

**The Goa (Recovery of Arrears of Tax, Interest, Penalty, Other
Dues Through Settlement) (Amendment) Bill, 2025**

(Bill No. 27 of 2025)

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BILL

to amend the Goa (Recovery of Arrears of Tax, Interest, Penalty, Other Dues through Settlement) Act, 2023 (Goa Act 34 of 2023).

BE it enacted by the Legislative Assembly of Goa in the Seventy-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa (Recovery of Arrears of Tax, Interest, Penalty, Other Dues through Settlement) (Amendment) Act, 2025.

(2) It shall come into force at once, except section 3 which shall be deemed to have come into force on the 8th day of September, 2023.

2. *Insertion of new section 8A.*— After section 8 of the Goa (Recovery of Arrears of Tax, Interest, Penalty, Other Dues through Settlement) Act, 2023 (Goa Act 34 of 2023) (hereinafter referred to as the “principal Act”), the following section shall be inserted, namely:—

“8A. *Waiver of interest or penalty or both relating to demands raised under relevant Acts for specified period.*— (1) Notwithstanding anything to the contrary contained in this Act, where any amount of tax is payable by a person chargeable with tax under relevant Act for specified period in accordance with,—

(a) returns, revised returns or annual audit report filed under the relevant Act and where no assessment is completed; or

(b) order passed in respect of assessment/rectification/review/appeal or any other Court order; or

(c) the books of accounts of the dealer where neither returns were filed nor assessment was completed;

and such person pays full amount of tax payable as per the returns, demand notice, statement or such order as the case may be, on or before 31-12-2025, the interest and/or penalty payable under the relevant Act for specified period and entire post assessment interest payable shall be waived subject to the following conditions:

(i) 100% of tax shown as payable in clause (a) or (b) or (c) above has been paid in full into the treasury on or before 31-12-2025;

(ii) upon making payment of 100 % of tax dues application is filed requesting for waiver of interest and penalty under this section, on or before 31-03-2026 in such form and such manner as specified by the Commissioner by an order published in the Official Gazette. Separate applications for each year under each of the relevant Act shall be made and only one application per year as per the relevant Act shall be filed.

(iii) The Commissioner may by an order published in the Official Gazette extend the period for filing of applications under clause (ii) above by a further period not exceeding three months.

(2) Every application requesting for waiver of interest and penalty under this section shall be verified by the Designated Authority. The Designated Authority shall, after being satisfied about the correctness of the particulars set forth in the application made by the applicant and upon payment of 100% tax amount by the applicant, issue a certificate of settlement to the applicant in such form as may be specified by the Commissioner by an order published in the Official Gazette;

(3) Upon issue of such certificate of settlement the applicant shall be discharged from his liability to make payment of the balance amount of arrears of interest and/or penalty to which he was liable before waiver and the entire post assessment interest payable shall also stand waived.

(4) Upon verification of the application filed under this section, if the Designated Authority finds that the applicant has paid amount of tax less than the tax amount due or that the tax amount has not been paid before the specified date, the Designated Authority shall issue a written intimation informing the applicant about deficit payment or delayed payment, as the case may be, in such form as may be specified by the Commissioner by an order published in the Official Gazette.

(5) The applicant shall within a period of 20 days from the date of receipt of the intimation under sub-section (4) make the payment of such deficit amount of tax and shall also make the payment of the late fee equal to the amount of the tax paid less/paid after date given under sub-section (1), as the case may be, and submit self-attested copies of paid challan and receipt to the Designated Authority.

(6) Upon verification of the application filed under this section, if the Designated Authority finds that the applicant is not eligible for the waiver of interest and/or penalty, the Designated Authority shall issue a Show Cause Notice indicating the discrepancy/discrepancies and afford a reasonable opportunity of being heard to the applicant in the such form as may be specified by the Commissioner.

(7) The applicant shall submit a written reply to the Show Cause Notice within a period of 20 days from the date of receipt of Show Cause Notice and also appear for personal hearing before the Designated Authority.

(8) The Designated Authority shall after considering the reply, if any, submitted by the applicant or upon verifying that the amount of tax short paid/paid after date given under sub-section (1) along with equal amount of late fee has been duly paid by the applicant, may issue a certificate of settlement to the applicant and thereupon, such applicant shall be discharged from his liability to make payment of the balance amount of arrears of tax, interest and/or penalty to which he was liable before waiver, the entire post assessment interest payable shall also stand waived.

(9) The Designated Authority may, after affording an opportunity of hearing to the applicant, by an order in such form as may specified by the Commissioner in the Official Gazette and for the reasons to be recorded in writing, reject the application of the applicant on the ground that no question of waiver arises.

(10) Notwithstanding anything contained in this section, the applicant shall not be eligible for refund of any amount that may become excess as a result of settlement under the provisions of this Act.”.

3. *Amendment of section 14.*— In section 14 of the principal Act, after the first proviso, the following proviso shall be inserted, namely:—

“Provided further that any proceeding for recovery of arrears of tax, interest, penalty or other dues under relevant Act in respect of specified period shall not be deemed to be stayed upon filing of application under section 5 of this Act, unless there is a dispute filed in accordance with provisions of relevant Act and such recovery is disputed before the Reviewing Authority, Appellate Authority or Revisional Authority and such recovery of dues has been stayed by such Reviewing Authority, Appellate or Revisional Authority, as the case may be, by an interim order in writing.”.

STATEMENT OF OBJECTS AND REASONS

With a view to give effect to the proposals contained in the Budget Speech for the financial year 2025-2026, it is considered expedient to make an amendment to the Goa (Recovery of Arrears of Tax, Interest, Penalty, Other Dues through Settlement) Act, 2023 (Goa Act 34 of 2023) for providing last and final opportunity of making payment of old outstanding dues by the defaulting dealers.

Prior to the implementation of the Goa Goods and Services Tax Act, 2017 (Goa Act 4 of 2017) with effect from the 1st July 2017, various tax laws were in force in the State of Goa. A sizeable portion of the government revenue is locked under litigation in respect of tax period till 30-06-2017.

In order to unlock the amount involved in the pending litigations/outstanding dues and make effective and expeditious recovery of dues, the Government notified the Goa (Recovery of Arrears of Tax, Interest, Penalty, Other Dues through Settlement) Act, 2023 (Goa Act 34 of 2023) published in the Official Gazette, Series I No. 23, Extraordinary no. 3 dated 8th September 2023 to provide for a scheme for settlement of arrears of tax, interest, penalty or late fee under the Relevant Act, for the specified period ending on or before the 30th June 2017.

Several dealers filed their online settlement applications before the last date of 07-03-2024 and also paid the settlement amount in time for settling old outstanding dues. However, despite of making sufficient publicity all across the State, organizing awareness camps and encouraging the dealers to come forward for settlement, some defaulters failed to apply for settlement within the given time.

Hence, to provide one last and final opportunity to such defaulters to settle their outstanding dues and to make effective recovery of government dues and to safeguard the revenue of the State certain amendments are proposed in this amendment bill.

Clause 2 of the Bill seeks to insert new section 8A in the Goa (Recovery of Arrears of Tax, Interest, Penalty, Other Dues through Settlement) Act, 2023 (Goa Act 34 of 2023).

Clause 3 of the Bill seeks to insert proviso in section 14 of the said Act to clarify that a mere filing of a settlement application under the Act does not automatically stay the recovery proceedings under the relevant Acts.

This Bill seeks to achieve above objects.

FINANCIAL MEMORANDUM

The proposed Goa (Recovery of Arrears of Tax, Interest, Penalty, Other Dues through Settlement) (Amendment) Bill, 2025 does not involve any recurring or non-recurring expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill empowers the Commissioner to specify form for filing application for waiver of interest and penalty, certificate of settlement to be issued to the applicant, written intimation informing the applicant about deficit payment or delayed payment, order for rejection of application on the ground that no question of waiver arises.

Also, it empowers the Commissioner to extend the period for filing of application for waiver of interest and penalty for further period not exceeding three months from the specified date.

These delegations are of normal character.

Place: Porvorim-Goa.
Dated: July, 2025

SHRI PRAMOD SAWANT
Hon. Chief Minister/
/Finance Minister

Assembly Hall,
Porvorim, Goa.
Dated: July, 2025

NAMRATA A. ULMAN
Secretary to the
Legislative Assembly of Goa.

Governor's Recommendation Under Article 207 of The Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Pusapati Ashok Gajapathi Raju, the Governor of Goa hereby recommend to the Legislative Assembly of Goa, the introduction and consideration of the Goa (Recovery of Arrears of Tax, Interest, Penalty, Other Dues through Settlement) (Amendment) Bill, 2025.

RAJ BHAVAN
Date: -07-2025.

PUSAPATI ASHOK GAJAPATHI RAJU
Honourable Governor of Goa.

ANNEXURE

**Extracts of Section 14 of the Goa (Recovery of Arrears of Tax, Interest, Penalty,
Other Dues Through Settlement) Act, 2023
(Goa Act 34 of 2023)**

Section 14. Reviewing, Appellate and Revisional Authority not to proceed in certain cases.— No Assessing Authority, Reviewing Authority, Appellate Authority or Revisional Authority shall proceed to decide any assessment, review, appeal or revision under the relevant Act relating to any period in respect of which an application has been made under section 5 of this Act:

Provided that such authority shall proceed to decide such assessment, review, appeal or revision for such period in accordance with the provisions of the relevant Act, if a certificate of settlement referred to in sub-section (1) of section 9 is refused to the applicant by an order passed by the designated authority in writing.