

**GIB/TN/BINNY/01.08.1980/SC-22**

**Supreme Court Category :** Input Tax Credit

**State :** Tamil Nadu

**Order No.:** GIB/TN/BINNY/01.08.1980/SC-22

**Name of Entry :**

State of Tamil Nadu v. Binny Ltd. Madras

**Date :** 01-09-1980

**Breif Issue :**

**Facts & Issues Involved:**

The only question which arises for consideration in this Appeal by certificate is whether sales of provisions effected by the assessee in a workmen's store maintained by it are assessable to tax under the Tamil Nadu General Sales Tax Act, 1959.

The assessee carries on business of manufacture and sale of textiles in a factory situate in the State of Tamil Nadu. It is one of the leading manufacturers of textiles in the country. It is running a store in the premises of the factory where workmen can buy provisions.

In the course of assessment of the assessee to sales tax for the assessment year 1967-68 under the Tamil Nadu General Sales Tax Act, 1959 the question arose whether the sales effected by the assessee in the store were taxable.

**Decision of Advance Ruling Authority :**

**Decision:**

Thus, accordingly allow the appeal, set aside the judgment of the High Court as also the Order made by the Tribunal and restore the order of the Sales Tax authorities holding that the sales in question were assessable to tax under the Tamil Nadu General Sales Tax Act, 1959. The assessee will pay the costs of the appeal to the State.