सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित
असाधारण

विघायी परिशिष्ट
भाग-1, खंड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, वृहस्पतिवार, 5 अगस्त, 2004
भाषण 14, 1926 शाक सवतः

उत्तर प्रदेश सरकार
विघायी अनुभाग-1

संख्या 1128 / सात-फक्त-1-1(क)-13-2004
लखनऊ, 5 अगस्त, 2004

अधिसूचना

"भारत का सत्तियान" के अनुसार 200 के अधिन् राज्यवाल महोदय ने उत्तर प्रदेश विधान मण्डल द्वारा पारित उत्तर प्रदेश माल के प्रेस पर कर (संशोधन) विधेयक, 2004 पर दिनांक 5 अगस्त, 2004 को अनुमति प्रदान की और यह उत्तर प्रदेश अधिनियम संख्या 15 सन् 2004 के रूप में सर्वसाधारण की सूचनायाम्र इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश माल के प्रेस पर कर (संशोधन) अधिनियम, 2004
(उत्तर प्रदेश अधिनियम संख्या 15 सन् 2004)
[जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ]
उत्तर प्रदेश माल के प्रेस पर कर अधिनियम, 2000 का अग्रार संशोधन करने के लिये अधिनियम
भारत गणराज्य के निम्नलिखित अधिनियम बनाया जाता है—
1—(1) यह अधिनियम उत्तर प्रदेश माल के प्रेस पर कर (संशोधन) अधिनियम, सहित नाम और प्रारम्भ
2004 कहा जायेगा।
(2) यह 11 जून, 2004 से प्राप्त हुआ समझा जायेगा।
IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Mela Ke Pravesh Par Kar (Sanskodhan) Adhiniyam, 2004 (Uttar Pradesh Adhiniyam Sankhya 15 of 2004) passed by the Uttar-Pradesh Legislature and assented to by the Governor on August 5, 2004.
THE UTTAR PRADESH TRADE TAX (AMENDMENT) BILL, 2004

A BILL

further to amend the Uttar Pradesh Trade Tax Act, 1948.

It is hereby enacted in the Fifty-fifth year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Trade Tax (Amendment) Act, 2004.

(2) It shall be deemed to have come into force on June 11, 2004.
2. In section 3 of the Uttar Pradesh Trade Tax Act, 1948 (U.P. Act no. 15 of 1948), hereinafter referred to as the principal Act, after sub-section (6), the following sub-sections shall be inserted, namely:

"(7) Subject to such conditions as may be prescribed, the State Government may permit any Power Project Industrial Unit engaged in generation, transmission and distribution having the aggregate capital investment of Rs. 1000 Crore or more to own the trade tax liabilities of a dealer of such sales as are made to that unit:

Provided that such permission may also be granted in the case of a sub-dealer whose sales culminate in the purchases by such unit.

(8) Subject to such conditions as may be prescribed, the State Government may, by notification, declare that the rate of trade tax leviable on various goods at the time of start of the establishment of a Power Project Industrial Unit shall not be enhanced in the case of purchases by such unit during the period of exemptions."

3. In section 8 of the principal Act, after sub-section (2-A), the following sub-section shall be inserted, namely:

"(2-B) Notwithstanding anything contained in any other provision of this Act and rules made thereunder, the State Government may grant moratorium from payment of the admitted tax to a Power Project Industrial Unit, subject to such conditions as may be prescribed."

4. (1) The Uttar Pradesh Trade Tax (Amendment) Ordinance, 2004 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in such-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.
STATEMENT OF OBJECTS AND REASONS

With a view to implementing the State Energy Policy-2003 approved by the State Government it was decided to amend the Uttar Pradesh Trade Tax Act, 1948 to provide for empowering the State Government.

1. to permit any Power Project Industrial Unit engaged in generation, transmission and distribution having the aggregate capital investment of Rs. one thousand crore or more to own the trade tax liability of a dealer of such sales as are made to the said unit;

2. to declare that the rate of tax leviable on various goods at the time of start of the establishment of the said unit shall not be enhanced with respect to the purchases by the said unit during the period of exemption;

3. to grant moratorium to the said unit from the payment of admitted tax.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Trade Tax (Amendment) Ordinance, 2004 (U. P. Ordinance no. 7 of 2004) was promulgated by the Governor on June 11, 2004.

This Bill is introduced to replace the aforesaid Ordinance.

MULAYAM SINGH YADAV,
Mukhyamantri.