

The Goa Value Added Tax (Eleventh Amendment) Bill, 2019

(Bill No. 9 of 2019)

A

Bill

further to amend the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005).

Be it enacted by the Legislative Assembly of Goa, in the Seventieth Year of Republic of India as follows: —

1. Short title and commencement. — (1) This Act may be called the Goa Value Added Tax (Eleventh Amendment) Act, 2019.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act.

2. Amendment of section 2. — In section 2 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) (hereinafter referred to as the “principal Act”), in clause (i), for the words “*Commissioner of Commercial Taxes*”, the words “*Commissioner of State Tax*” shall be substituted.

3. Amendment of section 10. — In section 10 of the principal Act,—

(i) in sub-section (1), the expression “*or under the Goa Tax on Entry of Goods Act, 2000 (Act 14 of 2000)*” shall be omitted;

(ii) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) After adjustment under sub-section (1), the excess input tax credit of a registered dealer other than those covered under sub-section (3), proportionate to the closing stock at the end of financial year, shall be reversed and such amount shall be carried forward to the succeeding financial year as input tax credit corresponding to the opening stock.”;

(iii) for sub-section (2A), the following sub-section shall be substituted, namely:—

“(2A) After adjustment under sub-section (1) and (2) the excess input tax credit of a registered dealer other than those covered under sub-section (3) shall lapse.”;

(iv) for sub-section (2B), the following sub-section shall be substituted, namely:—

“(2B) Notwithstanding anything contained in sub-sections (2) and (2A) after adjustment under sub-section (1), the excess of input tax credit as on the 30th day of June, 2017, in case of a dealer, —

(a) *dealing in goods not covered under clause (p) of section 2, and*
(b) *who has not applied for carry forward of unutilized / excess input tax credit by filing application under the provisions of section 140 of the Goa Goods and Services Tax Act, 2017 (Goa Act 4 of 2017) and the rules made there under, shall be refunded in the prescribed manner and subject to the following conditions:—*

(i) *dealer should have completed migration in accordance with section 139 of the Goa Goods and Services Tax Act, 2017 (Goa Act 4 of 2017);*

(ii) *he should have filed all returns in accordance with the provisions of sections 37, 38, 39 and 44 of the Goa Goods and Services Tax Act, 2017 (Goa Act 4 of 2017) for the period commencing from 1st July, 2017 till the date of submitting application for refund, as may be applicable; and*

(iii) *dealer should not have any outstanding liability towards payment of tax, cess, interest, late fee, penalty, etc. under the Goa Goods and Services Tax Act, 2017 (Goa Act 4 of 2017), the Central Goods and Services Tax Act, 2017 (Central Act 12 of 2017), the Integrated Goods and Services Tax Act, 2017 (Central Act 13 of 2017) and the Goods and Services Tax (Compensation to States) Act, 2017 (Central Act 15 of 2017) as on the date of filing the application for refund claim under this sub-section.”.*

(v) sub-section (2C) shall be omitted.

4. Substitution of section 13. — For section 13 of the principal Act, the following section shall be substituted, namely: —

“ 13. Tax Authorities. — (1) *The Government shall, by notification, published in the Official Gazette appoint following officers for the purposes of this Act, namely:—*

- (a) *Commissioner of State Tax;*
- (b) *Special Commissioner of State Tax;*
- (c) *Additional Commissioners of State Tax;*
- (d) *Deputy Commissioners of State Tax;*
- (e) *State Tax Officers;*
- (f) *Assistant State Tax Officers;*
- (g) *State Tax Inspectors; and*
- (h) *any other officer as it may deem fit:*

Provided that the designation of the officers appointed under this Act as specified in column (2) of the table below shall be as specified in the corresponding entries in column

(3) of said table, from the date of commencement of the Goa Value Added Tax (Eleventh Amendment) Act, 2019.

TABLE

(1)	(2)	(3)
(i)	Commissioner of Commercial Taxes	Commissioner of State Tax
(ii)	Additional Commissioners of Commercial Taxes	Additional Commissioners of State Tax
(iii)	Assistant Commissioners of Commercial Taxes	Deputy Commissioners of State Tax
(iv)	Commercial Tax Officers	State Tax Officers
(v)	Assistant Commercial Tax Officers	Assistant State Tax Officers
(vi)	Commercial Tax Inspectors	State Tax Inspectors

(2) The Commissioner shall have jurisdiction over the entire State and the Special Commissioner, if any, appointed, shall have jurisdiction over the entire State, or as directed by the Government by notification in the Official Gazette. All other officers shall have jurisdiction over the entire State or over such local areas as the Government may specify by notification in the Official Gazette.

(3) The Commissioner shall have and exercise all the powers and perform all the duties, conferred or imposed on the Commissioner by or under this Act, and the Special Commissioner and an Additional Commissioner, if any, appointed, shall, save as otherwise directed by the Commissioner by notification in the Official Gazette, have and exercise within their respective jurisdiction all the powers and perform all the duties, conferred or imposed on the Commissioner, by or under this Act.

(4) Deputy Commissioners, other officers and persons, shall, within their respective jurisdiction, exercise such of the powers and perform such of the duties of the Commissioner under this Act, as the Commissioner may subject to such conditions and restrictions delegate to them either generally, or as respects any particular matter or class of matters by an order notified in the Official Gazette.

(5) The Government may, subject to such restrictions and conditions, if any, as it may impose, by notification in the Official Gazette, delegate to the Commissioner the powers (not being powers relating to the appointment of Special Commissioner, Additional Commissioner or Deputy Commissioner or other Officers) conferred on the Government by this section.

(6) No person shall be entitled to call in question, in any proceeding, any jurisdiction including the territorial jurisdiction of any officer appointed under sub-section (1), after the expiry of thirty days from the date of receipt by such person of any notice under this

Act, issued by such officer. If, within the period aforesaid, a separate application in writing in the prescribed form raising an objection as to the jurisdiction of any such officer is made to him, the officer shall refer the question to the Commissioner, who shall after giving the person raising the objection, a reasonable opportunity of being heard, make an order determining the question.

(7) All officers appointed under sub-section (1) shall be subordinate to the Commissioner; and the subordination of officers other than the Commissioner, and of persons, amongst themselves shall be such as may be prescribed.”.

5. Amendment of section 18. — In section 18 of the principal Act, in sub-section (3), after the words “*engaged in business*”, the words “*of dealing in goods*” shall be inserted.

6. Substitution of section 39. — For section 39 of the principal Act, the following section shall be substituted, namely: —

“ 39. Revision by Commissioner. — The Commissioner may on his own motion, call for and examine the records of any proceedings under this Act and if he considers that any order passed therein or any decision taken by any authority, other than Tribunal or High Court is erroneous or is prejudicial to the interest of the revenue, after giving the assessee or interested person an opportunity of being heard, pass such order as he deems fit:

Provided, the Commissioner shall not pass any order under this section after expiry of five years from the date of such order.” .

7. Insertion of new section 39A. — After section 39 of the principal Act, the following section shall be inserted, namely:—

“ 39A. Review by Authorities.— (1) Subject to such rules as may be prescribed, any order passed under this Act or the rules framed there under by any authority appointed under section 13 of this Act may be reviewed by the authority passing it upon an application or on its own motion.

(2) No order shall be reviewed under this section after the expiry of one year from the date of passing of such order.

(3) Any person may file a review application to the concerned authority within thirty days from the date of receipt of order by him.

(4) Where the concerned authority is satisfied that the person has reasonable cause for not filing review application within the time specified in sub-section (3), he may accept the review application, provided it is filed within 120 days from the date of receipt of order by him.

(5) *The review application shall be made in the prescribed form and shall specify in detail the grounds upon which it is made.*

(6) *No review under this section shall be entertained by the Authority, unless such review is accompanied by a satisfactory proof of the payment of whole of the undisputed amount of tax, interest and penalty and ten percent of the disputed amount of tax, interest and penalty that may be due.*

(7) *When any authority reviews any of his order or rejects any review application, the copy of the final order allowing or dismissing the review application shall be submitted to the Additional Commissioner and the Commissioner.”.*

8. Amendment of section 55.— In section 55 of the principal Act, in sub-section (1), the expression “*plus an amount equal to simple interest @ 18% per annum or at such rate as the Government may specify by notification, from time to time, on the tax payable for the return period*” shall be omitted.

Statement of Objects and Reasons

The Bill seeks to amend section 2(i) of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) (hereinafter referred to as the “Goa VAT Act”) so as to harmonise the definition of the word Commissioner as specified in the Goa VAT Act with the Goa Goods and Services Tax Act, 2017 (Goa Act 4 of 2017) (hereinafter referred to as the “Goa GST Act”).

The Bill further seeks to amend section 10 of the Goa VAT Act so as to enable the dealers who have not applied for carry forward of unutilized / excess input tax credit by filing / furnishing application under the Goa GST Act, to claim refund of the excess input tax credit available as on 30th day of June, 2017

The Bill also seeks to substitute section 13 of the Goa VAT Act, so as to harmonise the designations of the Tax authorities under the Goa VAT ACT who are also functioning under the Goa GST Act and Central Goods and Services Tax Act, 2017 (Central Act 12 of 2017)(hereinafter referred to as “CGST Act”).

The Bill also seeks to amend section 18 of the Goa VAT Act so as to ensure that voluntary registrations are obtained only by those persons doing business in the goods which are within the purview of the Goa VAT Act.

The Bill also seeks to substitute section 39 and insert new section 39A of the Goa VAT Act so as to provide the procedure for filing of review application under section 39.

The Bill also seeks to amend section 55 of the Goa VAT Act so as to minimise the quantum of penalty to be paid by the person for failure to file return in time.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

The provisions of the Bill will generate additional revenue, which cannot be quantified at this stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1(2) of the Bill empowers the Government to issue notification to appoint date for bringing into force, the Act.

Clause 3 of the Bill empowers the Government to frame rules for prescribing the manner in which unutilized / excess input tax credit to be refunded to the dealer.

Clause 4 of the Bill empowers the Government to issue notification to appoint officers and the said clause also empowers the Commissioner to issue notification specifying the powers and duties of the officers subordinate to him.

These delegations are of normal character.

Assembly Hall,
Porvorim, Goa.
_____, 2019.
Assembly Hall,
Porvorim, Goa.
_____, 2019.

SHRI MANOHAR PARRIKAR
Chief Minister/Finance Minister

N. B. SUBHEDAR
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, Mridula Sinha, the Governor of Goa hereby recommend to the Legislative Assembly of Goa, the introduction and consideration of the Goa Value Added Tax (Eleventh Amendment) Bill, 2019.

RAJ BHAVAN
Date: / 01/2019.

MRIDULA SINHA
Governor of Goa

ANNEXURE

Bill No. ____ of 2019

Extract of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005)

Section 2. Definition.—

(i) "Commissioner" means the person appointed to be the Commissioner of Commercial Taxes for the purposes of this Act;

Section 10. *Input Tax Credit Exceeding Tax Liability.*—

(1) Subject to the provisions of sub-section (2), if the input tax credit of a registered dealer, determined under section 9 of this Act for a period exceeds the tax liability for that period, the excess credit shall be set off against any outstanding tax, penalty or interest under this Act or earlier law or under the Goa Tax on Entry of Goods Act, 2000 (Act 14 of 2000) or under the Central Sales Tax Act, 1956 (Central Act 74 of 1956).

(2) After adjustment under sub-section (1), the excess input tax credit of a registered dealer other than those covered under sub-section (3), shall be carried over as an input tax credit to the subsequent period upto the end of the respective financial year and if there is any unadjusted input tax credit thereof, the same shall be refunded in the prescribed manner within a period of three months from the date of filing of the last quarterly return of the respective financial year or from the date of filing an application by the dealer claiming such refund, whichever is later.

(2A) Any dealer, who has applied for carry forward of excess input tax credit after coming into force of the Goa Value Added Tax (Sixth Amendment) Act, 2012 and has been allowed to carry forward the same by an order in writing, may instead of availing the benefit of carry forward, claim refund of the amount allowed to be carried forward under sub-section (2) by making an application within six months from the date of coming into force of the Goa Value Added Tax (Ninth Amendment) Act, 2016.

(2B) The dealer who has not applied for carry forward of excess input tax credit after coming into force of the Goa Value Added Tax (Sixth Amendment) Act, 2012, he also may claim refund under sub-section (2) by making an application within six months from the date of coming into force of the Goa Value Added Tax (Ninth Amendment) Act, 2016 and he shall be assessed for the respective financial year and the amount of the excess input tax credit as may be determined in the assessment shall be allowed to be refunded to him.

(2C) The dealer who is claiming excess input tax credit at the end of financial year but does not apply for refund, he shall be assessed for the respective financial year and such amount of the excess input tax credit as may be determined in the said assessment shall be allowed to be carried forward.

(3) In case of exporter selling goods outside the territory of India, the excess input tax credit, if any, admissible as per provision of this Act, proportionate to the goods exported and carried over at the end of any quarter shall be refunded in the prescribed manner within 3 months from the date of filing of application claiming the refund.

(4) Notwithstanding anything contained in sub-section (2), the Government may allow, carry forward of excess input tax credit, if any, to such shorter period and grant refund of unadjusted portion thereof in respect of such goods to such registered dealer on such conditions and at such proportion as may be specified by the Notification in the Official Gazette.

Section 13. Tax Authorities.—

(1) For carrying out the purposes of this Act, the Government shall, by notification published in the Official Gazette, appoint an officer to be called the Commissioner.

(2) Likewise, the Government may, by notification published in the Official Gazette, appoint an Additional Commissioner, if any, and such number of__

- (a) Assistant Commissioners,
- (b) other officers and persons,

and give them such designations, if any, as the Government thinks necessary.

(3) The Commissioner shall have jurisdiction over the whole of the State of Goa; and an Additional Commissioner, if any, be appointed, shall have jurisdiction over the whole of the State, or where the Government so directs by notification in the Official Gazette, over any local area thereof. All other officers shall have jurisdiction over the whole of the State or over such local areas as the Government may specify by notification in the Official Gazette.

(4) The Commissioner shall have and exercise all the powers and perform all the duties, conferred or imposed on the Commissioner by or under this Act, and an Additional Commissioner, if any, appointed, shall, save as otherwise directed by the Commissioner by notification in the Official Gazette, have and exercise within his jurisdiction all the powers and perform all the duties, conferred or imposed on the Commissioner, by or under this Act.

(5) Assistant Commissioners, other officers and persons, shall, within their respective jurisdiction, exercise such of the powers and perform such of the duties of the Commissioner under this Act, as the Commissioner may subject to such conditions and restrictions delegate to them either generally, or as respects any particular matter or class of matters by an order notified in the Official Gazette.

(6) The Government may, subject to such restrictions and conditions, if any, as it may impose, by notification in the Official Gazette, delegate to the Commissioner the powers (not being powers relating to the appointment of Additional Commissioner or Assistant Commissioner or other Officers) conferred on that Government by this section.

(7) No person shall be entitled to call in question, in any proceeding, any jurisdiction including the territorial jurisdiction of any officer or person appointed under sub-section (2), after the expiry of thirty days from the date of receipt by such person of any notice under this Act, issued by such officer or person. If, within the period aforesaid, a separate application in writing in the prescribed form raising an objection as to the jurisdiction of any such officer or person is made to him, the officer or person shall refer the question to the Commissioner, who shall after giving the person raising the objection, a reasonable opportunity of being heard, make an order determining the question.

(8) All officers and persons appointed under sub-section (2) shall be subordinate to the Commissioner; and the subordination of officers other than the

Commissioner, and of persons, amongst themselves shall be such as may be prescribed.

Section 18. *Registration.*

(1) No dealer shall, while being liable to pay tax under section 3 or under sub-section (6) of section 19, be engaged in business as a dealer, unless he possesses a valid certificate of registration as provided by this Act:

Provided that, the provisions of this sub-section shall not be deemed to have been contravened, if the dealer having applied for such registration as in this section provided, within the prescribed time or, as the case may be, within the period specified in sub-section (6) of section 19, while he is engaged in such business.

(2) Every dealer, required by sub-section (1) to possess a certificate of registration, shall apply in the prescribed manner, to the Commissioner.

(3) A person or a dealer who intends to be engaged in business, but is not liable to pay tax under the provisions of this Act may, if he so desires, apply in the prescribed manner under this sub-section for the grant of certificate of registration to the Commissioner and if the certificate is granted, then so long as it is not duly cancelled, the person or dealer shall remain liable to pay tax.

Provided that if the person or dealer to whom such certificate of registration is granted becomes liable to pay tax under any other provisions of the Act, then the certificate of registration so granted shall cease to be valid unless amended after payment of prescribed fee.

(4) Certificate of registration and its renewal shall not be granted to a dealer unless he has deposited in Government treasury prescribed fee in the prescribed manner and within the prescribed time.

(5) The Commissioner may conduct such inquiry as he deems fit and may call for such evidence and information as he may deem necessary and after the inquiry, if any, and after considering the evidence and information, if any, he is satisfied that the application for registration made under this section is in order, he shall register the applicant and issue to him a certificate of registration in the prescribed form:

Provided that if the Commissioner is satisfied that the particulars contained in the application are not correct or complete or that any evidence or information prescribed for registering the applicant is not furnished, the Commissioner may, after giving the applicant a reasonable opportunity of being heard, reject the application for reasons to be recorded in writing.

(6) The Commissioner may, after considering any information furnished under any provisions of this Act or otherwise received, amend from time to time, any certificate of registration.

(7) If a person or a dealer upon an application made by him has been registered under this section and thereafter it is found that he ought not to have been so registered under the provisions of this section, he shall be liable to pay tax during the period from the date on which his registration certificate took effect until it is cancelled, notwithstanding that he may not be liable to pay tax under this Act.

(8) Where,—

(a) any business, in respect of which a certificate of registration has been issued under this section, has been discontinued, or has been transferred or otherwise disposed of; or

(b) the turnover of sales of a registered dealer has during any year not exceeded the relevant limit specified in sub-section (4) of section 3,-

then, in the case covered by clause (a), the dealer shall apply in the prescribed manner and within the prescribed time for cancellation of his registration to the Commissioner, and in the case covered by clause (b), the dealer may apply in the prescribed manner for cancellation of his registration to the Commissioner ; and thereupon the Commissioner may, after such inquiry as he deems fit and subject to rules framed, cancel the registration with effect from such date including any date earlier to the date of the order of cancellation as he considers fit having regard to the circumstances of the case.

9) Any person intending to organize or conduct exhibition or any event or programme either for sale of goods or for promoting goods for sale, by providing stalls or space to other persons or dealers under the banner of specific name or otherwise or under a common roof or otherwise, shall obtain a registration under

this Act and shall apply in the prescribed manner, to the Commissioner requesting permission, indicating therein the details of the persons and/or dealers participating in, and the period of such exhibition alongwith payment of estimated tax in advance. The Commissioner may issue such permission in such form and subject to such conditions as may be prescribed. The dealer to whom the permission is issued shall exhibit the same at a conspicuous place where the exhibition or event or programme is conducted. The provisions of sub-sections (4), (5), (6), (7), (8), (10), (11), (12), (13), (14) and (15) of this section shall, mutatis mutandis, apply to this sub-section.

(10) Any registration granted under the provisions of this Act shall remain valid for such period as may be prescribed unless it is cancelled before the expiry of such period. In case the registration granted is not renewed within the prescribed time, it shall stand cancelled automatically and such dealer shall not be entitled to any benefits available to a registered dealer under this Act:

Provided that, before passing the order of cancellation, the dealer shall be given a reasonable opportunity of being heard.

(11) If a dealer,—

- (a) fails to file three consecutive returns under this Act;
- (b) fails to pay the dues demanded in assessment/reassessment or otherwise within the period specified except where such demand has been stayed by the appellate authority or tribunal or any other court;
- (c) fails to pay the tax due from him for three consecutive tax periods under the provisions of this Act;
- (d) having issued tax invoice or retail invoices, fails to account for the said invoices in his books of account;
- (e) holds or accepts or furnishes or causes to be furnished a declaration, which he knows or has reason to believe to be false;
- (f) has been convicted of an offence under this Act, or under the earlier law;
- (g) discontinues his business without complying with the provisions contained in sub-section (8) of section 18 of the Act;
- (h) without entering into a transaction of sale, issues to another dealer tax invoice, retail invoice, bill or cash memorandum, with intention to defraud the Government of revenue;

- (i) is found evading tax on account of variation in physical stock compared with his regular books of accounts;

then the Commissioner may, at any time after giving the dealer an opportunity of being heard and for the reasons to be recorded in writing, by order cancel his certificate of registration from such date as may be specified by him in such order.

(12) (a) If a dealer,—

- (i) fails to inform changes in business as required by sub-section (1) of section 22;
- (ii) fails to file declaration and/or furnish the documents as required by section 23;
- (iii) fails to furnish return as required by section 24;
- (iv) fails to pay tax as required by section 25;
- (v) fails to produce the books of accounts as required by the Commissioner under sub-section (1) of section 73;

then the Commissioner may, at any time, after giving the dealer an opportunity of being heard and for the reasons to be recorded in writing, by order suspend his certificate of registration from date not earlier than the date of such order, as may be specified by him in such order.

(b) Where a dealer, whose certificate of registration is suspended for the failure of any of the requirements specified in clause (a), fulfils the requirements, the Commissioner shall, by an order in writing, withdraw the suspension order from such date as may be specified therein.

(c) The dealer whose certificate of registration is suspended under clause (a) shall not be entitled to claim input tax credit during the period of suspension of registration.

(13) Every person whose registration is cancelled under sub-section (11) shall pay in respect of every taxable goods held as stock on the date of cancellation an amount equal to the tax that would be payable in respect of the goods if the goods were sold at fair market price on that date or the total tax credit previously claimed in respect of such goods, whichever is higher.

(14) If an order of suspension or cancellation passed under this section is set aside in an appeal or other proceedings under this Act, the certificate of registration of the dealer shall stand restored with effect from the date of such suspension or cancellation, as the case may be.

(15) Suspension or cancellation of a certificate of registration shall not affect the liability of any dealer to pay tax, penalty or interest due for any period till the date of such suspension or cancellation and which has remained unpaid or is assessed thereafter.

(16) The Commissioner shall notify in Official Gazette the details of dealers whose certificate of registration has been suspended or cancelled under the provisions of this Act.

Section 39. Revision/Review by Commissioner.—

(1) The Commissioner may, on his own motion, call for and examine the record of any proceeding under this Act and if he considers that any order passed therein by any authority other than the Tribunal or High Court is erroneous, in so far as, it is prejudicial to the interest of the revenue, after giving the assessee an opportunity of being heard pass such order as he deems fit:

Provided that the Commissioner shall not pass any order under this section after the expiry of five years from the date of such order.

(2) Subject to such rules as may be prescribed, any assessment made or order passed under this Act or under the rules made thereunder by any authority appointed under section 13 of this Act, may be reviewed by the respective authority passing it upon an application or of it's own motion, as the case may be:

Provided that no order of assessment or any other order shall be reviewed after the expiry of five years from the date of order, by any authority under this sub-section.

Section 55. Penalty for Failure to File Return.—

(1) A person who fails to file return within the time required under this Act shall be liable to pay penalty of Rs. 500/- for every quarter plus an amount equal to simple interest @ 18% per annum or at such rate as the Government may specify by notification, from time to time, on the tax payable for the return period:

Provided that, any dealer who fails to file three consecutive returns, the certificate of registration granted to such dealer shall stand cancelled from the date of expiry of the period for filing of such third return and upon making application to the Commissioner a fresh registration shall be granted to such dealer prospectively upon payment of penalty of rupees twenty-five thousand in addition to the payment of tax, interest and penalty as assessed under the registration so cancelled.

(2) Any registered dealer covered under Schedule 'E' appended to this Act, fails to file a return within the time required under this Act shall be liable to pay penalty of Rs. 500/- per quarter plus an amount equal to simple interest @ 2% per month or at such rate as may be specified by the Government by notification on the tax payable for the return period:

Provided that any dealer who fails to file three consecutive returns, the certificate of registration granted to such dealer shall stand cancelled from the date of expiry of the period for filing of such third return and upon making application to the Commissioner, a fresh registration to such dealer shall be granted prospectively upon payment of penalty of rupees twenty-five thousand in addition the tax, interest and penalty as assessed under the cancelled registration.
