

HARYANA ORDINANCE No. OF 2006

**THE HARYANA VALUE ADDED TAX (AMENDMENT)
ORDINANCE, 2006**

**AN
ORDINANCE**

Leg-23/2006 ,dated 16th June ,2006

further to amend the Haryana Value Added Tax Act, 2003.

Promulgated by the Governor of Haryana in the Fifty-seventh Year
of the Republic of India.

Whereas the Legislature of the State of Haryana is not in session
and the Governor is satisfied that circumstances exist which render it
necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1)
of article 213 of the Constitution of India, the Governor of Haryana hereby
promulgates the following Ordinance:--

Short title.

1. This Ordinance may be called the Haryana Value Added Tax
(Amendment) Ordinance, 2006.

Amendment of
section 2 of
Haryana Act 6
of 2003

2. In clause (zg) of sub-section (1) of section 2 of the Haryana Value
Added Tax Act, 2003 (hereinafter called the principal Act), in the
Explanation, after item (ii), the following items shall be added, namely:-

“(iii) Amount equal to increase in prices of petrol and diesel
(including the duties and levies charged thereon by the
Central Government) taking effect from 6th June, 2006,
shall not form part of the sale price with effect from 11th
June, 2006, till the date as the Government may by
notification in the Official Gazette direct:

Provided that this clause shall not take effect till the
benefit is passed on to the consumers.

(iv) Amount equal to bonus paid to farmers for sale of wheat
during rabi marketing season 2006-2007 (20.3.2006 to
30.6.2006), shall not form part of the sale price of wheat
with effect from 20th March, 2006.”.

Amendment of
section 57 of
Haryana Act 6
of 2003

3. For sub-sections (6), (7) and (8) of section 57 of the principal Act, the following sub-sections shall be substituted, namely:--

“(6) A person shall not be qualified for appointment as member of the Tribunal in the capacity of the Chairman unless –

- (a) he has been a judge of a High Court or he is an Advocate with a minimum practice of fifteen years;
or
- (b) he is or has been a Financial Commissioner and Principal Secretary to Government, Haryana; or
- (c) he is a Chartered Accountant with a minimum practice of fifteen years in a Tax Tribunal; or
- (d) he has completed at least three years as a member of the Tribunal.

(7) A person shall not be qualified for appointment as a member (other than the Chairman) of the Tribunal unless --

- (a) he has been a District and Sessions Judge or an Advocate with a practice of not less than ten years;
or
- (b) he is or has been an officer of the Excise and Taxation Department, Haryana, having worked as an Additional Excise and Taxation Commissioner for at least three years; or
- (c) he is a Chartered Account with a minimum practice of ten years:

Provided that all the members of the Tribunal shall not be appointed from single category.

(8) A member of the Tribunal other than the Chairman shall hold office for a term of three years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is later, and the Chairman shall hold office for a term of

three years from the date on which he enters upon his office or
until he attains the age of sixty-five years, whichever is earlier.”.

DATED, CHANDIGARH

GOVERNOR OF HARYANA

THE 16th June, 2006