A M/S. BANSAL WIRE INDUSTRIES LTD. AND ANR.

v.

STATE OF U.P. AND ORS.

(Civil Appeal No.3605 of 2011)

B APRIL 26, 2011

[DR. MUKUNDAKAM SHARMA AND ANIL R. DAVE, JJ.]

Central Sales Tax Act, 1956:

C

s.14(iv) – Restrictions on power of States to tax "declared goods" – Items mentioned in clause (iv) of s.14 – Categories falling under "iron and steel" – Tax on sales of "stainless steel wire" – Held:"Stainless steel wire" is not covered under the D *entry of "tools, alloys and special steels" in entry no. (ix) of clause (iv) and, therefore, does not fall under "Iron and Steel" as defined under s.14(iv) – "Stainless steel wire" also cannot be read into item no. (xv) which reads as "wire rods and wires-rolled, drawn, galvanized, aluminized, tinned or coated such* E *as by copper" – Expression "Wire rods and wires" which is mentioned in item no.(xv) would not and cannot cover the expression "tools, alloy and special steels" of entry no. (ix) nor it would refer to the expression "Iron and Steel" as each item used in entry nos. (ix) and (xv) are independent items not depending on each other at all – Hence, "stainless steel wire"* F *cannot be treated as a declared commodity under s.14.*

Transformation of commercial commodity – Effect of – Held: When one commercial commodity is, by manufacturing process etc., transformed into another, it becomes a separate G *commodity for sales tax purposes.*

Interpretation of Statutes:

Plain interpretation – Held: When the language of the

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statute is plain and unambiguous, the court must give effect to the words used in the statute. A

Taxing statute – Held: In a taxing Act one has to look merely at what is clearly said and there is no room for any intendment – In a taxing statute nothing is to be read in, nothing is to be implied, one can only look fairly at the language used. B

Words and Phrases – Expression "that is to say" as in s.14(iv) of the Central Sales Tax Act – Meaning of. C

The appellant is a Public Limited Company engaged in the business of manufacture and sales of "stainless steel wires". According to it, "stainless steel wire", being a form of "Iron and Steel" is a declared commodity under clause(iv) of Section 14 of the Central Sales Tax Act, 1956, and consequently in view of Section 15 thereof, no tax can be imposed on "stainless steel wire" in excess of 4%. D

In the instant appeals, the question which arose for consideration was whether in view of Section 14 of the Central Sales Tax Act along with the qualifying words 'that is to say' as used in clause (iv) of Section 14, "stainless steel wire" would fall under the category "tools, alloy and special steels of any of the above categories" as enumerated in entry no.(ix) of clause (iv) or under the category "wire rods and wires-rolled, drawn, galvanized, aluminized, tinned or coated such as by copper" as enumerated in entry no.(xv) of the same clause (iv). E F

Dismissing the appeals, the Court

HELD:1. The Parliament can restrict powers of State Government to tax "declared goods". Section 2(c) of the Central Sales Tax Act, 1956 defines "declared goods" as those declared under Section 14 of Central Sales Tax Act as 'goods of special importance in Inter State Trade or Commerce. Section 14 of the Central Sales Tax Act gives G H

A a list of such goods and Section 15 specifies restrictions on power of States to tax such goods. [Para 31] [432-D]

2.1. In an earlier Supreme Court decision, the word "that is to say", as per Section 14 of the Central Sales Tax Act was considered and it was held that originally the B expression "that is to say" was employed to make clear and fix the meaning of what is to be explained or defined and that such words are not used, as a rule, to amplify a meaning while removing a possible doubt for which purpose the word "includes" is generally employed. In C the context of Section 14 of the Central Act, this Court in the said decision held that the expression "that is to say" is used in Section 14 apparently to mean to exhaustively enumerate the kinds of goods in a given list. It was also held in the said decision that the purpose of an D enumeration in a statute dealing with sales tax at a single point in a series of sales would, very naturally, be to indicate the types of goods each of which would constitute a separate class for a series of sales. Therefore, in view of the position settled by this Court, it E is clearly established that so far the items as mentioned in clause (iv) of Section 14 of the Central Act is concerned, each of the categories falling under "iron and steel" constitutes a new species and each one of them is separate commodity for the purposes of sales tax. F [Paras 26, 27] [429-G-H; 430-A-E]

2.2. The expression "of any of the above categories" appearing in entry Nos. (ix) and (xvi) of clause (iv) of Section 14 of the Central Act would indicate that they G would each be items referred in the preceding items. Therefore, even the expression "of any of the above categories" in entry No. (ix) of clause (iv) would only relate to steel and alloy produced for any of the materials mentioned in item nos. (i) to (viii). Thus "stainless steel wire" produced by the appellant cannot be read into item H

no. (xv) which reads as "wire rods and wires-rolled, drawn, galvanized, aluminized, tinned or coated such as by copper". [Para 28] [430-F-H]

2.3. If the object of newly substituted clause (iv) of Section 14 of the Central Act was to make iron and steel taxable as one substance, the item could have been "Goods of iron and steel" or, to be more clear, "Iron and steel irrespective of change of form or shape or character of goods made out of them". The more natural meaning, therefore is that each item specified in Section 14(iv) forms a separate species for each series of sales. When one commercial commodity is, by manufacturing process etc., transformed into another, it becomes a separate commodity for sales tax purposes. If iron bars were drawn into "wire", such wire shall be a different taxable commodity. [Para 30] [432-A-C]

2.4. The language used in entry no. (ix) is plain and unambiguous and that the items which are mentioned there are "tools, alloy and special steel". By using the words "of any of the above categories" in entry Nos. (ix) would refer to entries (i) to (viii) and it cannot and does not refer to entry no (xv). The stainless steel wire is not covered within entry (ix) of clause (iv) of Section 14 of Central Sales Tax Act. [Para 33] [433-D-F]

State of Tamil Nadu vs. M/s. Pyare Lal Mehrotra, **(1976) 1 SCC 834: 1976 (2) SCR 168 and** *Rajasthan Roller Flour Mills Assn. vs. State of Rajasthan,* **1994 Supp (1) SCC 413: 1993 (3) Suppl. SCR 979 – relied on.**

3. It is a settled principle of law that the words used in the section, rule or notification should not be rendered redundant and should be given effect to. it is also one of the cardinal principles of interpretation of any statute that some meaning must be given to the words used in the

A section. Expression "Wire rods and wires" which is mentioned in item no. (xv) would not and cannot cover the expression "tools, alloy and special steels" of entry no. (ix) nor it would refer to the expression "Iron and Steel" as each item used in entry nos. (ix) and (xv) are B independent items not depending on each other at all. [Para 34] [433-G-H; 434-A-B]

4. It is a cardinal principle of construction of a statute that when the language of the statute is plain and unambiguous, the court must give effect to the words C used in the statute. Besides, in a taxing Act one has to look merely at what is clearly said and there is no room for any intendment. In a taxing statute nothing is to be read in, nothing is to be implied, one can only look fairly at the language used. [Paras 35, 36] [434-B-D] D

Union of India vs. Hansoli Devi (2002) 7 SCC 273: 2002 (2) Suppl. SCR 324 – relied on.

5. The findings and the decision arrived at by the High Court that stainless steel wire is not covered under E the entry of "tools, alloys and special steels" in entry no. (ix) and, therefore, does not fall under "Iron and Steel" as defined under Section 14(iv) of the Central Act have to be upheld. Hence, the said commodity cannot be treated as a declared commodity under Section 14 of the Act and F provision of Section 15 of the Act does not apply to the facts of the instant appeals. [Para 37] [434-E]

Case Law Reference:

1976 (2) SCR 168	relied on	Para 24, 26,29,34
1993 (3) Suppl. SCR 979	relied on	Para 31
2002 (2) Suppl. SCR 324	relied on	Para 35

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CIVIL APPELLATE JURISDICTION : Civil Appeal No. 3605 of 2011. A

From the Judgment & Order dated 21.5.2010 of the High Court of Judicature at Allahabad in Civil Misc. Writ Petition No. 778 (Tax) of 2006. B

WITH

C.A. Nos. 3606, 3607, 3608, 3609 & 3610 of 2011.

Dhruv Agarwal, Praveen Kumar for the Appellants. C

Sunil Gupta, S.K. Dwivedi, Aarohi Bhalla, Gunnam Venkateswara Rao, Vandana Mishra, Tanmay Agarwal, Ashutosh S., Aviral Shukla for the Respondents.

The Judgment of the Court was delivered by D

DR. MUKUNDAKAM SHARMA, J. 1. Leave granted.

2. The issue that falls for consideration in these appeals is, as to whether the 'stainless steel wire' falls under the category, "tools, alloys and special steels of any of the above E categories" enumerated in entry no. (ix) of clause (iv) of Section 14 of the Central Sales Tax Act, 1956 (for short the "Central Act") and therefore the following question emerges for our consideration:-

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> "Whether stainless steel wire, a product of the appellant, on a proper reading of Section 14 of the Central Sales Tax Act along with the qualifying words 'that is to say' would fall under the category "tools, alloy and special steels of any of the above categories" enumerated in entry no. (ix) of clause (iv) or under entry no. (xv) of same clause (iv)" G

3. In all these appeals identical issues are involved. We therefore, proceed to dispose of all these appeals by this common Judgment and Order. In order to arrive at a finding on H

A the issue raised, it will be necessary to set out certain facts leading to filing of the present appeals.

4. The appellant is a Public Limited Company incorporated under the Indian Companies Act, 1956 and is engaged in the B business of manufacture and sales of "stainless steel wires". An assessment order was passed under Rule 41(8) of the UP Trade Tax Rules for the assessment year 1999-2000 under the UP Trade Tax Act, 1948 (for short "the UP Act") as well as under the Central Act. As per the said assessment order, the tax on C sales of "stainless steel wire" was levied @ 4% and sales covered by Form 3-kh were taxed @ 2%.

5. The respondent, however, thereafter held that the sales of "stainless steel wire" has wrongly been taxed @ 4% treating the same as a "declared commodity" and that in fact "stainless D steel wire" is not a declared commodity because it is outside the ambit of "Iron and Steel", which is a declared commodity under Section 14 of the Central Act.

6. In view of the satisfaction arrived at by the respondent, E a proposal was sent to the Additional Commissioner, Grade-I, Trade Tax, Ghaziabad Zone, Ghaziabad requesting him for permission to re-open the case of the appellant for the assessment year 1999-2000.

7. The Additional Commissioner, Grade-I, Trade Tax, F Ghaziabad Zone, Ghaziabad issued a notice dated 22.03.2006 directing the appellant to show cause as to why the permission should not be granted to the assessing authority for re-opening of the case under Section 21(2) of the UP Act.

G 8. Respondent No. 3 on 24.3.2006 issued a notice under Section 10-B of the U.P. Act for revising the assessment order passed for the assessment year 2000-01. The appellant states that similar notices for the assessment years 2001-02 and 2002-03 were also issued to the appellant by Respondent No. 3.

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9. The appellant filed its reply dated 27.3.2006 to the notice dated 24.3.2006 and, inter alia, stated that "stainless steel wire" is a declared commodity under clause (iv) of Section 14 of the Central Act, hence in view of Section 15 thereof, no tax can be imposed on the declared commodities in excess of 4%. The appellant had also submitted identical replies to the notices relating to assessment years 2001-02 and 2002-03 respectively.

10. After considering the reply as furnished by the appellant, the Additional Commissioner, Grade-I, Trade Tax, Ghaziabad Zone, Ghaziabad by its order dated 27.03.2006 granted permission to the assessing authority to re-open the case under Section 21(2) of the UP Act for the assessment year 1999-2000.

11. Being aggrieved by the issuance of the aforesaid notice, the appellant herein filed a Writ Petition before the Allahabad High Court, which was registered as Writ Petition No. 770 of 2006, wherein, the respondent filed a counter affidavit. The Allahabad High Court, thereafter heard the counsel appearing for the parties and by its judgment and order dated 21.05.2010 dismissed the Writ Petition holding that the "stainless steel wire" is not covered under the item "tools, alloys and special steel" on entry no. (ix) and, therefore, does not fall under "Iron and Steel" as defined under clause (iv) of Section 14 of the Central Act and therefore the provision of Section 15 of the Central Act does not apply.

12. Being aggrieved by the judgment and order dated 21.05.2010 passed by the Allahabad High Court, the present appeals were filed by the appellants on which we heard the learned counsel appearing for the parties.

13. The learned counsel appearing for the parties during the course of their submissions relied upon various notifications, some of which are required to be extracted at this stage.

A 14. The first reference that was made was to the notification dated 26.10.1991. The aforesaid notification was issued by respondent No. 1 in exercise of powers under clause (d) of sub-section (1) of section 3-A of the U.P. Act, whereby under Item 7, Sheets and Circles made wholly or principally of B stainless steel and all remaining articles (excluding wares and surgical instruments) made wholly or principally of stainless steel were taxable @ 12%.

The relevant part of the said notification is extracted herein below:

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"S.No.	Description of goods	Point of tax	Rate of tax
(a)	Sheets and circles made wholly or principally of stainless steel.	M or I	12%
D (b)	All remaining articles (excluding wares and surgical instruments) made wholly or principally of stainless steel."	M or I	12%

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15. Subsequently another notification dated 23.11.1998 was issued by Respondent No. 1 by exercising power under clause (d) of sub-section (1) of section 3-A of the U.P. Act, F whereby under Item 7, Sheets and Circles made wholly or principally of stainless steel and all remaining articles (excluding wares and surgical instruments) made wholly or principally of stainless steel were taxable @ 15% and steel wires were sought to be taxed @ 15% presuming to be an article made G of stainless steel.

The relevant part of the said notification is extracted herein below:

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"S.No.	Description of goods	Point of tax	Rate of tax percentage
(i)	Sheets and circles made wholly or principally of stainless steel.	M or I	15%
(ii)	All remain articles (excluding wares and surgical instruments made wholly or principally of stainless steel."	M or I	15%

16. Later, on 15.01.2000, Respondent No. 1 issued a notification superseding the notifications dated 26.10.1991 and 23.11.1998 respectively, and Item No. 8 of the said notification provided for levy of tax @ 15% on sheets and circles made wholly or principally of stainless steel and also all remaining articles excluding ware and surgical instruments made wholly or principally of stainless steel @ 15 %.

The relevant part of the said notification is extracted herein below:

"S.No.	Description of goods	Point of tax	Rate of tax percentage
8.			
(i)	Sheets and circles made wholly or principally of stainless steel.	M or I	15%
(ii)	All remain articles (excluding wares and surgical instruments) made wholly or principally of stainless steel."	M or I	15%

17. Section 14 (iv) of the Central Act is the relevant provision in the present appeals and we therefore extract the relevant portion of Section 14 (iv) of the Central Act and the same is as under: -

"14. *Certain goods to be of special importance in inter-State trade or commerce.* - It is hereby declared that the following goods are of special importance in inter-State trade or commerce, -

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(iv) iron and steel, that is to say, -

(i) pig iron and caste iron including ingot moulds, bottom, plates, iron scrap, caste iron scrap, runner scrap and iron skull scrap;

(ii) steel semis (ingots, slabs, blooms and billets of all qualities, shapes and sizes);

(iii) skull bars, tin bars, sheet bars, hoe-bars and sleeper bars;

(iv) steel bars (rounds, rods, squares, flats, octagons and hexagons, plain and ribbed or twisted, in coil form as well as straight lengths);

(v) Steel structurals (angels, joists, channels, tees, sheet piling sections, Z sections or any other rolled sections);

(vi) sheets, hoops, stripe and skelp, both black and galvanized, hot and cold rolled, plain and corrugated, in all qualities, in straight lengths and in coil form, as rolled and in riveted condition;

(vii) plates both plain and chequered in all qualities;

(viii) discs, rings, forgings, and steel castings;

(ix) tool, alloy and special steels of any of the above categories; A

(x) steel melting scrap in all forms including steel skull, turnings and borings;

(xi) steel tubes, both welded and seamless, of all diameters and lengths, including tube fittings; B

(xii) tin-plates, both hot dipped and electrolytic and tin free plates;

(xiii) fish plates bars, beaming plate barn, crossing sleeper bars, fish plates, bearing plates, crossing sleepers and pressed steel sleepers, railsheavy and light crane rails; C

(xiv) wheels, tyres, axles and wheel sets;

(xv) wire rods and wires-rolled, drawn, galvanized, aluminized, tinned or coated such as by copper; D

(xvi) defectives, rejects, cuttings or end pieces of any of the above categories."

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18. Section 15 of the Central Act is also a relevant provision and the same is extracted hereunder :-

"15. *Restrictions and conditions in regard to tax on sale or purchase of declared goods within a State* – Every sales tax law of a State shall, insofar as it imposes or authorises the imposition of a tax on the sale or purchase of declared goods, be subject to the following restrictions and conditions, namely:- F

(a) the tax payable under that law in respect of any sale or purchase of such goods inside the State shall not exceed four per cent, of the sale or purchase price thereof,; G

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A 19. The Commissioner of Commercial Taxes issued a circular on 25.11.2005 to the Joint Commissioner Trade Tax, Ghaziabad directing that sale of stainless steel pipe, tubes, sheets shall not be taxable as declared goods under Section 14 (iv) of the Central Act since stainless steel is an alloy which B consists of nickel etc. In view of the said circular the Commissioner issued direction to the authorities under him for proceeding under Sections 21 and 10(b) of the U.P. Act for initiating the re-assessment proceedings for different years.

C 20. The learned counsel appearing for the appellant submitted before us that the "stainless steel wire" is one of the species of "Iron and Steel" and therefore would fall within the aforesaid "declared commodity" and consequently rate of tax that is leviable on the goods of the appellant is 4% as originally assessed by the Department itself.

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21. He also submitted that the expression "Iron and Steel" mentioned in clause (iv) of Section 14 of the Central Act is a genus and "stainless steel wire" being a form of "Iron and Steel" is a specie thereof and therefore such "stainless steel wire" E which the appellant produces would come within the expression of entry no. (xv) stating words "wire rods and wires-rolled, drawn, galvanized, aluminized, tinned or coated such as by copper" of any kind of "Iron and Steel" referring to the main expression of clause (iv) and that the Department had F committed an error of law in restricting the expression of "stainless steel wire" through entry no. (ix), namely, "tools, alloy and special steels of any of the above categories".

22. He also submitted that the Government of India in its Reference No. F No. 24/20/76 ST Department of Revenue and G Banking dated 17.11.1976 has clarified that stainless steel is a type of alloy steel and is, therefore, covered within the definition of the term "iron and steel" for the purposes of entry no. (ix) of Section 14(iv) of the Central Act. He further submitted that once the Central Government has taken a stand, it is not H open to the authorities of the State Government to take a

different view. He has also referred to the object and reason for the amendment which is referred at page 1338 of Chaturvedi's Central Sales Tax Act, 1956 Vol. I.

23. The aforesaid submissions of the counsel appearing for the appellants were however refuted by the learned counsel appearing for the respondent who relied upon the expression "that is to say" as used in clause (iv) of Section 14 of the Central Act to contend that the word 'user' makes the expression "Iron and Steel" exhaustive and restrictive and not an expansive or extensive.

24. He also referred to the expression "of any of the above categories" occurring in entry no. (ix) of clause (iv) of Section 14 of the Central Act contending *inter alia* that the said expression plays an instrumental role in determining the scope and ambit of the aforesaid item. Relying on the same, he submitted that any product of stainless steel is confined within entry nos. (i) to (ix) of clause (iv) of Section 14 of the Central Act and it cannot be given a wider meaning to include "stainless steel wire" in entry No. (xv) of clause (iv) of Section 14 of the Central Act. He specifically relied upon the decision of this Court in *State of Tamil Nadu vs. M/s. Pyare Lal Mehrotra,* reported in (1976) 1 SCC 834.

25. In the light of aforesaid submissions made by the counsel appearing for the parties, we proceed to answer the issue which arises for our consideration by recording our reasons therefor.

26. In the aforesaid decision in *Pyare Lal Mehrotra* (supra) the very word "that is to say", as per Section 14 of the Central Act was considered and it was held that originally expression "that is to say" is employed to make clear and fix the meaning of what is to be explained or defined and that such words are not used, as a rule, to amplify a meaning while removing a possible doubt for which purpose the word "includes" is generally employed. In the context of Section 14 of the Central

A Act, this Court in the said decision held that the expression "that is to say" is used in Section 14 apparently to mean to exhaustively enumerate the kinds of goods in a given list. It was also held in the said decision that the purpose of an enumeration in a statute dealing with sales tax at a single point
B in a series of sales would, very naturally, be to indicate the types of goods each of which would constitute a separate class for a series of sales. In paragraph 15 of the said Judgment, this Court observed as under:

C "15. It appears to us that the position has been simplified by the amendment of the law, as indicated above, so that each of the categories falling under "iron and steel" constitutes a new species of commercial commodity more clearly now. It follows that when one commercial commodity is transformed into another, it becomes a separate
D commodity for purposes of sales tax."

27. Therefore, in view of the position settled by this Court, it is clearly established that so far the items as mentioned in clause (iv) of Section 14 of the Central Act is concerned, each
E of the categories falling under "iron and steel" constitutes a new species and each one of them is separate commodity for the purposes of sales tax.

28. The expression "of any of the above categories" appearing in entry Nos. (ix) and (xvi) of clause (iv) of Section
F 14 of the Central Act would indicate that they would each be items referred in the preceding items. Therefore, even the expression "of any of the above categories" in entry No. (ix) of clause (iv) would only relate to steel and alloy produced for any of the materials mentioned in item nos. (i) to (viii). Thus
G "stainless steel wire" produced by the appellant cannot be read into item no. (xv) which reads as "wire rods and wires-rolled, drawn, galvanized, aluminized, tinned or coated such as by copper".

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29. This Court in the case of *Pyare Lal Mehrotra* (supra), in paragraph 5, observed as under:-

> "5. It will be seen that "iron and steel" is now divided into 16 categories which clearly embrace widely different commercial commodities, from mere scrap iron and leftovers of processes of manufacturing to "wires" and "wheels, tyres, axles, and wheel sets". Some of the enumerated items like "melting scrap" or "tool alloys" and "special steels" could serve as raw material out of which other goods are made and others are definitely varieties of manufactured goods. If the subsequent amendment only clarifies the original intentions of Parliament, it would appear that Heading (*iv*) in Section 14, as originally worded, was also meant to enumerate separately taxable goods and not just to illustrate what is just one taxable substance: "iron and steel". The reason given, in the Statement of Objects and Reasons of the 1972 Act, for an elucidation of the "definition" of iron and steel, was that the "definition" had led to varying interpretations by assessing authorities and the courts so that a comprehensive list of specified declared iron and steel goods would remove ambiguity. The Select Committee, which recommended the amendment, called each specified category "a item no." falling under "iron and steel". *Apparently, the intention was to consider each "item no." as a separate taxable commodity for purpose of sales tax.* Perhaps some items could overlap, but no difficulty arises in cases before us due to this feature. As we have pointed out, the statement of reasons for amendment spoke of Section 14(*iv*) as a '"definition" of "iron and steel". A definition is expected to be exhaustive. Its very terms may, however, show that it is not meant to be exhaustive. For example, a purported definition may say that the term sought to be defined "includes" what it specifies, but, in that case, the definition itself is not complete."

A 30. It is thus clear, that if the object of newly substituted clause (iv) of Section 14 of the Central Act was to make iron and steel taxable as one substance, the item could have been "Goods of iron and steel" or, to be more clear, "Iron and steel irrespective of change of form or shape or character of goods B made out of them". The more natural meaning, therefore is that each item specified in Section 14(iv) forms a separate species for each series of sales. When one commercial commodity is, by manufacturing process etc., transformed into another, it becomes a separate commodity for sales tax purposes. If iron C bars were drawn into "wire", such wire shall be a different taxable commodity.

31. Parliament can restrict powers of State Government to tax "declared goods". Section 2(c) of the Central Act defines "declared goods" as those declared under Section 14 of D Central Act as 'goods of special importance in Inter State Trade or Commerce. Section 14 of the Central Act gives a list of such goods and Section 15 specifies restrictions on power of States to tax such goods.

E 32. This Court in the case of *Rajasthan Roller Flour Mills Assn. vs. State of Rajasthan,* reported in 1994 Supp (1) SCC 413, observed as under:-

> **16.** ..... "that is to say" assigned in *Stroud's Judicial Dictionary* (Fourth Edn.) Vol. 5 at page 2753 to the F following effect:
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> *"That is to say.*— (1) 'That is to say' is the commencement of an ancillary clause which explains the meaning of the principal clause. It has the following properties: (1) it must G not be contrary to the principal clause; (2) it must neither increase nor diminish it; (3) but where the principal clause is general in terms it may restrict it:....."
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> **17.** .....

H "The quotation, given above, from *Stroud's Judicial*

Dictionary shows that, ordinarily, the expression, 'that is to say' is employed to make clear and fix the meaning of what is to be explained or defined. Such words are not used, as a rule, to amplify a meaning while removing a possible doubt for which purpose the word 'includes' is generally employed ... but, in the context of single point sales tax, subject to special conditions when imposed on separate categories of specified goods, the expression was apparently meant to exhaustively enumerate the kinds of goods in a given list. The purpose of an enumeration in a statute dealing with sales tax at a single point in a series of sales would, very naturally, be to indicate the types of goods each of which would constitute a separate class for a series of sales. Otherwise, the listing itself loses all meaning and would be without any purpose behind it."

33. It is thus clear, that the language used in entry no. (ix) is plain and unambiguous and that the items which are mentioned there are "tools, alloy and special steel". By using the words "of any of the above categories" in entry Nos. (ix) would refer to entries (i) to (viii) and it cannot and does not refer to entry no (xv). However, entry (xvi) of Clause (iv) would be included in entry (xvi) particularly within the expression now therein any of the aforesaid categories. Therefore, the specific entry "tool, alloy and special steel" being not applicable to entry (xv), the contention of the counsel for the appellant has to be rejected. It is, therefore, held that the stainless steel wire is not covered within entry (ix) of clause (iv) of Section 14 of Central Sales Tax Act.

34. It is a settled principle of law that the words used in the section, rule or notification should not be rendered redundant and should be given effect to. It is also one of the cardinal principles of interpretation of any statue that some meaning must be given to the words used in the section. Expression "Wire rods and wires" which is mentioned in item no. (xv) would not and cannot cover the expression "tools, alloy

A and special steels" of entry no. (ix) nor it would refer to the expression "Iron and Steel" as each item used in entry nos. (ix) and (xv) are independent items not depending on each other at all as has been held in the case of *Pyare Lal Mehrotra* (supra).

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35. In arriving at the aforesaid conclusion, we find support from the decision of this Court in *Union of India vs. Hansoli Devi* reported in (2002) 7 SCC 273 wherein this Court held that it is a cardinal principle of construction of a statute that when the language of the statute is plain and unambiguous, the court C must give effect to the words used in the statute.

36. Besides, in a taxing Act one has to look merely at what is clearly said and there is no room for any intendment. In a taxing statute nothing is to be read in, nothing is to be implied, D one can only look fairly at the language used.

37. Therefore, the findings and the decision arrived at by the High Court that stainless steel wire is not covered under the entry of "tools, alloys and special steels" in entry no. (ix) and, therefore, does not fall under "Iron and Steel" as defined under E Section 14(iv) of the Central Act have to be upheld. Hence, the said commodity cannot be treated as a declared commodity under Section 14 of the Central Act and provision of Section 15 of the Central Act does not apply to the facts of the present appeals.

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38. In our considered opinion, the findings arrived at by the High Court does not suffer from any infirmity. Consequently, we find no merit in these appeals and the same are dismissed without any order as to costs.

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B.B.B. Appeals dismissed.