

**GOVERNMENT OF RAJASTHAN
FINANCE DEPARTMENT
(Tax Division)**

**NOTIFICATION
Jaipur, dated: September 22, 2017**

In exercise of the powers conferred by sub-section (1) of section 11 of the Rajasthan Goods and Services Tax Act, 2017 (Act No. 9 of 2017), the State Government, on the recommendations of the Council, hereby makes the following amendments in this department's notification number F.12(56)FD/Tax/2017-Pt.-I-41 dated 29th June, 2017, namely:-

AMENDMENTS

In the said notification,-

1. in the Schedule,-

- (i) in column (3) against serial number 27, for the existing expression "other than put up in unit containers and bearing a registered brand name", the expression "other than those put up in unit container and,-
 - (a) bearing a registered brand name; or
 - (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily, subject to the conditions as in the ANNEXURE I]" shall be substituted;

- (ii) in column (3) against serial numbers 29 and 45, for the existing expression "other than put up in unit container and bearing a registered brand name", the expression "other than those put up in unit container and,-
 - (a) bearing a registered brand name; or
 - (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily, subject to the conditions as in the ANNEXURE I]" shall be substituted;

- (iii) in column (3) against serial numbers 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77 and 78, for the existing expression "other than those put up in unit container and bearing a registered brand name", the expression "other than those put up in unit container and,-
 - (a) bearing a registered brand name; or
 - (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone



voluntarily, subject to the conditions as in the ANNEXURE I]” shall be substituted;

(iv) in column (3) against serial number 101, for the existing expression “other than put up in unit container and bearing a registered brand name”, the expression “other than those put up in unit container and,-

(a) bearing a registered brand name; or

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

(v) in column (2) against serial number 102, for the existing expression “2301, 2302, 2304, 2305, 2306, 2308, 2309”, the expression “2301, 2302, 2308, 2309” shall be substituted;

(vi) after the existing serial number 102 and entries thereto and before the existing serial number 103 and entries thereto, the following new serial number 102A and entries thereto shall be inserted, namely:-

“

102A.	2306	Cotton seed oil cake
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”;

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

(a) bearing a registered brand name; or

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

(viii) after the existing serial number 130 and entries thereto and before the existing serial number 131 and entries thereto, the following new serial number 130A and entries thereto shall be inserted, namely:-

“

130A.	50 to 55	Khadi fabric, sold through Khadi and Village Industries Commission (KVIC) and KVIC certified institutions/outlets
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”;

(ix) after the existing serial number 135 and entries thereto and before the existing serial number 136 and entries thereto, the following new serial number 135A and entries thereto shall be inserted, namely:-

“

135A.	69	Idols made of clay
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”;

- (x) the existing entry of column (3) against serial number 138 shall be substituted by the following, namely:-

“Charkha for hand spinning of yarns, including amber charkha”;

- (xi) the existing entry of column (3) against serial number 143 shall be substituted by the following, namely:-

“Indigenous handmade musical instruments as listed in ANNEXURE II”;
and

- (xii) the existing entry of column (3) against serial number 144 shall be substituted by the following, namely:-

“Muddhas made of sarkanda, Brooms or brushes, consisting of twigs or other vegetable materials, bound together, with or without handles”.

2. the existing clause (ii) of the Explanation shall be substituted by the following namely:-

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

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

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

(B) a brand registered as on the 15th May 2017 under the Copyright Act, 1957 (Central Act No. 14 of 1957); and

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

3. after the existing Explanation, the following Annexures shall be added, namely: -

“ANNEXURE I

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

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

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

ANNEXURE II

List of indigenous handmade musical instruments	
1.	Bulbul Tarang
2.	Dotar, Dotora, or Dotara
3.	Ektara
4.	GetchuVadyam or Jhallari
5.	Gopichand or Gopiyatra or Khamak
6.	Gottuvadhyam or Chitravina
7.	Katho
8.	Sarod
9.	Sitar
10.	Surbahar
11.	Surshringar
12.	Swarabat
13.	Swarmandal
14.	Tambura
15.	Tumbi
16.	Tuntuna
17.	MagadiVeena
18.	Hansaveena
19.	Mohan Veena
20.	NakulaVeena
21.	Nanduni

Bair

22.	RudraVeena
23.	SaraswatiVeena
24.	VichitraVeena
25.	Yazh
26.	RanjanVeena
27.	TriveniVeena
28.	Chikara
29.	Dilruba
30.	Ektara violin
31.	Esraj
32.	Kamaicha
33.	MayuriVina or Taus
34.	Onavillu
35.	Behala(violin type)
36.	Pena or Bana
37.	Pulluvanveena - one stringed violin
38.	Ravanahatha
39.	Folk sarangi
40.	Classical sarangi
41.	Sarinda
42.	Tar shehnai
43.	Gethu or Jhallari
44.	Gubguba or Jamuku - Percussion string instrument
45.	Pulluvankutam
46.	Santoor - Hammered chord box
47.	Pepa

48.	Pungi or Been
49.	Indian Harmonium: Double reed
50.	Kuzhal
51.	Nadaswaram
52.	Shehnai
53.	Sundari
54.	Tangmuri
55.	Alghoza - double flute
56.	Bansuri
57.	Venu (Carnatic flute) Pullanguzhal
58.	Mashak
59.	Titti
60.	Srutiupanga
61.	Gogona
62.	Morsing
63.	Shruti box
64.	Harmonium (hand-pumped)
65.	Ekkalam
66.	Karnal
67.	Ramsinga
68.	Kahal
69.	Nagphani
70.	Turi
71.	Dhad
72.	Damru
73.	Dimadi

74.	Dhol
75.	Dholak
76.	Dholki
77.	Duggi
78.	Ghatsinghari or gadasingari
79.	Ghumot
80.	Gummeta
81.	Kanjira
82.	Khol
83.	Kinpar and Dhobar (tribal drums)
84.	Maddale
85.	Maram
86.	Mizhavu
87.	Mridangam
88.	Pakhavaj
89.	Pakhavajjori - Sikh instrument similar to tabla
90.	Panchamukhavadyam
91.	Pung
92.	Shuddhamadalam or Maddalam
93.	Tabala / tabl / chameli - goblet drum
94.	Tabla
95.	Tablatarang - set of tablas
96.	Tamte
97.	ThanthiPanai
98.	Thimila
99.	Tumbak, tumbaknari, tumbaknaer



100.	Daff, duff, daf or duf Dimdi or dimri - small frame drum without jingles
101.	Kanjira - small frame drum with one jingle
102.	Kansi - small without jingles
103.	Patayanithappu - medium frame drum played with hands
104.	Chenda
105.	Dollu
106.	Dhak
107.	Dhol
108.	Dholi
109.	Idakka
110.	Thavil
111.	Udukai
112.	Chande
113.	Nagara - pair of kettledrums
114.	Pambai - unit of two cylindrical drums
115.	Paraithappu, halgi - frame drum played with two sticks
116.	Sambal
117.	Stick daff or stick duff - daff in a stand played with sticks
118.	Tamak'
119.	Tasha - type of kettledrum
120.	Urumee
121.	Jaltarang Chimpta - fire tong with brass jingles
122.	Chengila - metal disc
123.	Elathalam
124.	Geger - brass vessel
125.	Ghatam and Matkam (Earthenware pot drum)

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126.	Ghungroo
127.	Khartal or ChiPLYa
128.	Manjeera or jhanj or taal
129.	Nut - clay pot
130.	Sankarjang - lithophone
131.	Thali - metal plate
132.	Thattukazhimannai
133.	Kanchtarang, a type of glass harp
134.	Kashthatarang, a type of xylophone

[F.12(56)FD/Tax/2017-Pt.-II-94]
By Order of the Governor

(Shankar Lal Kumawat)

Joint Secretary to the Government

Copy forwarded to the following for information and necessary action:-

1. Superintendent, Government Central Press, Jaipur along with a soft copy in CD for publication of this notification in part 4(c) of today's extra ordinary Gazette. It is requested that 10 copies of this notification may be sent to this Department and 10 copies along with bill may be sent to the Commissioner, Commercial Taxes Department, Rajasthan, Jaipur. Please ensure that soft copy in CD is same as hard copy provided to you for publication.
2. Principal Secretary to Hon'ble Chief Minister (Finance Minister).
3. Secretary to the Government of India-cum-ex-officio Secretary to the GST Council, GST Council Secretariat, New Delhi.
4. Commissioner, State Tax, Rajasthan, Jaipur.
5. Accountant General, Rajasthan, Jaipur.
6. PS to Additional Chief Secretary, Finance.
7. PS to Principal Secretary, Law.
8. PS to Secretary, Finance (Revenue).
9. Director, Public Relations, Jaipur.
10. Additional Director, Finance (Computer Cell) Department for uploading this notification on website.
11. Guard File.

Joint Secretary to the Government