L. A. BILL No. LXXIV OF 2025.

A BILL

to amend Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) Act, 2025.

5 **(As passed by the Legislative Assembly on the 8th July, 2025.)**

Mah. XVII of 2025.

WHEREAS it is expedient to amend the Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) Act, 2025, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-sixth Year of the Republic of India as follows :–

10 **1.** (*1*) This Act may be called as the Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) (Amendment and Validation) Act, 2025. Short title and commencement.

(*2*) It shall be deemed to have come into force on the 21st March 2025.

Amendment of Short title of Mah. XVII of 2025.

2. In the Short title of the Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) Act, 2025 (hereinafter referred to as "the principal Act"), the brackets and words "(Payable by Public Sector Undertaking Companies)" shall be deleted. Mah. XVII of 2025.

Amendment of section 2 of Mah. XVII of 2025.

3. In section 2 of the principal Act, in sub-section (*1*), for clause (*c*), the following clause shall be substituted, namely :– 5

"(c) "applicant" means a Public Sector Undertaking Companies, Corporations, Public Sector Banks, Departments, Rural or Urban Local Bodies, or other Authorities, Enterprises or Entities, which are established under an Act of the Parliament or any State Legislature or by any Government Resolution which is liable to pay arrears of tax, interest, penalty or late fee levied or leviable under the Relevant Act and who desires to avail the benefit of settlement by complying with the conditions under this Act.". 10

Validation.

4. Notwithstanding anything contained in the Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) Act, 2025 (hereinafter referred to as "the said Act") or in any judgement, decree or order of any Court, any payment of requisite amount of tax, interest, penalty or late fee under the relevant Act as defined under the said Act, paid or collected under the said Act from any applicant, after the commencement of the said Act, shall be deemed to be and shall be deemed always to have been, duly and validly paid and collected in accordance with law as if the provisions of the said Act, as amended by this Act, had been continuously in force with effect from the 21st March 2025 and accordingly,— 15 Mah. XVII of 2025. 20

(*a*) no suit or proceedings shall be maintained or continued in or before any court or any authority for the refund of any amount received or realised by way of requisite amount ; 25

(*b*) no court or any other authority shall enforce any decree or order directing the refund of any amount received or realised by way of such requisite amount.". 30

STATEMENT OF OBJECTS AND REASONS.

The Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) Act, 2025 (Mah. XVII of 2025) has been enacted to provide for settlement of arrears of tax, interest, penalty or late fee, which were levied, imposed or payable under the various Acts implemented by the Department of Goods and Services Tax, Government of Maharashtra, payable by the Public Sector Undertaking Companies which are registered under the Companies Act, 2013.

2. There is a large amount of levy of tax being litigated by the Corporations, Public Sector Banks, Departments, Rural or Urban Local Bodies or other Authorities, Enterprises or Entities, which are registered under Central Acts other than the Companies Act, 2013 or State Acts or are constituted by the Government Resolutions.

Therefore, in order to unlock the amount involved in the outstanding dues of taxes and reduce the old pending litigations, the Government considers it expedient to provide for lump sum payment option for settlement of arrears of tax, interest, penalty or late fee and closure of old pending litigations of such Authorities, Corporations, Departments, etc; which are willing to settle their arrears by making such lump sum payments. It is, therefore, proposed to amend clause (c) of sub-section (*1*) of section 2 of the said Act, suitably.

3. The Bill seeks to achieve the above objectives.

Mumbai,

Dated the 2nd July 2025.

AJIT PAWAR,

Deputy Chief Minister (Finance).

FINANCIAL MEMORANDUM

The Bill proposes to provide for settlement of arrears under various Acts administered by the Department of Goods and Services Tax, Government of Maharashtra, for the Corporations, Public Sector Banks, Departments, Rural or Urban Local Bodies or other Authorities Enterprises or Entities. There is no provision in the Bill which would involve the recurring or non-recurring expenditure from the Consolidated Fund of the State, on its enactment as an Act of the State Legislature.

ANNEXURE TO THE L. A. BILL No. LXXIV OF 2025 –

THE MAHARASHTRA SETTLEMENT OF ARREARS OF TAX, INTEREST, PENALTY OR LATE FEE (PAYABLE BY PUBLIC SECTOR UNDERTAKING COMPANIES) (AMENDMENT AND VALIDATION) BILL, 2025.

[Extracts from the Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) Act, 2025]

(Mah. XVII of 2025)

1. This Act may be called the Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) Act, 2025. Short title.

2. (*1*) In this Act, unless the context otherwise requires,— Definitions.

(*a*) and (*b*) ** ** ** **

(*c*) "applicant" means a Public Sector Undertaking Company which is liable to pay arrears of tax, interest, penalty or late fee levied or leviable under the Relevant Act who desires to avail the benefit of settlement by complying with the conditions under this Act.

Explanation.— The term "Public Sector Undertaking Company" means any company registered as Government Company under the Companies Act, 2013 ;

(*d*) to (*s*) ** ** ** **

3. to **20.** ** ** ** **

GOVERNOR'S RECOMMENDATION UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

(*Copy of Government of Maharashtra Order, Law and Judiciary Department*)

In exercise of the power conferred upon him by clause (*1*) of Article 207 of the Constitution of India, the Governor of The Maharashtra is pleased to recommend to the Maharashtra Legislative Assembly, the Introduction of the Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) (Amendment and Validation) Bill, 2025.

MAHARASHTRA LEGISLATURE

SECRETARIAT

[L. A. BILL No. LXXIV OF 2025.]

[A Bill to amend Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee (Payable by Public Sector Undertaking Companies) Act, 2025.]

[SHRI AJIT PAWAR,
Deputy Chief Minister (Finance).]

[As passed by the Legislative Assembly on the 8th July, 2025.]

JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.

Government Central Press, Mumbai