

## അടിയന്തിരം

ആർ.ആർ.9.2488/2014

രജിസ്ട്രേഷൻ ഇൻസ്പെക്ടർ ജനറലുടെ കാര്യാലയം,  
തിരുവനന്തപുരം, കേരളം. തീയതി 19-02-2014.

രജിസ്ട്രേഷൻ ഇൻസ്പെക്ടർ ജനറൽ  
തിരുവനന്തപുരം.

എല്ലാ ഡി.ഐ.ജി മാർക്കും, ജില്ലാ രജിസ്ട്രാർ (ജനറൽ & ആഡിറ്റ്) മാർക്കും

സർ,

വിഷയം:- രജിസ്ട്രേഷൻ വകുപ്പ് - കേരളാ ഫിനാൻസ് ബിൽ 2014 - സംബന്ധിച്ച്

സൂചന:- കേരളാ ഫിനാൻസ് ബിൽ - 2014 (ബിൽ നമ്പർ. 281)

സൂചന പ്രകാരം ലഭ്യമായിട്ടുള്ള 2014 - ലെ ഫിനാൻസ് ബില്ലിന്റെ പകർപ്പ് അനന്തര നടപടികൾക്കായി ഇതോടൊപ്പം അയയ്ക്കുന്നു. 1.4.2014 മുതൽ ടി ബില്ലിലെ വ്യവസ്ഥകൾ പ്രാബല്യത്തിൽ വരുന്നതാണ്. എല്ലാ ജില്ലാ രജിസ്ട്രാർ ജനറൽമാരും ടി ബില്ലിന്റെ പകർപ്പ് തങ്ങളുടെ അധികാര പരിധിയിലുള്ള എല്ലാ സബ് രജിസ്ട്രാർമാർക്കും നൽകി ആവശ്യമായ നിർദ്ദേശം നൽകേണ്ടതാണ്.

താങ്കളുടെ വിശ്വസ്തൻ



രജിസ്ട്രേഷൻ ഇൻസ്പെക്ടർ ജനറലിനു വേണ്ടി

Thirteenth Kerala Legislative Assembly  
Bill No. 281

THE KERALA FINANCE BILL, 2014

A

BILL

to give effect to certain financial proposals of the Government of Kerala for the Financial Year 2014-2015.

*Preamble.*—WHEREAS, it is expedient to give effect to certain financial proposals of the Government of Kerala for the Financial Year 2014-2015;

BE it enacted in the Sixty-fifth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Finance Act, 2014.
2. *Amendment of Act XII of 1955.*—In the Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (XII of 1955),—

(1) in section 6, in sub-section (4), for the words “fifty rupees for every day during which the non-compliance continues”, the words “ten rupees for every day during which the non-compliance continues, subject to a maximum of fifty rupees” shall be substituted;

(2) in section 7, in sub-section (5), for the words “not exceeding one thousand rupees”, the words “of twenty rupees for every day during which the default continues, subject to a maximum of two hundred rupees” shall be substituted;

(3) in section 12, in sub-section (2), for the words “not exceeding one thousand rupees”, the words “of twenty rupees for every day during which the default continues, subject to a maximum of two hundred rupees” shall be substituted;

(4) in section 13, in sub-section (5), for the words “not exceeding one thousand rupees”, the words “of twenty rupees for every day during which the non-compliance continues, subject to a maximum of two hundred rupees” shall be substituted;

(5) in section 15, in sub-section (2), for the words “one hundred rupees for every day during which the default continues”, the words “twenty rupees for every day during which the default continues, subject to a maximum of two hundred rupees” shall be substituted;

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(6) in section 22, in sub-section (2), for the words "one hundred rupees for every day during which the default continues", the words "twenty rupees for every day during which the default continues, subject to a maximum of two hundred rupees" shall be substituted.

3. *Amendment of Act 17 of 1959.*—In the Kerala Stamp Act, 1959 (17 of 1959),—

(1) in section 28A,—

(a) after sub-section (1), the following sub-sections shall be inserted, namely:—

"(1A) Subject to such rules as may be prescribed, the fair value of land fixed under sub-section (1) may be revised by the Revenue Divisional Officer every five years or earlier if so directed by the Government, if in the opinion of the Government any substantial change of the fair value of land has taken place.

(1B) Notwithstanding anything contained in this Act or the Rules made thereunder, the Government may, by notification published in the Official Gazette, make an increase of a fixed percentage in the fair value of land fixed as per sub-section (1), from time to time, before revision is made under sub-section (1A).";

(b) in sub-section (3), after the words, brackets and figure "under sub-section (1)", the words, brackets, figure and letter "and the revised fair value of land fixed under sub-section (1A)" shall be inserted;

(c) in sub-section (4), after the words, brackets and figure "under sub-section (1)", the words, brackets, figure and letter "or the revision of fair value under sub-section (1A)" shall be inserted;

(2) in the SCHEDULE,—

(a) in serial number 5, the clause (d) shall be renumbered as clause (g) and before clause (g) as so renumbered, the following clauses shall be inserted, namely:—

"(d) if relating to monthly deposit scheme (MDS) One hundred rupees in similar to that of chitties, of whatever name respect of each depositor. called, between a co-operative Bank/Society and a depositor

(e) if relating to installation of ATM machine, Two thousand and five hundred rupees per year. between a bank and the land owner or renewal thereof

(f) if relating to installation of Mobile Tower, Five thousand rupees per year."; between a company and the land owner or renewal thereof

(b) for serial number 10, and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be substituted, namely:—

"10. Articles of Association of a Company,—

(a) if relating to companies having paid up capital up to Rs. 10 lakhs Two thousand rupees.

(b) if relating to companies having paid up capital above Rs. 10 lakhs and up to Rs. 25 lakhs Five thousand rupees.

(c) if relating to companies having paid up capital above Rs. 25 lakhs 0.5 per cent of the paid up capital.";

(c) in serial number 19, in the entry in column (3), for the words "Twenty five rupees", the words "fifty rupees" shall be substituted;

(d) in serial number 21, in clause (i), in the entry in column (3), for the words "five rupees", the words "six rupees" shall be substituted;

(e) in serial number 22, in clause (II), in the entries in column (3), for the words "Seven rupees", the words "Six rupees" shall be substituted;

(f) after serial number 36 and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—

"36A. Memorandum of association and rules and regulations of a charitable society under the Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (Act XII of 1955) Five hundred rupees.";

(g) in serial number 37,—

(i) after clause (c) and the entries against it in columns (2) and (3), the following clause and entries shall, respectively, be inserted, namely:—

“(d) when executed in favour of commercial banks for securing loans	0.5 per cent for the amount secured subject to a maximum of rupees 20,000.”;
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(ii) the existing Exemption shall be numbered as 1, and after Exemption 1, as so numbered, the following Exemption shall be inserted, namely:—

2. Instruments executed for securing agricultural and educational loans granted by commercial banks”.

4. *Amendment of Act 17 of 1960.*—In the Kerala Plantation Tax Act, 1960 (17 of 1960), in section 3, to sub-section (1), the following proviso shall be

## DECLARATION UNDER THE KERALA PROVISIONAL COLLECTION OF REVENUES ACT, 1985 (ACT 10 OF 1985)

It is hereby declared that it is expedient in the public interest that all the provisions of this Bill shall have effect on and from the 1<sup>st</sup> day of April, 2014 under the Kerala Provisional Collection of Revenues Act, 1985 (10 of 1985).

### STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend the following enactments to give effect to the financial proposals of the Government of Kerala for the financial year 2014-2015 as announced in paragraphs 13, 310 to 316, 318, 319, 326 to 334, 336 to 379, 381 to 386, 388, 390, 393, 395 to 397 of the Budget Speech 2014-2015, namely:—

1. The Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (XII of 1955);
2. The Kerala Stamp Act, 1959 (17 of 1959);
3. The Kerala Plantation Tax Act, 1960 (17 of 1960);
4. The Kerala General Sales Tax Act, 1963 (15 of 1963);
5. The Kerala Building Tax Act, 1975 (7 of 1975);
6. The Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976);
7. The Kerala Tax on Luxuries Act, 1976 (32 of 1976);
8. The Kerala Agricultural Income Tax Act, 1991 (15 of 1991);
9. The Kerala Value Added Tax Act, 2003 (30 of 2004);
10. The Kerala Finance Act, 2013 (29 of 2013).

### FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the consolidated Fund of the State.

### MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-section (2) of section 11 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976) proposed to be substituted by sub-clause (5) of clause 7 of the Bill seeks to empower the Government to prescribe the details and the manner of serving the notice to the registered owner or the person having control of the vehicle, by the authorised officer who had seized and detained such vehicle and the manner of conducting the sale of such vehicle on non-payment of the tax due.

2. Section 4A of the Kerala Value Added Tax Act, 2003 (30 of 2004) proposed to be inserted by sub-clause (2) of clause 10 of the Bill seeks to empower the Government to prescribe the manner in which the appeals filed before the existing Appellate Tribunals under the Kerala Value Added Tax Act, 2003 are to be heard and disposed of by the Appellate Tribunals appointed under Kerala General Sales Tax Act, 1963.

3. Proviso to sub-section (1) of section 6 of the Kerala Value Added Tax Act, 2003 (30 of 2004) proposed to be amended by item (a)(ii) of sub-clause (3) of clause 10 of the Bill seeks to empower the Government to prescribe such conditions and restrictions subject to the issue of authorisation by the authorised officer for tax reduction in the sale of goods to defence personnel, ex-service men etc.

4. Sub-section (1) of section 6 of the Kerala Value Added Tax Act, 2003 (30 of 2004) proposed to be amended by item (a)(iii) of sub-clause (3) of clause 10 of the Bill seeks to empower the Government to prescribe the conditions and restrictions subject to which tax shall be reduced for the sale of furnace oil to coastal cargo vessel and also to prescribe the conditions and restrictions subject to which tax shall be exempted for the sale of goods to be incorporated in works of Kochi Metro Project under the Kochi Metro Rail Corporation.

5. Explanation I of clause (a) of section 8 of the Kerala Value Added Tax Act, 2003 (30 of 2004) proposed to be amended by sub-clause (5) of clause 10 of the Bill seeks to empower the Government to prescribe the form of the certificate to claim deduction in respect of amount paid to sub-contractors for execution of a portion of the work contracted, while paying tax at the rate of six per cent of the whole contract amount in a works contract.

6. The matters in respect of which notifications may be issued or rules are to be made are either administrative in nature or matters of procedure and are of routine nature. Further, the rules after they are made, will be subject to the scrutiny of the Legislative Assembly. The delegation of legislative power is, thus, of a normal character.

K. M. MANI.