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GOVERNMENT OF GOA

Department of Finance

Revenue & Control Division

Notification

4/5/2005-Fin(R&C)(121)

In exercise of the powers conferred by sub-sections (1) and (2) of section 83 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules so as to further amend the Goa Value Added Tax Rules, 2005, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Value Added Tax (Tenth Amendment) Rules, 2015.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Amendment of rule 23.*— In rule 23 of the Goa Value Added Tax Rules, 2005 (hereinafter referred to as the “principal Rules”), in sub-rule (1), for the second proviso, the following provisos shall be substituted, namely:—

“Provided further that the Commissioner may, by order, direct that in cases specified

in such order, the returns be accepted beyond said 30 days but not later than 60 days, from the end of quarter or year, as the case may be, without payment of penalty:

Provided also that the Government may, by order, direct that in cases specified in such order, the returns be accepted beyond said 60 days but not later than 120 days, from the end of quarter or year, as the case may be, without payment of penalty.”.

3. *Amendment of rule 25.*— In rule 25 of the principal Rules, for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3) A works contractor executing works contract exceeding Rs. 100 crore in value and which is declared by the Government as project of State importance, may make an application to the Commissioner seeking for deduction of tax at a rate not lower than 3%, in respect of the said work contract, subject to the following conditions, namely:—

(i) The works contractor is a registered dealer for a period of not less than 3 years;

(ii) The works contractor is not in arrears of any tax or other amount due under the Act on the date of said application;

(iii) The works contractor is not a non-resident dealer;

(iv) The application shall be made within 90 days from the date of the commencement of the works contract if he has commenced the works contract during the course of the year;

(v) The works contractor proves to the satisfaction of the Commissioner, that, in respect of the works contract allotted, required tax will be deducted at source or has been deducted and deposited in the Treasury from the account of sub-contractor;

(vi) The works contractor shall furnish such security as the Commissioner may demand;

(vii) The reduction granted in the amount of deduction, is liable to be withdrawn forthwith, if the works contractor commits the default in filing the returns or in payment of tax payable under the Act within the time prescribed;

(viii) The reduction shall not be granted except with the prior approval of the Government."

By order and in the name of the Governor of Goa.

Ajit S. Pawaskar, Under Secretary, Finance (R&C).

Porvorim, 24th August, 2015.

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