

TRIPURA GAZETTE



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PART-IV-- Bills introduced in the Tripura Legislative Assembly, Report of Selection Committees presented or to be presented to that Assembly ; and Bills published before introduction in that Assembly.

TRIPURA LEGISLATIVE ASSEMBLY
SECRETARIAT
NEW CAPITAL COMPLEX
AGARTALA, TRIPURA, PIN - 799 010
[Fax : (0381) 241 4095/9654]

No.F.7(12-22)-LA/2019.

Dated, Agartala the 1st September, 2019.

NOTIFICATION.

" As required under Rule 117 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly, "The Tripura Road Development Cess (Amendment) Bill, 2019 (The Tripura Bill No. 7 of 2019) " as introduced in the Assembly on the 30th August, 2019 is published in the Tripura Gazette."


(S. Sikdar)
Secretary
Tripura Legislative Assembly

THE TRIPURA ROAD DEVELOPMENT CESS (AMENDMENT) BILL, 2019.

A

BILL

to amend the Tripura Road Development Cess Act, 2018 (Tripura Act No. 11 of 2018) and the matters connected therewith and incidental thereto.

BE it enacted by The Tripura Legislative Assembly in the seventieth Year of the Republic of India as follows:-

1. Short title, extent and commencement:

- (1) This may be called the 'Tripura Road Development Cess (Amendment) Act, 2019';
- (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment of Section 3:

In sub-section (2) of Section 3 of the Tripura Road Development Cess Act, 2018 (Tripura Act No. 11 of 2018), the expression "**not exceeding four per cent.**" shall be substituted by the expression "**as may be specified by the Government from time to time by notification in the Official Gazette,**"

3. Insertion of new Section 33A:

After Section 33 of the Tripura Road Development Cess Act, 2018 (Tripura Act No. 11 of 2018), a new Section namely, Section 33A shall be inserted as under:-

“33A. Automation –

- (1)** The Government shall endeavour to introduce and establish an automated data processing system for complementing the purposes of the Act and for incidental and allied matters;
- (2)** In order to make the said system effective, the Government may, from time to time issue Notification, to be published in Official Gazette, for regulating the interactions between the persons and prescribed authority under the Act:

Provided, the notification may be given retrospective effect, not before the 1st August, 2018.”

4. Repeal and Savings:

- (1)** The Tripura Road Development Cess (Amendment) Ordinance, 2019 (The Tripura Ordinance No. 1 of 2019) is hereby repelled;
- (2)** Notwithstanding such repeal, any Notification and Order issued or any action taken under the Ordinance, so repealed shall be deemed to have been issued or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS & REASONS

The Tripura Road Development Cess (Amendment) Bill, 2019, provides for the twin objectives of generating additional resources & development of roads in the State of Tripura and facilitating e-Services in various process of the Tripura Road Development Cess Act, 2018.

2. Better roads are likely to generate more economic activity in the State of Tripura which may usher a virtuous circle of economy for betterment of every Citizen of the State. It will reduce the transportation cost and save the time as well and will also reduce the cost of business in this State which may attract more investment in this State.

3. As the House of the Tripura Legislative Assembly was not in session and immediate action was required to be taken in this regard, the Governor promulgated the Tripura Road Development Cess (Amendment) Ordinance, 2019 (The Tripura Ordinance No. 1 of 2019) on 15th June, 2019. The Bill now seeks to replace the said Ordinance.

(JISHNU DEV VARMA)
Deputy Chief Minister
Government of Tripura

TECHNICAL REPORT

The proposed Bill provides for increasing the limit of the levy of Cess on the turnover of sales of petrol, diesel and natural gas as per the Tripura Road Development Cess Act, 2018. The subject matter of the Bill is relatable to Entry 54 of List-II (State List) of the Seventh Schedule to the Constitution of India. Therefore, the State Legislature is competent to make a law on this subject.

The State Legislature is competent to legislate on the subject under sub-clause (1) of Clause 246A of the Constitution of India. The Provisions of the Bill are not repugnant to any provision of any existing Central Law. It does not attract the proviso to Article 304(b) of the Constitution of India.

The Bill is money bill as defined in sub-clause (a) of Clause-I of Article 199 of the Constitution of India and as such recommendation of the Governor as required under clause (1) of Article 207 of the Constitution of India will be required for introduction of the Bill in the Tripura Legislative Assembly.

FINANCIAL MEMORANDUM

As the existing infrastructure would be utilized for implementation of The Tripura Road Development Cess (Amendment) Bill, 2019 it would not involve any additional expenditure.

(Manoj Kumar)
Additional Chief Secretary
Finance Department
Government of Tripura