



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Non-Biodegradable
Garbage (Control)
(Second Amendment) Bill, 2013**

(Bill No. 9 of 2013)

^{AS}
~~To be~~ introduced in the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM, GOA
APRIL, 2013**

**The Goa Non-Biodegradable
Garbage (Control)
(Second Amendment) Bill, 2013**

(Bill No. 9 of 2013)

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BILL

5 *further to amend the Goa Non-Biodegradable
Garbage (Control) Act, 1996 (Goa Act No. 5 of
1997).*

Be it enacted by the Legislative Assembly of Goa
in the Sixty-fourth Year of the Republic of India, as
follows:-

10 **1. Short title and commencement.**— (1) This
Act may be called the Goa Non-Biodegradable
Garbage (Control) (Second Amendment) Act,
2013.

(2) It shall come into force at once.

15 **2. Amendment of section 7.**— In section 7 of
the Goa Non-Biodegradable Garbage (Control) Act,
1996 (Goa Act No. 5 of 1997), -

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

20 “(i) levy a cess at such rates as may be
determined by the Government from time to
time, by notification in the Official Gazette, but
not exceeding two percent of “sale price” as
defined in clause (ad) of section 2 of the Goa
Value Added Tax Act, 2005 (Goa Act 9 of 2005)

of such items, marketed in non-biodegradable packaging material, including bottles and containers, as may be mentioned in such notification, which shall be utilized for implementation of solid waste management schemes including segregation, collection, safe disposal and re-cycling of non-biodegradable waste material and also to promote the sale and use of biodegradable packaging material, bags and containers;";

(ii) after clause (i), the following clause shall be inserted, namely:-

"(j) specify by notification in the Official Gazette the manner of assessment, levy and collection of cess under clause (i). "

Statement of Objects and Reasons

The Bill seeks to substitute clause (i) of section 7 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act No. 5 of 1997) (hereinafter referred to as the "said Act"), so as to empower the Government to levy a cess not exceeding two percent of the "sale price" as defined in clause (ad) of section 2 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005), on such items marketed in non-biodegradable packaging material, including bottles and containers, as may be determined by the Government, by the notification in the Official Gazette, from time to time.

The Bill also seeks to insert a new clause (j) after clause (i) of section 7 of the said Act, so as to enable the Government to specify the manner of assessment, levy and collection of cess.

The Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill. However, it will generate additional revenue to the Government by way of collection of cess.

Memorandum Regarding Delegated Legislation

Clause 2 (i) of the Bill empowers the Government to determine the rates of cess and items marketed in non-biodegradable packaging material by notification in the Official Gazette.

Clause 2 (ii) of the Bill empowers the Government to specify by notification in the Official Gazette the manner of assessment, levy and collection of cess under clause (i) of section 7 of the said Act.

These delegations are of normal character.

Porvorim, Goa.
~~24~~²⁴ April, 2013.

ALINA SALDANHA
Minister for Environment

Assembly Hall,
Porvorim, Goa.
~~24~~²⁴ April, 2013.

N.B. SUBHEDAR
Secretary to the Legislative
Assembly of Goa.