



LEGISLATIVE ASSEMBLY OF GOA

**THE GOA CESS ON FLUID
MILK (CONTROL) BILL, 2000**

(Bill No. 34 of 2000)

^{FS}
(To be introduced in the Legislative Assembly of Goa)

GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM-GOA
JULY, 2000

**THE GOA CESS ON FLUID MILK (CONTROL)
BILL, 2000**

(Bill No. 34 of 2000)

A

BILL

to provide for levy and collection of cess on fluid milk and augment the dairy production and to make the State of Goa a self reliant as far as milk production is concerned and to regulate the use of facilities and infrastructure, etc, provided in the State of Goa and matter connected therewith.

Be it enacted by the Legislative Assembly of Goa in the Fifty-first Year of the Republic of India as follows:—

1. Short title and commencement.— (1) This Act may be called the Goa Cess on Fluid Milk (Control) Act, 2000.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force on such date as the Government may, by notification in the official Gazette, appoint.

2. Definitions.— In this Act, unless the context otherwise requires,—

(a) " Competent authority " means a person or body of persons appointed by the Government under section 3 of this Act;

(b) " Government " means the Government of Goa;

(c) "fluid milk" means milk pasteurized or otherwise in sachet or barrel, in cans or any other container.

(d) "Official Gazette" means the Official Gazette of the Government;

(e) "prescribed" means prescribed by the rules made under this Act;

3. *Appointment of Competent Authority.*— The Government may, by notification in the Official Gazette, appoint any person or a body of persons to perform the functions of competent authority under this Act for such area as may be specified in the notification.

4. *Levy and collection of Cess.*— (1) There shall be levied and collected a cess on fluid milk in the State of Goa upon use of any facilities, infrastructure or any other amenities belonging to or provided by the State for consumption, at rates as may be prescribed, retrospectively or prospectively by the Government by Notification.

(2) The cess shall be assessed, levied and collected in such manner, and in such instalments, if any, as may be prescribed.

(3) The cess levied shall be in addition to any other taxes, permission fees, licence fees.

5. *Crediting proceeds of Cess.*— The proceeds of the cess collected under section 4 of this Act shall be credited to the Government treasury and shall be utilised to augment the dairy production so that the State of Goa becomes self reliant as far as milk production is concerned.

6. *Penalties.*— Whosoever fails to pay the cess levied under the provisions of section 4 of this Act within the period prescribed shall be punished with a fine of Rs. 500/- or ten times the cess payable, whichever is more.

7. *Power of the Government to exempt or reduce Cess.*— The Government may, if in its opinion, it is necessary in public interest so to do, by notification and subject to such restrictions and conditions and for such period as may be specified in the notification, exempt or reduce either prospectively or retrospectively, the cess payable under this Act, by any specified class of producers or class of dealers in fluid milk.

8. *Power to remove difficulties.*— If any difficulty arises in giving effect to the provisions of this Act, the State Govt may, by notification, make such provisions as appear to it be necessary or expedient for removing the difficulty.

9. *Powers to make rules.*— The Government may, subject to the condition of previous publication make rules for the purposes of carrying out the provisions of this Act.

10. *Other Laws not affected.*— The provision of this Act are in addition to and not in derogation of the provisions of any other law for the time being in force.

Statement of Objects and Reasons

In order to augment the dairy production and to make the State of Goa self reliant as far as milk production is concerned, and to regulate the use of facilities and infrastructure, etc., provided in the State of Goa it is proposed to levy cess on fluid milk.

The cess so collected shall be utilized for augmenting dairy production.

This Bill seeks to achieve the above objects.

Financial Memorandum

An Income of Rs. 65 Lakhs (Sixty five lakhs) per annum is expected to be generated on account of implementation of the Bill.

Memorandum Regarding Delegated Legislation

Clause 1(3) of the Bill seeks to empower the Government to appoint the date of bringing into force the Act.

Clause 9 of the Bill seeks to empower the Government to make rules for carrying out the purposes of the Act.

Porvorim,
24th July, 2000.

VICTORIA FERNANDES
Minister for Animal
Husbandry & Veterinary
Services

Assembly Hall,
Porvorim,
24th July, 2000.

R. KOTHANDARAMAN
Secretary to the
Legislative Assembly of Goa

**Governor's Recommendation under Article 207
of the Constitution.**

In pursuance of Article 207 of the Constitution the Governor of Goa has recommended to the Legislative Assembly of Goa the introduction and consideration of the Goa Cess on Fluid Milk (Control) Bill, 2000.