

BILL NO. 11 OF 2012

THE DELHI VALUE ADDED TAX (THIRD AMENDMENT) BILL, 2012

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BILL

further to amend the Delhi Value Added Tax Act, 2004.

BE it enacted by the Legislative Assembly of the National Capital Territory of Delhi in the Sixty-third year of the Republic of India as follows:-

1. Short title, extent and commencement.-(1) This Act may be called the Delhi Value Added Tax (Third Amendment) Act, 2012.

(2) It extends to the whole of the National Capital Territory of Delhi.

(3) It shall come into force on such date as the Government may, by notification in the official Gazette, appoint.

2. Amendment of section 2.- In the Delhi Value Added Tax Act, 2004 (Delhi Act 3 of 2005) (hereinafter referred to as the 'principal Act'), in section 2, in sub-section (1), in clause (zd), after sub-clause (vii), before the Explanation occurring at the end thereof, the following provisos shall be inserted, namely;

"PROVIDED that an amount equal to the increase in the price of petrol (including the duties and levies charged thereon by the Central Government) taking effect from the 3rd June, 2012 shall not form part of the sale price of petrol sold on or after the date of the commencement of the Delhi Value Added Tax (Third Amendment) Act, 2012 till such date as the Government may, by notification in the official Gazette, direct or if the price of petrol falls below the sale price prior to 3rd June, 2012, whichever is earlier :

PROVIDED further that if the price of petrol further increases from the level of price as on 3rd June, 2012, the aforesaid proviso shall not have any effect on such further increase:

PROVIDED also that if the price of petrol declines but remains above the price prevailing prior to 3rd June, 2012, the aforesaid proviso shall have effect to the extent of the remaining increase:

PROVIDED also that the aforesaid proviso shall not take effect till the benefit is passed on to the consumers."

STATEMENT OF OBJECTS AND REASONS

Amendment of Section 2 of the Delhi Value Added Tax Act, 2004 is proposed to give some relief to the general public from the high increase in the price of petrol by way of exemption of levy of VAT on the increased price of petrol which has been effected from 3rd June, 2012.

The Bill seeks to achieve the aforesaid objective.


(SHEILA DIKSHIT)

CHIEF MINISTER / FINANCE MINISTER

NEW DELHI
DATED

FINANCIAL MEMORANDUM

The Delhi Value Added Tax (Third Amendment) Bill, 2012 does not involve any additional financial implications since no outgo on new posts is anticipated from the Consolidation Fund of the National Capital Territory of Delhi. An annual loss to the tune of Rs. 140 crores is estimated on account of this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Delhi Value Added Tax (Third Amendment) Bill, 2012 does not make provision for the delegation of power in favour of any functionaries to make subordinate legislation.