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## **Assam Taxation (On Luxuries) (Amendment) Act, 2000**

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## **Assam Taxation (On Luxuries) (Amendment) Act, 2000**

An Act to amend the Assam Taxation (On Luxuries) Act, 1997. WHEREAS it is expedient to amend the Assam Taxation (On Luxuries) Act, 1997, hereinafter referred to as the principal Act, in the manner hereafter appearing; It is hereby enacted in the Fifty-first Year of the Republic of India as follows:-

### **1. Short Title, Extent And Commencement :-**

- (1) This Act may be called the Assam Taxation (On Luxuries) (Amendment) Act, 2000.
- (2) It shall have the like extent as the principal Act.
- (3) It shall be deemed to have come into force on the twentieth day of May, 2000.

### **2. Amendment Of Section 2 :-**

In the principal Act, in section 2, -

- (1) for clause (i), the following shall be substituted, namely:-

"(i) stock of luxuries means the quantity of the luxuries received by a stockist;

Explanation.- A stockist who is a manufacturer shall be deemed to have received the stock of luxuries manufactured by him upon manufacture of such luxuries."

- (2) in clause (j), the words "for stocking, vending, supply or distributing such luxuries in Assam", shall be omitted;

- (3) in clause (m), -

- (i) in sub-clause (i), in the end, after the word "stock" and before the punctuation mark (;) semi-colon, the following shall be inserted, namely:-

"and the amount of excise duty and of transport and insurance

charges, if any, paid or payable by him."

(ii) after sub-clause (i) so amended, the following Explanation, shall be inserted, namely:-

"Explanation. - If manufacturer is entrusted with the processing of raw materials or of semi-finished goods supplied to him by another person, so as to complete the manufacture of the luxuries, the latter shall give a declaration to the former as to the value of stock of luxuries and also as to the value of raw materials, expenses on manufacturing or processing, excise duty and the price at which such luxuries would be sold in the course of wholesale trade. However, if the value of stock of luxuries is not declared in this manner or if the authority having jurisdiction over such manufacturer is not satisfied with the value of stock of luxuries so declared, he shall determine the value of stock of luxuries according to the best of his judgment after giving him a reasonable opportunity of being heard and for this purpose he shall have regard, among other things, to the value of raw materials, expenses on manufacturing or processing, excise duty and the price at which the stockist would sell such luxuries in the course of wholesale trade."

### **3. Substitution Of Section 5 :-**

In the principal Act, for section 5, the following shall be substituted, namely:-

"5. Levy of tax - The tax payable by a stockist under this Act shall be levied on his turnover of stock of luxuries during any period as prescribed."

### **4. Repeal And Saving :-**

(1) The Assam Taxation (On Luxuries) (Amendment) Ordinance, 2000 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed shall be deemed to have been done or taken under the corresponding provisions of this Act, as if this Act had come into force on the date the said Ordinance came into force.