

**THE PUDUCHERRY PATENTE (ABOLITION) ACT, 1970**  
**(No. 23 of 1970)**

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ARRANGEMENT OF SECTIONS

SECTION

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THE PUDUCHERRY PATENTE (ABOLITION) ACT, 1970  
 (Act No. 23 of 1970)

23<sup>rd</sup> July, 1970.

AN ACT

**to provide for the abolition of the “patente” in the Union territory of Puducherry and for matters connected therewith.**

BE it enacted by the Legislative Assembly of Puducherry in the Twenty-first Year of the Republic of India as follows:-

**Short title, extent and commencement**

1. (1) This Act may be called the Puducherry Patente (Abolition) Act, 1970.
- (2) It extends to the whole of the Union territory of Puducherry.
- (3) It shall come into force on such <sup>1</sup>date as the Government may, by notification in the Official Gazette, appoint.

**Definition**

2. In this Act, “Government” means the Administrator appointed by the President under article 239 of the Constitution.

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1. This Act came into force on 15th day of August, 1970, *vide* Notification No. B-840/68-Rev., dated 13-8-1970.

### **Repeal and savings**

3. (1) On the commencement of this Act, the Deliberations dated 15th December, 1938 enforced by the Arrete dated 17th December, 1938 shall stand repealed.

(2) Notwithstanding anything contained in sub-section (1), every proceeding or transaction pending under the provisions of the Deliberations and the Arrete referred to in sub-section (1) immediately before the commencement of this Act shall, after such commencement, stand transferred to the Deputy Collector (Revenue), Puducherry, or the Administrator of the respective regions, as the case may be, and such proceeding or transaction shall be disposed of in accordance with the provisions of the said Deliberations and Arrete as if the said Deliberations and Arrete had continued in force and this Act had not been passed.

(3) The provisions of sub-section (2) shall be without prejudice to the general application of section 6 of the General Clauses Act, 1897 (Central Act 10 of 1897) as applicable under section 2 of the Puducherry General Clauses Act, 1965 (13 of 1965) to the interpretation of Acts of the Legislature of the Union territory of Puducherry and the said section 6 shall apply to the repeal of the Deliberations and the Arrete referred to in sub-section (1) as if the said Deliberations and Arrete were enactments.

### **Protection of action taken in good faith**

4. No suit or other legal proceedings shall lie against the Government or any person authorised by the Government for anything which is in good faith done or intended to be done in pursuance of this Act.

### **STATEMENT OF OBJECTS AND REASONS FOR ACT 23 OF 1970**

Patente is a tax on professions levied and collected in the Union territory of Puducherry under the French Deliberations dated 15th December, 1938 enforced by the Arrete dated 17th December, 1938. This tax is levied on every individual who carries on business, runs an industry or engages himself in a profession and the basis of the collection varies according to the nature of the profession. The business community of Puducherry have been paying this tax in addition to the Turnover Tax. When the Sales Tax Act, 1967 came into force, the Turnover tax was withdrawn. But the Patente has been continued as no provision was made in the Sales Tax Act to repeal the Deliberations relating to Patente.

There have been a number of representations both inside and outside the Legislature for abolition of the Patente. It has therefore been decided to abolish the Patente. The above Bill seeks to achieve the above object.

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