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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 *Gujarat Government Gazette*. The date of publication to be reported.)

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 (SECOND AMENDMENT) BILL, 2019.

GUJARAT BILL NO. 35 OF 2019.

A BILL

further to amend the Gujarat Electricity Duty Act, 1958.

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

1. (1) This Act may be called the Gujarat Electricity Duty (Second Amendment) Act, 2019.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title and
commencement.

**Amendment
of section 3
of Bom. XL
of 1958.**

2. In the Gujarat Electricity Duty Act, 1958, in section 3, in sub-section (2), in clause (v-a), the words “and on such terms and conditions as may be specified therein” shall be added at the end.

**Bom. XL
of 1958.**

STATEMENT OF OBJECTS AND REASONS

Existing clause (v-a) of sub-section (2) of section 3 of the Gujarat Electricity Duty Act, 1958 provides for exemption from levy of electricity duty on units of energy consumed if such energy is generated by any non-conventional or renewable source of energy as may be specified by the state government by notification in the *Official Gazette*. The State Government has, vide Government Notification, Energy and Petrochemicals Department, No. GHU/2016/(31)/ELD/12-2015/3208/E, dated the 22nd May, 2016, specified such eight energy viz. solar, wind, biomass, tidal, wave, geo-thermal, small hydro plant (capacity upto 25 MW) and energy from waste. Now, in order to have more flexibility in granting exemption to such renewable sources of energy depending upon their aggregate installed capacity, class of the consumers of such energy as well as the nature of consumption, it is considered necessary to amend said clause (v-a) of sub-section (2) of section 3 further to empower the State Government to specify the terms and conditions in the said notification, subject to which such energy would be considered as non-conventional or renewable energy and the units of such energy consumed would be exempted from levy of Electricity Duty. *Clause 2* of the Bill provides for the same.

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

SAURABH PATEL,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill provides for delegation of legislative powers in the following respects:--

Clause 1.— Sub-clause (2) of this clause empowers the State

Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 2.- Existing *clause* (v-a) of sub-section (2) of section 3 of the Act empowers the State Government to specify, by notification in the *Official Gazette*, as to which energy would be considered as non-conventional or renewable energy. The said clause is now proposed to be amended by this clause further to empower the State Government to specify the terms and conditions in the said notification, subject to which the energy would be considered as non-conventional or renewable energy.

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

Dated the 4th December, 2019.

SAURABH PATEL.

Gandhinagar,

Dated the 5th December, 2019

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

K. M. LALA,

Secretary to the Government of Gujarat,

Legislative and Parliamentary Affairs Department.