

No. 129/XXXVI(3)/2016/14(1)/2016

Dated Dehradun, April 07, 2016NOTIFICATIONMiscellaneous

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 Uttarakhand Transport and Civic Infrastructure Cess (Amendment) Bill, 2016**' (Adhiniyam Sankhya 13 of 2016).

As Passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 04 April, 2016.

**THE UTTARAKHAND TRANSPORT AND CIVIC INFRASTRUCTURE
CESS (AMENDMENT) ACT, 2016**
(Uttarakhand Act no. 13 Year 2016)

An

Act

FOR FURTHER AMEND THE UTTARAKHAND TRANSPORT AND CIVIC
INFRASTRUCTURE CESS ACT, 2012

It be enacted by The Uttarakhand Legislative Assembly in the sixty seventh year of Indian Republic as Follows.

Short title and
Commencement

- 1 (1) This Act may be called Uttarakhand Transport and Civic Infrastructure Cess (Amendment) Act, 2016.

(2) It shall come into force on such date as the state government may appoint in the official gazette.

Amendment of Section 3

- 2 In place of section-3 of Uttarakhand Transport & Civic Infrastructure Cess Act, 2012, (herein after referred as Principal Act,) following section shall be substituted namely:-

"3-Rate and payment of Cess-

(1) In respect of any motor vehicle, to make use of any road or infrastructure, cess shall be imposed and recovered at such rate as may be specified by the state government in the gazette.

(2) The person in-charge of the motor vehicle making use of any road infrastructure shall make payment of cess to the inspector posted at the barrier and obtain receipt from him, it shall be the proof of payment of amount mentioned in it.

(3) A motor vehicle that has made payment of cess under sub-section (2) at any barrier in the state shall not be required to pay cess again while crossing any barrier established under this Act within same day for which payment has been made.

(4) At the barrier established on the border of Uttarakhand state, cess due at the rate specified in sub-section (1) shall be recovered from every motor vehicle at the time of entry.

Provided that any motor vehicle owner who has to frequently enter into the Uttarakhand state for different reasons may obtain a token by making payment of cess at quarterly or annual rate specified in the sub-section (5) and (6) as the case may be, in place of daily rate.

(5) The quarterly payment shall be valid for the quarters beginning on first January, first April, first July and first October.

(6) Annual token shall be valid for the financial year for which it has been issued.

Explanation:

(One) The receipt of cess will be valid for each day and the calculation of its duration shall be made from the time of crossing the first barrier, i.e. during this period payment of cess shall not be required to be made again while entering into the state more than once.

(Two) In case any motor vehicle driver or person in-charge stays in the state for a period of more than one day after the payment of cess, he shall not be required to make payment of cess on the basis of duration of his stay but in case the motor vehicle goes out of the state and enters again into the state such motor vehicle shall have to make."

Amendment of section 11

3 In section 11 of Principal Act -

(a) Following sub-section shall be placed in place of sub-section (3) -

"(3) The driver or person in-charge of the vehicle shall keep the receipt of cess paid, at the time of entering into the Uttarakhand state, in the motor vehicle during his stay in the state and shall present it to the collection authority when demanded."

(b) In sub-section (4) in place of words "Prescribed rate under column 3 of the schedule" words "Prescribed rate under sub-section (1) of Section 3 shall be placed."

Provided that in case the government decides to give on lease the right to collect cess under section 4, the provisions of sub-section (3) shall not apply.

Repeal of Schedule

4 First schedule of the Principal Act shall be repealed.

By Order,

JAI DEO SINGH,
Principal Secretary.

उद्देश्य और कारणों का ज्ञापन

उत्तराखण्ड राज्य में अन्य प्रदेशों से आने वाले पर्यटकों एवं तीर्थ यात्रियों के लिये समुचित अवस्थापना सुविधायें विकसित करने के लिये आवश्यक संसाधन जोड़ने की आवश्यकता को देखते हुये राज्य में बाहर से आने वाले समस्त मोटर यानों पर उत्तराखण्ड परिवहन एवं नागरिक अवस्थापना उपकर अधिनियम, 2012 द्वारा उपकर लगाया गया है। उक्त अधिनियम के अन्तर्गत प्रथम अनुसूची में निर्धारित अधिनियम की व्यवस्थाओं को और अधिक स्पष्ट एवं सुसंगत बनाया जाना प्रस्तावित है।

2- प्रस्तावित विधेयक उपरोक्त उद्देश्य की पूर्ति करता है।

हरीश रावत,
मुख्यमंत्री