

**THE INTEGRATED GOODS AND SERVICES
TAX ACT, 2017 (NO.13 OF 2017)
[12TH APRIL, 2017]**

[Complied by GSTIndiaPathway team](#)

INDEX

THE INTEGRATED GOODS AND SERVICES TAX ACT, 2017 (NO. 13 OF 2017) [12th April, 2017.]	1
CHAPTER I	2
PRELIMINARY	2
CHAPTER II	6
ADMINISTRATION	6
CHAPTER III	7
LEVY AND COLLECTION OF TAX	7
CHAPTER IV	10
DETERMINATION OF NATURE OF SUPPLY	10
CHAPTER V	12
PLACE OF SUPPLY OF GOODS OR SERVICES OR BOTH	12
CHAPTER VI	22
REFUND OF INTEGRATED TAX TO INTERNATIONAL TOURIST	22
CHAPTER VII	23
ZERO RATED SUPPLY	23
CHAPTER VIII	25
APPORTIONMENT OF TAX AND SETTLEMENT OF FUNDS	25
CHAPTER IX	28
MISCELLANEOUS	28
Important Points to Note (it is not part of the IGST Act, 2017)	31
Part-B	33
The IGST Rules, 2017	33
The IGST Rules, 2017 were notified vide notification No. 4/2017-Integrated Tax, dated 28.06.2017 (w.e.f. 22.06.2017)	33
Notification No. 4/2017 – Integrated Tax, dated 28.06.2017	33
Part-C	34
Text of Notifications Issued under Section 1 of the IGST Act, 2017 and it's Amending Acts. ...	34
C-1: Notification No. 1/2017 – Integrated Tax, dated 19.06.2017	34
C-2: Notification No. 3/2017 – Integrated Tax, dated 28.06.2017	34
C-3: Notification No. 01/2019 – Integrated Tax, dated 29.01.2019	35
C-4: Notification No. 01/2020 – Integrated Tax, dated 01.01.2020	35
C-5: Notification No. 04/2020 – Integrated Tax, dated 24.06.2020	35

C-6: Notification No. 02/2023 – Integrated Tax, dated 29.09.2023.....	35
Part-D: Text of Amending Acts of the IGST Act, 2017.	36
D-1: The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 No. 27 of 2017 [23 rd August, 2017.].....	36
D-2: The Integrated Goods and Services Tax (Amendment) Act, 2018 (No. 32 of 2018 [29 th August, 2018.].....	37
D-3: The Finance (No. 2) Act, 2019 (No. 23 of 2019) [1 st August, 2019.]	38
D-4: The Finance Act, 2020 (No. 12 of 2020) [27 th March, 2020]	39
D-5: The Finance Act, 2021 (No. 13 of 2021) [28 th March, 2021].....	40
D-6: The Finance Act, 2022 (No. 6 of 2022) [30 th March, 2022].....	41
D-7: The Finance Act, 2023 (No. 08 of 2023) [31 st March, 2023]	43
D-8: The IGST (Amendment) Act, 2023 (No. 31 Of 2023) [18 th August, 2023]	44
D-9: The Finance (No. 2) Bill, 2024 dated 23.07.2024 (Proposed)	45

THE INTEGRATED GOODS AND SERVICES TAX ACT, 2017 (NO. 13 OF 2017) [12th April, 2017.]

Note: This Act has been subsequently amended vide

- *The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 (No. 27 of 2017) enacted on 23.08.2017,*
- *The IGST (Amendment) Act, 2018 (No. 32 of 2018), enacted on 29.08.2018;*
- *The Finance (No. 2) Act, 2019 (No. 23 of 2019) enacted on 01.08.2019;*
- *the Finance Act, 2020 (No. 12 of 2020) enacted on 27.03.2020;*
- *The Finance Act, 2021 (No. 13 of 2021) enacted on 28.03.2021;*
- *The Finance Act, 2022 (No. 6 of 2022) enacted on 30.03.2022;*
- *The Finance Act, 23 (No. 8 of 2023) enacted on 31.03.2023;*
- *The IGST (amendment) Act, 2023 (No. 31 of 2023) enacted on 18.08.2023; and*
- *The Finance (No.2) Bill, 2024 dated 23.07.2024 (Yet to be enacted).*

Note: Each amendment Act /Bill has been assigned a colour code and amendment affected by that Amendment Act/Bill has been highlighted in the same colour for convenience of the reader of this document.

An Act to make a provision for levy and collection of tax on inter-State supply of goods or services or both by the Central Government and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short title, extent and commencement

1. (1) This Act may be called the Integrated Goods and Services Tax Act, 2017.
- (2) It shall extend to the whole of India¹[omitted].
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

Definitions

2. In this Act, unless the context otherwise requires, -

- (1) “Central Goods and Services Tax Act” means the Central Goods and Services Tax Act, 2017;
- (2) “central tax” means the tax levied and collected under the Central Goods and Services Tax Act;
- (3) “continuous journey” means a journey for which a single or more than one ticket or invoice is issued at the same time, either by a single supplier of service or through an agent acting on behalf of more than one supplier of service, and which involves no stopover between any of the legs of the journey for which one or more separate tickets or invoices are issued.

Explanation.—For the purposes of this clause, the term “stopover” means a place where a passenger can disembark either to transfer to another conveyance or break his journey for a certain period in order to resume it at a later point of time;

- (4) “customs frontiers of India” means the limits of a customs area as defined in section 2 of the Customs Act, 1962;
- (5) “export of goods” with its grammatical variations and cognate expressions, means taking goods out of India to a place outside India;
- (6) “export of services” means the supply of any service when,—
 - (i) the supplier of service is located in India;

¹ Omitted the words “except the State of Jammu and Kashmir” vide sub-section (2) of section 2 of IGST (Extension to the State of Jammu and Kashmir) Act, 2017 (w.e.f. 08.07.2018).

- (ii) the recipient of service is located outside India;
 - (iii) the place of supply of service is outside India;
 - (iv) the payment for such service has been received by the supplier of service in convertible foreign exchange ²[or in Indian rupees wherever permitted by the Reserve Bank of India]; and
 - (v) the supplier of service and the recipient of service are not merely establishments of a distinct person in accordance with Explanation 1 in section 8;
- (7) “fixed establishment” means a place (other than the registered place of business) which is characterised by a sufficient degree of permanence and suitable structure in terms of human and technical resources to supply services or to receive and use services for its own needs;
- (8) “Goods and Services Tax (Compensation to States) Act” means the Goods and Services Tax (Compensation to States) Act, 2017;
- (9) “Government” means the Central Government;
- (10) “import of goods” with its grammatical variations and cognate expressions, means bringing goods into India from a place outside India;
- (11) “import of services” means the supply of any service, where—
- (i) the supplier of service is located outside India;
 - (ii) the recipient of service is located in India; and
 - (iii) the place of supply of service is in India;
- (12) “integrated tax” means the integrated goods and services tax levied under this Act;
- (13) “intermediary” means a broker, an agent or any other person, by whatever name called, who arranges or facilitates the supply of goods or services or both, or securities, between two or more persons, but does not include a person who supplies such goods or services or both or securities on his own account;
- (14) “location of the recipient of services” means,—
- (a) where a supply is received at a place of business for which the registration has been obtained, the location of such place of business;
 - (b) where a supply is received at a place other than the place of business for which registration has been obtained (a fixed establishment elsewhere), the location of such fixed establishment;
 - (c) where a supply is received at more than one establishment, whether the place of business or fixed establishment, the location of the establishment most directly concerned with the receipt of the supply; and

² Inserted *vide* clause (i) of section 2 of the IGST (Amendment) Act, 2018 (No. 32 of 2018) w.e.f. 01.02.2019.

- (d) in absence of such places, the location of the usual place of residence of the recipient;
- (15) “location of the supplier of services” means,—
- (a) where a supply is made from a place of business for which the registration has been obtained, the location of such place of business;
- (b) where a supply is made from a place other than the place of business for which registration has been obtained (a fixed establishment elsewhere), the location of such fixed establishment;
- (c) where a supply is made from more than one establishment, whether the place of business or fixed establishment, the location of the establishment most directly concerned with the provision of the supply; and
- (d) in absence of such places, the location of the usual place of residence of the supplier;

³[(16) "non-taxable online recipient" means any unregistered person receiving online information and database access or retrieval services located in taxable territory.

Explanation.— For the purposes of this clause, the expression "unregistered person" includes a person registered solely in terms of clause (vi) of section 24 of the Central Goods and Services Tax Act, 2017;]

~~“(16) “non-taxable online recipient” means any Government, local authority, governmental authority, an individual or any other person not registered and receiving online information and database access or retrieval services in relation to any purpose other than commerce, industry or any other business or profession, located in taxable territory.~~

~~Explanation.— For the purposes of this clause, the expression “governmental authority” means an authority or a board or any other body,—~~

~~(i) — set up by an Act of Parliament or a State Legislature; or~~

~~(ii) — established by any Government,~~

~~with ninety per cent. or more participation by way of equity or control, to carry out any function entrusted [to a Panchayat under article 243C or] to a municipality under article 243W of the Constitution;“~~

(17) “online information and database access or retrieval services” means services whose delivery is mediated by information technology over the internet or an electronic network and the nature of which renders their supply ⁵[omitted] impossible to ensure in the absence of information technology and includes electronic services such as,-

³ Substituted the clause (16) vide clause (a) of section 160 of the Finance Act, 2023 (effective date to be notified). Prior to substitution, it provided as under :-

“(16) “non-taxable online recipient” means any Government, local authority, governmental authority, an individual or any other person not registered and receiving online information and database access or retrieval services in relation to any purpose other than commerce, industry or any other business or profession, located in taxable territory.

Explanation.— For the purposes of this clause, the expression “governmental authority” means an authority or a board or any other body,—

(i) set up by an Act of Parliament or a State Legislature; or

(ii) established by any Government,

with ninety per cent. or more participation by way of equity or control, to carry out any function entrusted to a Panchayat under article 243G or] to a municipality under article 243W of the Constitution;“

⁴ Inserted *vide* clause (ii) of section 2 of the IGST (Amendment) Act, 2018 (No. 32 of 2018) w.e.f. 01.02.2019.

⁵ Omitted the words “essentially automated and involving minimal human intervention and” *vide* clause (b) of section 160 of the Finance Act, 2023 (effective date to be notified).

- (i) advertising on the internet;
 - (ii) providing cloud services;
 - (iii) provision of e-books, movie, music, software and other intangibles through telecommunication networks or internet;
 - (iv) providing data or information, retrievable or otherwise, to any person in electronic form through a computer network;
 - (v) online supplies of digital content (movies, television shows, music and the like);
 - (vi) digital data storage; and
 - ⁶[(vii) online gaming, excluding the online money gaming as defined in clause (80B) of section 2 of the Central Goods and Services Tax Act, 2017;]
- (18) “output tax”, in relation to a taxable person, means the integrated tax chargeable under this Act on taxable supply of goods or services or both made by him or by his agent but excludes tax payable by him on reverse charge basis;
- (19) “Special Economic Zone” shall have the same meaning as assigned to it in clause (za) of section 2 of the Special Economic Zones Act, 2005;
- (20) “Special Economic Zone developer” shall have the same meaning as assigned to it in clause (g) of section 2 of the Special Economic Zones Act, 2005 and includes an Authority as defined in clause (d) and a Co-Developer as defined in clause (f) of section 2 of the said Act;
- (21) “supply” shall have the same meaning as assigned to it in section 7 of the Central Goods and Services Tax Act;
- (22) “taxable territory” means the territory to which the provisions of this Act apply;
- (23) “zero-rated supply” shall have the meaning assigned to it in section 16;
- (24) words and expressions used and not defined in this Act but defined in the Central Goods and Services Tax Act, the Union Territory Goods and Services Tax Act and the Goods and Services Tax (Compensation to States) Act shall have the same meaning as assigned to them in those Acts;
- (25) any reference in this Act to a law which is not in force in the State of Jammu and Kashmir, shall, in relation to that State be construed as a reference to the corresponding law, if any, in force in that State.

⁶ **Substituted** vide section 2 of the IGST (Amendment) Act, 2023 (31 of 2023) (w.e.f. 01.10.2023 vide notification No. 02/2023-Integrated Tax, dated 29.09.2023). Prior to substitution, it read as under :
- “(vii) online gaming;”.

CHAPTER II

ADMINISTRATION

Appointment of officers

3. The Board may appoint such central tax officers as it thinks fit for exercising the powers under this Act.

Authorisation of officers of State tax or Union territory tax as proper officer in certain circumstances

4. Without prejudice to the provisions of this Act, the officers appointed under the State Goods and Services Tax Act or the Union Territory Goods and Services Tax Act are authorised to be the proper officers for the purposes of this Act, subject to such exceptions and conditions as the Government shall, on the recommendations of the Council, by notification, specify.

CHAPTER III

LEVY AND COLLECTION OF TAX

Levy and collection

5. (1) Subject to the provisions of sub-section (2), there shall be levied a tax called the integrated goods and services tax on all inter-State supplies of goods or services or both, except on the supply of alcoholic liquor for human consumption ⁷[and un-denatured extra neutral alcohol or rectified spirit used for manufacture of alcoholic liquor, for human consumption], on the value determined under section 15 of the Central Goods and Services Tax Act and at such rates, not exceeding forty per cent., as may be notified by the Government on the recommendations of the Council and collected in such manner as may be prescribed and shall be paid by the taxable person:

Provided that the integrated tax on goods ⁸ [other than the goods as may be notified by the Government on the recommendations of the Council] imported into India shall be levied and collected in accordance with the provisions of section 3 of the Customs Tariff Act, 1975 on the value as determined under the said Act at the point when duties of customs are levied on the said goods under section 12 of the Customs Act, 1962.

(2) The integrated tax on the supply of petroleum crude, high speed diesel, motor spirit (commonly known as petrol), natural gas and aviation turbine fuel shall be levied with effect from such date as may be notified by the Government on the recommendations of the Council.

(3) The Government may, on the recommendations of the Council, by notification, specify categories of supply of goods or services or both, the tax on which shall be paid on reverse charge basis by the recipient of such goods or services or both and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to the supply of such goods or services or both.

⁹[(4) The Government may, on the recommendations of the Council, by notification, specify a class of registered persons who shall, in respect of supply of specified categories of goods or services or both received from an unregistered supplier, pay the tax on reverse charge basis as the recipient of such supply of goods or services or both, and all the provisions of

⁷ **Inserted** vide section 147 of the Finance (No.2) Bill, 2024 (w.e.f. date to be notified).

⁸ **Inserted** vide section 3 of the IGST (Amendment) Act, 2023 (No. 31 of 2023) (w.e.f. 01.10.2023 vide notification No. 02/2023-Integrated Tax, dated 29.09.2023).

⁹ **Substituted** vide section 5 of the IGST (Amendment) Act, 2018 (No. 32 of 2018) with effect from 01.02.2019. Prior to substitution, it provided as under:-

“(4) The integrated tax in respect of the supply of taxable goods or services or both by a supplier, who is not registered, to a registered person shall be paid by such person on reverse charge basis as the recipient and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to the supply of such goods or services or both.”

this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to such supply of goods or services or both.]

(5) The Government may, on the recommendations of the Council, by notification, specify categories of services, the tax on inter-State supplies of which shall be paid by the electronic commerce operator if such services are supplied through it, and all the provisions of this Act shall apply to such electronic commerce operator as if he is the supplier liable for paying the tax in relation to the supply of such services:

Provided that where an electronic commerce operator does not have a physical presence in the taxable territory, any person representing such electronic commerce operator for any purpose in the taxable territory shall be liable to pay tax:

Provided further that where an electronic commerce operator does not have a physical presence in the taxable territory and also does not have a representative in the said territory, such electronic commerce operator shall appoint a person in the taxable territory for the purpose of paying tax and such person shall be liable to pay tax.

Power to grant exemption from tax

6. (1) Where the Government is satisfied that it is necessary in the public interest so to do, it may, on the recommendations of the Council, by notification, exempt generally, either absolutely or subject to such conditions as may be specified therein, goods or services or both of any specified description from the whole or any part of the tax leviable thereon with effect from such date as may be specified in such notification.

(2) Where the Government is satisfied that it is necessary in the public interest so to do, it may, on the recommendations of the Council, by special order in each case, under circumstances of an exceptional nature to be stated in such order, exempt from payment of tax any goods or services or both on which tax is leviable.

(3) The Government may, if it considers necessary or expedient so to do for the purpose of clarifying the scope or applicability of any notification issued under sub-section (1) or order issued under sub-section (2), insert an Explanation in such notification or order, as the case may be, by notification at any time within one year of issue of the notification under sub-section (1) or order under sub-section (2), and every such Explanation shall have effect as if it had always been the part of the first such notification or order, as the case may be.

Explanation.—For the purposes of this section, where an exemption in respect of any goods or services or both from the whole or part of the tax leviable thereon has been granted absolutely, the registered person supplying such goods or services or both shall not collect the tax, in excess of the effective rate, on such supply of goods or services or both.

¹⁰[6A. Power not to recover Goods and Services Tax not levied or short-levied as a result of general practice.

6A. Notwithstanding anything contained in this Act, if the Government is satisfied that—

(a) a practice was, or is, generally prevalent regarding levy of integrated tax (including non-levy thereof) on any supply of goods or services or both; and

(b) such supplies were, or are, liable to —

- (i) integrated tax, in cases where according to the said practice, integrated tax was not, or is not being, levied; or
- (ii) a higher amount of integrated tax than what was, or is being, levied, in accordance with the said practice, the Government may, on the recommendation of the Council, by notification in the Official Gazette, direct that the whole of the integrated tax payable on such supplies, or, as the case may be, the integrated tax in excess of that payable on such supplies, but for the said practice, shall not be required to be paid in respect of the supplies on which the integrated tax was not, or is not being, levied, or was, or is being, short levied, in accordance with the said practice.]

¹⁰ Inserted *vide* section 148 of the Finance (No.2) Bill, 2024 (w.e.f. date to be notified).

CHAPTER IV**DETERMINATION OF NATURE OF SUPPLY****Inter-State supply**

7. (1) Subject to the provisions of section 10, supply of goods, where the location of the supplier and the place of supply are in—

- (a) two different States;
- (b) two different Union territories; or
- (c) a State and a Union territory,

shall be treated as a supply of goods in the course of inter-State trade or commerce.

(2) Supply of goods imported into the territory of India, till they cross the customs frontiers of India, shall be treated to be a supply of goods in the course of inter-State trade or commerce.

(3) Subject to the provisions of section 12, supply of services, where the location of the supplier and the place of supply are in—

- (a) two different States;
- (b) two different Union territories; or
- (c) a State and a Union territory,

shall be treated as a supply of services in the course of inter-State trade or commerce.

(4) Supply of services imported into the territory of India shall be treated to be a supply of services in the course of inter-State trade or commerce.

(5) Supply of goods or services or both,—

- (a) when the supplier is located in India and the place of supply is outside India;
- (b) to or by a Special Economic Zone developer or a Special Economic Zone unit; or
- (c) in the taxable territory, not being an intra-State supply and not covered elsewhere in this section,

shall be treated to be a supply of goods or services or both in the course of inter-State trade or commerce.

Intra-State supply

8. (1) Subject to the provisions of section 10, supply of goods where the location of the supplier and the place of supply of goods are in the same State or same Union territory shall be treated as intra-State supply:

Provided that the following supply of goods shall not be treated as intra-State supply, namely:—

- (i) supply of goods to or by a Special Economic Zone developer or a Special Economic Zone unit;
 - (ii) goods imported into the territory of India till they cross the customs frontiers of India; or
 - (iii) supplies made to a tourist referred to in section 15.
- (2) Subject to the provisions of section 12, supply of services where the location of the supplier and the place of supply of services are in the same State or same Union territory shall be treated as intra-State supply:

Provided that the intra-State supply of services shall not include supply of services to or by a Special Economic Zone developer or a Special Economic Zone unit.

Explanation 1.—For the purposes of this Act, where a person has,—

- (i) an establishment in India and any other establishment outside India;
- (ii) an establishment in a State or Union territory and any other establishment outside that State or Union territory; or
- (iii) an establishment in a State or Union territory and any other establishment ¹¹[omitted] registered within that State or Union territory,

then such establishments shall be treated as establishments of distinct persons.

Explanation 2.—A person carrying on a business through a branch or an agency or a representational office in any territory shall be treated as having an establishment in that territory.

Supplies in territorial waters

9. Notwithstanding anything contained in this Act,—
- (a) where the location of the supplier is in the territorial waters, the location of such supplier; or
 - (b) where the place of supply is in the territorial waters, the place of supply,
- shall, for the purposes of this Act, be deemed to be in the coastal State or Union territory where the nearest point of the appropriate baseline is located.

¹¹ Omitted the words “being a business vertical” vide section 4 of the IGST (Amendment) Act, 2018 (No. 32 of 2018) with effect from 01.02.2019.

CHAPTER V

PLACE OF SUPPLY OF GOODS OR SERVICES OR BOTH

Place of supply of goods other than supply of goods imported into, or exported from India.

10. (1) The place of supply of goods, other than supply of goods imported into, or exported from India, shall be as under, -

- (a) where the supply involves movement of goods, whether by the supplier or the recipient or by any other person, the place of supply of such goods shall be the location of the goods at the time at which the movement of goods terminates for delivery to the recipient;
- (b) where the goods are delivered by the supplier to a recipient or any other person on the direction of a third person, whether acting as an agent or otherwise, before or during movement of goods, either by way of transfer of documents of title to the goods or otherwise, it shall be deemed that the said third person has received the goods and the place of supply of such goods shall be the principal place of business of such person;
- (c) where the supply does not involve movement of goods, whether by the supplier or the recipient, the place of supply shall be the location of such goods at the time of the delivery to the recipient;

¹²[(ca) where the supply of goods is made to a person other than a registered person, the place of supply shall, notwithstanding anything contrary contained in clause (a) or clause (c), be the location as per the address of the said person recorded in the invoice issued in respect of the said supply and the location of the supplier where the address of the said person is not recorded in the invoice.

Explanation.- For the purposes of this clause, recording of the name of the State of the said person in the invoice shall be deemed to be the recording of the address of the said person;".

- (d) where the goods are assembled or installed at site, the place of supply shall be the place of such installation or assembly;
- (e) where the goods are supplied on board a conveyance, including a vessel, an aircraft, a train or a motor vehicle, the place of supply shall be the location at which such goods are taken on board.

¹² **Inserted** vide section 4 of the IGST (Amendment) Act, 2023 (No. 31 of 2023) (w.e.f. 01.10.2023 vide notification No. 02/2023-Integrated Tax, dated 29.09.2023).

(2) Where the place of supply of goods cannot be determined, the place of supply shall be determined in such manner as may be prescribed.

Place of supply of goods imported into, or exported from India

11. The place of supply of goods,—

- (a) imported into India shall be the location of the importer;
- (b) exported from India shall be the location outside India.

Place of supply of services where location of supplier and recipient is in India

12. (1) The provisions of this section shall apply to determine the place of supply of services where the location of supplier of services and the location of the recipient of services is in India.

(2) The place of supply of services, except the services specified in sub-sections (3) to (14),—

- (a) made to a registered person shall be the location of such person;
- (b) made to any person other than a registered person shall be,—
 - (i) the location of the recipient where the address on record exists; and
 - (ii) the location of the supplier of services in other cases.

(3) The place of supply of services,—

- (a) directly in relation to an immovable property, including services provided by architects, interior decorators, surveyors, engineers and other related experts or Supplies in territorial waters. — estate agents, any service provided by way of grant of rights to use immovable property or for carrying out or co-ordination of construction work; or
- (b) by way of lodging accommodation by a hotel, inn, guest house, home stay, club or campsite, by whatever name called, and including a house boat or any other vessel; or
- (c) by way of accommodation in any immovable property for organising any marriage or reception or matters related thereto, official, social, cultural, religious or business function including services provided in relation to such function at such property; or
- (d) any services ancillary to the services referred to in clauses (a), (b) and (c), shall be the location at which the immovable property or boat or vessel, as the case may be, is located or intended to be located:

Provided that if the location of the immovable property or boat or vessel is located or intended to be located outside India, the place of supply shall be the location of the recipient.

Explanation.—Where the immovable property or boat or vessel is located in more than one State or Union territory, the supply of services shall be treated as made in each of the respective States or Union territories, in proportion to the value for services separately collected or determined in terms of the contract or agreement entered into in this regard or, in the absence of such contract or agreement, on such other basis as may be prescribed.

- (4) The place of supply of restaurant and catering services, personal grooming, fitness, beauty treatment, health service including cosmetic and plastic surgery shall be the location where the services are actually performed.
- (5) The place of supply of services in relation to training and performance appraisal to,—
 - (a) a registered person, shall be the location of such person;
 - (b) a person other than a registered person, shall be the location where the services are actually performed.
- (6) The place of supply of services provided by way of admission to a cultural, artistic, sporting, scientific, educational, entertainment event or amusement park or any other place and services ancillary thereto, shall be the place where the event is actually held or where the park or such other place is located.
- (7) The place of supply of services provided by way of,—
 - (a) organisation of a cultural, artistic, sporting, scientific, educational or entertainment event including supply of services in relation to a conference, fair, exhibition, celebration or similar events; or
 - (b) services ancillary to organisation of any of the events or services referred to in clause (a), or assigning of sponsorship to such events,—
 - (i) to a registered person, shall be the location of such person;
 - (ii) to a person other than a registered person, shall be the place where the event is actually held and if the event is held outside India, the place of supply shall be the location of the recipient.

Explanation.—Where the event is held in more than one State or Union territory and a consolidated amount is charged for supply of services relating to such event, the place of supply of such services shall be taken as being in each of the respective States or Union territories in proportion to the value for services separately collected or determined in terms of the contract or agreement entered into in this regard or, in the absence of such contract or agreement, on such other basis as may be prescribed.

(8) The place of supply of services by way of transportation of goods, including by mail or courier to, –

- (a) a registered person, shall be the location of such person;
- (b) a person other than a registered person, shall be the location at which such goods are handed over for their transportation.

¹³[Omitted]

¹⁴[Provided that where the transportation of goods is to a place outside India, the place of supply shall be the place of destination of such goods.]

(9) ¹⁵[omitted]

(10) The place of supply of services on board a conveyance, including a vessel, an aircraft, a train or a motor vehicle, shall be the location of the first scheduled point of departure of that conveyance for the journey.

(11) The place of supply of telecommunication services including data transfer, broadcasting, cable and direct to home television services to any person shall, –

- (a) in case of services by way of fixed telecommunication line, leased circuits, internet leased circuit, cable or dish antenna, be the location where the telecommunication line, leased circuit or cable connection or dish antenna is installed for receipt of services;
- (b) in case of mobile connection for telecommunication and internet services provided on post-paid basis, be the location of billing address of the recipient of services on the record of the supplier of services;
- (c) in cases where mobile connection for telecommunication, internet service and direct to home television services are provided on pre-payment basis through a voucher or any other means, —

¹³ Omitted the proviso vide section 161 of the Finance Act, 2023 (effective date to be notified). The proviso provided as under:-

“ Provided that where the transportation of goods is to a place outside India, the place of supply shall be the place of destination of such goods.”

¹⁴ Inserted vide section 5 of the IGST (Amendment) Act, 2018 (No. 32 of 2018) w.e.f. 01.02.2019.

¹⁵ Omitted the sub-section (9) vide section 162 of the Finance Act, 2023 (effective date yet to be notified). Prior to omission, the sub-section (9) provided as under:-

“ (9) The place of supply of passenger transportation service to, —

- (a) a registered person, shall be the location of such person;
- (b) a person other than a registered person, shall be the place where the passenger embarks on the conveyance for a continuous journey:

Provided that where the right to passage is given for future use and the point of embarkation is not known at the time of issue of right to passage, the place of supply of such service shall be determined in accordance with the provisions of sub-section (2).

Explanation.—For the purposes of this sub-section, the return journey shall be treated as a separate journey, even if the right to passage for onward and return journey is issued at the same time.”

- (i) through a selling agent or a re-seller or a distributor of subscriber identity module card or re-charge voucher, be the address of the selling agent or re-seller or distributor as per the record of the supplier at the time of supply; or
 - (ii) by any person to the final subscriber, be the location where such prepayment is received or such vouchers are sold;
- (d) in other cases, be the address of the recipient as per the records of the supplier of services and where such address is not available, the place of supply shall be location of the supplier of services:

Provided that where the address of the recipient as per the records of the supplier of services is not available, the place of supply shall be location of the supplier of services:

Provided further that if such pre-paid service is availed or the recharge is made through internet banking or other electronic mode of payment, the location of the recipient of services on the record of the supplier of services shall be the place of supply of such services.

Explanation.—Where the leased circuit is installed in more than one State or Union territory and a consolidated amount is charged for supply of services relating to such circuit, the place of supply of such services shall be taken as being in each of the respective States or Union territories in proportion to the value for services separately collected or determined in terms of the contract or agreement entered into in this regard or, in the absence of such contract or agreement, on such other basis as may be prescribed.

(12) The place of supply of banking and other financial services, including stock broking services to any person shall be the location of the recipient of services on the records of the supplier of services:

Provided that if the location of recipient of services is not on the records of the supplier, the place of supply shall be the location of the supplier of services.

(13) The place of supply of insurance services shall,—

- (a) to a registered person, be the location of such person;
- (b) to a person other than a registered person, be the location of the recipient of services on the records of the supplier of services.

(14) The place of supply of advertisement services to the Central Government, a State Government, a statutory body or a local authority meant for the States or Union territories identified in the contract or agreement shall be taken as being in each of such States or Union territories and the value of such supplies specific to each State or Union territory shall be in proportion to the amount attributable to services provided by way of dissemination in the respective States or Union territories as may be determined in terms of the contract or agreement entered into in this regard or, in the absence of such contract or agreement, on such other basis as may be prescribed.

Place of supply of services where location of supplier or location of recipient is outside India

13. (1) The provisions of this section shall apply to determine the place of supply of services where the location of the supplier of services or the location of the recipient of services is outside India.

(2) The place of supply of services except the services specified in sub-sections (3) to (13) shall be the location of the recipient of services:

Provided that where the location of the recipient of services is not available in the ordinary course of business, the place of supply shall be the location of the supplier of services.

(3) The place of supply of the following services shall be the location where the services are actually performed, namely:-

- (a) services supplied in respect of goods which are required to be made physically available by the recipient of services to the supplier of services, or to a person acting on behalf of the supplier of services in order to provide the services:

Provided that when such services are provided from a remote location by way of electronic means, the place of supply shall be the location where goods are situated at the time of supply of services:

¹⁶[Provided further that nothing contained in this clause shall apply in the case of services supplied in respect of goods which are temporarily imported into India for repairs or for any other treatment or process and are exported after such repairs or treatment or process without being put to any use in India, other than that which is required for such repairs or treatment or process;]

- (b) services supplied to an individual, represented either as the recipient of services or a person acting on behalf of the recipient, which require the physical presence of the recipient or the person acting on his behalf, with the supplier for the supply of services. Place of supply of services where location of supplier or location of recipient is outside India.

(4) The place of supply of services supplied directly in relation to an immovable property, including services supplied in this regard by experts and estate agents, supply of

¹⁶ Substituted *vide* section 6 of the IGST (Amendment) Act, 2018 (No. 32 of 2018) w.e.f. 01.02.2019. Prior to substitution, it provided as under:-

“Provided further that nothing contained in this clause shall apply in the case of services supplied in respect of goods which are temporarily imported into India for repairs and are exported after repairs without being put to any other use in India, than that which is required for such repairs;”

accommodation by a hotel, inn, guest house, club or campsite, by whatever name called, grant of rights to use immovable property, services for carrying out or co-ordination of construction work, including that of architects or interior decorators, shall be the place where the immovable property is located or intended to be located.

(5) The place of supply of services supplied by way of admission to, or organisation of a cultural, artistic, sporting, scientific, educational or entertainment event, or a celebration, conference, fair, exhibition or similar events, and of services ancillary to such admission or organisation, shall be the place where the event is actually held.

(6) Where any services referred to in sub-section (3) or sub-section (4) or sub-section (5) is supplied at more than one location, including a location in the taxable territory, its place of supply shall be the location in the taxable territory.

(7) Where the services referred to in sub-section (3) or sub-section (4) or sub-section (5) are supplied in more than one State or Union territory, the place of supply of such services shall be taken as being in each of the respective States or Union territories and the value of such supplies specific to each State or Union territory shall be in proportion to the value for services separately collected or determined in terms of the contract or agreement entered into in this regard or, in the absence of such contract or agreement, on such other basis as may be prescribed.

(8) The place of supply of the following services shall be the location of the supplier of services, namely:—

- (a) services supplied by a banking company, or a financial institution, or a non-banking financial company, to account holders;
- (b) intermediary services;
- (c) services consisting of hiring of means of transport, including yachts but excluding aircrafts and vessels, up to a period of one month.

Explanation.—For the purposes of this sub-section, the expression,—

- (a) “account” means an account bearing interest to the depositor, and includes a non-resident external account and a non-resident ordinary account;
- (b) “banking company” shall have the same meaning as assigned to it under clause (a) of section 45A of the Reserve Bank of India Act, 1934;
- (c) “financial institution” shall have the same meaning as assigned to it in clause (c) of section 45-I of the Reserve Bank of India Act, 1934;
- (d) “non-banking financial company” means,—
 - (i) a financial institution which is a company;
 - (ii) a non-banking institution which is a company and which has as its principal business the receiving of deposits, under any scheme or arrangement or in any other manner, or lending in any manner; or

- (iii) such other non-banking institution or class of such institutions, as the Reserve Bank of India may, with the previous approval of the Central Government and by notification in the Official Gazette, specify.
- (9) The place of supply of services of transportation of goods, other than by way of mail or courier, shall be the place of destination of such goods.
- (10) The place of supply in respect of passenger transportation services shall be the place where the passenger embarks on the conveyance for a continuous journey.
- (11) The place of supply of services provided on board a conveyance during the course of a passenger transport operation, including services intended to be wholly or substantially consumed while on board, shall be the first scheduled point of departure of that conveyance for the journey.
- (12) The place of supply of online information and database access or retrieval services shall be the location of the recipient of services.

Explanation.— For the purposes of this sub-section, person receiving such services shall be deemed to be located in the taxable territory, if any two of the following noncontradictory conditions are satisfied, namely:—

- (a) the location of address presented by the recipient of services through internet is in the taxable territory;
 - (b) the credit card or debit card or store value card or charge card or smart card or any other card by which the recipient of services settles payment has been issued in the taxable territory;
 - (c) the billing address of the recipient of services is in the taxable territory;
 - (d) the internet protocol address of the device used by the recipient of services is in the taxable territory;
 - (e) the bank of the recipient of services in which the account used for payment is maintained is in the taxable territory;
 - (f) the country code of the subscriber identity module card used by the recipient of services is of taxable territory;
 - (g) the location of the fixed land line through which the service is received by the recipient is in the taxable territory.
- (13) In order to prevent double taxation or non-taxation of the supply of a service, or for the uniform application of rules, the Government shall have the power to notify any description of services or circumstances in which the place of supply shall be the place of effective use and enjoyment of a service.

Special provision for payment of tax by a supplier of online information and database access or retrieval services

14. (1) On supply of online information and database access or retrieval services by any person located in a non-taxable territory and received by a non-taxable online recipient, the supplier of services located in a non-taxable territory shall be the person liable for paying integrated tax on such supply of services:

Provided that in the case of supply of online information and database access or retrieval services by any person located in a non-taxable territory and received by a nontaxable online recipient, an intermediary located in the non-taxable territory, who arranges or facilitates the supply of such services, shall be deemed to be the recipient of such services from the supplier of services in non-taxable territory and supplying such services to the non-taxable online recipient except when such intermediary satisfies the following conditions, namely:—

- (a) the invoice or customer's bill or receipt issued or made available by such intermediary taking part in the supply clearly identifies the service in question and its supplier in non-taxable territory;
- (b) the intermediary involved in the supply does not authorise the charge to the customer or take part in its charge which is that the intermediary neither collects or processes payment in any manner nor is responsible for the payment between the non-taxable online recipient and the supplier of such services;
- (c) the intermediary involved in the supply does not authorise delivery; and
- (d) the general terms and conditions of the supply are not set by the intermediary involved in the supply but by the supplier of services.

(2) The supplier of online information and database access or retrieval services referred to in sub-section (1) shall, for payment of integrated tax, take a single registration under the Simplified Registration Scheme to be notified by the Government:

Provided that any person located in the taxable territory representing such supplier for any purpose in the taxable territory shall get registered and pay integrated tax on behalf of the supplier:

Provided further that if such supplier does not have a physical presence or does not have a representative for any purpose in the taxable territory, he may appoint a person in the taxable territory for the purpose of paying integrated tax and such person shall be liable for payment of such tax.

¹⁷[Special provision for specified actionable claims supplied by a person located outside taxable territory.

14A. (1) A supplier of online money gaming as defined in clause (80B) of section 2 of the Central Goods and Services Tax Act, 2017, not located in the taxable territory, shall in

¹⁷ **Inserted** vide section 5 of the IGST (Amendment) Act, 2023 (No. 31 of 2023) (w.e.f. 01.10.2023 *vide* notification No. 02/2023-Integrated Tax, dated 29.09.2023).

respect of the supply of online money gaming by him to a person in the taxable territory, be liable to pay integrated tax on such supply.

(2) For the purposes of complying with provisions of sub-section (1), the supplier of online money gaming shall obtain a single registration under the Simplified Registration Scheme referred to in sub-section (2) of section 14 of this Act:

Provided that any person located in the taxable territory representing such supplier for any purpose in the taxable territory shall get registered and pay the integrated tax on behalf of the supplier:

Provided further that if such supplier does not have a physical presence or does not have a representative for any purpose in the taxable territory, he shall appoint a person in the taxable territory for the purpose of paying integrated tax and such person shall be liable for payment of such tax.

(3) In case of failure to comply with provisions of sub-section (1) or sub-section (2) by the supplier of the online money gaming or a person appointed by such supplier or both, notwithstanding anything contained in section 69A of the Information Technology Act, 2000, any information generated, transmitted, received or hosted in any computer resource used for supply of online money gaming by such supplier shall be liable to be blocked for access by the public in such manner as specified in the said Act.]

CHAPTER VI

REFUND OF INTEGRATED TAX TO INTERNATIONAL TOURIST

Refund of integrated tax paid on supply of goods to tourist leaving India.

15. The integrated tax paid by tourist leaving India on any supply of goods taken out of India by him shall be refunded in such manner and subject to such conditions and safeguards as may be prescribed.

Explanation.– For the purposes of this section, the term “tourist” means a person not normally resident in India, who enters India for a stay of not more than six months for legitimate non-immigrant purposes.

CHAPTER VII

ZERO RATED SUPPLY

Zero rated supply.

16. (1) “zero rated supply” means any of the following supplies of goods or services or both, ¹⁸[for authorised operations] namely:—

- (a) export of goods or services or both; or
- (b) supply of goods or services or both to a Special Economic Zone developer or a Special Economic Zone unit.

(2) Subject to the provisions of sub-section (5) of section 17 of the Central Goods and Services Tax Act, credit of input tax may be availed for making zero-rated supplies, notwithstanding that such supply may be an exempt supply.

¹⁹[(3) A registered person making zero rated supply shall be eligible to claim refund of unutilised input tax credit on supply of goods or services or both, without payment of integrated tax, under bond or Letter of Undertaking, in accordance with the provisions of section 54 of the Central Goods and Services Tax Act or the rules made thereunder, subject to such conditions, safeguards and procedure as may be prescribed:

Provided that the registered person making zero rated supply of goods shall, in case of non-realisation of sale proceeds, be liable to deposit the refund so received under this sub-section along with the applicable interest under section 50 of the Central Goods and Services Tax Act within thirty days after the expiry of the time limit prescribed under the Foreign Exchange Management Act, 1999 for receipt of foreign exchange remittances, in such manner as may be prescribed. 42 of 1999.

(4) The Government may, on the recommendation of the Council, and subject to such conditions, safeguards and procedures, by notification, specify—

¹⁸**Inserted vide** clause (a) of section 123 of the Finance Act, 2021 (No. 13 of 2021) (Not in force as date is yet to be notified).

¹⁹**Substituted vide** clause (b) of section 123 of the Finance Act, 2021 (No. 13 of 2021) (Not in force as date is yet to be notified). Prior to substitution, the sub-section (3) read as under:-

- (3) A registered person making zero rated supply shall be eligible to claim refund under either of the following options, namely:—
- (a) he may supply goods or services or both under bond or Letter of Undertaking, subject to such conditions, safeguards and procedure as may be prescribed, without payment of integrated tax and claim refund of unutilised input tax credit; or
 - (b) he may supply goods or services or both, subject to such conditions, safeguards and procedure as may be prescribed, on payment of integrated tax and claim refund of such tax paid on goods or services or both supplied, in accordance with the provisions of section 54 of the Central Goods and Services Tax Act or the rules made thereunder.

- (i) a class of persons who may make zero rated supply on payment of integrated tax and claim refund of the tax so paid ²⁰[in accordance with the provisions of section 54 of the Central Goods and Services Tax Act or the rules framed thereunder];
- (ii) a class of goods or services ²¹[or both, on zero rated supply of which, the supplier may pay integrated tax and claim the refund of tax so paid, in accordance with the provisions of section 54 of the Central Goods and Services Tax Act or the rule made thereunder]].

²²[(5) Notwithstanding anything contained in sub sections (3) and (4), no refund of unutilised input tax credit on account of zero rated supply of goods or of integrated tax paid on account of zero rated supply of goods shall be allowed where such zero rated supply of goods are subjected to export duty.]

²⁰ **Inserted** vide section 149 of the Finance (No.2) Bill, 2024 (w.e.f. date to be notified).

²¹ **Substituted** for the words “which may be exported on payment of integrated tax and the supplier of such goods or services may claim the refund of tax so paid” vide section 140 of the Finance (No. 2) Bill, 2024 (w.e.f. date to be notified).

²² **Inserted** vide section 149 of the Finance (No.2) Bill, 2024 (w.e.f. date to be notified).

CHAPTER VIII**APPORTIONMENT OF TAX AND SETTLEMENT OF FUNDS****Apportionment of tax and settlement of funds**

17. (1) Out of the integrated tax paid to the Central Government,—

- (a) in respect of inter-State supply of goods or services or both to an unregistered person or to a registered person paying tax under section 10 of the Central Goods and Services Tax Act;
- (b) in respect of inter-State supply of goods or services or both where the registered person is not eligible for input tax credit;
- (c) in respect of inter-State supply of goods or services or both made in a financial year to a registered person, where he does not avail of the input tax credit within the specified period and thus remains in the integrated tax account after expiry of the due date for furnishing of annual return for such year in which the supply was made;
- (d) in respect of import of goods or services or both by an unregistered person or by a registered person paying tax under section 10 of the Central Goods and Services Tax Act;
- (e) in respect of import of goods or services or both where the registered person is not eligible for input tax credit;
- (f) in respect of import of goods or services or both made in a financial year by a registered person, where he does not avail of the said credit within the specified period and thus remains in the integrated tax account after expiry of the due date for furnishing of annual return for such year in which the supply was received,

the amount of tax calculated at the rate equivalent to the central tax on similar intra-State supply shall be apportioned to the Central Government.

(2) The balance amount of integrated tax remaining in the integrated tax account in respect of the supply for which an apportionment to the Central Government has been done under sub-section (1) shall be apportioned to the,—

- (a) State where such supply takes place; and
- (b) Central Government where such supply takes place in a Union territory:

Provided that where the place of such supply made by any taxable person cannot be determined separately, the said balance amount shall be apportioned to,—

- (a) each of the States; and

(b) Central Government in relation to Union territories, in proportion to the total supplies made by such taxable person to each of such States or Union territories, as the case may be, in a financial year:

Provided further that where the taxable person making such supplies is not identifiable, the said balance amount shall be apportioned to all States and the Central Government in proportion to the amount collected as State tax or, as the case may be, Union territory tax, by the respective State or, as the case may be, by the Central Government during the immediately preceding financial year.

²³[(2A). The amount not apportioned under sub-section (1) and sub-section (2) may, for the time being, on the recommendations of the Council, be apportioned at the rate of fifty per cent. to the Central Government and fifty per cent. to the State Governments or the Union territories, as the case may be, on ad hoc basis and shall be adjusted against the amount apportioned under the said sub-sections.]

(3) The provisions of sub-sections (1) and (2) relating to apportionment of integrated tax shall, mutatis mutandis, apply to the apportionment of interest, penalty and compounding amount realised in connection with the tax so apportioned.

(4) Where an amount has been apportioned to the Central Government or a State Government under sub-section (1) or sub-section (2) or sub-section (3), the amount collected as integrated tax shall stand reduced by an amount equal to the amount so apportioned and the Central Government shall transfer to the central tax account or Union territory tax account, an amount equal to the respective amounts apportioned to the Central Government and shall transfer to the State tax account of the respective States an amount equal to the amount apportioned to that State, in such manner and within such time as may be prescribed.

(5) Any integrated tax apportioned to a State or, as the case may be, to the Central Government on account of a Union territory, if subsequently found to be refundable to any person and refunded to such person, shall be reduced from the amount to be apportioned under this section, to such State, or Central Government on account of such Union territory, in such manner and within such time as may be prescribed.

²⁴ [Transfer of certain amounts

17A. Where any amount has been transferred from the electronic cash ledger under this Act to the electronic cash ledger under the State Goods and Services Tax Act or the Union Territory Goods and Services Tax Act, the Government shall transfer to the State tax account or the Union territory tax account, an amount equal to the amount transferred from the electronic cash ledger, in such manner and within such time, as may be prescribed.]

²³ Inserted *vide* section 7 of the IGST (Amendment) Act, 2018 (No. 32 of 2018) with effect from 01.02.2019.

²⁴ Inserted *vide* section 114 of the Finance (No. 2) Act, 2019 (No. 23 of 2019) w.e.f. 01.01.2020.

Transfer of input tax credit

18. On utilisation of credit of integrated tax availed under this Act for payment of,—
- (a) central tax in accordance with the provisions of sub-section (5) of section 49 of the Central Goods and Services Tax Act, the amount collected as integrated tax shall stand reduced by an amount equal to the credit so utilised and the Central Government shall transfer an amount equal to the amount so reduced from the integrated tax account to the central tax account in such manner and within such time as may be prescribed;
 - (b) Union territory tax in accordance with the provisions of section 9 of the Union Territory Goods and Services Tax Act, the amount collected as integrated tax shall stand reduced by an amount equal to the credit so utilised and the Central Government shall transfer an amount equal to the amount so reduced from the integrated tax account to the Union territory tax account in such manner and within such time as may be prescribed;
 - (c) State tax in accordance with the provisions of the respective State Goods and Services Tax Act, the amount collected as integrated tax shall stand reduced by an amount equal to the credit so utilised and shall be apportioned to the appropriate State Government and the Central Government shall transfer the amount so apportioned to the account of the appropriate State Government in such manner and within such time as may be prescribed.

Explanation.— For the purposes of this Chapter, “appropriate State” in relation to a taxable person, means the State or Union territory where he is registered or is liable to be registered under the provisions of the Central Goods and Services Tax Act.

Tax wrongfully collected and paid to Central Government or State Government

19. (1) A registered person who has paid integrated tax on a supply considered by him to be an inter-State supply, but which is subsequently held to be an intra-State supply, shall be granted refund of the amount of integrated tax so paid in such manner and subject to such conditions as may be prescribed.
- (2) A registered person who has paid central tax and State tax or Union territory tax, as the case may be, on a transaction considered by him to be an intra-State supply, but which is subsequently held to be an inter-State supply, shall not be required to pay any interest on the amount of integrated tax payable.

CHAPTER IX

MISCELLANEOUS

Application of provisions of Central Goods and Services Tax Act

20. Subject to the provisions of this Act and the rules made thereunder, the provisions of Central Goods and Services Tax Act relating to,—

- (i) scope of supply;
- (ii) composite supply and mixed supply;
- (iii) time and value of supply;
- (iv) input tax credit;
- (v) registration;
- (vi) tax invoice, credit and debit notes;
- (vii) accounts and records;
- (viii) returns, other than late fee;
- (ix) payment of tax;
- (x) tax deduction at source;
- (xi) collection of tax at source;
- (xii) assessment;
- (xiii) refunds;
- (xiv) audit;
- (xv) inspection, search, seizure and arrest;
- (xvi) demands and recovery;
- (xvii) liability to pay in certain cases;
- (xviii) advance ruling;
- (xix) appeals and revision;
- (xx) presumption as to documents;
- (xxi) offences and penalties;
- (xxii) job work;
- (xxiii) electronic commerce;
- (xxiv) transitional provisions; and
- (xxv) miscellaneous provisions including the provisions relating to the imposition of interest and penalty, shall, mutatis mutandis, apply, so far as may be, in relation to integrated tax as they apply in relation to central tax as if they are enacted under this Act:

Provided that in the case of tax deducted at source, the deductor shall deduct tax at the rate of two per cent. from the payment made or credited to the supplier:

Provided further that in the case of tax collected at source, the operator shall collect tax at such rate not exceeding two per cent, as may be notified on the recommendations of the Council, of the net value of taxable supplies:

Provided also that for the purposes of this Act, the value of a supply shall include any taxes, duties, cesses, fees and charges levied under any law for the time being in force other than this Act, and the Goods and Services Tax (Compensation to States) Act, if charged separately by the supplier:

Provided also that in cases where the penalty is leviable under the Central Goods and Services Tax Act and the State Goods and Services Tax Act or the Union Territory Goods and Services Tax Act, the penalty leviable under this Act shall be the sum total of the said penalties.

²⁵**Provided also that** a maximum amount of forty crore rupees shall be payable for each appeal to be filed before the Appellate Authority or the Appellate Tribunal.]

²⁶~~**Provided also that** where the appeal is to be filed before the Appellate Authority or the Appellate Tribunal, the maximum amount payable shall be fifty crore rupees and one hundred crore rupees respectively.]~~

Import of services made on or after the appointed day.

21. Import of services made on or after the appointed day shall be liable to tax under the provisions of this Act regardless of whether the transactions for such import of services had been initiated before the appointed day:

Provided that if the tax on such import of services had been paid in full under the existing law, no tax shall be payable on such import under this Act:

Provided further that if the tax on such import of services had been paid in part under the existing law, the balance amount of tax shall be payable on such import under this Act.

Explanation.– For the purposes of this section, a transaction shall be deemed to have been initiated before the appointed day if either the invoice relating to such supply or payment, either in full or in part, has been received or made before the appointed day.

Power to make rules

²⁵ **Substituted** vide section 150 of the Finance (No.2) Bill, 2024 (w.e.f. date to be notified). Prior to substitution, the fifth proviso provided as under:-

“Provided also that where the appeal is to be filed before the Appellate Authority or the Appellate Tribunal, the maximum amount payable shall be fifty crore rupees and one hundred crore rupees respectively.”

²⁶ **Inserted** vide section 8 of the IGST (Amendment) Act, 2018 (No. 32 of 2018) w.e.f. 01.02.2019.

22. (1) The Government may, on the recommendations of the Council, by notification, make rules for carrying out the provisions of this Act.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Government may make rules for all or any of the matters which by this Act are required to be, or may be, prescribed or in respect of which provisions are to be or may be made by rules.

(3) The power to make rules conferred by this section shall include the power to give retrospective effect to the rules or any of them from a date not earlier than the date on which the provisions of this Act come into force.

(4) Any rules made under sub-section (1) may provide that a contravention thereof shall be liable to a penalty not exceeding ten thousand rupees.

Power to make regulations

23. The Board may, by notification, make regulations consistent with this Act and the rules made thereunder to carry out the provisions of this Act.

Laying of rules, regulations and notifications

24. Every rule made by the Government, every regulation made by the Board and every notification issued by the Government under this Act, shall be laid, as soon as may be, after it is made or issued, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or in the notification, as the case may be, or both Houses agree that the rule or regulation or the notification should not be made, the rule or regulation or notification, as the case may be, shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation or notification, as the case may be.

Removal of difficulties

25. (1) If any difficulty arises in giving effect to any provision of this Act, the Government may, on the recommendations of the Council, by a general or a special order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act or the rules or regulations made thereunder, as may be necessary or expedient for the purpose of removing the said difficulty:

Provided that no such order shall be made after the expiry of a period of ²⁷[five years] from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of Parliament.

Important Points to Note (it is not part of the IGST Act, 2017)

- The provisions of IGST Act, 2017 (No. 13 of 2017) were brought into force with different dates as per details given below:-
 - **Notification No. 1/2017-Integrated Tax, dated 19.6.2017** brought into force the sections 1, 2, 3, 14, 20, and 22 of the IGST Act, 2017 with effect from 22.06.2017).
 - **Notification No. 3/2017-Integrated Tax, dated 28.06.2017** brought into force the provisions of sections 4 to 13, 16 to 19, 21, 23 to 25 of the IGST Act, 2017 with effect from 01.07.2017.
- The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 (No. 27 of 2017) received assent of the Hon'ble President of India on 23.08.2017 but came into force with retrospective effect from 08.07.2017.
- The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 (No. 27 of 2017) also repealed the Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Ordinance, 2017 (Ordinance 4 of 2017).
- The provisions of the IGST (Amendment) Act, 2018 (No. 32 of 2018) brought into force with effect from 01.02.2019 *vide* **notification No. 01/2019-Integrated Tax, dated 29.01.2019.**
- The provisions of Section 114 of the Finance (No. 2) Act, 2019 (No. 23 of 2019) brought into force with effect from 01.01.2020 *vide* **notification No. 01/2020-Integrated Tax, dated 01.01.2020.**

²⁷ Substituted for words "three years" *vide* section 134 of the Finance Act, 2020 (12 of 2020) (w.e.f. 30.06.2020-effective date notified *vide* notification No. 04/2020-Integrated Tax, dated 24.06.2020).

- The provisions of section 134 of the Finance Act, 2020 (12 of 2020) brought into force with effect from 30.06.2020 *vide* **notification No. 04/2020-Integrated Tax, dated 24.06.2020.**

Part-B**The IGST Rules, 2017****IGST Rules, 2017**

The IGST Rules, 2017 were notified vide notification No. 4/2017-Integrated Tax, dated 28.06.2017 (w.e.f. 22.06.2017).

Notification No. 4/2017 – Integrated Tax, dated 28.06.2017

G.S.R. (E).- In exercise of the powers conferred by section 22 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017) read with section 20 of the said Act, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.-

- (1) These rules may be called the Integrated Goods and Services Tax Rules, 2017.
- (2) They shall be deemed to have come into force on the **22nd day of June, 2017**.

2. Application of Central Goods and Services Tax Rules.-

The Central Goods and Services Tax Rules, 2017, for carrying out the provisions specified in section 20 of the Integrated Goods and Services Tax Act, 2017 shall, so far as may be, apply in relation to integrated tax as they apply in relation to central tax.

[F. No. 349/76/2017-GST]

Part-C**Text of Notifications Issued under Section 1 of the IGST Act, 2017 and it's Amending Acts.**

Following notifications (as given in Table below) have been issued under section 1 of the IGST Act, 2017 and it's amending Acts, thereby, bringing into force the statutory provisions contained in the IGST Act, 2017 and it's amending Acts: -

Table

Sl. No.	Notification No. and date	Subject in brief
C-1	Notification No. 1/2017-Integrated Tax, dated 19.06.2017	It brought into force the provisions of sections 1, 2, 3, 14, 20, and 22 of the IGST Act, 2017 with effect from 22.06.2017.
C-2	Notification No. 3/2017-Integrated Tax, dated 28.06.2017	It brought into force the provisions of sections 4 to 13, 16 to 19, 21 and 23 to 25 of the IGST Act, 2017 with effect from 1.7.2017.
C-3	Notification No. 01/2019-Integrated Tax, dated 29.01.2019.	It brought into force the provisions of the Integrated Goods and Services Tax (Amendment) Act, 2018 (32 of 2018) with effect from 01.02.2019.
C-4	Notification No. 01/2020-Integrated Tax, dated 01.01.2020	It brought into force the provisions of section 114 of the Finance (No.2) Act, 2019 (23 of 2019) with effect from 01.01.2020.
C-5	Notification No. 04/2020-Integrated Tax, dated 24.06.2020	It brought into force the provisions of section 134 of the Finance Act, 2020 (12 of 2020) with effect from 30.06.2020.
C-6	Notification No. 02/2023-Integrated Tax, dated 29.09.2023	It brought into force the provisions of the IGST (Amendment) Act, 2023 (31 of 2023) with effect from 01.10.2023.

C-1: Notification No. 1/2017 – Integrated Tax, dated 19.06.2017

G.S.R.(E).— In exercise of the powers conferred by sub-section (3) of section 1 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), the Central Government hereby appoints the **22nd day of June, 2017**, as the date on which the provisions of **sections 1, 2, 3, 14, 20 and 22 of the said Act** shall come into force.

[F. No. 349/72/2017-GST]

C-2: Notification No. 3/2017 – Integrated Tax, dated 28.06.2017

G.S.R.(E).— In exercise of the powers conferred by sub-section (3) of section 1 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), the Central Government hereby appoints the **1st day of July, 2017**, as the date on which the provisions of **sections 4 to 13, 16 to 19, 21, 23 to 25 of the said Act**, shall come into force.

[F. No. 349/72/2017-GST]

C-3: Notification No. 01/2019 – Integrated Tax, dated 29.01.2019

G.S.R.(E).— In exercise of the powers conferred by sub-section (2) of section 1 of the Integrated Goods and Services Tax (Amendment) Act, 2018 (32 of 2018), the Central Government hereby appoints the 1st day of February, 2019 as the date on which the provisions of the Integrated Goods and Services Tax (Amendment) Act, 2018 (32 of 2018) shall come into force.

[F.No.20/06/16/2018-GST (Pt. II)]

C-4: Notification No. 01/2020 – Integrated Tax, dated 01.01.2020

G.S.R.(E).— In exercise of the powers conferred by sub-section (2) of section 1 of the Finance (No. 2) Act, 2019 (23 of 2019), the Central Government hereby appoints the **1st day of January, 2020**, as the date on which the provisions of **section 114 of the Finance (No. 2) Act, 2019 (23 of 2019)** shall come into force.

[F.No.20/06/09/2019-GST]

C-5: Notification No. 04/2020 – Integrated Tax, dated 24.06.2020

G.S.R....(E).— In exercise of the powers conferred by sub-section (2) of section 1 of the Finance Act, 2020 (12 of 2020) (hereinafter referred to as the said Act), the Central Government hereby appoints the **30th day of June, 2020**, as the date on which the provisions of **section 134 of the said Act**, shall come into force.

[F. No. CBIC-20/06/09/2019-GST]

C-6: Notification No. 02/2023 – Integrated Tax, dated 29.09.2023

G.S.R....(E).— In exercise of the powers conferred by sub-section (2) of section 1 of the Integrated Goods and Services Tax (Amendment) Act, 2023 (31 of 2023), the Central Government hereby appoints the **1st day of October, 2023**, as the date on which the provisions of **the said Act**, shall come into force.

[F. No. CBIC-20016/29/2023-GST]

**

Part-D: Text of Amending Acts of the IGST Act, 2017.

The IGST Act, 2017 has been amended by the following Acts as given in Table below:-

Table

Sr. No.	Name of the Amending Act	Relevant Section(s) of Finance Act.	Date of enactment
D-1	The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 (No. 27 of 2017)	Sections 1 to 3	23.08.2017 (w.e.f. 08.07.2017).
D-2	The IGST (Amendment) Act, 2018 (No. 32 of 2018)	Sections 1 to 8	29.08.2018
D-3	The Finance (No. 2) Act, 2019 (No. 23 of 2019)	Sections 114 and 115	01.08.2019
D-4	The Finance Act, 2020 (No. 12 of 2020)	Sections 134 and 135	27.03.2020
D-5	The Finance Act, 2021 (No. 13 of 2021)	Section 123	28.03.2021
D-6	The Finance Act, 2022 (No. 6 of 2022)	Sections 119, 120 and 121	30.03.2022
D-7	The Finance Act, 2023 (No. 8 of 2023)	Sections 160, 161 and 162	31.03.2023
D-8	The IGST (Amendment) Act, 2023 (No. 31 of 2023)	Sections 2 to 5	18.08.2023.

D-1: The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 No. 27 of 2017 [23rd August, 2017.]

An Act to provide for the extension of the Integrated Goods and Services Tax Act, 2017 to the State of Jammu and Kashmir.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows: -

Short title and commencement.

1. (1) This Act may be called the Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017.

(2) It shall be deemed to have come into force on the **8th day of July, 2017.**

Extension and amendment of Integrated Goods and Services Tax Act, 2017 (13 of 2017)

2. (1) The Integrated Goods and Services Tax Act, 2017 (hereinafter referred to as the principal Act) and all rules, notifications, schemes and orders made thereunder by the Central Government are hereby extended to, and shall be in force in, the State of Jammu and Kashmir.

(2) With effect from the date of commencement of this Act, in the principal Act, in section 1, in sub-section (2), the words “except the State of Jammu and Kashmir” shall be omitted.

Repeal and saving.

3. (1) The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Ordinance, 2017 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

D-2: The Integrated Goods and Services Tax (Amendment) Act, 2018 (No. 32 of 2018 [29th August, 2018.]

An Act further to amend the Integrated Goods and Services Tax Act, 2017.

BE it enacted by Parliament in the Sixty-ninth Year of the Republic of India as follows:–

Short title and commencement.

1. (1) This Act may be called the Integrated Goods and Services Tax (Amendment) Act, 2018.

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

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

Amendment of section 2.

2. In section 2 of the Integrated Goods and Services Tax Act, 2017 (hereinafter referred to as the principal Act),–

- (i) in clause (6), in sub-clause (iv), after the words "foreign exchange", the words "or in Indian rupees wherever permitted by the Reserve Bank of India" shall be inserted;
- (ii) in clause (16), in the Explanation, in the long line, after the words "function entrusted", the words, figures and letter "to a Panchayat under article 243G or" shall be inserted.

Amendment of section 5.

3. In section 5 of the principal Act, for sub-section (4), the following sub-section shall be substituted, namely:–

"(4) The Government may, on the recommendations of the Council, by notification, specify a class of registered persons who shall, in respect of supply of specified categories of goods or services or both received from an unregistered supplier, pay the tax on reverse charge basis as the recipient of such supply of goods or services or both, and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to such supply of goods or services or both."

Amendment of section 8.

4. In section 8 of the principal Act, in sub-section (2), in *Explanation 1*, in clause (iii), the words, "being a business vertical" shall be omitted.

Amendment of section 12.

5. In section 12 of the principal Act, in sub-section (8), the following proviso shall be inserted, namely:–

"Provided that where the transportation of goods is to a place outside India, the place of supply shall be the place of destination of such goods."

Amendment of section 13.

6. In section 13 of the principal Act, in sub-section (3), in clause (a), for the second proviso, the following proviso shall be substituted, namely:—

"Provided further that nothing contained in this clause shall apply in the case of services supplied in respect of goods which are temporarily imported into India for repairs or for any other treatment or process and are exported after such repairs or treatment or process without being put to any use in India, other than that which is required for such repairs or treatment or process;"

Amendment of section 17.

7. In section 17 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely: —

"(2A). The amount not apportioned under sub-section (1) and sub-section (2) may, for the time being, on the recommendations of the Council, be apportioned at the rate of fifty per cent. to the Central Government and fifty per cent. to the State Governments or the Union territories, as the case may be, on ad hoc basis and shall be adjusted against the amount apportioned under the said sub-sections."

Amendment of section 20.

8. In section 20 of the principal Act, after the fourth proviso, the following proviso shall be inserted, namely:—

"Provided also that where the appeal is to be filed before the Appellate Authority or the Appellate Tribunal, the maximum amount payable shall be fifty crore rupees and one hundred crore rupees respectively."

D-3: The Finance (No. 2) Act, 2019 (No. 23 of 2019) [1st August, 2019.]

An Act to give effect to the financial proposals of the Central Government for the financial year 2019-2020.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows: -

CHAPTER I

PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Finance (No. 2) Act, 2019.

(2) Save as otherwise provided in this Act, -

(a) sections 2 to 69 shall be deemed to have come into force on the 1st day of April, 2019;

(b) sections 92 to 112 and section 114 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

.....

Integrated Goods and Services Tax

Insertion of new section 17A

114. After section 17 of the Integrated Goods and Services Tax Act, 2017, the following section shall be inserted, namely:—

Transfer of certain amounts.

“17A. Where any amount has been transferred from the electronic cash ledger under this Act to the electronic cash ledger under the State Goods and Services Tax Act or the Union Territory Goods and Services Tax Act, the Government shall transfer to the State tax account or the Union territory tax account, an amount equal to the amount transferred from the electronic cash ledger, in such manner and within such time, as may be prescribed.”.

Amendment of notification number G.S.R. 667(E) issued under subsection (1) of section 6 of Integrated Goods and Services Tax Act, retrospectively.

115. (1) In the notification of the Government of India in the Ministry of Finance (Department of Revenue) number G.S.R. 667(E), dated the 28th June, 2017, issued by the Central Government on the recommendations of the Council, under sub-section (1) of section 6 of the Integrated Goods and Services Tax Act, 2017, in the Schedule, after S. No. 103 and the entries relating thereto, the following S. No. and the entries shall be inserted and shall deemed to have been inserted retrospectively with effect from the 1st day of July, 2017, namely:—

(1)	(2)	(3)
“103A	26	Uranium Ore Concentrate”.

(2) For the purposes of sub-section (1), the Central Government shall have and shall be deemed to have the power to amend the notification referred to in sub-section (1) with retrospective effect as if the Central Government had the power to amend the said notification under sub-section (1) of section 6 of the said Act, retrospectively, at all material times.

(3) No refund shall be made of all such tax which has been collected, but which would not have been so collected, if the notification referred to in sub-section (1) had been in force at all material times.

D-4: The Finance Act, 2020 (No. 12 of 2020) [27th March, 2020]

An Act to give effect to the financial proposals of the Central Government for the financial year 2020-2021.

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows: -

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Finance Act, 2020.

(2) Save as otherwise provided in this Act, —

(a) sections 2 to 104 shall come into force on the 1st day of April, 2020;

(b) sections 116 to 129 and section 132 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

.....

Integrated Goods and Services Tax

Amendment of section 25.

134. In section 25 of the Integrated Goods and Services Tax Act, 2017, in sub-section (1), in the proviso, for the words “three years”, the words “five years” shall be substituted.

Retrospective exemption from, or levy or collection of, integrated tax in certain cases.

135. (1) Notwithstanding anything contained in the notification of the Government of India in the Ministry of Finance (Department of Revenue) number G.S.R. 666(E), dated the 28th June, 2017, issued by the Central Government, on the recommendations of the Council, in exercise of the power under sub-section (1) of section 5 of the Integrated Goods and Services Tax Act, 2017,—

(i) no integrated tax shall be levied or collected in respect of supply of fishmeal (falling under heading 2301), during the period commencing from the 1st day of July, 2017 and ending with the 30th day of September, 2019 (both days inclusive);

(ii) integrated tax at the rate of twelve per cent. shall be levied or collected in respect of supply of pulley, wheels and other parts (falling under heading 8483) and used as parts of agricultural machinery (falling under headings 8432, 8433 and 8436), during the period commencing from the 1st day of July, 2017 and ending with the 31st day of December, 2018 (both days inclusive).

(2) No refund shall be made of all such tax which has been collected, but which would not have been so collected, had sub-section (1) been in force at all material times.

[Note: The aforesaid section 135 of Finance Act, 2020 came into effect on 27.03.2020.]

D-5: The Finance Act, 2021 (No. 13 of 2021) [28th March, 2021]

An Act to give effect to the financial proposals of the Central Government for the financial year 2021-2022.

BE it enacted by Parliament in the Seventy-second Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Finance Act, 2021.

(2) Save as otherwise provided in this Act, —

- (a) sections 2 to 88 shall come into force on the 1st day of April, 2021;
- (b) sections 108 to 123 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Integrated Goods and Services Tax

Amendment of section 16.

123. In the Integrated Goods and Services Tax Act, 2017, in section 16, -

- (a) in sub-section (1), in clause (b), after the words “supply of goods or services or both”, the words “for authorised operations” shall be inserted;

(b) for sub-section (3), the following sub-sections shall be substituted, namely:-

“(3) A registered person making zero rated supply shall be eligible to claim refund of unutilised input tax credit on supply of goods or services or both, without payment of integrated tax, under bond or Letter of Undertaking, in accordance with the provisions of section 54 of the Central Goods and Services Tax Act or the rules made thereunder, subject to such conditions, safeguards and procedure as may be prescribed:

Provided that the registered person making zero rated supply of goods shall, in case of non-realisation of sale proceeds, be liable to deposit the refund so received under this sub-section along with the applicable interest under section 50 of the Central Goods and Services Tax Act within thirty days after the expiry of the time limit prescribed under the Foreign Exchange Management Act, 1999 for receipt of foreign exchange remittances, in such manner as may be prescribed. 42 of 1999.

(4) The Government may, on the recommendation of the Council, and subject to such conditions, safeguards and procedures, by notification, specify-

- (i) a class of persons who may make zero rated supply on payment of integrated tax and claim refund of the tax so paid;
- (ii) a class of goods or services which may be exported on payment of integrated tax and the supplier of such goods or services may claim the refund of tax so paid.”.

D-6: The Finance Act, 2022 (No. 6 of 2022) [30th March, 2022]

An Act to give effect to the financial proposals of the Central Government for the financial year 2022-2023.

BE it enacted by Parliament in the Seventy-second Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Finance Act, 2022.

(2) Save as otherwise provided in this Act, —

- (a) sections 2 to 85 shall come into force on the 1st day of April, 2022;
- (b) sections 100 to 114 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Integrated Goods and Services Tax

Amendment of notification issued under section 20 of Integrated Goods and Services Tax Act, read with sub-sections and (3) of section 50, sub-section (12) of section 54 and section 56 of Central Goods and Services Tax Act, retrospectively

119: (1) The notification of the Government of India in the Ministry of Finance (Department of Revenue) **number G. S. R. 698(E), dated the 28th June, 2017**, issued by the Central Government on the recommendations of the Council, under section 20 of the Integrated Goods and Services Tax Act, 2017 read with sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of the Central Goods and Services Tax Act, 2017, shall stand amended and shall be deemed to have been amended retrospectively, in the manner specified in column (2) of the **Seventh Schedule**, on and from the date specified in column (3) of that Schedule.

(2) For the purposes of sub-section (1), the Central Government shall have and shall be deemed to have the power to amend the notification referred to in the said sub-section with retrospective effect as if the Central Government had the power to amend the said notification under section 20 of the Integrated Goods and Services Tax Act, 2017 read with sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of the Central Goods and Services Tax Act, 2017, retrospectively, at all material times.

Retrospective exemption from, or levy or collection of integrated tax in certain cases.

120: (1) Notwithstanding anything contained in the notification of the Government of India in the Ministry of Finance (Department of Revenue) **number G. S. R. 666(E), dated the 28th June, 2017** issued by the Central Government, on the recommendations of the Council, in exercise of the powers under sub-section (1) of section 5 of the Integrated Goods and Services Tax Act, 2017, no integrated tax shall be levied or collected in respect of supply of unintended waste generated during the production of fish meal (falling under heading 2301), except for fish oil, during the period commencing from the 1st day of July, 2017 and ending with the 30th day of September, 2019 (both days inclusive) .

(2) No refund shall be made of all such tax which has been collected, but which would not have been so collected, had sub-section (1) been in force at all material times.

Retrospective effect to notification issued under clause (i) of section 20 of Integrated Goods and Services Tax read with sub-section (2) of section 7 of Central Goods and Services Tax Act.

121: (1) Subject to the provisions of sub-section (2), the notification of the Government of India in the Ministry of Finance (Department of Revenue) **number G. S. R. 745(E), dated the 30th September, 2019** issued by the Central Government on the recommendations of the Council, in exercise of the powers under clause (i) of section 20 of the Integrated Goods and Services Tax Act, 2017, read with sub-section (2) of section 7 of the Central Goods and Services Tax Act, 2017, shall be deemed to have, and always to have, for all purposes, come into force on and from the 1st day of July, 2017.

(2) No refund shall be made of all such integrated tax which has been collected, but which would not have been so collected, had the notification referred to in sub-section (1) been in force at all

material times.

The eighth Schedule
[see section 119(1)]

Notification number and date	Amendment	Date of effect of amendment
(1)	(2)	(3)
G.S.R.698(E), dated the 28th June, 2017 [No. 349/72/2017-GST dated the 28th June, 2017]	In the said notification, in the Table, against serial number 2, in column (3), for the figures "24", the figures "18" shall be substituted.	1st July, 2017.

[Note: The above said section of Finance Act, 2022 come into effect from 30.03.2022 with retrospective effect.]

D-7: The Finance Act, 2023 (No. 08 of 2023) [31st March, 2023]

THE FINANCE ACT, 2023 (No. 8 of 2023) [31st March, 2023.]

An Act to give effect to the financial proposals of the Central Government for the financial year 2023-2024.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows: -

CHAPTER I

PRELIMINARY

Short Title and commencement

(1) This Act may be called the Finance Act, 2023.

(2) Save as otherwise provided in this Act, -

(a) sections 2 to 127 shall come into force on the 1st day of April, 2023;

(b) sections 128 to 163 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

...

Integrated Goods and Services Tax

Amendment of section 2.

160. In the Integrated Goods and Services Tax Act, 2017 (hereinafter referred to as the Integrated Goods and Services Tax Act), in section 2,-

(a) for clause (16), the following clause shall be substituted, namely : -

'(16) "non-taxable online recipient" means any unregistered person receiving online information and database access or retrieval services located in taxable territory.

Explanation.- For the purposes of this clause, the expression "unregistered person" includes a person registered solely in terms of clause (vi) of section 24 of the Central Goods and Services Tax Act, 2017;;

(b) in clause (17), the words "essentially automated and involving minimal human intervention and" shall be omitted.

Amendment of Section 12

161. In section 12 of the Integrated Goods and Services Tax Act, in sub-section (8), the proviso shall be omitted.

Amendment of Section 13

162. In section 13 of the Integrated Goods and Services Tax Act, sub-section (9) shall be omitted.

D-8: The IGST (Amendment) Act, 2023 (No. 31 Of 2023) [18th August, 2023]

THE INTEGRATED GOODS AND SERVICES TAX (AMENDMENT) ACT, 2023 (NO. 31 OF 2023)

An Act further to amend the Integrated Goods and Services Tax Act, 2017.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Integrated Goods and Services Tax (Amendment) Act, 2023.

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

Amendment of section 2.

2. In section 2 of the Integrated Goods and Services Tax Act, 2017 (hereinafter referred to as the principal Act), in clause (17), for sub-clause (vii), the following sub-clause shall be substituted, namely:—

"(vii) online gaming, excluding the online money gaming as defined in clause (80B) of section 2 of the Central Goods and Services Tax Act, 2017;"

Amendment of section 5.

3. In section 5 of the principal Act, in sub-section (1), in the proviso, after the words "integrated tax on goods", the words "other than the goods as may be notified by the Government on the recommendations of the Council" shall be inserted.

Amendment of section 10.

4. In section 10 of the principal Act, in sub-section (1), after clause (c), the following clause shall be inserted, namely:—

"(ca) where the supply of goods is made to a person other than a registered person, the place of supply shall, notwithstanding anything contrary contained in clause (a) or clause (c), be the location as per the address of the said person recorded in the invoice issued in respect of the said supply and the location of the supplier where the address of the said person is not recorded in the invoice.

Explanation.—For the purposes of this clause, recording of the name of the State of the said person in the invoice shall be deemed to be the recording of the address of the said person;"

Insertion of new section 14A.

5. After section 14 of the principal Act, the following section shall be inserted, namely:—

Special provision for specified actionable claims supplied by a person located outside taxable territory.

"14A. (1) A supplier of online money gaming as defined in clause (80B) of section 2 of the Central Goods and Services Tax Act, 2017, not located in the taxable territory, shall in respect of the supply of online money gaming by him to a person in the taxable territory, be liable to pay integrated tax on such supply.

(2) For the purposes of complying with provisions of sub-section (1), the supplier of online money gaming shall obtain a single registration under the Simplified Registration Scheme referred to in sub-section (2) of section 14 of this Act:

Provided that any person located in the taxable territory representing such supplier for any purpose in the taxable territory shall get registered and pay the integrated tax on behalf of the supplier:

Provided further that if such supplier does not have a physical presence or does not have a representative for any purpose in the taxable territory, he shall appoint a person in the taxable territory for the purpose of paying integrated tax and such person shall be liable for payment of such tax.

(3) In case of failure to comply with provisions of sub-section (1) or sub-section (2) by the supplier of the online money gaming or a person appointed by such supplier or both, notwithstanding anything contained in section 69A of the Information Technology Act, 2000, any information generated, transmitted, received or hosted in any computer resource used for supply of online money gaming by such supplier shall be liable to be blocked for access by the public in such manner as specified in the said Act."

D-9: The Finance (No. 2) Bill, 2024 dated 23.07.2024 (Proposed)**THE FINANCE (NO. 2) BILL, 2024**

A BILL to give effect to the financial proposals of the Central Government for the financial year 2024-2025.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

CHAPTER I PRELIMINARY

Short title and commencement. Income-tax.

1. (1) This Act may be called the Finance (No. 2) Act, 2024. (2) Save as otherwise provided in this Act,—

(a) sections 2 to 87 shall be deemed to have come into force on the 1st day of April, 2024;

(b) sections 110 to 153 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

.....

Integrated Goods and Services Tax

Amendment of section 5.

147. In the Integrated Goods and Services Tax Act, 2017 (hereinafter referred to as the Integrated Goods and Services Tax Act), in section 5, in sub-section (1), after the words “alcoholic liquor for human consumption”, the words “and un denatured extra neutral alcohol or rectified spirit used for manufacture of alcoholic liquor, for human consumption” shall be inserted.

Insertion of new section

6A. Power not to recover Goods and Services Tax not levied or short-levied as a result of general practice.

148. After section 6 of the Integrated Goods and Services Tax Act, the following section shall be inserted, namely:—

“6A. Notwithstanding anything contained in this Act, if the Government is satisfied that—

(a) a practice was, or is, generally prevalent regarding levy of integrated tax (including non-levy thereof) on any supply of goods or services or both; and

(b) such supplies were, or are, liable to —

(i) integrated tax, in cases where according to the said practice, integrated tax was not, or is not being, levied; or

(ii) a higher amount of integrated tax than what was, or is being, levied, in accordance with the said practice, the Government may, on the recommendation of the Council, by notification in the Official Gazette, direct that the whole of the integrated tax payable on such supplies, or, as the case may be, the integrated tax in excess of that payable on such supplies, but for the said practice, shall not be required to be paid in respect of the supplies on which the integrated tax was not, or is not being, levied, or was, or is being, short levied, in accordance with the said practice.”.

Amendment of section 16.

149. In section 16 of the Integrated Goods and Services Tax Act,—

(a) in sub-section (4), —

- (i) in clause (i), after the words “claim refund of the tax so paid”, the words and figures “in accordance with the provisions of section 54 of the Central Goods and Services Tax Act or the rules made thereunder” shall be inserted;
- (ii) in clause (ii), for the words “which may be exported on payment of integrated tax and the supplier of such goods or services may claim the refund of tax so paid”, the words and figure “or both, on zero rated supply of which, the supplier may pay integrated tax and claim the refund of tax so paid, in accordance with the provisions of section 54 of the Central Goods and Services Tax Act or the rules made thereunder” shall be substituted;

(b) after sub-section (4), the following sub-section shall be inserted, namely:—

“(5) Notwithstanding anything contained in sub sections (3) and (4), no refund of unutilised input tax credit on account of zero rated supply of goods or of integrated tax paid on account of zero rated supply of goods shall be allowed where such zero rated supply of goods are subjected to export duty.”.

Amendment of section 20.

150. In section 20 of the Integrated Goods and Services Tax Act, for the fifth proviso, the following proviso shall be substituted, namely:—

“Provided also that a maximum amount of forty crore rupees shall be payable for each appeal to be filed before the Appellate Authority or the Appellate Tribunal.”.

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