



सत्यमेव जयते

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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE GUJARAT ELECTRICITY DUTY (AMENDMENT) BILL, 2016.

GUJARAT BILL NO. 3 OF 2016.

A BILL

further to amend the Gujarat Electricity Duty Act, 1958.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Electricity Duty (Amendment) Act, 2016.

Short title.

Bom. XL
of 1958.

2. In the Gujarat Electricity Duty Act, 1958 (hereinafter referred to as "the principal Act"), in section 3, in sub-section (2), for clause (v-a), the following clause shall be substituted, namely:-

Amendment
of section 3
of Bom. XL
of 1958.

"(v-a) where the energy is generated by any non-conventional or renewable source of energy as the State Government may, by notification in the *Official Gazette*, specify in this behalf;"

STATEMENT OF OBJECTS AND REASONS

Clause (v-a) of sub-section (2) of section 3 of the Gujarat Electricity Duty Act, 1958 provides for the exemption from electricity duty where the energy is generated by solar, wind or biomass energy. However in the recent times it has been found that the energy is generated not only through the non-conventional or the renewable sources like solar wind or bio-mass energy, but energy is now also generated through other non-conventional and renewable sources like hydel energy, waste-to-energy, geo-thermal energy, tidal energy, etc. It is not only in the State interest but is also in the national interest that energy is being generated through such more and more non-conventional and renewable sources and for that it is considered necessary to encourage the production of more and more of such energy. Therefore, it is proposed to amend the aforesaid provision of the said Act suitably for empowering the Government to specify by notification in the *Official Gazette*, as to which energy would be considered as non-conventional or renewable energy so as to exempt the same from payment of electricity duty.

This Bill seeks to amend the said Act to achieve the aforesaid object.

SAURABH PATEL,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative power in the following respect:-

Clause 2.- Clause (v-a) of sub-section (2) of section 3 of the Act proposed to be substituted by this clause empowers the State Government to specify, by notification in the *Official Gazette*, as to which energy would be considered as non-conventional or renewable sources of energy .

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Dated the 18th February, 2016.

SAURABH PATEL.

By order and in the name of the Governor of Gujarat,

Dated the 18th February, 2016

Secretary to the Government of Gujarat
Legislative and Parliamentary Affairs Department.