

The Rajasthan Finance Act, 1961

RAJASTHAN

India

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Act 14 of 1961

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The Rajasthan Finance Act, 1961(Act No. 14 of 1961)[Published in Rajasthan Gazette, Part IV-A. Extraordinary, dated 4.5.1961][Received the assent of the Governor on the 29th day of April, 1961.]An Act to give effect to the financial proposals of the State Government for the financial year 1961-62.Be it enacted by the Rajasthan State Legislature in the Twelfth Year of the Republic of India, as follows:-

1. Short title.

- This Act may be called the Rajasthan Finance Act, 1961.

2.

Omitted by Rajasthan Act 33 of 1976.

2A. [[Levy of draught relief surcharge on instruments chargeable with Stamp Duty.] [Inserted by Rajasthan 6 of 1972.]

(1)Every instrument chargeable with duty under section 3 of the Indian Stamp Act, 1899 (Central Act 2 of 1899), as adapted to the State of Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act 7 of 1952), not being an instrument covered by entry 91 of List I of the Seventh Schedule to the Constitution of India, shall in addition to such duty [be chargeable with draught relief surcharge] [Substituted by Rajasthan 33 of 1976.] of [twenty paise] [Substituted by Rajasthan 16 of 1975.](2)The [draught relief surcharge] [Substituted by Rajasthan 33 of 1976.] with which any instrument is chargeable under sub-section (1) shall be paid and such payment shall be indicated on such instruments by means of adhesive stamps bearing the inscription [draught relief] [Substituted by Rajasthan 14 of 1973.] whether with or without any other design, picture or inscription.(3)Except as otherwise provided in sub-section (2), the provisions of the Indian Stamp Act, 1899 (Central Act 2 of 1899) as adapted to the State of Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952

(Rajasthan Act 7 of 1952), shall, so far as may be, apply in relation to the [draught relief surcharge] [Substituted by Rajasthan 33 of 1976.] chargeable under sub-section (1) as they apply in relation to the duty chargeable under the said Act in respect of those instruments: Provided that no rule or order under clause (a) of section 9 of the Indian Stamp Act, 1899 (Central Act 2 of 1899) as adapted to the State of Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act 7 of 1952) reducing or remitting the duty on an instrument or class of instruments in force immediately before the date of commencement of this section shall apply in relation to the [draught relief surcharge] [Substituted by Rajasthan 33 of 1976.] chargeable under sub-section (1) in respect of such instrument. (4) This section shall remain in force up to the 31st day of March, [1979,] [Substituted by Rajasthan 3 of 1974.] but its expiry under the operation of this sub-section shall not affect-(a) the previous operation of, or any thing duly done or suffered, under this section, or (b) any right, obligation or liability, acquired, accrued or incurred under this section, or (c) any penalty or punishment incurred under this section, or (d) any investigation, legal proceedings or remedy in respect of matters aforesaid or matters ancillary or incidental thereto, and any such investigation, legal proceedings or remedy may be instituted, continued or enforced and any such penalty or punishment may be imposed, as if this section had not expired.]

3. Amendment of section 33 Rajasthan Act 37 of 1959.

- Clause (2) of sub-section (2) of section 33 of the Rajasthan Panchayat Samithis and Zilla Parishads Act, 1959 (Rajasthan Act 37 of 1959), shall be omitted.

4. Amendment of Schedule I, Rajasthan Act 11 of 1951.

- In subdivision A of Schedule 1 to the Rajasthan Motor Vehicles Taxation Act, 1951 (Rajasthan Act 11 of 1951), in column 2 opposite clause (a) of Art. III for the figures "15", the figures "17.50" shall be substituted.

5. Amendment of Section 5, Rajasthan Act 29 of 1954.

- In the second proviso to Section 5 of the Rajasthan Sales Tax Act, 1954 (Rajasthan Act 29 of 1954) hereinafter referred to as the Sales Tax Act, for the figure "7" the figure "10" shall be substituted.

6. Amendment of the Schedule Rajasthan Act 29 of 1954.

- In the Schedule to the Sales Tax Act, (i) all entries against S.No.1 shall be omitted: and (ii) for the existing entry in column (2) against S.No.9, the following entry shall be substituted, namely:-"9. Cattle feeds including oil cakes but excluding Gobar and cotton seeds."

7. Amendment of Section 4, Rajasthan Act 24 of 1957.

- Amendments already incorporated in the principal Act, hence not reproduced. For the principal Act, see Rajasthan Local Laws, Vol. 11 (Third Edition).

8. Amendment of Section 3, Rajasthan Act 18 of 1959.

- In subsection (1) of Section 3 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), for the word 'one-eighth', the figures and the words '15 per cent' and for the word 'one-twelfth', the figures and the words '10 per cent' shall be substituted.

9. Declaration under Section 3, Act 23 of 1958.

- In pursuance of section 3 of the Rajasthan Provisional Collection of Taxes Act, 1958 (Rajasthan Act 23 of 1958), it is hereby declared that it is expedient in the public interest that the clauses (2) to (8) of this Bill shall have immediate effect under the said Act.