

LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

THE GOA MOTOR VEHICLES TAX

(3rd AMENDMENT) BILL, 2020

(Bill No.13 of 2020)

(As Introduced in the Legislative Assembly of the State of Goa)

GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM, GOA
July, 2020

The Goa Motor Vehicles Tax (3rd Amendment) Bill, 2020

(Bill No. 13 of 2020)

A

BILL

further to amend the Goa, Daman and Diu Motor

Vehicles Tax Act, 1974 (Act No.8 of 1974).

BE it enacted by the Legislative Assembly of Goa in the **Seventy-first Year**

of the Republic of India as follows:-

1. Short title and commencement.—(1) This Act may be called the Goa Motor Vehicles Tax (Amendment) Act, 2020.

(2) It shall be deemed to have come into force on the day of 19th April 2017.

2. Amendment of section 2.—In section 2 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974), clause (1) shall be re-numbered as clause (1A) and before clause (1A) as so re-numbered, the following clause shall be inserted, namely:-

“(1) “cost of the motor vehicle means,—

- a) the cost as per purchase invoice of the motor vehicle issued by its manufacturer and shall include the basic manufacturing cost, excise duty, sales tax/ value added tax/ goods and services tax payable in the State of Goa, in relation to motor vehicle manufactured in India or

- b) the cost as per landed value of the motor vehicle consisting of assessable value under the Customs Act, 1962 (Act No. 52 of 1962) and the customs duty paid thereupon including additional duty paid, if any, as endorsed in the bill of entry by the Customs Department in the State of Goa, in relation to motor vehicle imported into India, irrespective of its place of manufacture.

EXPLANATION – Discount offered by the manufacturer or dealer shall not be deducted from cost of the motor vehicle”.

Statement of Objects and Reasons

The taxation rate of a motor vehicle depends on the cost of vehicle, The Bill seeks to insert clause – in Section 2 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974) so as to define the cost of vehicle and remove ambiguity in calculation of the tax to be paid on a motor vehicle during registration of the vehicle. There are also instances noticed wherein vehicle dealers manipulate the invoice cost of the vehicles to benefit the customer, causing loss of revenue. Inclusion of the expression “cost of vehicle” will remove the aforesaid difficulty.

The rate of tax leviable on motor vehicle other than transport vehicle is specified in Part “B” of the schedule to the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974) and such rate is required to be calculated on the basis of cost of vehicle, however, the term cost of the vehicle is not defined in the said Act. The Bill therefore seeks to define the term “cost of the vehicle” in said Act.

This Bill seeks to achieve the above object.

Financial Memorandum

The taxation rate of a motor vehicle depends on the cost of vehicle. This Bill seeks to define the term “cost of vehicle” so as to remove ambiguity and secure revenue of this Department under Goa, Daman and Diu Motor Vehicles Tax Act, 1974.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim – Goa

Shri Mauvin Godinho
Minister for Transport

Assembly Hall
Porvorim – Goa
_____ -2020

Namrata Ulman
Secretary to the Legislative Assembly of Goa.

ANNEXURE

Incorporation of a new definition of “cost of motor vehicle” in section 2 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974)

Section 2:- definition

“cost of the motor vehicle” means—

- a) the cost as per purchase invoice of the motor vehicle issued by its manufacturer and shall include the basic manufacturing cost, excise duty, sales tax/ value added tax/ goods and services tax payable in the State of Goa, in relation to motor vehicle manufactured in India or

- b) the cost as per landed value of the motor vehicle consisting of assessable value under the Customs Act, 1962 (Act No. 52 of 1962) and the customs duty paid thereupon including additional duty paid, if any, as endorsed in the bill of entry by the Customs Department in the State of Goa, in relation to motor vehicle imported into India, irrespective of its place of manufacture.

EXPLANATION – Discount offered by the manufacturer or dealer shall not be deducted from cost of the motor vehicle.