

CHAPTER VI

CENTRAL SALES TAX

74 of 1956.

143. In the Central Sales Tax Act, 1956 (hereinafter referred to as the Central Sales Tax Act), in section 2, for clause (g), the following clause shall be substituted, namely:— Amendment of section 2.

- 40 '(g) "sale", with its grammatical variations and cognate expressions, means any transfer of property in goods by one person to another for cash or deferred payment or for any other valuable consideration, and includes,—
- (i) a transfer, otherwise than in pursuance of a contract, of property in any goods for cash, deferred payment or other valuable consideration;
- 45 (ii) a transfer of property in goods (whether as goods or in some other form) involved in the execution of a works contract;
- (iii) a delivery of goods on hire-purchase or any system of payment by instalments;
- (iv) a transfer of the right to use any goods for any purpose (whether or not for a specified period) for cash, deferred payment or other valuable consideration;
- 50 (v) a supply of goods by any unincorporated association or body of persons to a member thereof for cash, deferred payment or other valuable consideration;

(vi) a supply, by way of or as part of any service or in any other manner whatsoever, of goods, being food or any other article for human consumption or any drink (whether or not intoxicating), where such supply or service, is for cash, deferred payment or other valuable consideration,

but does not include a mortgage or hypothecation of or a charge or pledge on goods;’.

Amendment of section 6A. **144.** In section 6A of the Central Sales Tax Act, in sub-section (1), after the words “along with the evidence of despatch of such goods”, the words “and if the dealer fails to furnish such declaration, then, the movement of such goods shall be deemed for all purposes of this Act to have been occasioned as a result of sale” shall be inserted. 5

Amendment of section 8. **145.** In section 8 of the Central Sales Tax Act,— 10
(i) in sub-section (1), after the words “four per cent. of his turn-over”, the words “or at the rate applicable to the sale or purchase of such goods inside the appropriate State under the sales tax law of that State” shall be inserted;

(ii) in sub-section (2),—

(a) in clause (a), the word “and” shall be omitted; 15

(b) in clause (b), for the words “whichever is higher”, the words “whichever is higher; and” shall be substituted;

(c) for the portion beginning with the words “and for the purpose of” and ending with the words “liable under that law”, the following shall be substituted, namely:—

“(c) in the case of goods, the sale or, as the case may be, the purchase of which is, under the sales tax law of the appropriate State, exempt from tax generally shall be nil, 20

and for the purpose of making any such calculation under clause (a) or clause (b), any such dealer shall be deemed to be a dealer liable to pay tax under the sales tax law of the appropriate State, notwithstanding that he, in fact, may not be so liable under that law.

Explanation.— For the purposes of this sub-section, a sale or purchase of any goods shall not be deemed to be exempt from tax generally under the sales tax law of the appropriate State if under that law the sale or purchase of such goods is exempt only in specified circumstances or under specified conditions or the tax is levied on the sale or purchase of such goods at specified stages or otherwise than with reference to the turn-over of the goods.”; 25

(iii) sub-section (2A) shall be omitted; 30

(iv) in sub-section (3), in clause (b), after the words “for sale or”, the words “in the telecommunications network or” shall be inserted;

(v) in sub-section (5),—

(a) in the opening paragraph, after the words “State Government may”, the words, brackets and figure “on the fulfilment of the requirements laid down in sub-section (4) by the dealer,” shall be inserted; 35

(b) in clause (a), after the words “inter-State trade or commerce,”, the words “to a registered dealer or the Government” shall be inserted;

(c) in clause (b), after the words “inter-State trade or commerce,”, the words “to a registered dealer or the Government” shall be inserted. 40

Amendment of section 15. **146.** In section 15 of the Central Sales Tax Act, in clause (a), the words “, and such tax shall not be levied at more than one stage” shall be omitted.