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NOTIFICATION

No.H.12018/22/91-LJD, the 17th November, 1995. The following Act of the Mizoram Legislative Assembly which received the assent of the Governor of Mizoram is hereby published for general information:

THE MIZORAM (SALES OF PETROLEUM AND PETROLEUM PRODUCTS INCLUDING MOTOR SPIRIT AND LUBRICANTS) TAXATION (AMENDMENT) ACT, 1995.

The Mizoram Act No. 8 of 1995

Received the assent of the Governor of Mizoram on the 10th. 11. 1995.

AN ACT

further to amend the Mizoram (Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants) Taxation Act, 1973 (Act No. 6 of 1974) (hereinafter referred to as the principal Act).

Be it enacted by the Legislative Assembly of Mizoram in the Forty-Sixth year of the Republic of India as follows :-

Short title, extent and commencement. 1. (1) This Act may be called the Mizoram (Sales of Petroleum and Petroleum Products, including Motor Spirit & Lubricants) Taxation (Amendment) Act, 1995.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force on the date of its publication in the Official Gazette.

Amendment
of section 2

2. (1) In section 2 of the principal Act, the proviso to sub section (9) of section 2 shall be deleted.

(2) In section 2 of the principal Act, after sub-section (9), the following sub-section shall be inserted, namely :-

“(9A) ‘sale price’ (used in relation to any dealer) means the amount of money consideration for sales of taxable goods less any sum allowed as cash discount according to ordinary trade practice but including any sum charged for containers or other materials used in packing of such goods ;”

(3) In section 2 of the principal Act, after sub-section (10), the following sub-section shall be added ;namely :-

“(10A) ‘Turnover’ (used in relation to any period) means the aggregate of the sale prices or parts of sale prices recoverable by a dealer during such period after deducting —

(i) the amount, if any, refunded by him in respect of any taxable goods and their containers within a period of three months from the date of delivery of the goods.

(ii) from the resultant balance an amount arrived at by applying the following formula:—

$$\frac{\text{rate of tax X aggregate of sale prices}}{100 + \text{rate of tax}}$$

Provided that no deduction on the basis of the above formula shall be made if the amount by way of tax collected by a registered dealer, in accordance with the provisions of this Act, has not been included in the aggregate of sale prices.

Explanation :— Where the turnover of a dealer is taxable at different rates, the aforesaid formula shall be applied separately in respect of each part of the turnover liable to different rate of tax.”

Deletion of
sub-section (3)
of section 3

3. In section 3 of the principal Act, sub-section (3) shall be deleted.

Amendment
of section 10

4. In section 10 of the principal Act, the words and figure, namely—“other than a revised return in respect of the return furnished under sub-section (2)” appearing in sub-section (4) of section 10, shall be deleted.

P. Chakraborty,
Secretary to the Govt. of Mizoram,
Law, Judl. & Parl. Affairs Deptt.