



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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असाधारण क्रमांक १५१

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Value Added Tax (Second Amendment) Bill, 2018 (L. A. Bill No. LXIX of 2018), introduced in the Maharashtra Legislative Assembly on the 22nd November 2018, is hereby published under the authority of the Governor.

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

RAJENDRA G. BHAGWAT,
Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. LXIX OF 2018.

A BILL

further to amend the Maharashtra Value Added Tax Act, 2002.

Mah. IX of 2005. WHEREAS it is expedient further to amend the Maharashtra Value Added Tax Act, 2002, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-ninth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Value Added Tax (Second Amendment) Act, 2018. Short title.

Mah. IX of 2005. 2. In section 16 of the Maharashtra Value Added Tax Act, 2002,— Amendment of section 16 of Mah. IX of 2005.

(a) in sub-section (2), the proviso shall be deleted;

(b) in sub-section (6), in the second proviso,—

(i) in clause (b), for the words “facts,” the words “facts, or” shall be substituted;

(ii) after clause (b), the following clause shall be inserted, namely :—

“(c) who has obtained the registration on or after the 1st April 2018, but has not submitted his current bank account details on the automation system of the Department within the prescribed period.”

STATEMENT OF OBJECTS AND REASONS

In furtherance of the policy of the State Government of "Ease of Doing Business", it is considered expedient to amend the Maharashtra Value Added Tax Act, 2002 (Mah. IX of 2005).

2. The salient features of the proposed amendments are as under :—

(i) the pre-condition of payment of security deposit at the time of making an application for voluntary registration is being deleted;

(ii) the Commissioner is being empowered to cancel the registration certificate of a dealer who does not submit his current bank account details on the automation system of the Department within the period prescribed by rules.

3. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 19th November 2018.

SUDHIR MUNGANTIWAR,
Minister for Finance.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely :—

Clause 2.— Under this clause, which seeks to amend section 16 of the Maharashtra Value Added Tax Act, 2002, under the proposed clause (c) of the second proviso to sub-section (6), power is taken to the State Government to prescribe, by rules, the period within which a registered dealer has to submit his current bank account details on the automation system of the Department.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for amendment of section 16 of the Maharashtra Value Added Tax Act, 2002 (Mah. IX of 2005). The said section 16 contains the provisions regarding registration of dealer who is liable to pay tax. By the said amendment,—

(i) the pre-condition of payment of security deposit at the time of making an application for voluntary registration is being deleted ;

(ii) the Commissioner is being empowered to cancel the registration certificate of a dealer who does not submit his current bank account details on the automation system of the Department within the period prescribed by rules.

There is no provision in the Bill which would involve the recurring or non-recurring expenditure from the Consolidated Fund of the State on its enactment as an Act of the State Legislature.