

Uttar Pradesh Shasan

SansthaगतVitta, KarEvamNibandhanAnubhag -2

In pursuance of the provision of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of Government notification no. KA.NI-2- 1666 /XI-9 (47)/17- U.P. Act-1-2017-Order- (74)-2017, Dated November 16, 2017:

NOTIFICATION

No. KA.NI-2- 1666 /XI-9(47)/17- U.P.Act-1-2017-Order- (74)-2017
Lucknow : Dated : November 16, 2017

In exercise of the powers conferred by sub-section (1) of section 9 of the Uttar Pradesh Goods and Services Tax Act, 2017 (U.P. Act no. 1 of 2017), read with section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act no. 1 of 1904), the Governor on the recommendations of the Council, is pleased to make the following amendments in the notification no. KA.NI-2-836/XI-9(47)/17-U.P.Act-1-2017-Order-(06) - 2017 Dated: June 30, 2017, as amended from time to time, namely:-

AMENDMENT

In the aforesaid notification,-

(A) in Schedule I-2.5%,-

- (i) in serial no. 29, for the entry in column (2), the entry, "0802, 0813", shall be substituted;
- (ii) after serial no. 30 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

"30A	0804	Mangoes sliced, dried" ;
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- (iii) after serial no. 99 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

"99A	1905 or 2106	Khakhra, plain chapatti or roti" ;
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- (iv) after serial no. 101 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

"101A	2106 90	Namkeens, bhujia, mixture, chabena and similar edible preparations in ready for consumption form, other than those put up in unit container and,- (a) bearing a registered brand name; or (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or any enforceable right in respect of such brand name has been voluntarily foregone, subject to the conditions as specified in the ANNEXURE]";
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(v) in serial no. 164, for the entry in column (3), the following entries shall be substituted:-

“(a) kerosene oil PDS,

(b) The following bunker fuels for use in ships or vessels, namely,

- i. IFO 180 CST
- ii. IFO 380 CST”,

(vi) after serial no. 181 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

“181A	30	Medicaments (including those used in Ayurvedic, Unani, Siddha, Homeopathic or Bio-chemic systems), manufactured exclusively in accordance with the formulae described in the authoritative books specified in the First Schedule to the Drugs and Cosmetics Act, 1940 (23 of 1940) or Homeopathic Pharmacopoeia of India or the United States of America or the United Kingdom or the German Homeopathic Pharmacopoeia, as the case may be, and sold under the name as specified in such books or pharmacopoeia”;
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(vii) after serial no. 187 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

“187A	3915	Waste, parings or scrap, of plastics”;
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(viii) after serial no. 188 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

“188A	40040000	Waste, parings or scrap of rubber (other than hard rubber)”;
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(ix) after serial no. 191 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

“191A	4017	Waste or scrap of hard rubber”;
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(x) after serial no. 198A and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

“198 B	4707	Recovered waste or scrap of paper or paperboard”;
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(xi) serial no. 201A and entries relating thereto shall be omitted;

(xii) after serial no. 218 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

“218A	5605 0010	Real zari thread (gold) and silver thread, combined with textile thread”;
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(xiii) in serial no. 219, in column (2), for the figures, “5705”, the figures “5702,5703, 5705”, shall be substituted;

(xiv) after serial no. 228 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

“228A	7001	Cullet or other waste or scrap of glass”;
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(xv) after serial no. 234 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

“234A	84or 85	E-waste <i>Explanation:</i> For the purpose of this entry, e-waste means electrical and electronic equipment listed in Schedule I of the E-Waste(Management) Rules, 2016, published in the Gazette of India vide G.S.R. 338 (E) dated the 23 rd March, 2016, including the components, consumables, parts and spares which make these products operational”;
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(xvi) after serial no. 263A and the entries relating thereto, the following serial number and the entries shall be inserted, namely:-

“264	Any chapter	Biomass briquettes” ;
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(B) in Schedule II-6%,-

(i) in serial no. 16, in column (3), for the words and brackets “Dates(soft or hard), figs, pineapples, avocados, guavas, mangoes and mangosteens, dried”, the words and brackets, “Dates(soft or hard), figs, pineapples, avocados, guavas and mangosteens, dried”, shall be substituted;

(ii) in serial no. 17, in column (3), for the words figure and brackets, “dried fruits of Chapter 8[other than tamarind, dried]”, the words, figure and brackets, “dried fruits of Chapter 8 [other than dried tamarind and dried chestnut (singhada) whether or not shelled or peeled]”, shall be substituted;

(iii) in serial no. 46, for the entry in column (3), the following entry shall be substituted namely: -

“Namkeens,bhujia, mixture, chabena and similar edible preparations in ready for consumption form [other than roasted gram], put up in unit container and,-

(a) bearing a registered brand name; or

(b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or any enforceable right in respect of such brand name has been voluntarily foregone, subject to the conditions as specified in the ANNEXURE]”;

(iv) serial no. 111 and the entries relating thereto, shall be omitted;

(v) after serial no. 132 and the entries relating thereto, the following serial numbers and entries shall be inserted, namely: -

“132A	5401	Sewing thread of manmade filaments, whether or not put up for retail sale
132B	5402, 5403, 5404, 5405, 5406	Synthetic or artificial filament yarns
132C	5508	Sewing thread of manmade staple fibres
132D	5509, 5510, 5511	Yarn of manmade staple fibres”;

(vi) in serial no. 137, in the entry in column (3), the words and figures “such as Real zari thread (gold) and silver thread, combined with textile thread,” shall be omitted;

(C) in Schedule III-9%,-

(i) in serial no. 16, in column (3), for the words “other than pizza bread”, the words, “other than pizza bread, khakhra, plain chapatti or roti”, shall be substituted;

(ii) in serial no. 23, in column (3), for the words “preparations in ready for consumption form”, the words, “preparations in ready for consumption form, khakhra”, shall be substituted;

(iii) after serial no. 54 and the entries relating thereto, the following serial number and the entries shall be inserted, namely:-

“54A	3213	Poster colour”;
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(iv) in serial no. 63, for the entry in column (3), the entry, “Modelling pastes, including those put up for children's amusement; Preparations known as “dental wax” or as “dental impression compounds”, put up in sets, in packings for retail sale or in plates, horseshoe shapes, sticks or similar forms; other preparations for use in dentistry, with a basis of plaster (of calcined gypsum or calcium sulphate)”, shall be substituted;

(v) serial no. 102 and the entries relating thereto, shall be omitted;

(vi) in serial no. 114, in column (3), for the words and brackets “Waste, parings and scrap of rubber (other than hard rubber) and powders and granules obtained therefrom”, the words and brackets “powders and granules obtained from waste, parings and scrap of rubber (other than hard rubber)” shall be substituted;

(vii) serial no. 158 and entries related thereto shall be omitted;

(viii) in serial no. 159, for the entry in column (3), the entry “All goods other than synthetic filament yarns”, shall be substituted;

(ix) in serial no. 160, for the entry in column (3), the entry “All goods other than artificial filament yarns”, shall be substituted;

(x) serial no. 164 and entries related thereto shall be omitted;

(xi) serial no. 165 and entries related thereto shall be omitted;

(xii) after serial no. 177 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

"177A	6802	All goods other than:- (i) all goods of marble and granite; (ii) Statues, statuettes, pedestals; high or low reliefs, crosses, figures of animals, bowls, vases, cups, cachou boxes, writing sets, ashtrays, paper weights, artificial fruit and foliage, etc.; other ornamental goods essentially of stone" ;
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(xiii) serial no. 188, and entries relating thereto, shall be omitted;

(xiv) after serial no. 303 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

"303A	8305	Fittings for loose-leaf binders or files, letter clips, letter corners, paper clips, indexing tags and similar office articles, of base metal; staples in strips (for example, for offices, upholstery, packaging), of base metal" ;
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(xv) after serial no. 308 and the entries relating thereto, the following serial numbers and entries shall be inserted, namely: -

"308A	84	Parts suitable for use solely or principally with fixed Speed Diesel Engines of power not exceeding 15HP
308B	84 or 85	Parts suitable for use solely or principally with power driven pumps primarily designed for handling water, namely, centrifugal pumps(horizontal and vertical), deep tube-well turbine pumps, submersible pumps, axial flow and mixed flow vertical pumps";

(xvi) after serial no. 369 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -

"369A	8483	Plain shaft bearings" ;
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(D) in Schedule-IV-14%, -

(i) in serial no. 23, in column (3), for the words, "pans or in similar forms or packings", the words and brackets, "pans or in similar forms or packings [other than poster colour]", shall be substituted;

(ii) serial no. 34 and entries related thereto shall be omitted;

(iii) in serial no. 50, in column (3), for the words “including waste and scrap”, the words, “other than waste and scrap”, shall be substituted;

(iv) in serial no. 70, for the entry in column (3), the following entry shall be substituted namely: -

“All goods of marble or granite [other than Statues, statuettes, pedestals; high or low reliefs, crosses, figures of animals, bowls, vases, cups, cachou boxes, writing sets, ashtrays, paper weights, artificial fruit and foliage, etc.; other ornamental goods essentially of stone]”;


(v) serial no. 112 and the entries relating thereto, shall be omitted;

(vi) in serial no. 135, in column (3), the words, “and plain shaft bearings”, shall be omitted;

(E) in ANNEXURE, after point (b), the following proviso shall be inserted

“Provided that, if the person having an actionable claim or enforceable right on a brand name and the person undertaking packing of such goods in unit containers are two different persons, then the person having an actionable claim or enforceable right on a brand name shall file an affidavit to that effect with the **Commissioner of State tax** of the person undertaking packing of such goods that he is voluntarily foregoing his actionable claim or enforceable right on such brand name as defined in Explanation (ii)(a); and he has authorised the person [undertaking packing of such goods in unit containers bearing said brand name] to print on such unit containers in indelible ink, both in English and the local language, that in respect of such brand name he [the person owning the brand name] is voluntarily foregoing the actionable claim or enforceable right voluntarily on such brand name.”

This notification shall be deemed to have come into force on 13th day of October, 2017.

By Order,

(Rajendra Kumar Tiwari)
Apar Mukhya Sachiv