension Plan disability benefits, workers' compensation benefits, or other types of disability or insurance benefits, it does not necessarily mean you are eligible for the DTC. These programs have other purposes and different criteria, such as an individual's inability to work.

You can fill out the self-assessment questionnaire on the next page to find out if you may be eligible. This questionnaire does not replace Form T2201, *Disability Tax Credit Certificate*.

#### **Note**

Your answers may show that you are not eligible for the DTC. However, you can still send an application.

### Self-assessment questionnaire

<p>1. Has your impairment in physical or mental functions lasted, or is it expected to last, for a continuous period of at least 12 months?</p> <p>If you answered yes, answer questions 2 to 5 below. If you answered no, you are not eligible for the DTC. To claim the disability amount, the impairment has to be prolonged (defined on page 7).</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Are you blind?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Do you receive life-sustaining therapy (defined on page 6)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<p>4. Do the effects of your impairment cause you to be markedly restricted (defined on page 7) at least 90% of the time in one or more of the following basic activities of daily living, even with the appropriate therapy, medication, and devices?</p> <ul style="list-style-type: none"> <li>• Speaking</li> <li>• Hearing</li> <li>• Walking</li> <li>• Eliminating (bowel or bladder functions)</li> <li>• Feeding</li> <li>• Dressing</li> <li>• Mental functions necessary for everyday life</li> </ul>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<p>5. Do you meet all the following conditions?</p> <ul style="list-style-type: none"> <li>• Because of the impairment, you are significantly restricted (defined on page 7) in two or more of the basic activities of daily living, or you are significantly restricted in vision and one or more of the basic activities of daily living listed in question 4, even with appropriate therapy (other than therapy to support a vital function), medication, and devices.</li> <li>• These significant restrictions exist together at least 90% of the time.</li> <li>• The cumulative effect of these significant restrictions is equal to being markedly restricted in one basic activity of daily living.</li> </ul>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered yes to question 1 and to any one of questions 2 to 5, you may be eligible for the DTC.

If you answered no to all of questions 2 to 5, you are not eligible for the DTC. To be eligible for the DTC, you have to answer yes to at least one of these questions.

### How do you apply for the DTC?

To apply for the DTC, you have to send Form T2201, *Disability Tax Credit Certificate*.

#### Note

You do not have to send a new Form T2201 if we already approved your application. However, you have to send a new form if the previous period of approval has ended or if we tell you that we need one.

To help you apply, here are three steps to follow.

**Step 1 – Fill out Part A of Form T2201**

Fill out and sign the sections of Part A that apply.

**Section 1 – Enter information about the person with the disability.**

<b>Section 1 – Information about the person with the disability</b>					
First name and initial		Last name		Social insurance number	
Mailing address (Apt No – Street No Street name, PO Box, RR)					
City	Province or territory	Postal code	Date of birth:	Year	Month Day

**Section 2 – If you want to transfer the disability amount from your spouse or common-law partner, or dependant, fill out this section.**

<b>Section 2 – Information about the person claiming the disability amount (if different from above)</b>	
First name and initial	Last name Social insurance number
The person with the disability is: <input type="checkbox"/> my spouse/common-law partner <input type="checkbox"/> my dependant (specify):	
Answer the following questions for all of the years that you are claiming the disability amount for the person with the disability.	
1. Does the person with the disability live with you? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, for which year(s)?	
2. If you answered no to Question 1, does the person with the disability regularly and consistently depend on you for one or more of the basic necessities of life such as food, shelter, or clothing? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, for which year(s)?	
Give details about the regular and consistent support you provide for food, shelter or clothing to the person with the disability (If you need more space, attach a separate sheet of paper). We may ask you to provide receipts or other documents to support your request.	

You may be able to transfer the disability amount that the person with the disability may not need to reduce his or her tax. To transfer all or part of the disability amount, one of the following criteria needs to be met:

- the person with the disability lives with you; or
- you support the person with the disability by providing food, shelter, or clothing on a regular and consistent basis.

**Section 3 – Fill out this section only if you want to adjust your return(s) to claim the disability amount for:**

- yourself; or
- your dependant under the age of 18.

<b>Section 3 – Adjust your income tax and benefit return</b>	
Once eligibility is approved, the CRA can adjust your returns for all applicable years to include the disability amount for yourself or your dependant under the age of 18. For more information, see <i>Guide RC4084, Disability-Related Information</i> .	
<input type="checkbox"/> Yes, I want the CRA to adjust my returns, if possible.	<input type="checkbox"/> No, I do not want an adjustment.

After the application is approved, we will automatically adjust your return(s). We will include the federal and provincial disability amounts for all years that apply (except for residents of Quebec who have to file a separate provincial return).

You can send Form T1-ADJ, *T1 Adjustment Request*, with the Form T2201 if you need us to adjust a tax year for one of the following reasons:

- you are claiming the disability amount for a dependant 18 or older;
- you are claiming the disability amount for your spouse or common-law partner;
- the disability amount needs to be divided between two or more supporting persons; or
- you need any other change that is not mentioned above.

You can also send a letter with the details of your request with Form T2201. If a representative is acting for you, you must send Form T1013, *Authorizing or Cancelling a Representative*, or a signed letter authorizing your representative to make the request.

**Section 4 – The person with the disability or their legal representative has to sign this section.**

<b>Section 4 – Authorization</b>			
As the person with the disability or their legal representative, I authorize the following actions:			
• Medical practitioner(s) can give information to the CRA from their medical records or discuss the information on this form.			
• The CRA can adjust my returns, as applicable, if the "Yes" box has been ticked in section 3.			
Sign here:	Telephone	Year	Month Day

This signature authorizes the medical practitioner to give or discuss the information needed so we can make a decision on eligibility. It also authorizes the CRA to adjust your returns, as applicable, if the "Yes" box has been ticked in section 3.

**Step 2 – Ask a medical practitioner to certify Part B of Form T2201**

You must take Form T2201 to a medical practitioner who can certify that you have a severe and prolonged impairment in physical or mental functions.

You are responsible for any fees that the medical practitioner charges to fill out the form. You may be able to claim these fees as medical expenses on line 330 or line 331 of Schedule 1. For more information on medical expenses you can claim, see Guide RC4065, *Medical Expenses*.

The table on the next page shows the type of medical practitioner who can certify each category. Also, the table gives examples and clarifications for each category.

Category	Examples	Notes
Vision -- must be certified by a medical doctor, nurse practitioner (under proposed changes), or an optometrist.		<p>You are considered blind if, even with the use of corrective lenses or medication:</p> <ul style="list-style-type: none"> <li>■ the visual acuity in both eyes is 20/200 (6/60) or less with the Snellen Chart (or an equivalent); or</li> <li>■ the greatest diameter of the field of vision in both eyes is 20 degrees or less.</li> </ul>
Speaking -- must be certified by a medical doctor, nurse practitioner (under proposed changes), or speech-language pathologist	<ul style="list-style-type: none"> <li>■ You must rely on other means of communication, such as sign language or a symbol board, at least 90% of the time.</li> <li>■ In the doctor's office, the doctor must ask you to repeat words and sentences several times, and it takes you an inordinate amount of time to make yourself understood.</li> </ul>	<p>Devices for speaking include tracheoesophageal prostheses, vocal amplification devices, and other such devices.</p>
Hearing -- must be certified by a medical doctor, nurse practitioner (under proposed changes), or audiologist	<ul style="list-style-type: none"> <li>■ You must rely completely on lip reading or sign language at least 90% of the time, to understand a spoken conversation, despite the use of hearing aids.</li> <li>■ In the doctor's office, the doctor must raise his or her voice and repeat words and sentences several times, and it takes you an inordinate amount of time to understand, despite the use of hearing aids.</li> </ul>	<p>Devices for hearing include hearing aids, cochlear implants, and other such devices.</p>
Walking -- must be certified by a medical doctor, nurse practitioner (under proposed changes), occupational therapist, or physiotherapist	<ul style="list-style-type: none"> <li>■ You always rely on a wheelchair outside of the home, even for short distances.</li> <li>■ You take an inordinate amount of time to walk 100 meters (about one city block), at least 90% of the time since you need to stop because of pain and shortness of breath.</li> <li>■ You experience severe episodes of fatigue, and problems with coordination and balance. Several days at a time, you cannot walk more than a few steps. Between episodes, you continue to have these symptoms, but to a lesser degree. These symptoms cause you to take an inordinate amount of time to walk, at least 90% of the time.</li> </ul>	<p>Devices for walking include canes, walkers, and other such devices.</p>



Category	Examples	Notes
Eliminating (bowel or bladder functions) – must be certified by a medical doctor or nurse practitioner (under proposed changes)	<ul style="list-style-type: none"> <li>■ You need a device for eliminating, which causes you to take an inordinate amount of time to manage your bowel or bladder functions.</li> <li>■ You are Incontinent of bladder functions at least 90% of the time. You take an inordinate amount of time to tend to your elimination, as you need incontinence pads.</li> </ul>	Devices for eliminating include catheters, ostomy appliances, and other such devices.
Feeding – must be certified by a medical doctor, nurse practitioner (under proposed changes), or occupational therapist	<ul style="list-style-type: none"> <li>■ You need tube feedings at least 90% of the time.</li> <li>■ You take an inordinate amount of time to prepare meals or to feed yourself, on a daily basis, due to significant pain and decreased strength and dexterity in your upper limbs.</li> </ul>	<p>Devices for feeding include modified utensils, and other such devices.</p> <p>Feeding yourself does include preparing food, except when the time spent is related to a dietary restriction or regime, even when the restriction or regime is needed due to an illness or medical condition.</p> <p>Feeding yourself does not include identifying, finding, shopping for, or obtaining food.</p>
Dressing – must be certified by a medical doctor, nurse practitioner (under proposed changes), or occupational therapist	<ul style="list-style-type: none"> <li>■ You cannot dress without daily help from another person.</li> <li>■ Due to pain, stiffness, and decreased dexterity, you take an inordinate amount of time to dress yourself on a daily basis.</li> </ul>	<p>Devices for dressing include specialized buttonhooks, long-handled shoehorns, grab rails, safety pulls, and other such devices.</p> <p>Dressing yourself does not include identifying, finding, shopping for, or obtaining clothing.</p>
Mental functions necessary for everyday life – must be certified by a medical doctor, nurse practitioner (under proposed changes), or psychologist	<ul style="list-style-type: none"> <li>■ You are independent in some aspects of everyday living; however, despite medication and therapy, you need daily support and supervision due to an inability to accurately interpret your environment.</li> <li>■ You cannot make a common, simple transaction, such as buying food at the grocery store, without help at least 90% of the time.</li> <li>■ You experience psychotic episodes several times a year. Given the unpredictability of your psychotic episodes and the other defining symptoms of your impairment (for example, lack of initiative or motivation, disorganized behaviour and speech), you continue to need daily supervision.</li> <li>■ You are unable to express your needs or anticipate consequences of behaviour when interacting with others.</li> </ul>	<p>Mental functions necessary for everyday life include:</p> <ul style="list-style-type: none"> <li>■ adaptive functioning (for example, abilities related to self-care, health and safety, abilities to initiate and respond to social interactions, and common, simple transactions);</li> <li>■ memory (for example, the ability to remember simple instructions, basic personal information such as name and address, or material of importance and interest); and</li> <li>■ problem-solving, goal-setting, and judgment, taken together (for example, the ability to solve problems, set and keep goals, and make the appropriate decisions and judgments).</li> </ul>

Category	Examples	Notes
Life-sustaining therapy – must be certified by a medical doctor or nurse practitioner (under proposed changes)	<ul style="list-style-type: none"> <li>■ Chest physiotherapy to ease breathing</li> <li>■ Kidney dialysis to filter blood</li> <li>■ Insulin therapy to treat Type 1 diabetes in a child who cannot independently adjust the insulin dosage</li> </ul>	
Cumulative effect of significant restrictions – must be certified by a medical doctor, nurse practitioner (under proposed changes), or occupational therapist (occupational therapist can only certify for walking, feeding, and dressing)	<ul style="list-style-type: none"> <li>■ You can walk 100 metres, but then must take time to recuperate. You can carry out the mental functions necessary for everyday life, but can concentrate on any topic for only a short period of time. The cumulative effect of these two significant restrictions is equal to being markedly restricted, such as being unable to do one of the basic activities of daily living.</li> <li>■ You always take a long time for walking, dressing and feeding. The extra time it takes you to do these activities, when added together, is equal to being markedly restricted (defined on page 7).</li> </ul>	

### Step 3 – Send your filled out Form T2201

Send Form T2201, as well as any letter or documents, to your tax centre. The form must be sent in its entirety. Use the chart below to get the address. You can send the form at any time during the year. Keep a copy for your records.

If your tax services office is located in:	Send your correspondence to the Disability Tax Credit Unit at the following address:
Alberta, British Columbia, London, Manitoba, Northwest Territories, Regina, Saskatoon, Thunder Bay, Windsor, or Yukon	Winnipeg Tax Centre 66 Stapon Road Winnipeg MB R3C 3M2
Barrie, Kingston, New Brunswick, Newfoundland and Labrador, Nova Scotia, Peterborough, St. Catharines, Sudbury (the area of Sudbury/Nickel Belt only), Toronto Centre, Toronto East, Toronto North, or Toronto West	Sudbury Tax Centre P.O. Box 20000, Station A Sudbury ON P3A 5C1
Laval, Montréal, Nunavut, Ottawa, Rouyn-Noranda, Sherbrooke, or Sudbury (other than the Sudbury/Nickel Belt area)	Shawinigan-Sud Tax Centre 4695 Shawinigan-Sud Boulevard Shawinigan QC G9P 5H9
Chicoutimi, Montérégie-Rive-Sud, Outaouais, Québec, Rimouski, or Trois-Rivières	Jonquière Tax Centre 2251 René Lévesque Boulevard Jonquière QC G7S 5J2
Belleville, Hamilton, Kitchener/Waterloo, or Prince Edward Island	Prince Edward Island Tax Centre 275 Pope Road Summerside PE C1N 6A2
International and Ottawa Tax Services Office (deemed residents, non-residents, and new or returning residents of Canada)	International and Ottawa Tax Services Office P.O. Box 9769, Station T Ottawa ON K1G 3Y4 CANADA

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### **What happens after Form T2201 is sent?**

All applications are reviewed before we allow or deny the credit. Our decision is based on the information given by the medical practitioner. If we need more information, we may contact you or the medical practitioner.

If we ask you to send supporting documents or receipts, you may do so by using My Account at [cra.gc.ca/myaccount](http://cra.gc.ca/myaccount). You will receive a letter containing a reference number and instructions on how to proceed.

After we make a decision, we will mail you a notice of determination.

#### **The application is approved**

The notice of determination will show which year(s) you are eligible for the DTC. The notice of determination may also include information about other programs that depend on eligibility for the DTC. You do not need to send a new Form T2201 each year, unless we tell you that we need one.

You can view your DTC information in My Account.

You should tell us if your medical condition improves and you no longer meet the criteria for the DTC.

#### **The application is denied**

The notice of determination will explain why the application was denied. Check your copy of Form T2201 against the reason(s) given. We make our decision based on the information given by the medical practitioner.

If you disagree with our decision, you can write to your tax centre and ask them to review your application. You must include any relevant medical information that you have not already sent, such as medical reports or a letter from a medical practitioner who is familiar with your situation. This information should describe how the impairment affects the activities of daily living.

You can also formally object to our decision. The time limit for filing an objection is no later than 90 days after we mail the notice of determination. For more information, see Brochure P148, *Resolving your dispute: Objection and appeal rights under the Income Tax Act*.

### **How do you claim the disability amount?**

#### **Disability amount for self (line 316)**

If you are eligible for the DTC, you can claim the disability amount on your return.

If you were 18 years of age or older at the end of 2016, claim the federal disability amount of \$8,001 on line 316 of Schedule 1.

If you or anyone else paid for attendant care, or care in a facility, special rules may apply. For more information, see Guide RC4065, *Medical Expenses*.

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**Supplement for persons under 18** – If you qualify for the disability amount and were under 18 years of age at the end of the year, you can claim up to an additional \$4,667. This supplement may be reduced if, in 2016:

- someone claimed child care expenses for you on line 214 of their return or attendant care expenses for you on line 330 or 331 of Schedule 1; or
- you claimed attendant care expenses on line 215 of your return or on line 330 of Schedule 1.

For more information, see line 316 in the *General Income Tax and Benefit Guide*.

**Disability amount transferred from a dependant (line 318)**

You may be able to claim all or part of your dependant's (other than your spouse's or common-law partner's) disability amount if he or she:

- is eligible for the DTC;
- was resident in Canada at any time in 2016; and
- was dependent on you for all or some of the basic necessities of life (food, shelter, and clothing).

In addition, one of the following situations has to apply:

- You claimed an amount on line 305 of Schedule 1 for that dependant, or you could have if you did not have a spouse or common-law partner and if the dependant did not have any income.
- The dependant was your or your spouse's or common-law partner's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, or niece, and you claimed an amount on line 306 or 315 of Schedule 1 for that dependant or you could have if he or she had no income and had been 18 years of age or older in 2016.

You cannot claim the unused part of the disability amount if the spouse or common-law partner of the person with a disability is already claiming:

- the disability amount on line 326 of Schedule 1; or
- any other non-refundable tax credit (other than medical expenses) for the person with a disability.

If you or anyone else paid for attendant care or for care in a facility, special rules may apply. For more information, see Guide RC4065, *Medical Expenses*.

**Do you pay child support?** – You cannot claim the disability amount transferred from a dependant for a child for whom you had to pay child support. If you were separated from your spouse or common-law partner for only part of the year because of a breakdown in your relationship, special rules apply.

**Did you and another person support the same dependant?** – You can split the claim for that dependant. The total of your claim and the other person's claim cannot be more than the maximum amount for that dependant.

You may also be able to transfer an amount for a supplement if your dependant was:

- under 18 years of age at the end of the year; and
- eligible for the DTC.

For more information, see line 318 in the *General Income Tax and Benefit Guide*.

#### **Amounts transferred from your spouse or common-law partner (line 326)**

You may be able to claim all or part of the disability amount for which your spouse or common-law partner qualifies. For more information, see line 326 in the *General Income Tax and Benefit Guide*.

If you or anyone else paid for attendant care or care in a facility, special rules may apply. For more information, see Guide RC4065, *Medical Expenses*.

#### **Amount for an eligible dependant (line 305)**

The maximum amount for 2016 that you can claim on line 305 of Schedule 1 is \$11,474. If your dependant has an impairment in physical or mental functions, you may also claim the family caregiver amount (see page 18).

#### **Who is eligible?**

You may be able to claim this amount if, at any time in the year, you met all of the following conditions at once:

- You did not have a spouse or common-law partner or, if you did, you were not living with, supporting, or being supported by that person.
- You supported a dependant in 2016.
- You lived with the dependant (in most cases in Canada) in a home you maintained. You cannot claim this amount for a person who was only visiting you.

In addition, at the time you met the above conditions, the dependant must have been either:

- your parent or grandparent by blood, marriage, common-law partnership, or adoption; or
- your child, grandchild, brother, or sister, by blood, marriage, common-law partnership, or adoption and under 18 years of age, or has an impairment in physical or mental functions.

#### **Restrictions and special rules**

A household is allowed only one claim on line 305, even if there is more than one dependant in the household.

If you or someone else claims this amount for a dependant, it may affect other claims being made. For more information, see "Restrictions on certain amounts that you claim together" on page 25.

**Do you pay child support?** – Generally, you cannot claim an amount for an eligible dependant for whom you had to pay child support. Special rules may apply.

For more information, see line 305 in the *General Income Tax and Benefit Guide*.

### **Amount for infirm dependants age 18 or older (line 306)**

The maximum amount for 2016 that you can claim on line 306 of Schedule 1 is \$6,788, which includes the family caregiver amount.

#### **Who is eligible?**

You can claim an amount for each of your or your spouse's or common-law partner's dependent children or grandchildren only if that person:

- has an impairment in physical or mental functions; and
- was born in 1998 or earlier.

You can also claim an amount for each dependant if that person meets all of the following conditions. The person must be:

- your or your spouse's or common-law partner's parent, grandparent, brother, sister, uncle, aunt, nephew, or niece;
- born in 1998 or earlier and have an impairment in physical or mental functions;
- dependent on you, or on you and others, for support; and
- a resident of Canada at any time in the year. You cannot claim this amount for a person who was only visiting you.

A parent includes someone on whom you were completely dependent and who had custody and control of you when you were under 19 years of age.

A child can include someone older than you who has become completely dependent on you for support and over whom you have custody and control.

#### **Restrictions and special rules**

**Do you pay child support?** – You cannot claim an amount for infirm dependants age 18 or older or for a child for whom you had to pay child support. If you were separated from your spouse or common-law partner for only part of the year because of a breakdown in your relationship, special rules apply.

**Did you and another person support the same dependant?** – You can split the claim for that dependant. The total of your claim and the other person's claim cannot be more than the maximum amount for that dependant.

To find out which amounts you can claim together, see "Restrictions on certain amounts that you claim together" on page 25.

For more information, see line 306 in the *General Income Tax and Benefit Guide*.

### **Caregiver amount (line 315)**

The maximum amount for 2016 that you can claim on line 315 of Schedule 1 is \$4,667. If your dependant has an impairment in physical or mental functions, you may also claim the family caregiver amount (see the next page).

You may also be able to transfer an amount for a supplement if your dependant was:

- under 18 years of age at the end of the year; and
- eligible for the DTC.

For more information, see line 318 in the *General Income Tax and Benefit Guide*.

**Amounts transferred from your spouse or common-law partner (line 326)**

You may be able to claim all or part of the disability amount for which your spouse or common-law partner qualifies. For more information, see line 326 in the *General Income Tax and Benefit Guide*.

If you or anyone else paid for attendant care or care in a facility, special rules may apply. For more information, see Guide RC4065, *Medical Expenses*.

### **Amount for an eligible dependant (line 305)**

The maximum amount for 2016 that you can claim on line 305 of Schedule 1 is \$11,474. If your dependant has an impairment in physical or mental functions, you may also claim the family caregiver amount (see page 18).

#### **Who is eligible?**

You may be able to claim this amount if, at any time in the year, you met all of the following conditions at once:

- You did not have a spouse or common-law partner or, if you did, you were not living with, supporting, or being supported by that person.
- You supported a dependant in 2016.
- You lived with the dependant (in most cases in Canada) in a home you maintained. You cannot claim this amount for a person who was only visiting you.

In addition, at the time you met the above conditions, the dependant must have been either:

- your parent or grandparent by blood, marriage, common-law partnership, or adoption; or
- your child, grandchild, brother, or sister, by blood, marriage, common-law partnership, or adoption and under 18 years of age, or has an impairment in physical or mental functions.

#### **Restrictions and special rules**

A household is allowed only one claim on line 305, even if there is more than one dependant in the household.

If you or someone else claims this amount for a dependant, it may affect other claims being made. For more information, see "Restrictions on certain amounts that you claim together" on page 25.

**Do you pay child support?** – Generally, you cannot claim an amount for an eligible dependant for whom you had to pay child support. Special rules may apply.

For more information, see line 305 in the *General Income Tax and Benefit Guide*.

**Amount for infirm dependants age 18 or older (line 306)**

The maximum amount for 2016 that you can claim on line 306 of Schedule 1 is \$6,788, which includes the family caregiver amount.

**Who is eligible?**

You can claim an amount for each of your or your spouse's or common-law partner's dependent children or grandchildren only if that person:

- has an impairment in physical or mental functions; and
- was born in 1998 or earlier.

You can also claim an amount for each dependant if that person meets all of the following conditions. The person must be:

- your or your spouse's or common-law partner's parent, grandparent, brother, sister, uncle, aunt, nephew, or niece;
- born in 1998 or earlier and have an impairment in physical or mental functions;
- dependent on you, or on you and others, for support; and
- a resident of Canada at any time in the year. You cannot claim this amount for a person who was only visiting you.

A parent includes someone on whom you were completely dependent and who had custody and control of you when you were under 19 years of age.

A child can include someone older than you who has become completely dependent on you for support and over whom you have custody and control.

**Restrictions and special rules**

**Do you pay child support?** – You cannot claim an amount for infirm dependants age 18 or older or for a child for whom you had to pay child support. If you were separated from your spouse or common-law partner for only part of the year because of a breakdown in your relationship, special rules apply.

**Did you and another person support the same dependant?** – You can split the claim for that dependant. The total of your claim and the other person's claim cannot be more than the maximum amount for that dependant.

To find out which amounts you can claim together, see "Restrictions on certain amounts that you claim together" on page 25.

For more information, see line 306 in the *General Income Tax and Benefit Guide*.

**Caregiver amount (line 315)**

The maximum amount for 2016 that you can claim on line 315 of Schedule 1 is \$4,667. If your dependant has an impairment in physical or mental functions, you may also claim the family caregiver amount (see the next page).



**Who is eligible?**

You may be able to claim the caregiver amount for each dependant if, at any time in 2016, you maintained a dwelling where you and one or more of your dependants lived.

Each dependant must have been one of the following:

- your or your spouse's or common-law partner's child or grandchild; or
- your or your spouse's or common-law partner's parent, grandparent, brother, sister, uncle, aunt, nephew, or niece who was resident in Canada. You cannot claim this amount for a person who was only visiting you.

In addition, each dependant must meet all of the following conditions. The person must have:

- been 18 years of age or older at the time he or she lived with you;
- had a net income in 2016 (line 236 of his or her return, or the amount it would be if he or she filed a return) of less than \$20,607 (\$22,728 if the dependant is eligible for the family caregiver amount (see below); and
- been dependent on you due to an impairment in physical or mental functions or, if he or she is your or your spouse's or common-law partner's parent or grandparent, born in 1951 or earlier.

**Restrictions and special rules**

**Do you pay child support?** – You cannot claim the caregiver amount for a child for whom you had to pay child support. If you were separated from your spouse or common-law partner for only part of the year because of a breakdown in your relationship, special rules apply.

**Did you and another person support the same dependant?** – You can split the claim for that dependant. The total of your claim and the other person's claim cannot be more than the maximum amount for that dependant.

To find out which amounts you can claim together, see "Restrictions on certain amounts that you claim together" on page 25.

For more information, see line 315 in the *General Income Tax and Benefit Guide*.

**Family caregiver amount****What is the family caregiver amount?**

The family caregiver amount (FCA) is to help caregivers with the expenses involved with taking care of certain dependants.

If you have a spouse or common-law partner or a dependant with an impairment in physical or mental functions, you may be eligible to claim \$2,121 on line 367 of Schedule 1 or an additional \$2,121 for one or more of the following:

- spouse or common-law partner amount (line 303 of Schedule 1);
- amount for an eligible dependant (line 305 of Schedule 1); and
- caregiver amount (line 315 of Schedule 1).

**Notes**

The maximum amount for infirm dependants age 18 or older (line 306) includes the additional amount of \$2,121 for the FCA.

You may be able to claim the FCA for more than one eligible dependant.

**Who is eligible?****Family caregiver amount (line 303, 305, or 315)**

You can claim the family caregiver amount on line 303, 305, or 315 if your dependant is:

- a person 18 years of age or older; and
- dependent on you because of an impairment in physical or mental functions.

**Note**

If you are claiming an amount for an eligible dependant (line 305) under 18 years of age, you must claim the family caregiver amount on line 367.

For more information, see "Family caregiver amount (FCA)" in the *General Income Tax and Benefit Guide*.

**Family caregiver amount for infirm children under 18 years of age (line 367)**

Whether you have a spouse or common-law partner or not, you may be able to claim the family caregiver amount on line 367 of Schedule 1 if your dependant:

- is your or your spouse's or common-law partner's child;
- is under 18 years of age at the end of the year; and
- has an impairment in physical or mental functions.

You or your spouse or common-law partner can claim this amount for all eligible children separately, but the amount can only be claimed once for each child.

The full amount can be claimed in the year of the child's birth, death, or adoption.

For more information, see line 367 in the *General Income Tax and Benefit Guide*.

If your spouse or common-law partner did not need the whole amount to reduce his or her federal tax to zero, you may be able to transfer all or part of the unused amount to your return. For more information, see line 326 in the *General Income Tax and Benefit Guide*.

**What supporting documents do you need?**

We may ask you to send a signed statement from a medical practitioner. The statement should show:

- when the impairment began; and
- what its duration is expected to be.

For children under 18 years of age, the statement should also show that the child is, and will likely continue to be, dependent on others for a long and continuous period because of an impairment in physical or mental functions. "Dependent on others" means they need much more help for their personal needs and care compared to children of the same age.

**Notes**

You do not need a signed statement from a medical practitioner if we already have an approved Form T2201, *Disability Tax Credit Certificate*, for the specified period.

Many professionals are considered medical practitioners. To view the list of professionals who can give a signed statement, go to [cra.gc.ca/medicalpractitioners](http://cra.gc.ca/medicalpractitioners).

**What are the maximum amounts you can claim?**

The table below shows the maximum amounts you can claim for non-refundable tax credits. It also shows the maximum amounts you can claim if you are eligible for the family caregiver amount.

Non-refundable tax credit	Maximum base amount	Maximum credit including the family caregiver amount
Spouse or common-law partner amount (line 303)	\$11,474	\$13,595
Amount for an eligible dependant (line 305)	\$11,474	\$13,595
Amount for infirm dependant age 18 or older (line 306)	N/A	\$6,788
Caregiver amount (line 315)	\$4,667	\$6,788
Family caregiver amount for infirm children under 18 years of age (line 367)	N/A	\$2,121

**Example 1**

Abdul's wife, Amal, has a physical impairment. Abdul has been taking time off from work to take her to appointments and to help with her personal needs. Amal's doctor certified in writing that she is dependent on her husband for her personal needs because of her impairment. Abdul can claim the spouse or common-law partner amount on line 303 of his Schedule 1. On the same line, he can also claim \$2,121 for the family caregiver amount.

**Example 2**

Mike's child, Paul, age 10, has an impairment. Paul is eligible for the disability tax credit (DTC). Because of his impairment, Paul requires significant help from his father for his personal needs. Since Paul is eligible for the DTC, Mike does not need to send a signed statement from a medical practitioner.

Mike, who is separated, claims the amount for an eligible dependant on line 305 of his Schedule 1 for Paul. He can also claim the family caregiver amount of \$2,121 on line 367.

**Example 3**

Alexandra, age 75, lives with her son, Shawn, and is dependent on him. Shawn can claim the caregiver amount on line 315 of his Schedule 1. He can also claim the family caregiver amount on the same line.

**Example 4**

Nora is the primary caregiver for her husband's daughter, Anja. Anja has an impairment in mental functions. She is 16 years old and lives with Nora and her husband. Nora can claim \$2,121 for the family caregiver amount for infirm children under 18 years of age on line 367 of her Schedule 1.

Since Anja is not eligible for the DTC, Nora needs a signed statement from a medical practitioner to certify Anja's impairment.

For more information on how to claim the family caregiver amount on your return, see the *General Income Tax and Benefit Guide*.

**Tuition, education, and textbook amounts****Your tuition, education, and textbook amounts (line 323)**

**Eligible tuition fees** – You can claim fees paid for courses you took in 2016. Generally, a course qualifies if it was taken at the post-secondary level.

A course that was not taken at the post-secondary level could also qualify if all these conditions apply:

- you were 16 years of age or older at the end of the year;
- the course develops or improves skills in an occupation; and
- the educational institution has been certified by Employment and Social Development Canada.

Not all fees can be claimed. To qualify, the fees you paid to go to a Canadian educational institution must be more than \$100.

You also cannot include amounts paid for other expenses, such as:

- board and lodging;
- student's association fees; or
- textbooks (see "Textbook amount" on the next page).

**Education amount** – You can claim the education amount for each month or part of a month in 2016 in which you were enrolled in a qualifying program.

If you were under 16 years of age at the end of the year, you can claim the education amount only for courses you took at the post-secondary level.

The following amounts apply for each month in which you were enrolled in a qualifying program:

- If you were enrolled full-time, you can claim \$400 per month.
- If you were enrolled part-time because of an impairment in physical or mental functions, you may be able to claim \$400 per month. To do so, you have to:
  - be eligible for the disability tax credit; or

- send a letter from a medical doctor, an optometrist, an audiologist, an occupational therapist, a psychologist, a physiotherapist, or a speech language pathologist to certify your impairment.

- If you were enrolled part-time, you can claim \$120 per month.

You cannot claim more than one education amount for a specific month.

**Textbook amount** -- You can claim this amount only if you can claim the education amount. The following are the amounts you can claim:

- \$65 for each month you qualify for the full-time education amount; and
- \$20 for each month you qualify for the part-time education amount.

You must claim your tuition, education, and textbook amounts first on your own return, even if someone else paid your fees. You may be able to transfer all or some of the unused part of these amounts to your spouse or common-law partner, or to your or your spouse's or common-law partner's parent or grandparent.

You can carry forward and claim in a future year the part of your tuition, education, and textbook amounts you cannot use and do not transfer for the year. Any amount carried forward cannot be transferred to anyone else.

For more information about eligible tuition fees, the education amount, and the textbook amount, see Pamphlet P105, *Students and Income Tax*, or line 323 in the *General Income Tax and Benefit Guide*.

#### **Tuition, education, and textbook amounts transferred from a child (line 324)**

If your or your spouse's or common-law partner's child or grandchild does not need to use all of his or her tuition, education and textbook amounts, you may be able to claim all or part of the unused amount.

For more information, see line 324 in the *General Income Tax and Benefit Guide*.

#### **Amounts transferred from your spouse or common-law partner (line 326)**

If your spouse or common-law partner qualifies for the tuition, education and textbook amounts, you may be able to claim all or part of these amounts.

For more information, see line 326 in the *General Income Tax and Benefit Guide*.

#### **Medical expenses (lines 330 and 331)**

If you paid for medical expenses, you may be able to claim them on your return.

For more information, see Guide RC4065, *Medical Expenses*.

#### **Home buyers' amount (line 369)**

The amount that you can claim on line 369 for buying a qualifying home is \$5,000.

**Who is eligible?**

You can claim an amount on line 369 of Schedule 1 if both of the following apply:

- You or your spouse or common-law partner bought a qualifying home.
- You did not live in another home owned by you or your spouse or common-law partner in the year the home was bought or in any of the four preceding years (first-time home buyer).

**Persons with disabilities** – You do not have to be a first-time home buyer if:

- you are eligible for the disability tax credit (DTC); or
- you bought the home for the benefit of a related person who is eligible for the DTC.

However, the purchase must be to allow the person with the disability to live in a home that is more accessible or better suited to his or her needs.

For the home buyers' amount, a person with a disability is an individual for whom we have approved a Form T2201, *Disability Tax Credit Certificate*, for the year in which the home was bought.

For more information, see line 369 in the *General Income Tax and Benefit Guide*.

**Children's arts amount (line 370)**

You can claim up to \$250 per child of the fees paid in 2016 for registration or membership for your or your spouse's or common-law partner's child in an artistic, cultural, recreational, or developmental activity.

**Who is eligible?**

The child must have been:

- enrolled in a prescribed program; and
- under 16 years of age (or under 18 years of age if eligible for the disability tax credit) at the beginning of the year.

**Children with disabilities** – If at least \$100 were paid for the registration or membership fees for a prescribed program of arts activities, you can claim an additional amount of \$500, for a child who:

- is eligible for the disability tax credit; and
- was under 18 years of age at the beginning of the year.

**Restrictions and special rules**

You can split the fees with someone else, as long as the total claimed is not more than the maximum amount allowed.

You cannot claim amounts that can be claimed as the federal children's fitness tax credit (lines 458 and 459 of the return), or as a deduction by any individual, such as the child care expenses deduction (line 214 of the return). As well, you cannot claim amounts that someone else has claimed as a tax credit.

Programs that are part of a school curriculum are not eligible.

For more information, see line 370 in the *General Income Tax and Benefit Guide*.

### **Home accessibility tax credit (line 398)**

For 2016 and following tax years, you may be able to claim this non-refundable tax credit if you own a home in Canada and paid for eligible renovations to improve the safety or accessibility of your home. You can claim up to \$10,000 per year in eligible expenses.

#### **Who is eligible?**

You may be eligible for this credit if, at any time in the year, you meet one of the following criteria. You:

- are 65 years of age or older; or
- are eligible for the disability tax credit (DTC).

You may also claim this credit on your return for a dependent, if certain criteria are met.

#### **Which renovations are eligible?**

The renovations must be for the main residence of the person who is 65 years of age or older or eligible for the DTC. Also, the renovations must be a permanent part of the home and have to:

- allow the person to gain access to the home or be mobile or functional within the home; or
- reduce the risk of harm within the home or in accessing the home.

To calculate the amount you can claim, fill out Schedule 12, *Home accessibility tax credit (HATC)*.

For more information, see line 398 in the *General Income Tax and Benefit Guide*.

### Restrictions on certain amounts that you claim together

Some amounts for dependants can be claimed together and some cannot. In all cases, the dependants have to be related to you by blood, marriage, common-law partnership, or adoption.

The amounts you can claim depend on your marital status, your dependants' relationship to you, their age, residence status, net income, or whether they have an impairment in physical or mental functions. For more information on any of these amounts, see the *General Income Tax and Benefit Guide*.

If you can claim:	What are the limitations with the other related amounts?
<b>Line 305</b> Amount for an eligible dependant	<p><b>Line 306</b> – You cannot claim an amount on line 306 for the dependant.</p> <p><b>Line 315</b> – You may be able to claim an amount for the dependant on line 315. However, you cannot claim the dependant on line 315 if someone else has claimed them on line 305.</p> <p><b>Line 367</b> – You can claim an amount for the dependant on line 367 only if the dependant is under 18 years of age.</p>
<b>Line 306</b> Amount for infirm dependants age 18 or older	<p><b>Line 305</b> – You cannot claim an amount on line 305 for the dependant.</p> <p><b>Line 306</b> – You can split this amount for the dependant with another supporting person. The total of the amounts should not exceed the maximum amount.</p> <p><b>Line 315</b> – You cannot claim an amount on line 315 for the dependant.</p>
<b>Line 315</b> Caregiver amount	<p><b>Line 305</b> – You may be able to claim an amount for the dependant on line 305. However, you cannot claim the dependant on line 305 if someone else has claimed them on line 315.</p> <p><b>Line 306</b> – You cannot claim an amount on line 306 for the dependant.</p> <p><b>Line 315</b> – can split this amount for the dependant with another supporting person. The total of the amounts should not exceed the maximum amount.</p>

### Refundable tax credits

Refundable tax credits reduce the amount of tax you owe and could result in a refund.

#### Refundable medical expense supplement (line 452)

If you are working, have low income, and have high medical expenses, you may be able to claim a maximum amount of \$1,187.

For more information, see Guide RC4065, *Medical Expenses*.

#### Working income tax benefit (line 453)

You may be able to claim the working income tax benefit (WITB). The WITB is for low-income individuals and families who earned income from employment or business. The WITB consists of a basic amount and a disability supplement.

You may be able to claim a WITB disability supplement if:

- you are eligible for the disability tax credit; and
- you had working income in the year.



For more information, see line 458 in the *General Income Tax and Benefit Guide*.

### Children's fitness tax credit (lines 458 and 459)

You can claim up to \$500 per child of the fees paid in 2016 for registration or membership for your or your spouse's or common-law partner's child in a physical activity program.

#### Who is eligible?

The child must have been:

- enrolled in a prescribed program; and
- under 16 years of age (or under 18 years of age if eligible for the disability tax credit) at the beginning of the year.

**Children with disabilities** – If at least \$100 were paid for registration or as membership fees for a prescribed physical activity program, you can claim an additional amount of \$500, for a child who:

- is eligible for the DTC; and
- was under 18 years of age at the beginning of the year.

#### Restrictions and special rules

You can split the children's fitness tax credit with someone else, as long as the total amount claimed is not more than the maximum credit allowed.

You may have paid an amount that would qualify as child care expenses and for the children's fitness tax credit. If this is the case, you must first claim the amount as child care expenses. Any unused part can be claimed for the children's fitness tax credit if the conditions are met.

If an expense is eligible for the children's fitness tax credit, it is not eligible for the children's arts amount.

For more information, see line 458 and line 459 in the *General Income Tax and Benefit Guide*.

## Other tax measures

### Child care expenses (line 214)

You or your spouse or common-law partner may have paid someone to look after your child who, at some time in 2016, was under 16 years of age or had an impairment in physical or mental functions.

Generally, only the spouse or common-law partner with the lower net income (even if it is zero) can claim these expenses, but only if the expenses were paid so one of you could be employed, carry on a business, go to school, or conduct research in 2016.

If the person with the lower net income was not capable of caring for children because of an impairment in physical or mental functions, the spouse or common-law partner with the higher net income may be able to claim these expenses.

You can deduct some or all of these expenses on line 214 of your return. For more information, and to make your claim, see Form T778, *Child Care Expenses Deduction for 2016*.

### **Disability supports deduction (line 215)**

#### **Who is eligible?**

If you have an impairment in physical or mental functions, you may be able to deduct the expenses that you paid in the year so that you could:

- work;
- go to school; or
- do research for which you received a grant.

Only the person with the disability can claim this deduction.

If you lived outside Canada for part or all of the year and we consider you to be a factual or deemed resident of Canada, you can claim the expenses that you paid to a non-resident person for services provided outside of Canada.

#### **Which expenses can you claim?**

You can claim the amount you paid for the following expenses:

**Attendant care services** provided in Canada and used by a person with an impairment in physical or mental functions. You cannot claim amounts you paid for attendant care services provided by your spouse or common-law partner, or to someone under 18 years of age.

You may claim full-time attendant care services if:

- you are eligible for the disability tax credit (DTC); or
- a medical practitioner certifies in writing that these services are necessary and that your impairment is likely to be indefinite.

You may claim part-time attendant care services only if you are eligible for the DTC.

**Bliss symbol boards** or similar devices used by a person who has a speech impairment to help the person communicate by choosing the symbols or spelling out words – prescription needed.

**Braille note-taker devices** used by a person who is blind to allow that person to take notes (that can be read back to him or her, printed, or displayed in braille) with the help of a keyboard – prescription needed.

**Braille printers, synthetic speech systems, large print-on-screen devices** and other devices designed for a person who is blind to use a computer – prescription needed.

**Deaf-blind intervening services** used by a person who is both blind and profoundly deaf when paid to someone in the business of providing these services.

**Devices or software** designed for a person who is blind or has a severe learning disability to allow him or her to read print – prescription needed.

**Electronic speech synthesizers** that allow a person who is unable to speak to communicate using a portable keyboard – prescription needed.

Job coaching services (other than job placement or career counselling services) for a person with a severe and prolonged impairment in physical or mental functions and paid to someone in the business of providing these services. A medical practitioner must certify in writing that these services are needed.

Note-taking services used by a person with an impairment in physical or mental functions and paid to someone in the business of providing these services. A medical practitioner must certify in writing that these services are needed.

Optical scanners or similar devices designed for a person who is blind to allow him or her to read print - prescription needed.

Page turner devices to help a person turn the pages of a book or other bound document when he or she has a severe and prolonged impairment that markedly restricts the person's ability to use their arms or hands - prescription needed.

Reading services for a person who is blind or has a severe learning disability and paid to someone in the business of providing these services. A medical practitioner must certify in writing that these services are needed.

Real-time captioning or sign language interpretation services used by a person with a speech or hearing impairment and paid to someone in the business of providing these services.

Talking textbooks related to enrolment at a secondary school in Canada or a designated educational institution for a person who has a perceptual disability. A medical practitioner must certify in writing that the product is necessary.

Teletypewriters or similar devices that allow a person who is deaf or unable to speak to make and receive telephone calls - prescription needed.

Tutoring services that are additional to the primary education of a person with a learning disability or an impairment in mental functions, and paid to a person in the business of providing these services to individuals who are not related to the person. A medical practitioner must certify in writing that these services are needed.

Voice recognition software used by a person who has an impairment in physical functions. A medical practitioner must certify in writing that the expense is needed.

#### **What is a medical practitioner?**

For this deduction, many professionals are considered medical practitioners. To view the list of practitioners who can certify the need for these devices, products or services or give a prescription, go to [cra.gc.ca/medicalpractitioners](http://cra.gc.ca/medicalpractitioners).

#### **What are the amounts you cannot claim?**

You cannot claim amounts you or someone else claimed as medical expenses (line 330 or 331) or amounts for which anyone was reimbursed or entitled to be reimbursed by a non-taxable payment, such as insurance.

However, the person with the disability can claim the medical expense on either line 215 or line 330. They could also split the claim between these two lines, as long as the total amount claimed is not more than the total expense.

**How do you calculate your claim?**

Use Form T929, *Disability Supports Deduction*, to calculate your claim. Expenses must be claimed in the same year they are paid. Unused amounts cannot be applied to another year.

**Child disability benefit**

If you get the Canada child benefit (CCB) for a child who is eligible for the disability tax credit (DTC), you may be entitled to get the child disability benefit (CDB). The CDB is a supplement to the CCB. A child is eligible for the DTC when we have approved Form T2201, *Disability Tax Credit Certificate*, for that child.

The CDB is based on family net income and gives up to \$227.50 per eligible child each month. The CDB amount is included in the CCB payment.

You do not need to make a separate application to get the CDB. It will be calculated automatically for the current and two previous benefit years for each child who qualifies and is under 18 years of age. If you want to get a retroactive payment for the CDB beyond these benefit years, send a letter to your tax centre (see page 13).

For more information, go to [cra.gc.ca/benefits](http://cra.gc.ca/benefits) or call 1-800-387-1193.

**Home buyers' plan**

If you are buying or building a qualifying home for a person with a disability, you may be able to take part in the home buyers' plan. This program allows you to withdraw up to \$25,000 in a calendar year from your registered retirement savings plans. For more information, go to [cra.gc.ca/hbp](http://cra.gc.ca/hbp).

**Registered disability savings plan**

A registered disability savings plan is intended to help parents and others save for the long-term financial security of a person who is eligible for the disability tax credit.

For more information, go to [cra.gc.ca/rdsp](http://cra.gc.ca/rdsp) or see Information Sheet RC4460, *Registered Disability Savings Plan*.

**Customs information**

The *Customs Tariff* allows the duty-free entry of goods (and the articles and materials used in those goods) that are specifically designed for persons with disabilities.

If you buy such goods while abroad, you will have to declare them when they enter Canada. The goods would have to be classified under a tariff item in Chapters 1 to 97. If the goods you buy are designed for persons with disabilities, specify tariff item No. 9979.00.00 when you make your customs declaration so you do not have to pay the duty.

If you have questions about goods you are planning to import, visit the Canada Border Services Agency (CBSA) website at [cbsa.gc.ca](http://cbsa.gc.ca), call 1-800-461-9999, or contact your nearest CBSA office.

Staff at CBSA offices can explain any special rules ahead of time, so that your goods clear customs quickly.

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For CESA addresses and telephone numbers, see the CESA website or the listings in the government section of your telephone book.

## Disability-related employment benefits

Employment benefits or allowances you received that relate to your disability, such as attendant services and transportation costs, may not be taxable. For more information, see "Disability-related employment benefits" in Chapter 3 of Guide T4130, *Employers' Guide, Taxable Benefits and Allowances*.

## Excise tax information

If you have a permanent mobility impairment and cannot safely use public transportation, you can ask for a refund of part of the federal excise tax on the gasoline you buy. A qualified medical practitioner must certify the impairment.

To ask for a refund, send Form XE8, *Application for Refund of Federal Excise Tax on Gasoline*. For more information, call 1-877-432-5472.

## GST/HST information

In this section, we describe some of the goods and services used by persons with disabilities that are exempt supplies or zero-rated supplies for purposes of the goods and services tax/harmonized sales tax (GST/HST). This means you will not pay GST/HST on these goods and services.

If you paid GST/HST in error, you can ask the supplier for a refund or credit instead of asking for a rebate from the Canada Revenue Agency (CRA).

If the supplier gives you a refund or credit, you cannot get a rebate from the CRA.

If you cannot get a refund or credit from the supplier (for example, if the supplier refuses to refund the amount or goes out of business), you can ask the CRA for a rebate by sending Form GST189, *General Application for Rebate of GST/HST*.

Special rules apply for specially equipped motor vehicles (see page 33).

For more information, call 1-800-959-5525.

## Medical and disability-related services

### Health care services

You do not have to pay GST/HST for certain health care services. For example, you do not have to pay GST/HST on physiotherapy services provided to you by a physiotherapist.

For more information, see Excise and GST/HST News, no. 80 and no. 91.

### Home care services

You do not have to pay GST/HST for home care services provided in your place of residence if they are publicly subsidized or funded.

Home care services are household or personal care services provided to you in your home that are required because of your age, infirmity, or disability. These household services include help to maintain your home, such as cleaning, laundering, meal preparation, and child care. Personal care services include help with personal care such as bathing, feeding, dressing and taking medication.

If you receive exempt home care services, any extra home care services you receive will also be exempt.

For more information, see the GST/HST Info Sheet GI-166, *Application of the GST/HST to Home Care Services*.

### Care and supervision services

You do not have to pay GST/HST for services of providing care and supervision to a person who is limited in taking care of himself or herself because of an impairment in physical or mental functions.

This exemption applies to services, such as daytime care when the primary caregiver is absent, provided mainly in the supplier's establishment.

Also, you do not have to pay GST/HST for services of providing care, supervision, and a place of residence to a person with a disability, in an establishment run by the supplier for the purpose of providing such services (for example, care in a group home).

### Home-delivered meals

A public sector body such as a charity, non-profit organization, or government may run a program to provide prepared meals to seniors or persons with disabilities in their home. You do not have to pay GST/HST when you get food and beverages under these programs.

### Recreational programs

You do not have to pay GST/HST for recreational programs offered by a public sector body that are mainly for persons with disabilities. Recreational programs may include:

- board and lodging at recreational camps or similar places; or
- recreational services, including those continually offered at a community centre.

For more information, see GST/HST Info Sheet GI-037, *Children's Camps Operated by Public Sector Bodies*.

### Training services

You do not have to pay GST/HST for training services to help a person with a disability cope with his or her disorder or disability. Also, you do not have to pay GST/HST for the service of designing the training plans.

For more information, see GST/HST Info Sheets GI-112, *Specially Designed Training to Assist Individuals with a Disorder or Disability*, and GI-113, *Specially Designed Training to Assist Individuals with Autism*.

**Hospital parking for patients and visitors**

You may not have to pay GST/HST for parking provided by public hospitals. The parking has to be intended for patients and visitors.

For more information, see Excise and GST/HST News, no. 91.

**Medical devices and supplies**

You do not have to pay GST/HST on certain medical devices and supplies (because they are taxable at 0%), including the following:

- wheelchairs, wheelchair lifts, walkers, and similar aids to locomotion that are specially designed for persons with disabilities;
- hearing aids;
- eyeglasses or contact lenses – prescription by an eye care professional needed;
- electronic eyewear designed to correct a vision impairment – prescription by a medical doctor or optometrist needed;
- selector control devices specially designed to allow persons with disabilities to select, switch on, or control household, industrial, or office equipment;
- toilet seats, bath seats, shower seats or commode chairs specially designed for persons with disabilities;
- patient lifts specially designed to move persons with disabilities;
- canes or crutches specially designed for persons with disabilities;
- clothing specially designed for persons with disabilities – prescription needed;
- incontinence products specially designed for persons with disabilities;
- intermittent urinary catheters for persons with disabilities (paid after March 22, 2016) – prescription needed;
- auxiliary driving controls designed to allow persons with disabilities to drive the vehicle;
- services of modifying a motor vehicle to adapt it for transporting persons using a wheelchair;
- animals that are or will be trained to help persons with disabilities, including the service of training these persons to use such animals. The animal and the service has to be supplied by an organization that provides specially trained animals;
- blood coagulation monitors or meters including certain disposable peripherals; and
- insulin pens and insulin pen needles (paid after March 22, 2016).

**Note**

For the GST/HST, a medical doctor, an occupational therapist, a physiotherapist and a registered nurse can give a prescription.

**Specialty equipped motor vehicles**

If you buy from a dealer a new or used qualifying motor vehicle that is already equipped with either auxiliary driving controls to allow a person with a disability to drive the vehicle, or with a device designed to allow a wheelchair to be placed in the vehicle without having to collapse the wheelchair, GST/HST applies to the purchase price of the vehicle.

Generally, you can get a rebate for the GST/HST paid on the part of the purchase price that relates to modifying the qualifying vehicle and installing these devices, either from the supplier or by sending a Form GST518, *GST/HST Specialty Equipped Motor Vehicle Rebate Application*.

The rebate is also available if you paid GST/HST on modifications that were made to specially equip your vehicle outside of Canada.

For more information, see Excise and GST/HST News, no. 83.



## Online services

### My Account

Using the CRA's My Account service is a fast, easy, and secure way to access and manage your tax and benefit information online, seven days a week.

To register for My Account, go to [cra.gc.ca/myaccount](http://cra.gc.ca/myaccount). You will need to complete two steps. You will be asked to enter some personal information and create a user ID and password or use a Sign-in Partner. Be sure to have your current and previous year's personal tax returns on hand when registering. After you complete step one, you will have instant access to some of your tax and benefit information. Step two includes the mailing of the CRA security code. We will mail it to the address we have on file for you. The separate mailing of the security code is a measure used to protect you from identity theft and to ensure the security of your personal information. You will have access to the full suite of services available in My Account once you enter your code.

An authorized representative can access most of these online services through Represent a Client at [cra.gc.ca/representatives](http://cra.gc.ca/representatives).

## For more information

### What if you need help?

If you need more information after reading this guide, go to [cra.gc.ca/disability](http://cra.gc.ca/disability) or call 1-800-959-8281.

### Direct deposit

Direct deposit is a fast, convenient, reliable, and secure way to get your CRA payments directly into your account at a financial institution in Canada. To sign up for direct deposit or to update your banking information, go to [cra.gc.ca/directdeposit](http://cra.gc.ca/directdeposit).

### Forms and publications

To get our forms and publications, go to [cra.gc.ca/forms](http://cra.gc.ca/forms) or call 1-800-959-8281.

### Electronic mailing lists

We can notify you by email when new information on a subject of interest to you is available on our website. To subscribe to our electronic mailing lists, go to [cra.gc.ca/lists](http://cra.gc.ca/lists).

### Tax Information Phone Service (TIPS)

For personal and general tax information by telephone, use our automated service, TIPS, by calling 1-800-267-6999.

### Service complaints

You can expect to be treated fairly under clear and established rules, and get a high level of service each time you deal with the Canada Revenue Agency (CRA); see the *Taxpayer Bill of Rights*.

If you are not satisfied with the service you received, try to resolve the matter with the CRA employee you have been dealing with or call the telephone number provided in the CRA's correspondence. If you do not have contact information, go to [cra.gc.ca/contact](http://cra.gc.ca/contact).

If you still disagree with the way your concerns were addressed, you can ask to discuss the matter with the employee's supervisor.

If you are still not satisfied, you can file a service complaint by filling out Form RC190, *Service-Related Complaint*. For more information, go to [cra.gc.ca/complaints](http://cra.gc.ca/complaints).

If the CRA has not resolved your service-related complaint, you can submit a complaint with the Office of the Taxpayers' Ombudsman.

### Reprisal complaint

If you believe that you have experienced reprisal, fill out Form RC459, *Reprisal Complaint*.

For more information about reprisal complaints, go to [cra.gc.ca/reprisalcomplaints](http://cra.gc.ca/reprisalcomplaints).

### Tax information videos

We have a number of tax information videos for individuals on topics such as the income tax and benefit return, the Canadian tax system, and tax measures for persons with disabilities. To watch our videos, go to [cra.gc.ca/videogallery](http://cra.gc.ca/videogallery).

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## Australia

# The Miraculous Reduced Input Tax Credit for Financial Supplies in Australia

As in other jurisdictions, one of the key exemptions in Australia targets financial supplies. In this article, the author explains how Australia has narrowed the scope of the exemption for financial supplies and miraculously gives some businesses making financial supplies the right to deduct part of their input tax. He explains the complexities of Australia's financial-supply rules, and discusses recent judicial decisions on this topic.

### 1. Introduction

Australia is a latecomer to value added tax (VAT) and its broad-based consumption tax is one of the so-called "New World VATs". Not called VAT at all, the goods and services tax (GST) is an invoice-based type of VAT with relatively few exemptions. As in other jurisdictions, one of the key exemptions targets financial supplies. In this notoriously vexed area of VAT, Australia has introduced a system of narrowing the scope of the exemption and of miraculously giving some suppliers the right to deduct 7.5%<sup>1</sup> input tax. Perversely, the Australian GST Law calls this entitlement to deduct a "reduced input tax credit" and from this comes the title of this article because it has the effect of "reducing" the right to deduct input tax from zero (which is normal in VAT systems for such supplies) to 7.5%.

Although unusual and somewhat complex, the Australian approach has considerable merit, and it seems clear that its stated purpose of relieving the pressure in favour of self-supply has also had the effect of pacifying the major financial suppliers, which has removed the associated political pressure that might be expected from such a politically and economically powerful group.

### 2. Background to the Australian Exemptions

It is interesting to note that the exemptions established under the Australian GST were named in an unconventional manner which is possibly more revealing of their economic effect than the conventional VAT labels. Transactions that are called "zero rated" in other jurisdictions are labelled "GST-free" supplies in Australia to better reflect that, to the extent possible, final consumption bears no GST.<sup>2</sup> Supplies that are neither taxable nor GST free, i.e. are "exempt" in other jurisdictions, are called "input taxed" under the Australian GST system to indicate that final consumption bears the GST that was non-deductible in the process of production and distribution of the goods or services.

GST-free supplies are relieved from taxation on the grounds that they concern merit goods and services, such as medical supplies and food for human consumption. Input-taxed supplies are dominated by immovable property and financial and insurance services. The focus of this article will be on financial supplies.

### 3. Financial Supplies: The Problem

The problem with financial supplies is well known. It is difficult to identify the value that has been added by financial institutions for the purposes of levying VAT (GST) on the difference between the cost of the supply to the supplier and the price the supplier charges to its customers.<sup>3</sup> Disentangling the components of the inputs and the supply is complex administratively, and likely to be costly in compliance and administration. Most jurisdictions using a traditional VAT model simply do not try, and they therefore exempt financial supplies.<sup>4</sup> This approach avoids complexity, but it introduces a distortion in that it makes "self-supplies" economically advantageous for a financial supplier. Since financial suppliers cannot claim input tax in respect of inputs used for the purposes of making their exempt financial supplies, it makes sense for them to carry out activities "in house".

Aside from the so-called self-supply bias, there are other distortions and problems that have been identified as associated with "input taxing" financial supplies, such as cascading of tax, bias to non-resident suppliers, and simple revenue loss.<sup>5</sup>

### 4. The Australian Solution

When it designed the GST system, the Australian Federal Treasury was well aware of the experience of other countries in relation to these aspects of taxing financial services. In particular, the problem of the self-supply bias seems to have been high in the thinking of the designers of the Australian GST. It is very evident that the government was sensitive to risks and criticisms associated with the new tax when it was being planned in 1999: the legislation

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1. 75% of Australia's GST rate of 10%. See 4.3.
2. See Secs. 9-30 and 38-1 of A New Tax System (Goods and Services Tax) Act 1999 (Cth) ("GST Act").
3. See D. Williams, "Value Added Tax" in V. Thuronyi, ed., *Tax Law Design and Drafting*, International Monetary Fund, 1996, Vol. 1, p. 41.
4. The problem of financial services and the traditional approach are explained by R. de la Peña and M. Walpole in "Options for Taxing Financial Supplies in Value Added Tax: EU VAT and Australian GST Models Compared", (2000) 58 *International and Comparative Law Quarterly*, 1.
5. *Id.* p. 11.

was extensively changed prior to being passed by Parliament and it was subsequently further amended.<sup>6</sup> In fact, the legal rules relating to financial supplies were repealed in their entirety shortly after enactment<sup>7</sup> and replaced by a more flexible set of Regulations.<sup>8</sup>

There are two essential elements in the Australian approach.<sup>9</sup> The first element is that, under the regime for "reduced input tax credits" (RITC), financial supplies are not wholly input taxed, and the other is that the RITC regime is confined to major suppliers of financial services. By means of a *de minimis* threshold, minor financial suppliers are removed from input taxing entirely and small players in the GST system can claim full deduction of input tax for the GST they have incurred on inputs associated with making minor financial supplies. Those features have the effect that, strictly speaking, financial supplies are not exempt from GST.

#### 4.1. Financial supplies

The definition of "financial supply" in Australia takes into account "... both the nature of the service constituting a financial supply, and the fact that the supplier of the service is, immediately before making the supply, either the owner of the financial supply or the creator of the financial supply."<sup>10</sup> Consequently, the meaning of financial supply is restricted to "interests in" supplies of financial services that are owned by the supplier or that the supplier has created. Such supplies are described by means of copious examples in the Regulations.<sup>11</sup> Examples of an interest in a financial supply owned by an entity immediately before its supply include "a share that is sold" and "rights assigned under a derivative". Examples of an interest created in a financial supply include "a share or a bond that is issued" and "a derivative that is entered into".<sup>12</sup> These examples illustrate the difference quite effectively.

However, as with other complex laws, the problem faced by GST law (and the intellectual attraction of it) is the penumbra – the supplies and actors in the making of supplies that fall within the grey area between these simple examples. The Regulations also cater for many of these instances, however, and there is a regulatory determination of "... supplies of a financial character made by entities on the periphery to transactions."<sup>13</sup> This categorization of peripheral types of supply is where the Australian rules are superior to those in other jurisdictions, where the courts are faced with the difficult task of finding a path through the penumbra and have to determine at what point the exempt character of a financial supply should start and end, especially end. As a result of the prescriptive nature of the Australian rules, issues such as that in the case of *Volker Ludwig*<sup>14</sup> in the European Union and the string of cases before and (probably) after it could not readily arise in Australia. However, Australia has not completely eliminated the risk of litigation in such matters.

Suppliers and supplies made on the periphery of the narrow definition of financial supply are treated differently. According to the Regulations, there is a further type of supplier which is not a financial supplier but is a "financial-supply facilitator". The description of such a supplier

is far from precise, but it is clear: "a financial-supply facilitator, in relation to a supply of an interest, [in a financial supply] is an entity facilitating the supply of the interest for a financial-supply provider".<sup>15</sup>

For clarity's sake, the Regulations go on to build on the fundamental categorization based on whether the supply is owned or created by the supplier. A further three types of supply are identified as follows:

Reg. 40-5.09 sets out what supplies are financial supplies (subject to the usual proviso concerning consideration, supply in the course of an enterprise, etc.) in a table. Its 11 items include:

- accounts made available in the course of an authorized banking business;
- debts, credits, and letters of credit;
- charges or mortgages over property;
- annuities and allocated pensions; and
- currency or an agreement to buy or sell currency.<sup>16</sup>

The Regulations then identify what is termed an "incidental financial supply", which is defined in Regulation 40-5.10. This is another attempt to provide clarity at the periphery and accepts that, although, strictly speaking, some supplies might not be financial supplies in their own right, they may nevertheless be incidental. A supply:

6. Id. p. 21.

7. By A New Tax System (Indirect and Consequential Amendments) Act (No. 2) 1999 No. 177, 1999.

8. In Australia, the advantage of Regulations is that they are approved by Parliament by means of a process requiring scrutiny by the Senate Standing Committee on Regulations and Ordinances, which means that they do not have to go through a series of formal readings, as is required for Bills. See Australia, House of Representatives, *Making Laws*, September 2008, at <http://www.aph.gov.au/house/inf/infosheets/ks07.pdf> (accessed 14 March 2010).

9. R. de la Feria and M. Walpole, see note 4, pp. 21–22.

10. See 40-5.06 of a New Tax System (Goods and Services Tax) Regulations 1999 (Cth) ("GST Regulations"). See R. de la Feria and M. Walpole, see note 4, pp. 21–22. What follows is based on, although not identical to, that description.

11. GST Regulation 40-5.06.

12. See "Examples of interests" in GST Regulation 40-5.06.

13. R. de la Feria and M. Walpole, see note 4, p. 22.

14. Judgment of the Court of Justice of the European Union (ECJ) of 21 June 2007 in *Volker Ludwig v. Finanzamt Luckenwalde*, Case C-453/05, [2007] ECR I-5083. According to the ECJ, the fact that a financial adviser analyses the financial situation of clients canvassed by him with a view to obtaining credit for them does not preclude recognition of the service supplied as being exempt negotiation of credit, if, in the light of the foregoing interpretative criteria, the negotiation of credit offered by that financial adviser is considered the principal service to which the provision of financial advice is ancillary, in such a way that the latter shares the same tax treatment as the former. The fact that the financial adviser has no contractual link with any of the parties to a credit agreement to the conclusion of which he has contributed and that he does not establish direct contact with one of those parties does not preclude that adviser from providing a service of negotiation of credit which is exempt from VAT.

The interpretative criteria were the fact, first, that the services rendered by the agent and the financial adviser (its subagent) were remunerated by the lenders only on the condition that the clients approached and advised by the financial adviser entered into a credit agreement, which suggests that the negotiation should be regarded as the principal service and the giving of advice as merely ancillary and second, that the negotiation of credit appeared to be the decisive service both for the borrowers and for the lenders, in so far as the activity of giving financial advice occurred only in a preliminary phase and was limited to helping the client choose, from among the various financial products, which were best adapted to his situation and to his needs.

15. GST Regulation 40-5.07.

16. R. de la Feria and M. Walpole, see note 4, p. 22.

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- is an incidental financial supply;<sup>17</sup>
- it is incidental to the financial supply; and
- it and the financial supply are supplied at or about the same time, but not for separate considerations; and
- it is the usual practice of the entity to supply the thing, or similar things, and the financial supply together in the ordinary course of the entity's enterprise.

Finally, the Regulations close off the potential spread of the definition of "financial supply" by making it clear that certain supplies, whatever ambiguity there may be in a normal reading, are not financial supplies. Regulation 40-5.12 identifies as "non-financial supplies" items such as:

- cheque and deposit forms and books supplied to an Australian [authorized deposit-taking institution] in connection with an account mentioned in item 1 in the table in Regulation 40-5.09;
- professional services, including information and advice, in relation to a financial supply;
- debt collection services;
- trustee services;
- custodian services in relation to money, documents and other things;
- Australian currency, or the currency of another country, the market value of which exceeds its stated value as legal tender....

It is clear that the Regulator has made every effort to eliminate opportunities for argument. Indeed, the Regulations go a step further and, out of an abundance of caution, provide a generous "tiebreaker" rule for the situation where a supply might, on the definitions, be both a financial supply<sup>18</sup> and a non-financial supply.<sup>19</sup> In such cases, it is regarded as not being a financial supply.<sup>19</sup> It seems that little has been left to chance.

It will be apparent that the Australian approach, although bewilderingly detailed to someone coming to it afresh, is very clear in its restriction of categories of supplies regarded as financial supplies for GST purposes and is similarly restrictive of the category of providers who make them. In any remaining cases of doubt, it sets out a somewhat generous treatment as the default position. It is within this tight legislative context, designed to reduce arguments and to limit the spreading stain of a financial supply categorization, that the next two generous rules operate. The first of these rules is the *de minimis* threshold applicable to financial supplies.

#### 4.2. Financial acquisitions threshold

As a result of the "financial acquisitions threshold"<sup>20</sup> (or "FAT" in finance industry jargon), businesses that do not have the making of financial supplies as their main business or as a significantly large subsidiary part of it, do not need to identify their financial supplies so as to strip out the input tax associated with that part of their business.

The FAT operates so that "... an acquisition is not treated as related to an input-taxed supply if the only reason for doing so is that it relates to making a financial supply and the entity does not exceed the financial acquisitions threshold."<sup>21</sup> Since, perversely, the Australian rules contemplate that a borrowing might be a financial supply,<sup>22</sup>

the threshold has been made more generous and, therefore, more effective, by excluding from the threshold borrowings that are not entered into for the purposes of making financial supplies.<sup>23</sup> Without that exclusion, businesses with a lot of borrowings might be subject to the GST regime for financial supplies.

The threshold applies to input tax relating to acquisitions made in the course of making financial supplies and has the effect that an entity (meaning a legal entity or individual) is entitled to full deduction of GST on inputs relating to financial supplies, if the total input tax (in that month and the preceding 11) that relates to the supplies is less than AUD 50,000<sup>24</sup> and less than 10% of the total amount of input tax.<sup>25</sup> Thus, the threshold has two parts, both of which must be satisfied for the entitlement to full deduction of GST: both in absolute and relative terms, the input tax relating to the making of the financial supplies must have been of minor significance for 12 months (including the month in question).

The special regime for financial supplies applies if either or both thresholds are exceeded, i.e. the input tax relating to the making of the financial supplies is more than AUD 50,000 or the input tax is a significant component – namely more than 10% – of the total input tax of the entity's business for 12 months.

The result of this threshold is that the special regime for financial supplies made by businesses applies only to those entities that have a high amount of input tax associated with financial acquisitions or that have a significant proportion of their input tax attributable to their business of making financial supplies. For example, a plumber who grants loans to his customers in the form of granting credit on bills for repairs will not be drawn into the financial-supply regime merely by reason of giving credit.

One significant disadvantage of the FAT is the compliance cost associated with monitoring the entity's financial affairs in relation to the threshold.

The practical difficulty of this process is exacerbated by the fact that the threshold must be monitored not only currently and having regard to the previous 11 months<sup>26</sup> but consideration must also be given to future acquisitions and an assumption made about the recovery of input tax on financial acquisitions made during the month and the next 11 months.<sup>27</sup>

17. GST Regulation 40-5.09.

18. GST Regulation 40-5.12.

19. GST Regulation 40-5.08(2).

20. Sec. 11-15(4) of the GST Act.

21. R. de la Ferla and M. Walpole, see note 4, p. 29.

22. See GST Ruling GSTR 2002/2, Para. 22, and GST Regulation 40-5.06.

23. Sec. 189-15 of the GST Act.

24. In order to adapt it to inflation and to reduce compliance cost, the FAT is to be increased to AUD 150,000, with effect from 1 July 2012; see Australian Government, *Implementation of the recommendations of Treasury's review of the GST financial supply provisions*, Discussion paper June 2010, [http://www.treasury.gov.au/documents/1840/PDF/Discussion\\_paper\\_GST\\_financial\\_supplies.pdf](http://www.treasury.gov.au/documents/1840/PDF/Discussion_paper_GST_financial_supplies.pdf), Para. 2.11 (accessed 30 Sept 2010).

25. Sec. 189-5 of the GST Act.

26. Sec. 189-5 of the GST Act.

27. Sec. 189-10 of the GST Act. See R. de la Ferla and M. Walpole, see note 4, p. 24.

These concerns partly explain the recent decision to increase the threshold. The comment has also been made that "... there are practical challenges associated with allocation and apportionment of input tax to the making of financial supplies."<sup>28</sup> The issue of apportionment associated with this aspect of the Australian financial-supply rules is one that is shared in a significant way by the rest of the businesses.

For businesses that pass the FAT, the prize in the Australian GST system is that they have access to the RITC rules and thus, although they make financial supplies that are ostensibly input taxed, they are entitled to claim a portion of the GST incurred in acquiring inputs that are subsequently used in order to make financial supplies.

#### 4.3. Reduced input tax credits regime

Financial suppliers of sufficient scale, measured by reference to the FAT, are able to participate in the RITC system. The GST Act<sup>29</sup> contains a refinement under which "... acquisitions of a specified kind that relate to making financial supplies can give rise to an entitlement to a RITC. These are *reduced credit acquisitions* ["RCAs"]."<sup>30</sup> The RITC granted under this rule is 75% of the full amount of the input GST in question.<sup>31</sup> The bulk of the relevant rules are to be found in the GST Regulations.

The Regulations list, in characteristically detailed tables, the items that are regarded as RCAs and have the effect that 75% of the GST charged by the financial-supply facilitators is deductible. The lists include:<sup>32</sup>

- transaction banking and cash management services, such as opening, issuing, closing, operating, and maintaining of accounts; and performing a transaction in respect of an account by a financial-supply facilitator, including telephone banking, Internet banking, and Giro Post;
- processing services in relation to account information for account providers, including archives storage, retrieval and destruction services, statement processing and bulk mailing, etc.; and
- acquisition of transaction cards by card account providers.<sup>33</sup>

Transactions relating to some offshore acquisitions are listed too. These include:

- providing senior management services, including corporate strategy and development, and investment strategy and performance measurement functions;
- providing support systems associated with these senior management services;
- providing human resources support services, including general advice and planning, recruitment assistance, etc.<sup>34</sup>

The tables are accompanied by a detailed GST Ruling (GSTR)<sup>35</sup> of the Australian Tax Office (ATO), which expands the tables by explaining terms used in the tables, such as "processing", "clearing", "settling", "switching", etc.

The greatest risk of a self-supply of services would be likely to arise in this area of facilitation of financial sup-

plies. Such activities, on a sufficient scale, would make it financially advantageous to banks to keep activities "in house" in order to avoid the burden of GST. The RITC rules are aimed at reducing the incentive to self-supply<sup>36</sup> and they seem to have been successful in that respect. The rules are, however, not without problems.

#### 5. Criticisms

There are three aspects of the Australian rules worthy of consideration. These aspects are complexity and compliance costs; cascading of taxes; and revenue loss. These considerations will be discussed further below, but to place that discussion in context, it is worth considering a recent consultation on the operation of the rules and two recent judicial decisions involving GST on financial supplies. They highlight what are currently seen as the problems in this relatively new form of taxation.

##### 5.1. Current reform efforts

In May 2009, the Australian Treasury released a consultation paper<sup>37</sup> that "... provide[d] background on the existing policy treatment of financial supplies under Australia's GST regime, along with options for achieving... [the] policy outcome [of reducing complexity and introducing more principled rules] more efficiently and with reduced compliance costs."<sup>38</sup>

In response to the consultation, 15 submissions were made, 14 of them public.<sup>39</sup> The respondents represented a significant group of bodies with a detailed understanding of the issues involving the financial services industry. The overwhelming view of the respondents, some more enthusiastically than others, was that the existing

28. R. de la Peña and M. Walpole, see note 4, p. 24.

29. Division 70 of the GST Act.

30. Sec. 70-5(1) of the GST Act, emphasis in original.

31. GST Regulation 70-5.03. The author's recollection is that the RITC was expected to be 70% at the time the introduction of GST was flagged and the finance industry was being consulted.

32. A similar description of these lists may be found in R. de la Peña and M. Walpole, see note 4, p. 25.

33. GST Regulation 70-5.02.

34. GST Regulation 70-5.02B.

35. GST Ruling GSTR 2004/1. The Ruling should be read together with GST Ruling GSTR 2002/2 (see note 22), which deals with financial supplies more generally.

36. For the stated intention of the RITC regime, see Further Supplementary Explanatory Memorandum accompanying A New Tax System (Goods and Services Tax) Bill 1998 (Canberra: Commonwealth Government Printer, 1998), Para. 5.2. [http://law.ato.gov.au/ato/law/view.html?DocID=NEM13\\_FSM19900642FNAT%2FATO%2F00006](http://law.ato.gov.au/ato/law/view.html?DocID=NEM13_FSM19900642FNAT%2FATO%2F00006) (accessed June 2008).

37. See Australian Treasury, *Review of the GST Financial Supply Provisions - Consultation Paper*, <http://www.treasury.gov.au/contentitem.asp?ContentID=15298&NavID=037> (accessed 2 March 2010).

38. See the explanation at <http://www.treasury.gov.au/contentitem.asp?ContentID=15298&NavID=037>.

39. Submissions were made by: Abacus - Australian Migrants (the industry body for credit unions, mutual building societies, and friendly societies); Australia Post; Australian Bankers' Association/Investment & Financial Services Association (Jointly); Australian Finance Conference; Australian Institute of Superannuation Trustees; Australian Securitisation Forum; Mr James Cane; CPA Australia; Indue Ltd; Rice Warner Actuaries & Australian Income Protection; Taxation Institute of Australia; The Association of Superannuation Funds of Australia Ltd; The Australian Financial Markets Association; and The Institute of Chartered Accountants in Australia. All submissions are available at <http://www.treasury.gov.au/contentitem.asp?ContentID=16038&NavID=037> (accessed 2 March 2010).

financial supply rules should be either retained or "significantly retained",<sup>40</sup> albeit that several respondents suggested minor amendments.<sup>41</sup>

Other respondents<sup>42</sup> argued for parity of the GST treatment on life cover or the life component of cover provided by life insurance providers and general insurance providers.

There were also some detractors: some respondents pointed out the superior outcomes of the New Zealand approach of zero rating business-to-business (B2B) financial transactions and expressed general dissatisfaction with the terms of the consultation on this topic. They considered those terms as being too narrow and focusing too much on improving the existing rules rather than opening up options for alternative approaches.<sup>43</sup>

Also, the Institute of Chartered Accountants (ICAA) argued strongly for a wider and more fundamental reform and criticized the very concept of input taxing financial supplies. It saw it as fundamentally "not internationally competitive" and it submitted that "reform is necessary to relieve business consumption of financial services from tax." As far as the ICAA is concerned:

Australia's existing GST treatment of financial services... has not remained competitive with Singapore, New Zealand and Hong Kong. In an international context, it is also less favourable than the proposed regimes in the European Union and the Middle East.

Significantly, the ICAA alluded to problems associated with the Australian financial-supply rules that have come to light via recent court cases. It made the point that the Australian

... legislative approach of describing financial intermediation in terms of the capital flows, and not the intermediation service... has lead (sic) to a number of conceptual difficulties, interpretations and outcomes that appear to be at odds with the original policy intent. The relevant focus for determining input tax relief and other matters in the GST law is the intermediation activity.

The ICAA submitted that "... court decisions ... show that whatever the judicial outcome, the explanation for the decisions is not found in the policy of input taxation of financial intermediation but, rather, on a strict, textual interpretation of the complex legal structure of the GST financial-supply Regulations."

## 5.2. Recent judicial decisions on financial supplies

The recent judicial decisions dealing with the financial-supply rules referred to by the ICAA are those in *Travellex*<sup>44</sup> and *American Express*.<sup>45</sup>

*Travellex* turned on the application of a tiebreaker provision, which applies where a supply falls within both the definitions of GST-free and input-taxed supplies. In such circumstances, the supply is GST free.<sup>46</sup>

*Travellex* had supplied foreign (Fijian) currency in the departure area of Sydney International Airport, which, by virtue of the labyrinthine rules,<sup>47</sup> was a supply of "foreign currency" and thus clearly a financial supply. In order for

the tiebreaker provision to apply, it also needed to be a GST-free supply.

The supply of foreign currency would be a GST-free supply if it was:

- a supply in relation to rights<sup>48</sup> if
  - the rights are for use outside Australia; or
  - the supply is to an entity that is not an Australian resident and is outside Australia when the thing supplied is done.<sup>49</sup>

The Federal Court (Mansfield J dissenting) determined that, although the supply of the currency obviously carried with it certain rights, for example vis-à-vis the holder of the notes and the Reserve Bank of Fiji, the supply was not primarily a supply of rights as contemplated by the use of the term in the legislation – it was simply a supply of currency.<sup>50</sup> The Federal Court's approach was seemingly based on common sense rather than an overly technical application of the defined terms employed in the relevant legislation.

However, the High Court (Crennan and Bell JJ dissenting) disagreed. French CJ and Hayne J found that "... a sale of foreign currency is a supply in relation to the rights that attend upon ownership of that currency" and that those rights were to be used outside Australia.<sup>51</sup>

In *American Express*,<sup>52</sup> a single judge of the Federal Court had to decide whether the fees payable by defaulting holders of credit cards (or charge cards) to the issuer of the cards are consideration for a financial supply, as defined by the GST Act and GST Regulations.<sup>52</sup>

The "fees" represented the "liquidated damages" and penalty interest contractually incurred by card holders when they failed to pay at least their minimum amount

40. Covering letters of the submission by CPA Australia and the submission by the Association of Superannuation Funds of Australia.

41. Australia Post would like the FAT amended to allow it to fully deduct input tax, as it is drawn into the financial-supply rules by a relatively minor activity: the provision of money orders. It would prefer that only entities holding an Australian Financial Service Licence be covered by the regime for financial services.

42. Submissions made by Rice Warner Actuaries and Australian Income Protection.

43. Submission jointly made by the Australian Bankers' Association and the Investment & Financial Services Association. The submission of the Australian Financial Markets Association appeared to be broadly sympathetic to this view and suggested that changes to the existing system would be warranted – but that reform, constrained by the requirement of no major changes in policy, was not worth undertaking. This submission also seemed to approve of the zero rating of B2B transactions.

44. Decisions of the Federal Court of 29 Sept 2009 in *Travellex Ltd v. Federal Commissioner of Taxation*, [2009] FCAFC 133, and of the High Court of 29 Sept 2010 in *Travellex Ltd v. Commissioner of Taxation*, [2010] HCA 33.

45. Decisions of the Federal Court of 19 June 2009 in *American Express International Inc v. Federal Commissioner of Taxation*, [2009] FCA 683, and of the Full Federal Court of 17 Sept 2009 in *Federal Commissioner of Taxation v. American Express Wholesale Currency Services Pty Limited*, [2010] FCAFC 122.

46. Sec. 9-30(3) of the GST Act.

47. GST Regulations 40-5.02 and 40-5.09, and Item 9 of the table in GST Regulation 40-5.09(3), read together with the examples in Part 7 of Schedule 7 to the GST Regulations.

48. Sec. 38-190(7) of the GST Act.

49. See Federal Court in *Travellex*, note 44, per Stone J, Paras. 51-55; per Edmonds J, Paras. 60-62; per Mansfield J dissenting, Para. 24.

50. Decision of the High Court in *Travellex*, see note 44, Para. 34-35.

51. Decision of the Federal Court in *American Express*, see note 45.

52. See Sec. 40-5 of the GST Act and GST Regulation 40-5.09(1).



when their credit card balances became due. The issue was important because the manner in which input tax is apportioned for entities making supplies that are input taxed and other supplies (GST free or taxable) is based on a statutory formula<sup>53</sup> that apportions input tax by determining the revenue derived from input-taxed supplies as a proportion of total revenue. If the fees were consideration for input-taxed financial supplies, the fraction of input-taxed supplies would be higher and the proportion of input tax claimable would be lower. If the fees were not consideration for financial supplies, they would be consideration for taxable supplies and thus a greater proportion of the card issuer's input tax would be deductible.

In his analysis of the issue, the Federal Court (Emmett J) found that there was no credit arrangement between the card holder and the card issuer – the card holder is ordinarily required to pay the balance when the card issuer issues the statement of account.<sup>54</sup> His Honour dismissed the Commissioner's contention that the legislative history of the provisions indicated an intention to include such fees as consideration for a financial supply.<sup>55</sup> His Honour also found that the arrangement between the merchant, card issuer and card holder was "a payment system", as defined in the Regulations.<sup>56</sup> The relevant Regulation therefore placed the arrangement outside of the closed list of financial supplies and the Federal Court upheld American Express' appeal.

The Commissioner appealed to the Full Federal Court.<sup>57</sup> The majority decision in the Full Federal Court was that the relevant arrangement was not excluded by reason of it being a "payment system" as described in GST Regulation 40.5-12.<sup>58</sup> The supply was a supply of an interest in or under a credit arrangement or right to credit which is a type of financial supply identified under GST Regulation 40.5-09.<sup>59</sup> If a payment system were excluded from the concept of financial supplies if it involved payments "to charge card and credit cardholders, there would be no room for the operation of this provision".

### 5.3. Conclusions on the cases

It is not the purpose of this article to review the two judicial decisions in great detail, but they are a useful guide to a general assessment of the operation of the financial-supply rules in Australia. As suggested by the ICAA, the decision in *Traveler* demonstrates a propensity to close statutory analysis or, as the ICAA put it, "on a strict, textual interpretation of the complex legal structure of the GST financial-supply Regulations". The decision of the High Court, which was subsequent to the ICAA submission, reinforced the ICAA's view. Such a close analysis is almost guaranteed by the manner in which the rules have been drafted in the Regulations. It seems that this level of detail gets one to what the rules actually cover, having regard to the terms enacted by the legislature. One might have sympathy, however, for the draftsman's approach when one considers the (with respect) surprising outcome at first instance and in the dissenting decision in the Full Federal Court in *American Express*. It seems that, on that occasion, the judges were not prepared to reach a more

common sense outcome, preferring to reach a conclusion that seems contrary to the spirit and rationale of the legislation to the effect that all charges relating to the use of credit cards were intended to be covered by the financial-supply rules and to be input taxed.

Much the same can be said (with respect) for the High Court majority decision in *Traveler*, where a common sense approach to whether foreign currency is money or both money and "rights" led the Court to, perhaps understandably, recognize the existence of the rights – with disastrous implications for the operation of the GST law. Anticipating such an approach to interpretation, the draftsman may well be tempted to narrow the area for judicial discretion by tying down meanings as much as possible. So much for principle-based drafting.<sup>60</sup>

Its decision in *Traveler* may have been different if the High Court had resorted to the view that GST is a "practical business tax" – a principle that seems to be sometimes invoked in Australia's growing GST case law.<sup>61</sup> In this light, it is perhaps not the detailed manner of drafting that distinguishes the Australian rules, but the variability of interpretation of the rules, however drafted, that might be encountered when the rules are considered in the courts.

### 6. Compliance and Complexity

It will no doubt be evident how complex Australia's financial-supply rules are. The Regulations are lengthy and laborious, intended to leave little to chance. There must be a compliance cost associated with this complexity and, in the absence of solid research on this particular point, one can only speculate what impact it is having on the level of compliance. I have already described the rules as labyrinthine. However, they do provide certainty and, on account of the detailed nature of the rules, they tend to leave the question of apportionment of inputs to taxable and non-taxable supplies as one of the few areas of dispute.

When costs are considered, benefits should also be taken into account. It is clear that many financial-supply providers are relatively happy with the rules as they currently

53. Sec. 11-30(3) of the GST Act. The formula used is as follows:

$$\left[ \frac{\text{revenue derived from input taxed supplies}}{\text{total revenue}} \right] \times 100$$

54. Decision of the Federal Court in *American Express*, see note 45, per Emmett J, Para. 48.

55. *Id.* Para. 51.

56. Provided for in Item 4 in GST Regulation 40.5-12. See also decision of the Federal Court in *American Express*, see note 45, Para. 70.

57. See Decision Impact Statements NSD 216 and NSD 219 of 2007.

58. Decision of the Full Federal Court in *American Express*, see note 45, per Kenny and Middleton JJ, Para. 181, and per Dowsett J dissenting, Paras. 61-74.

59. *Id.* per Kenny and Middleton JJ, Para. 182.

60. The application for special leave to appeal from the Full Federal Court decision in *American Express* failed (before a full bench of the High Court, which is unusual) and, thus, we will not hear how the High Court would approach that set of facts, see decision of the High Court of 4 May 2011 in *American Express International Inc v. Commissioner of Taxation*, [2011] HCA Transcript 114.

61. See also the decision of the Federal Court of 25 Aug 2005 in *Sterling Guardian Pty Limited v. Commissioner of Taxation*, [2005] FCA 1166, per Stone J, Para. 30.



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apply and, presumably as a result of their own cost/benefit analysis, the majority of key players in the Australian financial sector are prepared to bear the costs because they see the benefits of doing so. The explicit nature of the rules leaves the Commissioner and businesses arguing over the relatively narrow area of apportionment, rather than on the even wider issues associated with the definitions of financial supplies and supplies that are arguably associated with financial supplies. When considering the costs associated with complexity, the savings associated with reduced recourse to litigation should also be considered.

### 7. Cascading of Taxes

The Australian approach goes some way to reducing the effect of tax cascading by removing from the financial-supply regime some, indeed significantly large, costs of input tax. This means that the treasury is bearing some input costs through the RITC rules and these costs are not simply passed on to the customers of the financial-supply providers. In addition, many peripheral supplies, associated with financial supplies without being financial supplies, are kept within the normal GST regime and do not result in a cascade of tax disguised in pricing. It is unclear whether the 75% RITC is overly generous or not generous enough but, it is probable that the attitude of the major financial-supply representative bodies suggests it is either generous or fair. Accordingly, it seems that cascading of taxes through the lack of input tax deduction for financial supplies is not a major problem in Australia. It is interesting to note, however, the seemingly growing support for elimination of tax on B2B transactions, such as is employed in New Zealand. The fact that the zero rating of B2B financial services was mentioned in the consultation procedure (see 5.1.) probably foreshadows a more concerted demand for such a system in the future. Australian banks and financial institutions are intimately acquainted with the costs and benefits of the New Zealand approach, as the major banks in New Zealand are owned by the major Australian banks.<sup>62</sup>

### 8. Loss of Revenue

It is worthwhile to consider whether, because of the narrow and prescriptive nature of the Australian financial-supply rules, the loss of revenue is less than it might otherwise be. Under the Australian approach, the rules have operated to closely contain the spreading stain of the exemption for financial supplies. The role of intermediaries in making financial supplies seems to have been noticed and their access to the exemption has been closely quarantined

through the detailed listing in the Regulations of what is not a financial supply. Furthermore, it seems that the Australian system may have the added advantage that, should a provision be interpreted in such a way as to open up the system to revenue loss, it ought to be relatively easy to amend the rules because they are laid down by Regulations and amendments do not have to run the gamut of the full parliamentary process. In this light, one can conclude that the risks of revenue loss under the Australian system are not as great as under other possible options.

### 9. Conclusions

It cannot be pretended that the Australian system is perfect<sup>63</sup> and commentators have identified several problems with it. One commentator has said that the RITC rules are "littered with unjustifiable glitches and ambiguities".<sup>64</sup> Others have also identified areas of potential disagreement between the ATO and the taxpayer<sup>65</sup> which include, for example, the vagueness of "transaction processing" as a concept on which the RITC rules are based, ambiguities associated with the concept of debt collection services on which the RITC might be claimed and, similarly, litigation services.<sup>66</sup> Barkocz et al. mention some examples of activities which are likely to provide fertile areas for dispute between taxpayers and the Commissioner.<sup>67</sup> The cases discussed above illustrate how the courts are sometimes hard pressed in resolving these disputes and how some decisions can surprise.

However, if they are an adequate indication of the pressure on the system, the results of the recent consultation procedure seem to suggest that the Australian financial sector is relatively satisfied with the GST treatment of financial supplies.

62. See Anthony Hughes, "Australian banks find New Zealand is slippery territory", *Sydney Morning Herald*, 27 May 2004; <http://www.smh.com.au/articles/2004/05/26/108464668819.html#storyrbs> (accessed 26 October 2010).
63. See the criticisms of Edmundson and of Penning referred to in R. de la Feria and M. Walpole, see note 4, p. 27.
64. See P. Edmundson, "GST, Financial Supplies and Reduced Input Tax Credits", (2003) *Tax Spectator* 6(9), 118.
65. R. de la Feria and M. Walpole, see note 4, p. 26.
66. Points noted by Barkocz and referred to by R. de la Feria and M. Walpole, see note 4, p. 26.
67. See S. Barkocz, P. Edmundson, E. la Grange, A. MacIntyre, A. MacRae, P. McCourt, P. McMahon, J. Mendel, B. Page, I. Thompson, and J. Tyler, *CCH GST Guide Commentary*, Sydney, CCH Australia, 2008.

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# Welfare

Goods or services	VAT rate	More information
Building services for disabled people	0%	Notice 701/7 VAT relief for disabled people
Burial or cremation of dead people, or burial at sea	Exempt	VAT Notice 701/52
Mobility aids for the elderly	5%	Mobility aids for older people
Equipment for blind or partially sighted people	0%	Equipment for blind or partially sighted people
Equipment for disabled people	0%	Equipment for disabled people
Funeral plans written under contracts of insurance	Exempt	VAT Notice 701/36
Smoking cessation products - nicotine patches and gum	5%	Read Excise Note BN77/004, 423
Welfare services provided by charities at significantly below cost	Outside the scope of VAT	VAT Notice 701/1



Invoice P/9

1. Home (https://www.gov.uk)
2. Business tax (https://www.gov.uk/topic/business-tax)
3. VAT (https://www.gov.uk/topic/business-tax/vat)

Guidance

## VAT rates on different goods and services

**From:** HM Revenue & Customs (<https://www.gov.uk/government/organisations/hm-revenue-customs>)  
**Part of:** Rates and allowances; HM Revenue and Customs (<https://www.gov.uk/government/collections/rates-and-allowances-hm-revenue-and-customs>), VAT (<https://www.gov.uk/topic/business-tax/vat>), and Tax agent and adviser guidance (<https://www.gov.uk/topic/dealing-with-hmrc-as-agent-guidance>)  
**Published:** 4 February 2014  
**Last updated:** 12 May 2017, see all updates

A list of goods and services showing which rates of VAT apply and which items are exempt or outside the scope of VAT.

### Contents

1. Introduction
2. VAT rate conditions
3. Food and drink, animals, animal food, plants and seeds
4. Sport, leisure, culture and antiques
5. Health, education, welfare and charities
6. Power, utilities, energy and energy saving, heating
7. Power
8. Building and construction, land and property
9. Transport, freight, travel and vehicles
10. Printing, postage, publications - books, magazines and newspapers
11. Clothing and footwear, protective and safety equipment
12. Financial services and investments, insurance

Too much detail?

See these quick guides

VAT rates (<https://www.gov.uk/vat-rates>)  
 Businesses and charging VAT (<https://www.gov.uk/vat-businesses>)

### Introduction

If you're registered (<https://www.gov.uk/vat-registration>), you have to charge VAT (<https://www.gov.uk/vat-businesses/how-vat-works>) when you make taxable supplies.

What qualifies and the VAT rate (<https://www.gov.uk/vat-rates>) you charge depends on the type of goods or services you provide.

No VAT is charged on goods or services that are:

- exempt from VAT
- outside the scope of the UK VAT system

This guide to goods and services and their VAT rates isn't a complete list. You can see a full list of VAT Notices (<https://www.gov.uk/government/collections/vat-notice-alphabetical-order>) for goods and services not included in this guide.

### VAT rate conditions

<https://www.gov.uk/guidance/rates-of-vat-on-different-goods-and-services>

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These rules may only apply if certain conditions are met, or in particular circumstances, depending on some or all of the following:

- who's providing or buying them
- where they're provided
- how they're presented for sale
- the precise nature of the goods or services
- whether you obtain the necessary evidence
- whether you keep the right records (<https://www.gov.uk/vat-records-keeping>)
- whether they're provided with other goods and services

Other conditions may also apply.

There are also specific VAT rules for certain trades such as builders (<https://www.gov.uk/vat-builders>) and charities (<https://www.gov.uk/vat-charities>) that affect how you account for VAT, how much you must pay and how much you can reclaim.

### International trade

Goods exported outside the EU or sent to someone registered in another EU country are zero-rated, subject to conditions. You can read more about VAT on goods sent overseas (<https://www.gov.uk/guidance/vat-exports-dispatches-and-supplying-goods-overseas>).

### Food and drink, animals, animal feed, plants and seeds

Food and drink for human consumption is usually zero-rated but some items are always standard-rated. These include catering, alcoholic drinks, confectionery, crisps and savoury snacks, hot food, sports drinks, hot takeaways, ice cream, soft drinks and mineral water.

Restaurants must always charge VAT on everything eaten either on their premises or in communal areas designated for their customers to use, such as shared tables in a shopping centre or airport food courts.

In addition, restaurants and takeaway vendors must charge VAT on all hot takeaways and home deliveries, but don't need to charge VAT on cold takeaway food unless it's to be eaten in a designated area.

Certain animals, animal feeding products, plants and seeds also qualify for the zero-rate, but only if the conditions in the following VAT Notices are met, however products packaged as pet food are standard rated.

Find out more about:

- food and drink in VAT Notice 701/14 (<https://www.gov.uk/government/publications/vat-notice-70114-food>)
- catering and take-away food in VAT Notice 703/1 (<https://www.gov.uk/government/publications/vat-notice-7031-catering-and-take-away-food>)
- animals and animal feed in VAT Notice 701/15 (<https://www.gov.uk/government/publications/vat-notice-70115-animals-and-animal-feed>)
- plants and seeds in VAT Notice 701/33 (<https://www.gov.uk/government/publications/vat-notice-70133-seeds-and-plants>)

### Sport, leisure, culture and antiques

#### Sport

Goods or services	VAT rate	More information
Physical education and sports activities	Exempt	VAT Notice 701/45 ( <a href="https://www.gov.uk/government/publications/vat-notice-70145-sport">https://www.gov.uk/government/publications/vat-notice-70145-sport</a> )

#### Leisure

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Goods or services	VAT rate	More information
<p>1. Betting and gaming - including pool betting and games of chance</p>	Exempt	<p>VAT Notice 701/29 (<a href="https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries">https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries</a>)</p>
<p>2. Bingo - including remote games played on the internet, telephone, television or radio</p>	Exempt	<p>VAT Notice 701/29 (<a href="https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries">https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries</a>)</p>
<p>3. Lottery ticket sales</p>	Exempt	<p>VAT Notice 701/29 (<a href="https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries">https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries</a>)</p>
<p>4. Online lottery games</p>	Exempt	<p>VAT Notice 701/29 (<a href="https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries">https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries</a>)</p>
<p>5. Retailer commission on lottery ticket sales</p>	Exempt	<p>VAT Notice 701/29 (<a href="https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries">https://www.gov.uk/government/publications/vat-notice-70129-betting-gaming-and-lotteries</a>)</p>

## Culture

Goods or services	VAT rate	More information
<p>Admission charges by public authorities or eligible cultural bodies to certain cultural events such as visits to museums, art exhibitions, zoos and performances</p>	Exempt	<p>VAT Notice 701/47 (<a href="https://www.gov.uk/government/publications/vat-notice-70147-culture/vat-notice-70147-culture-qualifying-services">https://www.gov.uk/government/publications/vat-notice-70147-culture/vat-notice-70147-culture-qualifying-services</a>)</p>

## Antiques

Goods or services	VAT rate	More information
<p>Antiques, works of art or similar (as assets of historic houses) sold by private treaty to public collections</p>	Exempt	<p>VAT Notice 701/12 (<a href="https://www.gov.uk/government/publications/vat-notice-70112-disposal-of-antiques-works-of-art-from-historic-houses">https://www.gov.uk/government/publications/vat-notice-70112-disposal-of-antiques-works-of-art-from-historic-houses</a>)</p>
<p>Antiques, works of art or similar (as assets of historic houses) used to settle a tax or estate duty debt with HM Revenue and Customs</p>	Exempt	<p>VAT Notice 701/12 (<a href="https://www.gov.uk/government/publications/vat-notice-70112-disposal-of-antiques-works-of-art-from-historic-houses">https://www.gov.uk/government/publications/vat-notice-70112-disposal-of-antiques-works-of-art-from-historic-houses</a>)</p>

## Health, education, welfare and charities

### Charities

Goods or services	VAT rate	More information
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Admission charges by charities	Exempt	Basic VAT applies to charities ( <a href="https://www.gov.uk/government/publications/vat-notice-7011-charities">https://www.gov.uk/government/publications/vat-notice-7011-charities</a> )
Advertising services for charities	0%	VAT Notice 701/50 ( <a href="https://www.gov.uk/government/publications/vat-notice-70150-charity-advertising-and-goods-connected-with-collecting-donations">https://www.gov.uk/government/publications/vat-notice-70150-charity-advertising-and-goods-connected-with-collecting-donations</a> )
Certain goods sold at charitable fundraising events	0%	Charity fund-raising events and VAT ( <a href="https://www.gov.uk/government/publications/vat-notice-7011-charities">https://www.gov.uk/government/publications/vat-notice-7011-charities</a> )
Charitable fundraising events	Exempt	Charity fund-raising events and VAT ( <a href="https://www.gov.uk/government/publications/vat-notice-7011-charities">https://www.gov.uk/government/publications/vat-notice-7011-charities</a> )
Charity shops - selling donated goods	0%	Charitable donations and VAT ( <a href="https://www.gov.uk/government/publications/vat-notice-70150-charity-advertising-and-goods-connected-with-collecting-donations">https://www.gov.uk/government/publications/vat-notice-70150-charity-advertising-and-goods-connected-with-collecting-donations</a> )
Construction and sale of new buildings for a relevant charitable purpose	0%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )
Energy saving materials permanently installed in dwellings and buildings used for a relevant residential purpose	5%	Energy saving materials - supply only - are standard-rated - VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials/vat-notice-7086-energy-saving-materials#installations-of-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials/vat-notice-7086-energy-saving-materials#installations-of-energy-saving-materials</a> )
Sponsored charitable events	Exempt	Charities and VAT ( <a href="https://www.gov.uk/government/publications/vat-notice-7011-charities/vat-notice-7011-charities#charity-challenge-events-a-guide-to-vat-treatment">https://www.gov.uk/government/publications/vat-notice-7011-charities/vat-notice-7011-charities#charity-challenge-events-a-guide-to-vat-treatment</a> )
Voluntary donations to charity	Outside the scope of VAT	Donations to charities ( <a href="https://www.gov.uk/government/publications/vat-notice-70150-charity-advertising-and-goods-connected-with-collecting-donations">https://www.gov.uk/government/publications/vat-notice-70150-charity-advertising-and-goods-connected-with-collecting-donations</a> )

## Welfare

Goods or services	VAT rate	More information
Building services for disabled people	0%	Notice 701/7 VAT reliefs for disabled people ( <a href="https://www.gov.uk/government/publications/vat-notice-7017-vat-reliefs-for-disabled-people">https://www.gov.uk/government/publications/vat-notice-7017-vat-reliefs-for-disabled-people</a> )
Burial or cremation of dead people, or burial at sea	Exempt	VAT Notice 701/32 ( <a href="https://www.gov.uk/government/publications/vat-notice-70132-burial-cremation-and-commemoration-of-the-dead">https://www.gov.uk/government/publications/vat-notice-70132-burial-cremation-and-commemoration-of-the-dead</a> )
Mobility aids for the elderly	5%	Mobility aids for older people ( <a href="https://www.gov.uk/vat/vat-and-older-people">https://www.gov.uk/vat/vat-and-older-people</a> )

Goods or services	VAT rate	More information
Equipment for blind or partially sighted people	0%	Equipment for blind or partially sighted people ( <a href="https://www.gov.uk/financial-help-disabled/vat-relief">https://www.gov.uk/financial-help-disabled/vat-relief</a> )
Equipment for disabled people	0%	Equipment for disabled people ( <a href="https://www.gov.uk/government/publications/vat-notice-7017-vat-reliefs-for-disabled-people">https://www.gov.uk/government/publications/vat-notice-7017-vat-reliefs-for-disabled-people</a> )
Funeral plans written under contracts of insurance	Exempt	VAT Notice 701/36 ( <a href="https://www.gov.uk/government/publications/vat-notice-70136-insurance">https://www.gov.uk/government/publications/vat-notice-70136-insurance</a> )
Smoking cessation products - nicotine patches and gum	0%	Read Budget Note BN77 (PDF, 42K) ( <a href="http://webarchive.nationalarchives.gov.uk/200906100152638/http://www.hmrc.gov.uk/budget2008/bn77.pdf">http://webarchive.nationalarchives.gov.uk/200906100152638/http://www.hmrc.gov.uk/budget2008/bn77.pdf</a> )
Welfare services provided by charities at significantly below cost	Outside the scope of VAT	VAT Notice 701/1 ( <a href="https://www.gov.uk/government/publications/vat-notice-7011-charities">https://www.gov.uk/government/publications/vat-notice-7011-charities</a> )
Magnetic tape adapted for recording speech for blind people together with apparatus for making and playing the adapted tape and certain low vision aids	0%	Aids for blind people ( <a href="https://www.gov.uk/financial-help-disabled/vat-relief">https://www.gov.uk/financial-help-disabled/vat-relief</a> )

#### Health

Goods or services	VAT rate	More information
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<https://www.gov.uk/guidance/rates-of-vat-on-different-goods-and-services>

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Care or medical treatment provided by a qualifying institution like a hospital, hospice or nursing home	Exempt	VAT Notice 701/31 ( <a href="https://www.gov.uk/government/publications/vat-notice-70131-health-and-social-care">https://www.gov.uk/government/publications/vat-notice-70131-health-and-social-care</a> )
Dispensing of prescriptions by a registered pharmacist	0%	VAT Notice 701/57 ( <a href="https://www.gov.uk/government/publications/vat-notice-70157-health-professionals-and-pharmaceutical-products">https://www.gov.uk/government/publications/vat-notice-70157-health-professionals-and-pharmaceutical-products</a> )
Health services provided by registered doctors, dentists, opticians, pharmacists and other health professionals	Exempt	VAT Notice 701/57 ( <a href="https://www.gov.uk/government/publications/vat-notice-70157-health-professionals-and-pharmaceutical-products">https://www.gov.uk/government/publications/vat-notice-70157-health-professionals-and-pharmaceutical-products</a> )
Incontinence products	0%	VAT Notice 701/77 ( <a href="https://www.gov.uk/government/publications/vat-notice-70177-vat-rates-for-disabled-people">https://www.gov.uk/government/publications/vat-notice-70177-vat-rates-for-disabled-people</a> )
Maternity pads	5%	VAT Notice 701/19 ( <a href="https://www.gov.uk/government/publications/vat-notice-70119-womens-sanitary-protection-products/vat-notice-70119-womens-sanitary-protection-products-products-and-rates">https://www.gov.uk/government/publications/vat-notice-70119-womens-sanitary-protection-products/vat-notice-70119-womens-sanitary-protection-products-products-and-rates</a> )
Sanitary protection products	5%	VAT Notice 701/19 ( <a href="https://www.gov.uk/government/publications/vat-notice-70119-womens-sanitary-protection-products/vat-notice-70119-womens-sanitary-protection-products-products-and-rates">https://www.gov.uk/government/publications/vat-notice-70119-womens-sanitary-protection-products/vat-notice-70119-womens-sanitary-protection-products-products-and-rates</a> )
Low vision aids	0%	Equipment for blind or partially sighted people ( <a href="https://www.gov.uk/financial-help-for-disabled/vat-rates">https://www.gov.uk/financial-help-for-disabled/vat-rates</a> )

## Education

Goods or services	VAT rate	More information
Education, vocational training and other connected services provided by an eligible body like a school, college or university	Exempt	VAT Notice 701/30 ( <a href="https://www.gov.uk/government/publications/vat-notice-70130-education-and-vocational-training">https://www.gov.uk/government/publications/vat-notice-70130-education-and-vocational-training</a> )

## Power, utilities, energy and energy saving, heating

### Power

Goods or services	VAT rate	More information
Electricity for domestic and residential use or for non-business use by a charity	5%	Fuel for business use is usually standard-rated - VAT Notice 701/19 ( <a href="https://www.gov.uk/government/publications/vat-notice-70119-fuel-and-power">https://www.gov.uk/government/publications/vat-notice-70119-fuel-and-power</a> )
Gas for domestic and residential use or for non-business use by a charity	5%	Fuel for business use is usually standard-rated - VAT Notice 701/19 ( <a href="https://www.gov.uk/government/publications/vat-notice-70119-fuel-and-power">https://www.gov.uk/government/publications/vat-notice-70119-fuel-and-power</a> )
Heating oil for domestic and residential use or for non-business use by a charity	5%	Fuel for business use is usually standard-rated - VAT Notice 701/19 ( <a href="https://www.gov.uk/government/publications/vat-notice-70119-fuel-and-power">https://www.gov.uk/government/publications/vat-notice-70119-fuel-and-power</a> )
Solid fuel for domestic and residential use or for non-business use by a charity	5%	Fuel for business use is usually standard-rated - VAT Notice 701/19 ( <a href="https://www.gov.uk/government/publications/vat-notice-70119-fuel-and-power">https://www.gov.uk/government/publications/vat-notice-70119-fuel-and-power</a> )

### Utilities

<https://www.gov.uk/tax-rates-of-vat-on-different-goods-and-services>

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Goods or services	VAT rate	More information
Composts, peat turfs or similar (domestic) - emptying	0%	Emptying industrial composts, peat turfs or similar is standard-rated - VAT Notice 701/16 ( <a href="https://www.gov.uk/government/publications/vat-notice-70116-water-and-sewerage-services">https://www.gov.uk/government/publications/vat-notice-70116-water-and-sewerage-services</a> )
Sewerage services supplied to domestic or industrial customers	0%	Sewer and drain cleaning, unblocking or maintenance is standard-rated - VAT Notice 701/16 ( <a href="https://www.gov.uk/government/publications/vat-notice-70116-water-and-sewerage-services">https://www.gov.uk/government/publications/vat-notice-70116-water-and-sewerage-services</a> )
Water supplied to households	0%	Water supplied to industrial customers is standard-rated - VAT Notice 701/16 ( <a href="https://www.gov.uk/government/publications/vat-notice-70116-water-and-sewerage-services">https://www.gov.uk/government/publications/vat-notice-70116-water-and-sewerage-services</a> )

**Energy-saving materials installed in dwellings and buildings used for a relevant residential purpose**

Installed goods	VAT rate	More information
Air source heat pumps	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )
Boilers - wood fuelled	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )
Central heating and hot water controls	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )
Draught stripping	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )
Ground source heat pumps	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )
Insulation	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )
Micro combined heat and power units	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )
Solar panels	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )
Water and wind turbines	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )

**Heating equipment and connection of gas supply (to the extent they are grant-funded by certain funders to people aged over 60 or who are in receipt of certain benefits)**

Installed goods	VAT rate	More information
Closed solid fuel fire cassoles	5%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-7086-energy-saving-materials</a> )

Installed goods	VAT rate	More information
Electric dual immersion water heaters with factory-installed hot water tanks	0%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials</a> )
Electric storage heaters	0%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials</a> )
Gas-fired boilers	0%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials</a> )
Gas room heaters with thermostatic controls	0%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials</a> )
Oil-fired boilers	0%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials</a> )
Radiators	0%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials</a> )
The installation, repair and maintenance of a boiler, radiators, pipework and controls forming a central heating system (including micro combined heat and power systems)	0%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials</a> )
The installation, repair and maintenance of renewable source heating systems. This means space or water heating systems which use energy from: renewable sources, including solar, wind and hydroelectric power; or near renewable sources, including ground and air heat	0%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials</a> )
Connection or reconnection to the mains gas supply	0%	VAT Notice 708/6 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials">https://www.gov.uk/government/publications/vat-notice-708-energy-saving-materials</a> )

## Building and construction, land and property

### Building and construction

Goods or services	VAT rate	More information
Substantial reconstructions to protected buildings that are buildings used as a dwelling, for a relevant residential purpose or for a relevant charitable purpose	0%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )
The installation of a bathroom or lavatory, constructing ramps and widening doorways or passageways for disabled people in their own home	0%	Building services for disabled people ( <a href="https://www.gov.uk/guidance/building-services-for-disabled-people">https://www.gov.uk/guidance/building-services-for-disabled-people</a> )

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Goods or services	VAT rate	More information
Construction and first freehold or long leasehold sale of a new building for a relevant charitable purpose	0%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )
Construction and first freehold or long leasehold sale of a new building for relevant residential purposes	0%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )
Construction and first freehold or long leasehold sale of new domestic buildings	0%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )
Converting existing premises by increasing the number of dwellings within the building	5%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )
Renovating a dwelling that has been empty for at least two years	5%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )
First freehold or long leasehold sale of a commercial building converted into a dwelling or dwellings	0%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )
First freehold or long leasehold sale of buildings converted for relevant residential purposes	0%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )
First freehold or long leasehold sale of buildings converted for relevant charitable purposes	0%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )

#### Land and property

Goods or services	VAT rate	More information
Garages or parking spaces let together with dwellings (under short-term tenancy agreements) for permanent residential use	Exempt	Garages or facilities specially designed for parking are standard-rated - VAT Notice 742 ( <a href="https://www.gov.uk/government/publications/vat-notice-742-land-and-property">https://www.gov.uk/government/publications/vat-notice-742-land-and-property</a> )
Parking - grant, or licence, to occupy land on which incidental parking takes place	Exempt	VAT Notice 742 ( <a href="https://www.gov.uk/government/publications/vat-notice-742-land-and-property">https://www.gov.uk/government/publications/vat-notice-742-land-and-property</a> )
Property, land and buildings - grant, or licence, to occupy land or buildings	Exempt	VAT Notice 742 ( <a href="https://www.gov.uk/government/publications/vat-notice-742-land-and-property">https://www.gov.uk/government/publications/vat-notice-742-land-and-property</a> )
Sale or long lease of a new dwelling with garage or parking space	0%	VAT Notice 708 ( <a href="https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction">https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction</a> )

<https://www.gov.uk/publications/rates-of-vat-on-different-goods-and-services>

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## Transport, freight, travel and vehicles

## Transport

Goods or services	VAT rate	More information
Aircraft repair and maintenance	0%	VAT Notice 744C ( <a href="https://www.gov.uk/government/publications/vat-notice-744c-aircraft-repair-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744c-aircraft-repair-and-associated-services</a> )

## Freight

Goods or services	VAT rate	More information
Domestic leg of freight transport to or from a place outside the EU	0%	Standard-rated freight transport includes domestic freight transport and freight transport between the UK and another EU member State - VAT Notice 744B ( <a href="https://www.gov.uk/government/publications/vat-notice-744b-freight-transport-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744b-freight-transport-and-associated-services</a> )
Freight containers - sale, lease or hire to a place outside the EC	0%	VAT Notice 703/1 ( <a href="https://www.gov.uk/government/publications/vat-notice-703-1-supply-of-freight-containers-for-export-or-removal-from-the-uk">https://www.gov.uk/government/publications/vat-notice-703-1-supply-of-freight-containers-for-export-or-removal-from-the-uk</a> )
Freight containers - sale, lease or hire to another EC Member State	0%	VAT Notice 703/1 ( <a href="https://www.gov.uk/government/publications/vat-notice-703-1-supply-of-freight-containers-for-export-or-removal-from-the-uk">https://www.gov.uk/government/publications/vat-notice-703-1-supply-of-freight-containers-for-export-or-removal-from-the-uk</a> )
International freight transport that takes place in the UK and its territorial waters	0%	VAT Notice 744B ( <a href="https://www.gov.uk/government/publications/vat-notice-744b-freight-transport-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744b-freight-transport-and-associated-services</a> )

## Travel

Goods or services	VAT rate	More information
Houseboat moorings	Exempt	VAT Notice 742 ( <a href="https://www.gov.uk/government/publications/vat-notice-742-land-and-property">https://www.gov.uk/government/publications/vat-notice-742-land-and-property</a> )
Parking spaces or garages supplied with houseboat moorings	Exempt	VAT Notice 742 ( <a href="https://www.gov.uk/government/publications/vat-notice-742-land-and-property">https://www.gov.uk/government/publications/vat-notice-742-land-and-property</a> )
Passenger transport in a vehicle, boat or aircraft that carries not less than ten passengers	0%	VAT Notice 744A ( <a href="https://www.gov.uk/government/publications/vat-notice-744a-passenger-transport">https://www.gov.uk/government/publications/vat-notice-744a-passenger-transport</a> )
Tolls for bridges, tunnels and roads operated by public authorities	Outside the scope of VAT	Privately-operated tolls for bridges, tunnels and roads are standard-rated - VAT Notice 700 ( <a href="https://www.gov.uk/government/publications/vat-notice-700-the-vat-guide">https://www.gov.uk/government/publications/vat-notice-700-the-vat-guide</a> )

## Vehicles

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Goods or services	VAT rate	More information
Aircraft repair and maintenance	0%	VAT Notice 744C ( <a href="https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services</a> )
Airships - sale or charter	0%	VAT Notice 744C ( <a href="https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services</a> )
Caravans (more than 7m long or more than 2.55m wide)	0% or 5%	Touring holiday caravans ( <a href="https://www.gov.uk/government/publications/vat-notice-70120-caravans-and-houseboats">https://www.gov.uk/government/publications/vat-notice-70120-caravans-and-houseboats</a> )
Civil aeroplanes - sale or charter	0%	Glider - sale or charter - are standard-rated as are hot air balloons - VAT Notice 744C ( <a href="https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services</a> )
Helicopters - sale or charter	0%	VAT Notice 744C ( <a href="https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services</a> )
Houseboats - sale or let out on hire	0%	But holiday accommodation let in a motorised houseboat is standard-rated - VAT Notice 70120 ( <a href="https://www.gov.uk/government/publications/vat-notice-70120-caravans-and-houseboats">https://www.gov.uk/government/publications/vat-notice-70120-caravans-and-houseboats</a> )
Military aeroplanes - sale or charter	0%	VAT Notice 744C ( <a href="https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services</a> )
Ship repairs and maintenance	0%	VAT Notice 744C ( <a href="https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services</a> )
Shipbuilding - 16 tons or over gross tonnage	0%	VAT Notice 744C ( <a href="https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services">https://www.gov.uk/government/publications/vat-notice-744c-ships-aircraft-and-associated-services</a> )

## Printing, postage, publications - books, magazines and newspapers

### Printing

Goods or services	VAT rate	More information
Brochures	0%	VAT Notice 701/10 ( <a href="https://www.gov.uk/government/publications/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/meaning-of-the-group-3-items">https://www.gov.uk/government/publications/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/meaning-of-the-group-3-items</a> )
Leaflets	0%	VAT Notice 701/10 ( <a href="https://www.gov.uk/government/publications/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/meaning-of-the-group-3-items">https://www.gov.uk/government/publications/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/meaning-of-the-group-3-items</a> )
Pamphlets	0%	VAT Notice 701/10 ( <a href="https://www.gov.uk/government/publications/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/meaning-of-the-group-3-items">https://www.gov.uk/government/publications/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/meaning-of-the-group-3-items</a> )

### Postage

Goods or services	VAT rate	More information
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<https://www.gov.uk/government/publications/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-70110-zero-rating-of-books-and-other-forms-of-printed-matter/meaning-of-the-group-3-items>

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International postal services meeting all the conditions of VAT Notice 700/24 (https://www.gov.uk/government/publications/vat-notice-700/24-postage-and-delivery-charges)	Outside the scope of VAT	VAT Notice 700/24 (https://www.gov.uk/government/publications/vat-notice-700/24-postage-and-delivery-charges)
Postage, packing and delivery within the UK included in the sales contract but charged for separately, or mail order	The same rate as the goods being delivered or posted	Postage, packing and delivery within the UK charged as an optional extra is always standard-rated - VAT Notice 700/24 (https://www.gov.uk/government/publications/vat-notice-700/24-postage-and-delivery-charges)
Public postal services provided by the Royal Mail under a universal service obligation	Exempt	Standard Royal Mail first and second class services for example
Other postal services that are not subject to a universal service obligation	Standard-rated	Supplies that are not subject to regulation

## Publications

Goods or services	VAT rate	More information
Books	0%	VAT Notice 701/10 (https://www.gov.uk/government/publications/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter#meaning-of-the-group-3-items)
Children's painting and picture books	0%	VAT Notice 701/10 (https://www.gov.uk/government/publications/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter#meaning-of-the-group-3-items)
Maps and charts	0%	VAT Notice 701/10 (https://www.gov.uk/government/publications/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter#meaning-of-the-group-3-items)
Magazines	0%	VAT Notice 701/10 (https://www.gov.uk/government/publications/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter#meaning-of-the-group-3-items)
Newspapers	0%	VAT Notice 701/10 (https://www.gov.uk/government/publications/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter#meaning-of-the-group-3-items)
Printed or copied music	0%	VAT Notice 701/10 (https://www.gov.uk/government/publications/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter#meaning-of-the-group-3-items)
Publications	0%	Some items are standard-rated such as exercise books, letterheads, posters - VAT Notice 701/10 (https://www.gov.uk/government/publications/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter/vat-notice-701/10-zero-rating-of-books-and-other-forms-of-printed-matter#items-not-included-within-any-of-the-group-3-items)

## Clothing and footwear, protective and safety equipment

### Clothing and footwear

<https://www.gov.uk/government/publications/vat-on-different-goods-and-services>

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Goods or services	VAT rate	More information
Babywear	0%	VAT Notice 714 ( <a href="https://www.gov.uk/government/publications/vat-notice-714-zero-rating-young-childrens-clothing-and-footwear">https://www.gov.uk/government/publications/vat-notice-714-zero-rating-young-childrens-clothing-and-footwear</a> )
Children's clothes and footwear	0%	VAT Notice 714 ( <a href="https://www.gov.uk/government/publications/vat-notice-714-zero-rating-young-childrens-clothing-and-footwear">https://www.gov.uk/government/publications/vat-notice-714-zero-rating-young-childrens-clothing-and-footwear</a> )

#### Protective and safety equipment

Goods or services	VAT rate	More information
Car seats with restraint straps	5%	VAT Notice 701/23 ( <a href="https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment">https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment</a> )
Children's car seats, booster seats and booster cushions	5%	VAT Notice 701/23 ( <a href="https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment">https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment</a> )
Children's safety seats with bare wheeled framework	5%	Prams and pushchairs are standard-rated - VAT Notice 701/23 ( <a href="https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment">https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment</a> )
Cycle helmets - CE marked	0%	VAT Notice 701/23 ( <a href="https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment">https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment</a> )
Motorcycle helmets that meet safety standards	0%	VAT Notice 701/23 ( <a href="https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment">https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment</a> )
Protective boots and helmets for industrial use	0%	VAT Notice 701/23 ( <a href="https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment">https://www.gov.uk/government/publications/vat-notice-70123-protective-equipment</a> )

#### Financial services and investments, insurance

##### Financial services and investments

Goods or services	VAT rate	More information
Financial services including the issue, transfer or receipt of, or dealing with money, securities for money or orders for the payment of money	Exempt	VAT Notice 701/49 ( <a href="https://www.gov.uk/government/publications/vat-notice-70149-finance">https://www.gov.uk/government/publications/vat-notice-70149-finance</a> )
The granting of credit such as loans	Exempt	VAT Notice 701/49 ( <a href="https://www.gov.uk/government/publications/vat-notice-70149-finance">https://www.gov.uk/government/publications/vat-notice-70149-finance</a> )

Goods or services	VAT rate	More information
The management of credit by the person who has granted it	Exempt	VAT Notice 701/43 ( <a href="https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-credit-and-related-services">https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-credit-and-related-services</a> )
The provision of the facility of investment credit finance for example hire-purchase	Exempt	VAT Notice 701/43 ( <a href="https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-credit-and-related-services">https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-credit-and-related-services</a> )
The provision of qualifying financial intermediary services	Exempt	VAT Notice 701/43 ( <a href="https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-intermediaries">https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-intermediaries</a> )
The issue, transfer or dealing with a security, including shares and bonds	Exempt	VAT Notice 701/43 ( <a href="https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-securities-and-related-services">https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-securities-and-related-services</a> )
The operation of a current, deposit or savings account	Exempt	VAT Notice 701/43 ( <a href="https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-money-and-related-services">https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-money-and-related-services</a> )
The management of a qualifying special investment fund	Exempt	VAT Notice 701/43 ( <a href="https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-management-of-investments-and-portfolios-funds-wrapper-products-and-related-services">https://www.gov.uk/government/publications/vat-notice-70143-finance/vat-notice-70143-finance-management-of-investments-and-portfolios-funds-wrapper-products-and-related-services</a> )
Financial service supplied as a separate element but with other goods or services	Exempt	VAT Notice 701/43 ( <a href="https://www.gov.uk/government/publications/vat-notice-70143-finance">https://www.gov.uk/government/publications/vat-notice-70143-finance</a> )
Financial service supplied as part of a single supply with other goods or services	Exempt if financial service is the principal element of the supply	VAT Notice 701/43 ( <a href="https://www.gov.uk/government/publications/vat-notice-70143-finance">https://www.gov.uk/government/publications/vat-notice-70143-finance</a> )
Gold investment coins	Exempt	VAT Notice 701/21 ( <a href="https://www.gov.uk/government/publications/vat-notice-70121-investment-gold-coins/vat-notice-70121-investment-gold-coins-investment-gold-coins">https://www.gov.uk/government/publications/vat-notice-70121-investment-gold-coins/vat-notice-70121-investment-gold-coins-investment-gold-coins</a> )

## Insurance

Goods or services	VAT rate	More information
Friendly society subscriptions for the provision of insurance	Exempt	VAT Notice 701/36 ( <a href="https://www.gov.uk/government/publications/vat-notice-70136-insurance/vat-notice-70136-insurance-club-and-particular-supplies-of-insurance">https://www.gov.uk/government/publications/vat-notice-70136-insurance/vat-notice-70136-insurance-club-and-particular-supplies-of-insurance</a> )
Insurance and reinsurance transactions	Exempt	VAT Notice 701/36 ( <a href="https://www.gov.uk/government/publications/vat-notice-70136-insurance/vat-notice-70136-insurance-reinsurance-supplied-outside-the-uk">https://www.gov.uk/government/publications/vat-notice-70136-insurance/vat-notice-70136-insurance-reinsurance-supplied-outside-the-uk</a> )



Goods or services	VAT rate	Main information
Insurance of plants and crops sold in an intermediary capacity	Exempt	VAT Notice 701/36 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271361/vat-notice-70136-insurance-of-plants-and-crops">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271361/vat-notice-70136-insurance-of-plants-and-crops</a> )
Insurance supplied as a separate element but with other goods or services	Exempt	VAT Notice 701/36 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271361/vat-notice-70136-insurance-supplied-with-other-goods-or-services">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271361/vat-notice-70136-insurance-supplied-with-other-goods-or-services</a> )
Insurance supplied as part of a single supply with other goods or services	Exempt if insurance is the principal element of the supply	VAT Notice 701/36 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271361/vat-notice-70136-insurance-as-part-of-a-single-supply-with-other-goods-or-services">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271361/vat-notice-70136-insurance-as-part-of-a-single-supply-with-other-goods-or-services</a> )

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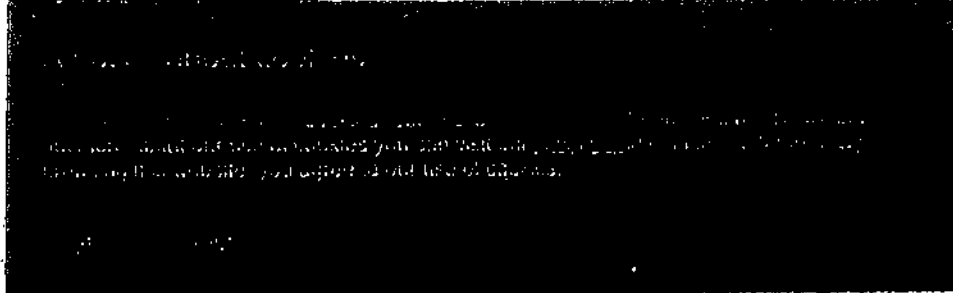
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## VAT refunds on aids and appliances used by people with disabilities

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### Introduction

If you live in Ireland and you have a disability, you may get a refund of Value-Added Tax (VAT) on certain special aids and appliances that you need. In some cases people who pay for aids and appliances that are for the exclusive use of a person with a disability can also claim the VAT refund. People with both physical and mental disabilities can avail of these refunds.

This scheme of VAT refunds on aids and appliances can also apply to adaptation and installation work being carried out to make a home more suitable for an older person or for a person with a disability – see 'Housing adaptations' below.

### Rules

Under the Value-Added Tax (Refund of Tax) (No. 15) Order 1981, you can claim a VAT refund on aids and appliances that help you carry out daily activities at home or at work. You may need to produce medical evidence of your disability.

VAT refunds are not allowed on services for people with disabilities or on rented aids and appliances.

To claim a VAT refund you must:

- Live in Ireland
- Have a disability
- Need the aid or appliance to help with daily activities

2700  
aid or appliance must be owned by the person with the disability and be for their exclusive use. If the VAT refund is being sought by someone other than the user of the aid or appliance, Revenue may ask for evidence that the aid is solely owned by the person with the disability and is for their sole use. In this case, these goods are not to be supplied in the course of a business run by the purchaser of the goods.

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Examples of eligible aids and appliances include:

- Domestic lifts, for example, eating and drinking lifts
- Walk-in baths
- Commode chairs
- Lifting seats and specified chairs
- Braille books
- Hoists and lifts, including stair lifts
- Communication aids

Irish Aid has information on a wide range of aids and appliances for people with disabilities.

More information on how to reclaim VAT on aids and appliances for people with disabilities can be found on [Revenue.ie](#).

### Housing adaptations

If you are having your home improved or adapted to make it more accessible, you may be able to claim a refund of VAT paid on the cost of installation and adaptation work. You may also qualify for a grant, such as the [Adaptation Grant for People with a Disability](#), the [Mobility Aids Grant Scheme](#) or the [Housing Aid for Older People Scheme](#). Read more about [housing grants and schemes](#).

### Buying and adapting a vehicle

You can claim remission or repayment of vehicle registration tax (VRT), repayment of VAT on the purchase of a vehicle and repayment of VAT on the cost of adapting a vehicle, up to a maximum amount. You can find out more in our document on [Tax relief for disabled drivers and passengers](#).

## How to apply

To apply for a VAT refund on aids and appliances, fill in [claim form VAT 61A \(pdf\)](#).

You must attach supporting documentation with your claim - for example, original invoices for all the goods in the claim or, in the case of imported goods, receipts for VAT paid at importation. In the case of a hire purchase agreement, you will need to supply a copy of the agreement and the invoice.

You must make your claim within 4 years from the end of the taxable period in which you purchased the aid or appliance. Taxable periods within each year are:

- January/February
- March/April
- May/June
- July/August
- September/October
- November/December

For example, a claim made in respect of an invoice issued in January 2015 must be made no later than February 2019.

## Where to apply

For more information or to claim a refund on an aid or appliance contact:

### Central Repayments Office

Office of the Revenue Commissioners  
M: TEK II Building  
Arimagh Road  
Monaghan  
Ireland

Tel: 047 62100  
1-800-200000 ext 6000

on page: [http://www.citizensinformation.ie](#)  
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#### Related Documents

- **Tax relief for drivers and passengers with disabilities**  
The Disabled Drivers and Disabled Passengers Scheme provides a range of tax reliefs for disabled drivers and disabled passengers.
- **Tax reliefs for people with a visual impairment**  
If you live in Ireland and have certain visual impairments, you may claim a reduction in the amount of tax that you are required to pay. Information is also provided on the VAT refund scheme for aids and appliances.
- **Value Added Tax**  
Value Added Tax (VAT) is included in the price of most products and services that we use every day. You may also be liable to pay VAT if you buy online. Find out more about VAT and how it is paid.

#### Contact Us

If you have a question relating to this topic you can contact the Citizens Information Phone Service on 0761 07 000 (Monday to Friday, 9am to 8pm) or you can visit your local [Citizens Information Centre](#).

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## GST in India and Beyond

Value Added Tax, or GST, is a common transactional tax type globally. In this whitepaper, we will explain the concept of GST as it applies around the world, then delve into the specifics of how GST relates to India.

Next, let's take a look at a roundup of the VAT/GST structure of some major world economies, including tax rates, threshold limits, exemptions, and zero-rated transactions. This provides a foundation for understanding India's GST.

### European Union (EU)

The European Economic Community (EEC) adopted VAT throughout Europe, replacing cascading multi-stage turnover tax. VAT was implemented due to the ease with which it handled cross-border transactions and facilitated the development of a common market. The VAT Directive sets the framework for VAT structure in the EU, but leaves national governments with the freedom to set the number and level of rates they choose. They may use provisions of VAT Directives in national legislation, subject to the following basic rules:

1. Goods or services supplied in the course of business by a taxable person within the EU are subject to VAT at a standard rate not lower than 15%, unless specifically exempt.
2. EU member states can opt to apply one of two reduced rates of not less than 5%.
3. Member states may subject certain goods or services listed in Annex II of the VAT Directive, such as food, water, pharmaceuticals, books, admission to cultural/amusement/sporting events, social services, medical services and equipment, agricultural inputs, to lower rates, including zero rates, which were in place on Jan. 1, 1991, though they cannot introduce any new rate under 5%.
4. Goods and services in the public interest, such as medical care, services linked to welfare and social security work by public bodies or charitable organizations, certain education and cultural services, specific financial and insurance services, certain supplies of land and buildings, export of goods, and shipments of intra-EU supplies are exempt from VAT.

### Canada

In Canada, GST is applicable on supply of most goods and services, including real property and intangible personal property, and is governed by the Excise Tax Act. Canada has a federal government (like India's), and a federal GST was introduced in 1991 to replace the existing federal sales tax imposed on manufacturers and certain licensed wholesalers at a general rate of 13.5%. However, all provinces continued with the provincial retail sales tax ("PST"), thereby having two levels of tax levied. The harmonized sales tax (HST) is imposed in provinces that have harmonized their provincial sales tax with the GST (New Brunswick, Nova Scotia, Newfoundland and Labrador, Ontario, Prince Edward Island) and is a combination of a federal component and a provincial component (8-9%) applicable generally on the same base of property and services as the GST.

In the remaining provinces, GST is imposed on taxable goods and services, along with provincial sales tax or a retail sales tax.

The three territories (Northwest Territories, Nunavut, and Yukon), as well as the province of Alberta, charge GST at the rate of 5%. Most goods and services supplied in or imported into Canada are considered taxable supplies, and are subject to GST at the rate of 5% or HST in the range of 13% to 15% (federal component of 5% and provincial component of 8 to 10%), with certain exceptions based on policy decisions, such as:

- Exports and supplies of goods and services relating to basic needs of individuals, such as drugs and biologicals, medical and assistive devices, basic groceries, agriculture and fishing, transportation and travel etc. are taxed at the rate of 0% (zero-rated).
- Supplies of goods and services supporting public needs such as certain real property, healthcare, educational, child and personal care, legal aid, public sector bodies, financial services, ferry/road/bridge tolls etc. are exempted from GST/HST.

### New Zealand

The New Zealand GST, enacted in 1988, was designed as a comprehensive tax base including many difficult-to-tax goods and services. The New Zealand GST became an international benchmark for indirect tax design. For instance, the Institute of Fiscal Studies of United Kingdom considered the New Zealand GST model as the benchmark for evaluation of European VAT Directives.

In New Zealand, GST is governed by the GST Act of 1985 and is applicable on most indigenous goods and services, most imported goods, and certain specified imported services at a rate of 15%.

The "goods" category includes all types of personal and real property except admissible claims, money, and products transmitted by a non-resident to a resident by means of wire, cable, radio or other technical systems. The "services" category covers everything other than goods or money.

When supplying certain goods and services, such as exported goods and services or telecommunication services, the supplier is governed by a territorial authority. Proceeds from the local authorities, sales of going concern (stump sale), and sale of land are subject to GST at the rate of 0%.

Supply of certain goods and services, such as private property (car or home not used for business), financial services such as interest payment on loan or bank fees, donated products and services sold by nonprofit organizations, rentals of residential property, and purely interest are all exempt from GST.

### Australia

The implementation of New Tax System package in Australia, including New Tax System (Goods and Services Tax) Act of 1999, was considered a landmark change to the Australian tax system. The new GST replaced the federal wholesale sales tax and some state and territory taxes with a single tax rate of 10% on the supply of most goods and services, with some exceptions.

- The basic rule of GST in Australia is destination-based consumption tax, with limited tax base exclusions.

- Certain supplies, such as certain food products, most medical and health care, drugs, medical aids and equipment, most education services, childcare, sports, religious services, and international transport are known as GST-free (other exemption rules in respect of exempt supplies).
- Certain supplies, such as financial supplies, residential rent, residential premises, products made, school meals and uniforms and fundraising events conducted by charities are known as input-taxed supplies (other exemptions refer to these as exempt) and no GST is applicable to such supplies.

#### Observations from VAT/GST in Other Jurisdictions

It can be observed from the VAT/GST legislation and provisions in the aforementioned jurisdictions, VAT/GST are destination-based, and therefore apply to consumption taking place in the respective country/region. These taxes, therefore, exempt exports and imports.

Furthermore, input tax credits can be claimed for the cost of procuring and producing, in the case of zero-rated supplies, and cannot be claimed in case of exempted supplies.

VAT/GST has emerged as the successful choice among other forms of indirect taxation. Jurisdictions using these taxes work continuously toward reforming structural issues. An example of this occurred in December 2010, when the European Commission published a Green Paper on the future of VAT, arguing that there were "numerous shortcomings in the current VAT system which create obstacles to the Internal Market, cause burdens for businesses and prevent Member States from benefiting from the true potential of the tax." The paper also pointed out the system is susceptible to fraud.

Unesco's report finding the EU VAT model very complicated, due to its complicated exemption application rules. Reduced rates among member states cause competitive distortion and create additional compliance costs borne by businesses conducting cross-border trade when compared to businesses that only trade domestically. In Canada, businesses face challenges under GST/HST due to interpretation issues and the variation of tax rates between provinces. Although British Columbia harmonized its PST with the GST in July 2010, it re-implemented PST in 2013. In all jurisdictions, even New Zealand and Australia, compliance costs under VAT/GST have proved to burden small businesses more.

#### Proposed GST Structure in India

The proposed GST in India consists of a consumption-type VAT, in which only final consumption is treated as the final use of a good. GST is expected to integrate taxes on goods and services across the supply chain, allowing for offsets and capture of value addition at each stage. A continuous chain of offsets is expected to be established, from the level of the original producer or service provider to the retailer's level, which would eliminate the burden of all cascading (or "tax on a tax") effects. Suppliers at each stage would be permitted to set off the GST paid on the purchase of input goods and services against their GST obligations to be paid on the supply of goods and services.

Salient features of the proposed GST model based on reports of the Empowered Committee are summarized below:

1. Aligned with the federal structure of the Indian government, the proposed GST model consists of a dual structure (like in Canada) to be levied and collected by the Union government (referred to as Central GST (CGST)) and respective State governments (referred to as State GST (SGST)). This dual GST model would be implemented and governed by one CGST/SGST statute applicable across the country, CGST statutes for each state, and common rules determining valuation, place of supply, and place of origin.

This would imply that the Centre and the states would have concurrent jurisdiction for the entire value-chain and the basic principles of law, such as chargeability, definition of taxable event and taxable person, and measure of levy (including valuation provisions and basis of classification) will be uniform across State statutes. Draft laws are already written and under internal discussions. Also, various allied rules are in the process of being drafted and finalized.

2. CGST and SGST would be comprehensively applicable to all goods and services up to the final consumer (retail) level, reflecting the tax base of a typical consumption VAT. Therefore, CGST and SGST would be applicable to all transactions involving supply of goods and services made for a consideration, except alcoholic liquor for human consumption, exempted goods and services, goods which are outside the purview of GST, and transactions below the prescribed threshold limits.
3. Based on recommendations of both the 13th Finance Commission and Empowered Committee, GST on following products shall be levied from a date to be notified by the GST Council -

- Petroleum Crude
- High Speed Diesel
- Motor Spirit (commonly known as Petrol)
- Natural Gas
- Aviation Turbine Fuel

4. GST is to be structured on the destination principle; so that the tax base shifts from production to consumption. This way, imports will create a tax liability while exports will be relieved of the burden of GST. Consequently, revenues will accrue to the State in which the consumption takes place or is deemed to take place.
5. Taxes paid on input goods/services against CGST shall be allowed to be utilized as input tax credit (ITC) against output tax liabilities under CGST, and the same principle applies to SGST. Cross-utilization of input tax credits between the Central GST and the State GST would not be allowed, except in case of interstate supply of goods and services. Therefore, a taxpayer or exporter shall be required to maintain separate details in books of account for using or refunding credit.
6. In order to maintain an uninterrupted credit chain, CGT would be phased out in case of interstate transactions of taxable goods. On such transactions, Centre would levy Integrated GST (referred to as IGST, which can be calculated by adding CGST to SGST) with appropriate provision for assignment or stock transfer of goods and services. The inter-state seller will pay IGST on value addition after adjusting available credit for IGST, CGST, and SGST on his purchases.
7. The importing dealer will claim credit of IGST while discharging his output tax liability in his own state. The relevant information will also be submitted to the Central Agency, which will act as a clearing house mechanism, verify the claims, and inform the respective governments to transfer the funds.
8. A uniform threshold across all states and Union territories is being considered, with adequate compensation for the states (particularly, the states in the North-Eastern Region and Special Category States) where a lower threshold had prevailed in the VAT regime.

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
Writ Petition (Civil) No. 725/2017

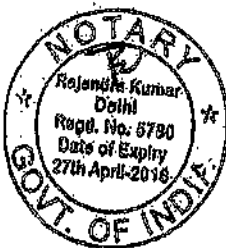
IN THE MATTER OF:

Nipun Malhotra .....Petitioner  
Versus  
Union of India .... Respondent

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT

I, Pramod Kumar, S/o Sh. S. S. Verma, R/o N-23,  
Nivedita Kunj, Sector-10, R. K. Puram, New/Delhi  
aged about 52 years do hereby solemnly affirm and  
state as under:

1. That I am the Commissioner of Central Tax, GST  
Delhi East of the Respondent and am fully  
competent to swear by way of this Affidavit on the  
basis of my knowledge as derived from the official  
records.
2. At the outset, the factual contentions, submission  
and grounds as contained in the Writ Petition are  
denied to the extent that any discrimination has  
been occasioned against the differently abled. It is  
specifically denied that the provisions of the Goods  
& Services Tax Act, 2017, levy any tax burden on

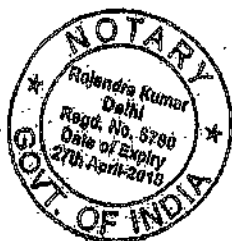




(2)

disabled situations or that the tax proposed is of a socially divisive nature. It is specifically denied that the tax as imposed is either arbitrary, discriminatory or negatively impacts the fundamental rights of the differently abled. The taxes proposed are designed to dilute the impact of input taxes and have the consequence of reducing the price of the final product. Consequently there is no violation of Articles 14, 15, 19(1)d or Article 21 of the Constitution of India. The answering Respondent also reserves right to file additional/supplementary Counter Affidavit if so advised at a later date.

3. I further state that the Writ Petition is misconceived and based on an incomplete understanding of the correct factual and legal position and is hence liable to be dismissed. I reiterate that far from being a discriminatory measure, the rate of GST envisaged, after due deliberation, is a step in the interest of both the differently abled as well as the manufacturers. Further, in response thereto it is submitted as under:-

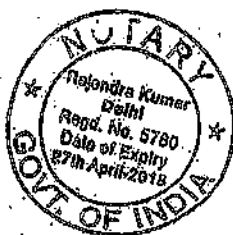


- a) The GST introduced from 01.07.2017, as a reform of indirect tax regime, subsumed multiple taxes levied by Central and State Governments. Further, it envisaged the usage

3

of Input Tax Credit (ITC) at each stage of the value chain in the business unlike the pre-GST regime to prevent the cascading effect of prices.

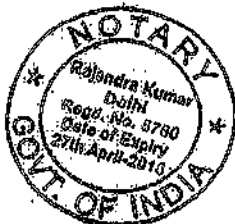
- b) Pre-GST the assistive devices were exempted from Central Excise duty under S.No. 317 of the Notification No. 12/2012-Central Excise dated 17.03.2012. Similarly, these devices were also exempt from VAT in the majority of the states. However, both Central taxes and State taxes on inputs used in manufacture of these devices remained embedded in the cost of such equipment.
- c) The GST Council had reviewed the various exemptions from duty in pre-GST regime and thereafter recommended the GST rates keeping in view the pre-GST incidence on goods and services. Accordingly, the assistive devices and rehabilitation aids for physically challenged persons have been prescribed a concessional 5% GST rate.
- d) The concessional 5% GST rate on these devices/equipments will enable their domestic manufacturers to avail Input Tax Credit of GST paid on their inputs and raw materials (Most of the inputs and raw materials for



(2)

manufacture of these assistive devices/equipments e.g. steel, iron, aluminum etc. attract 12-18% GST]. Further, the GST law provides for refund of accumulated Input Tax Credit, in cases, where the GST rate of output supply is lower than the GST rate on inputs used for their manufacture. Therefore, 5% GST rate on these devices/equipments would enable their domestic manufactures to claim refund of any accumulated Input Tax Credit. That being so, the 5% concessional GST rate on these devices/equipments would actually result in reduction of the cost of domestically manufactured goods, as compared to the pre-GST regime. The provisions related to accumulated Input Tax Credit are annexed herewith as Annexure R-1.

- c) As against that, if these devices/equipment are exempted from GST, then while imports of such devices/equipment would be zero rated, domestically manufactured such devices/equipment will continue to bear the burden of input taxes, increasing their cost and resulting in negative protection for the domestic value addition. Consequently, the

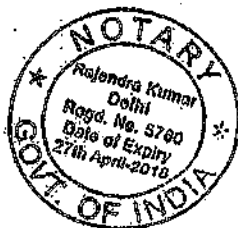


(5)

5% concessional GST rate on such devices/equipments designed to result in a highly positive situation for both the users of such devices, the disabled persons, as well as the domestic manufacturers of such goods. It is for this reason that the Council has kept these items in 5% rate slab.

1) Further, it is to state that the extent and rate of taxation is an executive function. If the competence of the legislature stands established, the quantum to tax, conditions of taxation form a part of competence of the legislature. In Rai Ramakrishna vs. State of Bihar (AIR 1963 SC 1667) this Hon'ble Court has held:-:

a, "The objects to be taxed so long as they happen to be within legislative competence of the legislative can be taxed by the legislative according to the exigencies of its needs....the quantum of tax levied by the taxing statutes, the conditions subject to which it is levied, the manner in which it is sought to be recovered are all matters within the competence of the legislature.

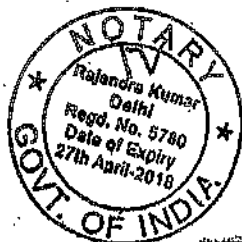


Witnessed : *Bharatwade*  
*Adms*  
*(2007/6)*

7

I, the deponent hereinabove, do hereby verify and state that the contents of the counter Affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Verified at C.R. Building, I. P. Estate, New Delhi on this 14<sup>th</sup> day of November, 2017.

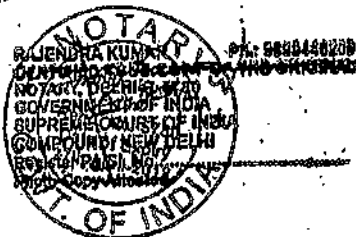


*[Signature]*  
14/11/17  
DEPONENT

VERIFIED THAT THE DEPONENT HAS EXAMINED TO THE DEPONENT'S DEED AND IS FULLY SENSIBLE PERFECTLY UNDERSTAND & AFFIRMED DEPOSED BEFORE ME AT DELHI ON 14.11.2017 IDENTIFIED BY R.K. Sharma

NOTARY PRAMOD KUMAR  
Before me  
RAJENDRA KUMAR  
NOTARY DELHI R-5780  
GOVERNMENT OF INDIA  
SUPREME COURT OF INDIA  
COMPOUND, NEW DELHI  
Register Pg. No. 14.11.2017

IDENTITY THE EXECUTANT / DEPONENT WHO WAS SIGNED IN THE PRESENCE OF



(Y)

**ANNEXURE R-1**

**Provisions in CGST Act related to Accumulated Input Tax Credit**

**Section 2(62)** "Input tax" in relation to a registered person, means the central tax, State tax, integrated tax or Union territory tax charged on any supply of goods or services or both made to him and includes—

- (a) the integrated goods and services tax charged on import of goods;
- (b) the tax payable under the provisions of sub-sections (3) and (4) of section 9;
- (c) the tax payable under the provisions of sub-sections (3) and (4) of section 5 of the Integrated Goods and Services Tax Act;
- (d) the tax payable under the provisions of sub-sections (3) and (4) of section 9 of the respective State Goods and Services Tax Act; or
- (e) the tax payable under the provisions of sub-sections (3) and (4) of section 7 of the Union Territory Goods and Services Tax Act, but does not include the tax paid under the composition levy;

**Section 2 (63)** "Input tax credit" means the credit of input tax;

**Section 16. (1)** Every registered person shall, subject to such conditions and restrictions as may be prescribed and in the manner specified in section 49, be entitled to take credit of input tax charged on any supply of goods or services or both to him which are used or intended to be used in the course or furtherance of his business and the said amount shall be credited to the electronic credit ledger of such person.

**Section 41. (1)** Every registered person shall, subject to such conditions and restrictions as may be prescribed, be entitled to take the credit of eligible input tax, as self-assessed, in his return and such amount shall be credited on a provisional basis to his electronic credit ledger.

**Section 41. (2)** The credit referred to in sub-section (1) shall be utilised only for payment of self-assessed output tax as per the return referred to in the said sub-section.

**Section 49. (1)** Every deposit made towards tax, interest, penalty, fee or any other amount by a person by internet banking or by using credit or debit cards or National Electronic Fund Transfer or Real Time Gross Settlement or by such other mode and subject to such conditions and restrictions as may be prescribed, shall be credited to the electronic cash ledger of such person to be maintained in such manner as may be prescribed.

**Section 49 (2)** The input tax credit as self-assessed in the return of a registered person shall be credited to his electronic credit ledger, in accordance with section 41, to be maintained in such manner as may be prescribed.

Continued

9

**Provisions in CGST Act related to Accumulated Input Tax Credit**

**Section 54(3)** Subject to the provisions of sub-section (10), a registered person may claim refund of any unutilised input tax credit at the end of any tax period: Provided that no refund of unutilised input tax credit shall be allowed in cases other than—

(i) zero rated supplies made without payment of tax;

(ii) where the credit has accumulated on account of rate of tax on inputs being higher than the rate of tax on output supplies (other than nil rated or fully exempt supplies), except supplies of goods or services or both as may be notified by the Government on the recommendations of the Council: Provided further that no refund of unutilised input tax credit shall be allowed in cases where the goods exported out of India are subjected to export duty:

Provided also that no refund of input tax credit shall be allowed, if the supplier of goods or services or both avails of drawback in respect of central tax or claims refund of the integrated tax paid on such supplies

**BEFORE THE SUPREME COURT OF INDIA**

**CIVIL ORIGINAL JURISDICTION**

**I.A. NO. OF 2020**

**IN**

**WRIT PETITION (CIVIL) NO. 725 OF 2017**

**IN THE MATTER OF:**

**NIPUN MALHOTRA**

**...PETITIONER/APPLICANT**

**VERSUS**

**UNION OF INDIA**

**...RESPONDENT/NON-APPLICANT**

**APPLICATION FOR DIRECTIONS FOR ISSUANCE OF  
NOTICE TO GST COUNCIL**

**SAMEER SRIVASTAVA**



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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. NO. OF 2020

IN

WRIT PETITION (CIVIL) NO. 725 OF 2017

IN THE MATTER OF:

NIPUN MALHOTRA

...PETITIONER/APPLICANT

VERSUS

UNION OF INDIA

...RESPONDENT/NON-APPLICANT

APPLICATION FOR DIRECTIONS FOR ISSUANCE OF  
NOTICE TO GST COUNCIL

TO

THE HON'BLE CHIEF JUSTICE OF INDIA

AND HIS COMPANION JUDGES OF THE

SUPREME COURT OF INDIA, NEW DELHI

THE HUMBLE APPLICATION ON

BEHALF OF THE PETITIONER

ABOVE-NAMED

MOST RESPECTFULLY SHOWETH:

1. That, the Petitioner has preferred this Writ Petition under Article 32 of the Constitution of India, 1950 to set aside the imposition of Goods and Service Tax (GST) upon accessibility equipment such as braille paper, braille typewriter, listening aids, prosthetic limbs, audiometers, wheelchairs, wheelchair equipment and motor-vehicles required by persons with disabilities as being violative of the Fundamental Rights guaranteed to them under Articles 14, 15, 19, 21 and 21 A of the Constitution. That, for the sake of brevity the contentions made by the Petitioner are not being reproduced herewith, however, they may be read as part and parcel of this Application.

2. That, the Petitioner/Applicant most respectfully submits that the facts and circumstances of this Petition warrant impleadment of the *GST Council* established under Article 279 A (1) of the Constitution, as a necessary Party, for the purpose of adjudicating the specific constitutional violations, in terms of levy of Goods & Service Tax on necessary accessibility equipment required by persons with disabilities. The Applicant submits that the impleadment of the GST Council is further necessitated as despite the lapse of 3 years

of filing of this Petition, Respondent No. 1, has failed to take any steps to waive GST on the accessibility equipment required by persons with disability. Therefore, the Petitioner seeks impleadment of the GST Council to the instant proceedings to compel them to place on record, steps taken by it, within the powers vested conferred upon it by the virtue of Article 279 A of the Constitution, to waive or exempt GST levied on the accessibility equipments required by the persons with disability. Thus, the Petitioner prays that Notice be issued to GST Council through its Joint Secretary:

GOODS & SERVICES TAX COUNCIL  
THROUGH ITS JOINT SECRETARY  
5<sup>th</sup> FLOOR, TOWER-II, JEEVAN BHARTI  
BUILDING, JANPATH ROAD -  
CONNAUGHT PLACE, NEW DELHI - 110001  
(E): [contact.gstcouncil@gov.in](mailto:contact.gstcouncil@gov.in)

3. That it is further submitted that the GST Council is a constitutional body set-up under Article 279 A of the Constitution, for making recommendations to the Union Government and the State Government on issues related to Goods and Service Tax. It is, therefore, crucial that the GST Council is impleaded in the instant proceedings, since the issue at hand concerns exemption of GST on accessibility equipment

required by persons with disabilities, and the inaction of the Respondent No. 1 to grant the same. It is further submitted that as a Constitutional body, the GST Council, possesses expert domain knowledge to make recommendations to the Respondent No. 1 in terms of executing GST exemption on accessibility equipments required by persons with disabilities. Therefore, the impleadment of the GST Council may further assist this Hon'ble Court in adjudicating upon the prayers made by the Petitioner.

The Sub Clause (4) of Article 279 A of the Constitution lays down that:

“(4) The Goods and Service Tax Council shall make recommendations to the Union and States on –

- a) The taxes, cesses and surcharges levied by the Union, the States and the local bodies which may be subsumed in the goods and service tax;
- b) *The goods and services that may be subjected to, or exempted from the goods and services tax;*
- c) Mode Goods and Service Tax Laws, principles of levy, apportionment of Goods & Services Tax levied on supplied in the course of inter-State trade or commerce under Article 269 A and the principles that govern the place of supply;
- d) *The threshold limit of turnover below which goods and services may be exempted from goods and service tax;*
- e) *The rates including floor rates with the bands of goods and service tax;*

- f) Any special rate or rates for a specified period, to raise additional resources during any natural calamity or disaster;
- g) Special provision with respect to the States of Arunachal Pradesh, Assam, Jammu & Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tirupura, Himachal Pradesh and Uttarakhand; and
- h) Any other matter relating to the goods and service tax, as the Council may decide."*

4. That, at this juncture, the Petitioner further wishes to bring to the attention of this Hon'ble Court that GST Council's Press Release dated 04.07.2017 classifies the below-listed assistive devices and aids required by persons with disabilities in the so-called "concessional 5% GST rate" slab, which is sought to be set-aside by the Petitioner, and therefore, in the interest of justice, the GST Council may be granted an opportunity to provide justification qua the constitutionality of their unjust decision. It is submitted that a bare perusal of the below-listed assistive devices would reveal the perversity in imposition of taxation of any rate upon them, as the below-listed are essential equipments which empower persons with disabilities to carry out functions similar to an able bodied persons, and access opportunities *sans* discrimination. It is submitted that an imposition of tax on the below-listed devices only seeks to widen the socio-economic gap between the disabled

community and the mainstream, as it penalises the disabled by imposing tax on their fundamentally guaranteed activities.

#### LIST OF ASSISTIVE DEVICES @ 5% GST

S.NO.	PRODUCT
1.	Braille writers and braille writing instruments;
2.	Handwriting equipment like Braille Frames, Slates, Writing Guides, Script Writing Guides, Styli, Braille Erasers
3.	Canes, Electronic aids like the Sonic Guide;
4.	Optical, Environmental Sensors;
5.	Arithmetic aids like the Taylor Frame (arithmetic and algebra types), Cubarythm, Speaking or Braille calculator;
6.	Geometrical aids like Combined Graph and Mathematical Demonstration Board, Braille Protractors, Scales, Compasses and Spar Wheels;
7.	Electronic measuring equipment such as Calipers, Micrometers, Comparators, Gauges, Gauge Block Levels, Rules, Rulers and Yardsticks
8.	Drafting, Drawing Aids, Tactile Displays;
9.	Specially adapted Clocks and Watches;
10.	Orthopaedic appliances falling under heading No.90.21 of the First Schedule;
11.	Wheel Chairs falling under heading No.87.13 of the First Schedule;
12.	Artificial electronic larynx and spares thereof;
13.	Artificial electronic ear (Cochlear implant);
14.	Talking books (in the form of cassettes, discs or other sound reproductions) and largeprint books, braille embossers, talking calculators, talking thermometers;

15. Equipment for the mechanical or the computerized production of braille and recorded material such as braille computer terminals and displays, electronic braille, transfer and pressing machines and stereo typing machines;
16. Braille Paper;
17. All tangible appliances including articles, instruments, apparatus, specially designed for use by the blind
18. Aids for improving mobility of the blind such as electronic orientation and obstacle detecting appliance and white canes;
19. Technical aids for education, rehabilitation, vocational training and employment of the blind such as Braille typewriters, braille watches, teaching and learning aids, games and other instruments and vocational aids specifically adapted for use of the blind;
20. Assistive listening devices, audiometers;
21. External catheters, special jelly cushions to prevent bed sores, stair lift, urine collection bags;
22. Instruments and implants for severely physically handicapped patients and joints replacement and spinal instruments and implants including bone cement.

5. That at this juncture it is further crucial to bring to attention of this Hon'ble Court that GST Council vide its Press Release dated 04.07.2020 erroneously claims that the imposition of "concessional 5% GST rate" on the assistive devices and rehabilitation aids for persons with disability is a "win-win



situation for both the users of such devices (person with disabilities), as well as the domestic manufacturer of such goods." A perusal of the said Statement manifests the degree of arbitrariness and irrationality of the Council, has failed to consider the gross constitutional violation that are caused as result of imposition of taxation on basic movement or expression of persons with disabilities, who are constrained to use taxed assistive devices.

*"(2) Most of the inputs and raw materials for manufacture of these assistive devices/equipments attract 18% GST. The concessional 5% GST rate on these devices/equipments would enable their domestic manufacturers to avail Input Tax Credit of GST paid on their inputs and raw materials. Further, the GST law provides for refund of accumulated Input Tax Credit, in cases, where the GST rate of output supply is lower than the GST rate on inputs used for their manufacture. Therefore, 5% GST rate on these devices/equipments would enable their domestic manufacturers to claim refund of any accumulated Input Tax Credit. That being so, the 5% concessional GST rate on these devices/equipment would result in reduction of the cost of domestically manufactured goods, as compared to the pre-GST regime.*

*(3) As against that, if these devices/equipments are exempted from GST, then while imports of such devices/equipments would be zero rated, domestically manufactured such devices/equipments will continue to bear the burden of input taxes, increasing their cost and resulting in negative protection for the domestic value addition.*

(4) *In fact, the 5% concessional GST rate on such devices/equipments will result in a win-win situation for both the users of such devices, the disabled persons, as well as the domestic manufacturers of such goods. It is for this reason that the Council has kept these items in 5% rate slab."*

6. The Applicant further submits that justification offered by the GST Council for imposition of GST on accessibility equipment required by persons with disability further fails to consider the test of Article 14 of the Constitution, and is therefore *ultra vires* of the Constitution. The wishes to draw the attention of this Hon'ble Court to the judgment passed by this Court in **Aashirwad Films v. Union of India** (2007) 6 SCC 624 wherein it was held that:

*"12. A taxing statute, however, enjoys a greater latitude. An inference in regard to contravention of Article 14 would, however, ordinarily be drawn if it seeks to impose on the same class of persons or occupations similarly situated or an instance of taxation which leads to inequality. The taxing event under the Andhra Pradesh State Entertainment Tax Act is on the entertainment of a person. Rate of entertainment tax is determined on the basis of the amount collected from the visitor of a cinema theatre in terms of the entry fee charged from a viewer by the owner thereof.*

*14. It has been accepted without dispute that taxation laws must also pass the test of Article 14 of the Constitution of India. It has been laid down in a large number of decisions of this Court that a taxation statute for the reasons of functional expediency and even otherwise, can pick and choose to tax some. Importantly, there is a rider operating*

*on this wide power to tax and even discriminate in taxation that the classification thus chosen must be reasonable. The extent of reasonability of any taxation statute lies in its efficiency to achieve the object sought to be achieved by the statute. Thus, the classification must bear a nexus with the object sought to be achieved. (See Moopil Nair v. State of Kerala [AIR 1961 SC 552] , East India Tobacco Co. v. State of A.P. [AIR 1962 SC 1733] , N. Venugopala Ravi Varma Rajah v. Union of India [(1969) 1 SCC 681 : AIR 1969 SC 1094] , Asstt. Director of Inspection Investigation v. A.B. Shanthi [(2002) 6 SCC 259 : AIR 2002 SC 2188] and Associated Cement Companies Ltd. v. Govt. of A.P. [(2006) 1 SCC 597 : AIR 2006 SC 928] )”*

7. That, the Applicant further wishes to draw reference to the judgment passed by this Hon'ble Court in **Indian Express Newspaper v. Union of India** (1985 1 SCC 641] wherein this Court laid down the test of reasonable restraints to the freedom guaranteed under Article 19 of the Constitution and held:

*“82. Now the notifications issued on March 1, 1981 and February 28, 1982 under Section 25 of the Customs Act, 1962 which grant exemptions from payment of certain duty beyond what is mentioned in them are issued by the executive Government. They were issued in substitution of earlier notifications which had granted total exemption. Such notifications have to be issued by the Government after taking into consideration all relevant factors which bear on the reasonableness of the levy on the newsprint. The Government should strike a just and reasonable balance between the need for ensuring the right of people to freedom of speech and expression on the one hand and the need to impose social control on the business of publication of a newspaper on the other. In other words, the Government must at all material times be conscious of the fact that it is dealing with an activity protected by*

Article 19(1)(a) of the Constitution which is vital to our democratic existence. In deciding the reasonableness of restrictions imposed on any fundamental right the Court should take into consideration the nature of the right alleged to have been infringed, the underlying purpose of the restrictions imposed, the disproportion of the imposition and the prevailing conditions at the relevant time including the social values whose needs are sought to be satisfied by means of the restrictions. (See *State of Madras v. V.G. Row* [1952 SCR 597 : AIR 1952 SC 196; 1952 Cri LJ 966] .) The restriction in question is the burden of import duty imposed on newsprint. Section 25 of the Customs Act, 1962 under which the notifications are issued confers a power on the Central Government coupled with a duty to examine the whole issue in the light of the public interest. It provides that if the Central Government is satisfied that it is necessary in the public interest so to do it may exempt generally either absolutely or subject to such conditions goods of any description from the whole or any part of the customs duty leviable thereon. The Central Government may if it is satisfied that in the public interest so to do exempt from the payment of duty by a special order in each case under circumstances of an exceptional nature to be stated in such order any goods on which duty is leviable. The power exercisable under Section 25 of the Customs Act, 1962 is no doubt discretionary but it is not unrestricted. It is useful to refer here to the observations of Lord Denning, M.R. in *Breen v. Amalgamated Engineering Union* [(1971) 2 QB 175 : (1971) 1 All ER 1148 : (1971) 2 WLR 742 (CA)] at p. 190 read thus:

"The discretion of a statutory body is never unfettered. It is a discretion which is to be exercised according to law. That means at least this: the statutory body must be guided by relevant considerations and not by irrelevant. If its decision is influenced by extraneous considerations which it ought not to have taken into account, then the decision cannot stand. No matter that the statutory body may have acted in good faith; nevertheless the decision will be set aside. That is established by *Padfield v. Minister of Agriculture, Fisheries and Food* [1968 AC 997 : (1968) 1 All ER 694 : (1968) 2 WLR 924 (HL)] which is a land mark in modern administrative law."

8. The Petitioner, thus, states that in light of the failure of the GST Council to have considered the violation of fundamental rights of persons with disabilities caused as a result of imposition of the so-called concessional 5 % GST rate, it is absolutely crucial to implead them before the instant proceedings pending before this Hon'ble Court.
9. That the Respondent No. 1 would not be prejudiced in any manner if the present Applicant is allowed. That, the present Application has been made in utmost bona fide and there is no element of concealment and/or fraud.
10. That, therefore, the Petitioner most respectfully prays that this Hon'ble Court may be pleased to issue directions of issuance of Notice to the GST Council qua the instant Petition.

#### PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may be graciously pleased to:-

- a) Pass Directions to issue Notice to the GST Council to be impleaded as Respondent No. 2 to the instant Petition pending before this Hon'ble Court;
- b) Pass any such other Order or Orders that this Hon'ble Court may deem fit and proper and in the interest of justice;

PLACE: NEW DELHI

DATE: 28.09.2020

DRAWN BY: JAI A. DEHADRAI

FILED BY:

SAMEER SHRIVASTAVA

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
I.A. NO. OF 2020  
IN  
WRIT PETITION (CIVIL) NO. 725 OF 2017

IN THE MATTER OF:

NIPUN MALHOTRA

...PETITIONER/APPLICANT

VERSUS

UNION OF INDIA

...RESPONDENT/NON-APPLICANT

**AFFIDAVIT**

I, Mr. Nipun Malhotra, S/o Shri Pravin Malhotra, aged about 28 years, R/o B-28, Noida Sector - 51, Noida, presently at New Delhi do hereby solemnly affirm and state as follows:-

1. I am the Applicant in the aforementioned Interlocutory Application and I am well conversant with the facts, proceedings and circumstances of the case.
2. I say that I have read and understood the contents of the accompanying Interlocutory Application Paras 1 to 10 and I say that the contents thereof are true and correct to my knowledge and belief.

3. I say that the averments of facts stated herein above are true to my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.



DEPONENT

## VERIFICATION

I, the deponent above named do hereby verify and state that the contents of the affidavit are true and correct to the best of my knowledge and belief.

Verified this 28<sup>th</sup> Day of September, 2020 at New Delhi



DEPONENT



PRESS RELEASE

**On GST rate for specified items for Physically Challenged Persons**

Some questions are raised about GST rates fixed for specific devices for physically challenged persons. This matter is explained here in below.

Assistive devices and rehabilitation aids for physically challenged persons, listed below, have been kept at the concessional 5% GST rate:

- 1) Braille writers and braille writing instruments;
- 2) Handwriting equipment like Braille Frames, Slates, Writing Guides, Script Writing Guides, Styli, Braille Erasers
- 3) Canes, Electronic aids like the Sonic Guide;
- 4) Optical, Environmental Sensors;
- 5) Arithmetic aids like the Taylor Frame (arithmetic and algebra types), Cubarythm, Speaking or Braille calculator;
- 6) Geometrical aids like Combined Graph and Mathematical Demonstration Board, Braille Protractors, Scales, Compasses and Spar Wheels;
- 7) Electronic measuring equipment such as Calipers, Micrometers, Comparators, Gauges, Gauge Block Levels, Rules, Rulers and Yardsticks
- 8) Drafting, Drawing Aids, Tactile Displays;
- 9) Specially adapted Clocks and Watches;
- 10) Orthopaedic appliances falling under heading No.90.21 of the First Schedule;
- 11) Wheel Chairs falling under heading No.87.13 of the First Schedule;
- 12) Artificial electronic larynx and spares thereof;
- 13) Artificial electronic ear (Cochlear implant);
- 14) Talking books (in the form of cassettes, discs or other sound reproductions) and large-print books, braille embossers, talking calculators, talking thermometers;
- 15) Equipment for the mechanical or the computerized production of braille and recorded material such as braille computer terminals and displays, electronic braille, transfer and pressing machines and stereo typing machines;
- 16) Braille Paper;
- 17) All tangible appliances including articles, instruments, apparatus, specially designed for use by the blind;
- 18) Aids for improving mobility of the blind such as electronic orientation and obstacle detecting appliance and white canes;
- 19) Technical aids for education, rehabilitation, vocational training and employment of the blind such as Braille typewriters, braille watches, teaching and learning aids, games and other instruments and vocational aids specifically adapted for use of the blind;
- 20) Assistive listening devices, audiometers;

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- 21) External catheters, special jelly cushions to prevent bed sores, stair lift, urine collection bags;
- 22) Instruments and implants for severely physically handicapped patients and joints replacement and spinal instruments and implants including bone cement.

2. Most of the inputs and raw materials for manufacture of these assistive devices/equipments attract 18% GST. The concessional 5% - GST rate on these devices/equipments would enable their domestic manufacturers to avail Input Tax Credit of GST paid on their inputs and raw materials. Further, the GST law provides for refund of accumulated Input Tax Credit, in cases, where the GST rate of output supply is lower than the GST rate on inputs used for their manufacture. Therefore, 5% GST rate on these devices/equipments would enable their domestic manufacturers to claim refund of any accumulated Input Tax Credit. That being so, the 5% concessional GST rate on these devices/equipment would result in reduction of the cost of domestically manufactured goods, as compared to the pre-GST regime.

3. As against that, if these devices/equipments are exempted from GST, then while imports of such devices/equipments would be zero rated, domestically manufactured such devices/equipments will continue to bear the burden of input taxes, increasing their cost and resulting in negative protection for the domestic value addition.

4. In fact, the 5% concessional GST rate on such devices/equipments will result in a win-win situation for both the users of such devices, the disabled persons, as well as the domestic manufacturers of such goods. It is for this reason that the Council has kept these items in 5% rate slab.

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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% **Date of decision: 9<sup>th</sup> February, 2021.**

+ **W.P.(C) 5252/2019, CM No.23189/2019 (for stay) & CM No.1712/2021 (for urgent listing of the case)**

**DEL SMALL ICE CREAM MANUFACTURERS  
WELFARE'S ASSOCIATION (REG.)**

**..... Petitioner**

Through: Mr. Sujit Ghosh & Mr. Mohit  
Kapoor, Advs.

Versus

**UNION OF INDIA & ANR.**

**..... Respondents**

Through: Mr. Vivek Goyal, Adv. for R-1.  
Ms. Sonu Bhatnagar, Adv. for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**[VIA VIDEO CONFERENCING]**

**RAJIV SAHAI ENDLAW, J.**

1. The petitioner, claiming to represent the interest of more than 50 small scale ice cream manufacturing units operating in the National Capital Territory of Delhi, has filed this petition impugning the decision dated 18<sup>th</sup> June, 2017 of the Goods and Services Tax Council (GST Council), in exercise of powers under Section 10(2)(e) of the Central Goods & Services Tax Act, 2017, of exclusion of ice cream from the benefits of Composition Scheme under Section 10 of the Act. It is the contention of the petitioner that the said exclusion is in violation of the spirit of Articles 14 and 19 of the Constitution of India and against the principles of natural justice.
2. The petition was entertained and notice thereof issued.
3. The counsel for the respondent no.2 GST Council states that she has

filed a counter affidavit yesterday only. The same has not come on record.

4. Considering the issue and its urgency, since the season of optimum sale of ice cream is on the anvil, we have asked the counsel for the petitioner, whether he desires to file any rejoinder to the counter affidavit. The counsel for the petitioner replies in the negative. We have next enquired from the counsel for the respondent no.2 GST Council, whether she is in a position to argue the petition today itself. She replies in the affirmative. The counsel for the petitioner however states that in the prayer paragraph of the petition, a inadvertent mistake has occurred and which requires amendment/correction. It is stated that challenge is being made to the minutes of the Sixteenth meeting of the GST Council also and which remained to be made. The counsel for the respondents, on enquiry fairly states that she is not taking any technical pleas and the mistake may be ignored. We have thus proceeded to hear the counsels.

5. Section 10(1) of the Act, notwithstanding anything to the contrary contained in the Act, provides that a registered person whose aggregate turnover in the preceding financial year did not exceed Rs.50,00,000/- may opt to pay, in lieu of the tax payable by him under Section 9(1) of the Act, an amount of tax calculated at such rate as may be prescribed but not exceeding the maximum laid down in the said provision. The first proviso to Section 10(1) of the Act empowers the Government to, by notification, increase the limit of Rs.50,00,000/- to such higher amount not exceeding Rs.1,50,00,000/-, as may be recommended by the GST Council. Section 10(2)(e) of the Act however empowers the Government to, on the recommendation of the GST Council, notify goods manufacturers whereof

though eligible for availing the benefit of Section 10(1), would cease to be eligible to such benefit.

6. The counsel for the petitioner informs that the limit aforesaid of Rs.50,00,000/- was successively increased to Rs.75,00,000/- and Rs.1,50,00,000/-. It is further informed that the respondent no.2 GST Council, in its Seventeenth Meeting held on 18<sup>th</sup> June, 2017, in exercise of powers under Section 10(2)(e) of the Act, has recommended notification of ice cream and in pursuance to the said recommendation, ice cream has been notified, resulting in the small manufacturers of ice cream having turnover of less than Rs.1,50,00,000/- per annum being not entitled to take the benefit of Section 10(1) of the Act and have to necessarily go under the regime of Section 9 of the Act and to comply with all the requirements.

7. The counsel for the respondent no.2 GST Council states that another petition pertaining to ice cream, claiming the same relief as in this petition, is coming up for consideration on 5<sup>th</sup> March, 2021; the counsel for the petitioner further informs that since the issue raised in the petition is pan India, similar petitions are pending in several High Courts.

8. On enquiry it is informed that there is no decision of any High Court on the subject as yet.

9. In the circumstances, need is not felt to keep the petition pending and what is decided today, can apply to the writ petition stated to be listed next on 5<sup>th</sup> March, 2021.

10. The contention of the counsel for the petitioner is that respondent no.2 GST Council, in exercise of powers under Section 10(2)(e) of the Act, has clubbed ice cream with pan masala and tobacco. The counsel for the

petitioner has contended that there is no reason for clubbing ice cream with sin goods like pan masala and tobacco. It is contended that pan masala and tobacco are sin goods and ice cream cannot be clubbed therewith. On enquiry, as to the reasons if any given by the respondent no.2 GST Council in its meeting, for excluding ice cream from benefit of Section 10(1) of the Act, the counsel for the petitioner contends that the reason which prevailed for excluding ice cream was that there is no Goods and Services Tax (GST) on milk, being a large constituent of ice cream and if small manufacturers of ice cream were to be given benefit of Section 10(1) of the Act, there would be large scale loss of revenue.

11. It is the argument of the counsel for the petitioner that ice cream comprises of a large number of other components which are assessable to GST and thus the reasoning emanating from the minutes of the impugned meeting of the respondent no.2 GST Council for excluding ice cream from the benefit of Section 10(1) of the Act, is fallacious.

12. A reading of Section 10(2)(e) of the Act shows that no parameters, whatsoever, on the anvil of which, the respondent no.2 GST Council may recommend for notification, any goods from the benefit of Section 10(1) of the Act, have been prescribed. The legislature has vested the Government with absolute discretion, to exempt whichever goods it may deem necessary, from the benefit of Section 10(1) of the Act. The only limitation placed on the Government is, to act on the recommendation of the GST Council, established under Article 279A of the Constitution of India. The said GST Council comprises of Union Finance Minister, Union Minister of State in charge of Revenue or Finance and the Minister in charge of

Finance or Taxation or any other Minister nominated by each State Government. It will thus be seen that the GST Council is a high powered constitutional entity. We have thus enquired from the counsel for the petitioner, whether not it is a pure executive power and once the legislature has conferred such a power on the respondent no.2 GST Council, whether the Court can substitute its own decision/opinion, for that of the respondent no.2 GST Council which has a representation not only from the Central Government but also from the State Governments.

13. Recently in ***Rajeev Suri Vs. Delhi Development Authority*** MANU/SE/0001/2021 Supreme Court has reiterated that courts do not sit in appeal over the decisions of the Government, to do merit review of the subjective decision as such and that Government decisions concerning public resources have an intricate economic value attached with them and to elevate the standard of review on the basis of subjective understanding of the subject matter being extraordinary, would be *de hors* the review jurisdiction. It was further reiterated that the courts, in the exercise of their jurisdiction, will not transgress into the field of policy decision, as long as no law is violated and people's fundamental right are not transgressed upon and that the court cannot strike down a policy decision taken by the Government merely because it feels that another decision would have been fairer or more scientific or logical or wiser; the wisdom and advisability of the policies are ordinarily not amenable to judicial review. Much earlier, in ***S.K. Dutta, Income Tax Officer Vs. Lawrence Singh Ingty*** (1968) 2 SCR 165 reiterated in ***Ravi Agrawal Vs. Union of India*** (2019) 18 SCC 180 it was held that in deciding whether a taxation law is discriminatory or not it is necessary to bear in mind that the State has a wide discretion in selecting

persons or objects it will tax and that a statute is not open to attack on the ground that it taxes some persons or objects and not others; it is only when within the range of its selection, the law operates unequally, and that cannot be justified on the basis of any valid classification, that it would be violative of Article 14.

14. In this respect we may record the contention of the counsel for the respondents, that besides pan masala and tobacco, aerated water has also been excluded from the benefit of Section 10(1) of the CGST Act.

15. Else it is well settled that a State does not have to tax everything in order to tax something and it entitled to pick and choose, if it does so reasonably. Mention may also be made of *State of Jammu & Kashmir Vs. Trikuta Roller Flowers Mill (P) Ltd.* (2018) 11 SCC 260 holding that grant of refund on CST paid, to boost entrepreneur investment, was primarily an executive economic policy decision, the scope of judicial scrutiny and interference wherewith is limited to on the grounds of mala fide, unreasonableness, arbitrariness or unfairness and that there is no legal or indefeasible right to claim refund of CST paid. To the same effect is *Ugar Sugar Works Ltd. Vs. Delhi Administration* (2001) 3 SCC 635.

16. The counsel for the respondents also in this context has referred to *Rai Ram Krishna Vs. State of Bihar* AIR 1963 SC 1667, *Union of India Vs. Parmeswaran Match Works* (1975) 1 SCC 305, *Express Hotels Pvt. Ltd. Vs. State of Gujarat* (1989) 3 SCC 677 and *Bajaj Hindustan Ltd. Vs. Sir Shadilal Enterprises Ltd.* (2011) 1 SCC 640.

17. The counsel for the respondent has also drawn our attention to the minutes of the Sixteenth GST Council Meeting annexed with her counter



affidavit, which has been e-mailed to us and has been perused by us.

18. However a perusal of the said minutes also shows the same reason as emanating from the Seventeenth Meeting viz. of the taxation effect, on benefit of Section 10(1) being permitted to be given to ice cream, being enormous.

19. We have enquired from the counsel for the respondent no.2 GST Council, whether any study has been done by the respondent no.2 GST Council, of the tax effect of extending benefit of Section 10(1) to small scale manufacturers of other similar goods and services and whether after considering all the said goods and services, any decision has been taken to exempt all those goods and services from the benefit of Section 10(1) of the Act, the tax effect whereof cannot be absorbed by the State.

20. At least from the minutes of the two meetings placed before us, it does not appear so.

21. The counsel for the respondents contends that besides the tax effect, several other factors including socio political weigh and are taken into consideration in taking such decisions.

22. We, in the circumstances, are of the view that the only direction which can be issued in this petition is, to direct the respondent no.2 GST Council to reconsider the exclusion of small scale manufactures of ice cream from the benefit of Section 10(1) of the Act, including on the aforesaid two parameters i.e. the components used in the ice cream and the GST payable thereon and other similar goods having similar tax effect continuing to enjoy the benefit. We direct accordingly.

23. The respondent no.2 GST Council to take up the aforesaid aspect in its next meeting and to take a decision thereon at the earliest, keeping in view that the ice cream season has just begun, and preferably within three months of today.

24. The petition is disposed of.

**RAJIV SAHAI ENDLAW, J.**

**SANJEEV NARULA, J.**

**FEBRUARY 9, 2021**

**‘gsr’...**

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