



**IGST : THE INTEGRATED GOODS & SERVICES TAX ACT, 2017**

| Old Model GST Law June 2016 |                   |                                                                                                                                                                                                                                                                       |               | New Model GST Law Nov 2016          |                                                                                                                                                                                                      |                                                                                                                                                             |
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| Sec(Sub-Sec)                | Clause            | Provision                                                                                                                                                                                                                                                             | Sec (Sub-sec) | Clause                              | Provision                                                                                                                                                                                            | Impact Analysis                                                                                                                                             |
|                             |                   | <b>New Clause</b>                                                                                                                                                                                                                                                     | <b>2(1)</b>   | Accounts                            | means an account bearing interest to the depositor, and includes a non-resident external account and a non-resident ordinary account                                                                 | New definition of 'Account' has been inserted which refers to bank account. It seems that "interest" may be exempted from payment of GST.                   |
| 2(a)                        | appropriate State | in relation to a taxable person, means that State where he is registered or liable to be registered under section 19 of the Central Goods and Services Tax Act, 2016.<br>Explanation: For the purpose of this Act, "State" includes Union Territory with Legislature. | <b>2(2)</b>   | appropriate State                   | in relation to a taxable person, means that State where he is registered or liable to be registered under section 23 of the Central Goods and Services Tax Act, 2016.                                | No Change                                                                                                                                                   |
|                             |                   | <b>New Clause</b>                                                                                                                                                                                                                                                     | <b>2(3)</b>   | Banking company                     | has the meaning assigned to it in clause (a) of section 45A of the Reserve Bank of India Act, 1934 (2 of 1934);                                                                                      | Newly inserted definition so as to cover the transaction by the Banks.                                                                                      |
|                             |                   | <b>New Clause</b>                                                                                                                                                                                                                                                     | <b>2(4)</b>   | <b>customs frontiers of India  </b> | means the limits of the area of a customs station as defined in section 2 of the Customs Act, 1962 (52 of 1962) in which imported goods are ordinarily kept before clearance by customs authorities. | Newly inserted definition so as to cover Bonded warehouses and hence clearance title change before crossing customs frontiers will not be subjected to GST. |
|                             |                   |                                                                                                                                                                                                                                                                       | <b>2(5)</b>   | export of goods                     | "export of goods" with its grammatical variations and cognate expressions, means taking goods out of India to a place outside India;                                                                 | No Change                                                                                                                                                   |



| Old Model GST Law June 2016 |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               | New Model GST Law Nov 2016   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                     |
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| Sec(Sub-Sec)                | Clause                         | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Sec (Sub-sec) | Clause                       | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Impact Analysis                                                                                                                     |
| 2(44)                       | export of services             | (44) the supply of any service shall be treated as “ <b>export of service</b> ” when<br>(a) the supplier of service is located in India,<br>(b) the recipient of service is located outside India,<br>(c) the place of supply of service is outside India,<br>(d) the payment for such service has been received by the supplier of service in convertible foreign exchange, and<br>(e) the supplier of service and recipient of service are not merely establishments of a distinct person;<br>Explanation.- For the purposes of clause (e), an establishment of a person in India and any of his other establishment outside India shall be treated as establishments of distinct persons. | 2(6)          | export of services           | (6) “export of services” means the supply of any service when<br>(a) the supplier of service is located in India,<br>(b) the recipient of service is located outside India,<br>(c) the place of supply of service is outside India,<br>(d) the payment for such service has been received by the supplier of service in convertible foreign exchange, and<br>(e) the supplier of service and recipient of service are not merely establishments of a distinct person in accordance with explanation 1 of section 5; | Alignment of definition.                                                                                                            |
|                             |                                | <b>New Clause</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2(7)          | <b>financial institution</b> | has the meaning assigned to it in clause (c) of section 45- I of the Reserve Bank of India Act, 1934 (2 of 1934);                                                                                                                                                                                                                                                                                                                                                                                                   | Newly inserted definition so as to cover the transaction by the Financial institutions like States financial corporation, NBFC etc. |
| 46                          | “ <b>fixed establishment</b> ” | means a place (other than the place of business) which                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2(8)          | <b>fixed establishment</b>   | means a place other than the registered place of business                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Definition of fixed establishment has excluded registered place of                                                                  |



| Old Model GST Law June 2016 |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                      |                          |
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| Sec(Sub-Sec)                | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                            | Impact Analysis          |
|                             |                            | 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;                                                                                                                                                                                                                                                                                                                                                |               |                            | which is characterized 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;                                   | business                 |
|                             |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>2(10)</b>  | import of goods            | “import of goods” with its grammatical variations and cognate expressions, means bringing goods into India from a place outside India;                                                                                               | No Change                |
| 52                          | <b>“import of service”</b> | (52) the supply of any service shall be treated as an <b>“import of service”</b> if,<br>(a) the supplier of service is located outside India,<br>(b) the recipient of service is located in India,<br>(c) the place of supply of service is in India, and<br>(d) the supplier of service and the recipient of service are not merely establishments of a distinct person;<br>Explanation 1.- An establishment of a person in India and any of his other establishment outside India shall be treated as establishments of distinct persons. | <b>2(11)</b>  | <b>“import of service”</b> | (11) “import of service” means the supply of any service, where<br>(a) the supplier of service is located outside India,<br>(b) the recipient of service is located in India, and<br>(c) the place of supply of service is in India; | Alignment of definition. |



| Old Model GST Law June 2016 |                                                     |                                                                                                                                                                                                                                                                                                                                             |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                           |                                                                                          |
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| Sec(Sub-Sec)                | Clause                                              | Provision                                                                                                                                                                                                                                                                                                                                   | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                 | Impact Analysis                                                                          |
|                             |                                                     | Explanation 2.- A person carrying on a business through a branch or agency or representational office in any territory shall be treated as having an establishment in that territory.                                                                                                                                                       |               |                            |                                                                                                                                                                                                                                                                                                                           |                                                                                          |
|                             |                                                     | <b>New Clause</b>                                                                                                                                                                                                                                                                                                                           | <b>2(12)</b>  | <b>“intermediary”</b>      | means a broker, an agent or any other person, by whatever name called, who arranges or facilitates the supply of a service (hereinafter called the ‘main service’) or the supply of goods, between two or more persons, but does not include a person who supplies the main service or supplies the goods on his account; | Newly inserted definition similar to existing provisions of Place of Provision of Rules. |
| 2(c)                        | <b>“Integrated Goods &amp; Services Tax” (IGST)</b> | means tax levied under this Act on the supply of any goods and/or services in the course of inter-State trade or commerce.<br>Explanation 1.- A supply of goods and/or services in the course of import into the territory of India shall be deemed to be a supply of goods and/or services in the course of inter-State trade or commerce. |               |                            |                                                                                                                                                                                                                                                                                                                           | Both explanations shifted to section 4                                                   |



| Old Model GST Law June 2016 |                    |                                                                                                                                                                                                                                                                                                                                                                                   |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                       |                                     |
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| Sec(Sub-Sec)                | Clause             | Provision                                                                                                                                                                                                                                                                                                                                                                         | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                             | Impact Analysis                     |
|                             |                    | Explanation 2.- An export of goods and/or services shall be deemed to be a supply of goods and/or services in the course of inter-State trade or commerce.                                                                                                                                                                                                                        |               |                            |                                                                                                                                                                                                                                                                                                                                                                                       |                                     |
| 2(d)                        | "input tax"        | in relation to a taxable person, means the Integrated Goods and Services Tax, Central Goods and Services Tax or State Goods and Services Tax, as the case may be, charged on any supply of goods and/or services to him which are used, or are intended to be used, in the course or furtherance of his business and includes the tax payable under sub-section (3) of section 4; | 2(14)         | "input tax"                | in relation to a taxable person, means the Integrated Goods and Services Tax, Central Goods and Services Tax or State Goods and Services Tax, as the case may be, charged on any supply of goods and/or services to him which are used, or are intended to be used, in the course or furtherance of his business and includes the tax payable under sub-section (2 3) of section 5 4; | No change except section alignment. |
| 2(e)                        | "input tax credit" | means credit of 'input tax' as defined in clause (d) of subsection (1) of section 2;                                                                                                                                                                                                                                                                                              | 2(15)         | "input tax credit"         | means credit of 'input tax' as defined in sub-section (15);                                                                                                                                                                                                                                                                                                                           | No change except section alignment. |
|                             |                    |                                                                                                                                                                                                                                                                                                                                                                                   | 2(16)         | input tax credit           | "input tax credit" means credit of 'input tax' as defined in sub-section (15);                                                                                                                                                                                                                                                                                                        | No Change                           |
|                             |                    |                                                                                                                                                                                                                                                                                                                                                                                   | 2(17)         | location of the recipient  | "location of the recipient of services" means:<br>(a) where a supply is received at a place of business for which registration has been obtained, the location of such place of business;                                                                                                                                                                                             | No Change                           |



| Old Model GST Law June 2016 |        |                   |               | New Model GST Law Nov 2016             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                    |
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| Sec(Sub-Sec)                | Clause | Provision         | Sec (Sub-sec) | Clause                                 | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Impact Analysis                                                                    |
|                             |        |                   |               |                                        | <p>(b) where a supply is received at a place other than the place of business for which registration has been obtained, that is to say, a fixed establishment elsewhere, the location of such fixed establishment;</p> <p>(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</p> <p>(d) in absence of such places, the location of the usual place of residence of the recipient;</p> |                                                                                    |
|                             |        | <b>New Clause</b> | <b>2(18)</b>  | <b>“non-banking financial company”</b> | <p>means- (i) a financial institution which is a company; or</p> <p>(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</p> <p>(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</p>                                                                                                          | Newly inserted definition so as to cover the all the transactions related to NBFC. |



| Old Model GST Law June 2016 |        |                   |               | New Model GST Law Nov 2016                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                               |
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| Sec(Sub-Sec)                | Clause | Provision         | Sec (Sub-sec) | Clause                                                                | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Impact Analysis                                                                                                               |
|                             |        |                   |               |                                                                       | Government and by notification in the Official Gazette specify;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                               |
|                             |        | <b>New Clause</b> | <b>2(19)</b>  | <b>“non-taxable online recipient”</b>                                 | means Government, a local authority, a governmental authority, an individual or any person not registered under section 23 19 of the CGST Act, 2017 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;<br><i>Explanation.-</i> For the purposes of this clause, —governmental authority   means an authority or a board or any other body:<br>(i) set up by an Act of Parliament or a State legislature; or<br>(ii) established by Government, with 90% or more participation by way of equity or control, to carry out any function entrusted to a municipality under article 243Wof the Constitution | Definition has been inserted so as to exclude any downloads or data retrieval of personal purpose. This is very welcome step. |
|                             |        | <b>New Clause</b> | <b>2(20)</b>  | <b>“online information and database access or retrieval services”</b> | means services whose delivery is mediated by information technology over the internet or an electronic network and the nature of which renders their supply essentially automated and involving minimal human intervention, and impossible to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Newly inserted definition so as to carve out separate taxability for these services.                                          |



| Old Model GST Law June 2016 |        |            |               | New Model GST Law Nov 2016                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                 |
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| Sec(Sub-Sec)                | Clause | Provision  | Sec (Sub-sec) | Clause                                                              | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Impact Analysis |
|                             |        |            |               |                                                                     | <p>ensure in the absence of information technology and includes electronic services such as,-</p> <ul style="list-style-type: none"> <li>(i) advertising on the internet;</li> <li>(ii) providing cloud services;</li> <li>(iii) provision of e-books, movie, music, software and other intangibles via telecommunication networks or internet;</li> <li>(iv) providing data or information, retrievable or otherwise, to any person, in electronic form through a computer network;</li> <li>(v) online supplies of digital content (movies, television shows, music, etc.);</li> <li>(vi) digital data storage; and</li> <li>(vii) online gaming;</li> </ul> |                 |
|                             |        | New Clause | <b>2(21)</b>  | <b>online information and database access or retrieval services</b> | <p>(21) "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 essentially automated and involving minimal human intervention, and impossible to ensure in the absence of information technology and includes electronic services such as,-</p>                                                                                                                                                                                                                                            | New Clause      |



| Old Model GST Law June 2016 |                               |                                                                                                                         |               | New Model GST Law Nov 2016     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                   |
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| Sec(Sub-Sec)                | Clause                        | Provision                                                                                                               | Sec (Sub-sec) | Clause                         | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Impact Analysis                                                                                   |
|                             |                               |                                                                                                                         |               |                                | (a) advertising on the internet;<br>(b) providing cloud services;<br>(c) provision of e-books, movie, music, software and other intangibles via telecommunication networks or internet;<br>(d) providing data or information, retrievable or otherwise, to any person, in electronic form through a computer network;<br>(e) online supplies of digital content (movies, television shows, music, etc.);<br>(f) digital data storage; and<br>(g) online gaming; |                                                                                                   |
| 2(90)                       | <b>Special Economic Zone'</b> | shall have the meaning assigned to it in clause (za) of section 2 of the Special Economic Zones Act, 2005 [28 of 2005]; | <b>2(22)</b>  | <b>"Special Economic Zone"</b> | shall have the meaning assigned to it in clause (za) of section 2 of the Special Economic Zones Act, 2005 (28 of 2005);                                                                                                                                                                                                                                                                                                                                         | Newly inserted definition in IGST Act since it has been considered at par with Exports & Imports. |
|                             |                               | <b>New Clause</b>                                                                                                       | <b>2(23)</b>  | <b>"SEZ Developer"</b>         | means a person who, or a State Government which, has been granted by the Central Government a letter of approval under sub-section (10) of section 3 of the Special Economic Zones Act, 2005 (28 of 2005) and includes an Authority and a Co-Developer as defined under section 2 of the Special Economic Zones Act, 2005 (28 of 2005)                                                                                                                          | Newly inserted definition                                                                         |



| Old Model GST Law June 2016 |                   |                                                                                                                                                                                                 |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                   |                                                                                                           |
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| Sec(Sub-Sec)                | Clause            | Provision                                                                                                                                                                                       | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                         | Impact Analysis                                                                                           |
| 2(f)                        | <b>“supply”</b>   | (24 f) <b>“supply”</b> has the same meaning as assigned to it in section 3 of the CGST Act, 2016;                                                                                               | <b>2(24)</b>  | <b>“supply”</b>            | has the same meaning as assigned to it in section 3 of the CGST Act, 2017 <del>6</del> ;                                                                                                                          | No change except section alignment                                                                        |
|                             |                   |                                                                                                                                                                                                 | <b>2(25)</b>  | <b>State</b>               | State” means-----                                                                                                                                                                                                 | New Clause                                                                                                |
| 2(f)                        | <b>supply</b>     | has the same meaning as assigned to it in section 3 of the CGST Act, 2016;                                                                                                                      | <b>2(26)</b>  | <b>Supply</b>              | “supply” has the same meaning as assigned to it in section 3 of the CGST Act, 2016;                                                                                                                               | No Change                                                                                                 |
|                             |                   | <b>New Clause</b>                                                                                                                                                                               | <b>2(27)</b>  | Tourist                    | “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;                                                           | New Clause                                                                                                |
| 2(g)                        | <b>output tax</b> | in relation to a taxable person, means the IGST chargeable under the Act on taxable supply of goods and/or services by him or his agent and excludes tax payable by him on reverse charge basis | <b>2(28)</b>  | output tax                 | output tax” in relation to a taxable person, means the IGST chargeable under the Act on taxable supply of goods and/or services made by him or his agent and excludes tax payable by him on reverse charge basis; | No Change                                                                                                 |
|                             |                   | <b>New Clause</b>                                                                                                                                                                               | <b>2(29)</b>  | <b>“zero-rated supply”</b> | shall have the meaning assigned to it under section 15; and                                                                                                                                                       | Newly inserted definition mainly to include specific supplies including Supplies to SEZ Unit & Developer. |
|                             |                   | Words and expressions not defined in this Act shall have the meaning assigned to them in the Central Goods and Service Tax Act, 2016.                                                           | <b>2(30)</b>  |                            | Words and expressions not defined in this Act shall have the meaning assigned to them in the Central Goods and Service Tax Act, 2016.                                                                             |                                                                                                           |



| Old Model GST Law June 2016                                                                                                    |        |                           |               | New Model GST Law Nov 2016                                                              |                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                     |
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| Sec(Sub-Sec)                                                                                                                   | Clause | Provision                 | Sec (Sub-sec) | Clause                                                                                  | Provision                                                                                                                                                                                                                                                                                                         | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>CHAPTER- II : PRINCIPLES FOR DETERMINING SUPPLY OF GOODS AND/OR SERVICES IN THE COURSE OF INTER-STATE TRADE OR COMMERCE</b> |        |                           |               |                                                                                         |                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                |        |                           | 3(1)          | <b>Supplies of goods and/or services in the course of inter-State trade or commerce</b> | (1) Subject to the provisions of section 7, supply of goods in the course of inter-State trade or commerce means any supply where the location of the supplier and the place of supply are in different States.                                                                                                   | No Change                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                |        |                           | 3(2)          | <b>Supplies of goods and/or services in the course of inter-State trade or commerce</b> | (2) Subject to the provisions of section 9, supply of services in the course of inter-State trade or commerce means any supply where the location of the supplier and the place of supply are in different States                                                                                                 | No Change                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                |        | <b>Newly incorporated</b> | 3(3)          | <b>Supplies of goods and/or services in the course of inter-State trade or commerce</b> | (3) Supply of goods and/or services in the course of import into the territory of India till they cross the customs frontiers of India shall be deemed to be a supply of goods and/or services in the course of inter-State trade or commerce.<br><b>(Note: Shifted from Explanation 1 to definition of IGST)</b> | Supply of goods /services from outside India to customs frontiers of India is termed as supply in the course of inter-state trade or commerce this is different than that of VAT / CST.<br>High Sea sale transaction would be treated as inter-state supply and therefore IGST will be applicable on HSS and importer will also have to pay IGST at the time of import as a part of Customs Duties. |
|                                                                                                                                |        | <b>Newly incorporated</b> | 3(4)          | <b>Supplies of goods and/or services in the</b>                                         | (4) Supply of goods and/or services, when the supplier is                                                                                                                                                                                                                                                         | Export of goods/services would be treated as supply in the course                                                                                                                                                                                                                                                                                                                                   |



| Old Model GST Law June 2016 |                                                                                         |                                                                                                                                                                            |               | New Model GST Law Nov 2016                                                              |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                 |
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| Sec(Sub-Sec)                | Clause                                                                                  | Provision                                                                                                                                                                  | Sec (Sub-sec) | Clause                                                                                  | Provision                                                                                                                                                                                                                                                      | Impact Analysis                                                                                                                                                                                                 |
|                             |                                                                                         |                                                                                                                                                                            |               | <b>course of inter-State trade or commerce</b>                                          | located in India and the place of supply is outside India, shall be deemed to be a supply of goods and/or services in the course of inter-State trade or commerce.<br><b>(Note: Shifted from Explanation 2 to definition of IGST, in a different language)</b> | of inter-state trade or commerce including transaction of merchant exports.                                                                                                                                     |
|                             |                                                                                         | <b>Newly incorporated</b>                                                                                                                                                  | <b>3(5)</b>   | <b>Supplies of goods and/or services in the course of inter-State trade or commerce</b> | (5) Supply of goods and/ or services to or by a SEZ developer or an SEZ unit, shall be deemed to be a supply of goods and/or services in the course of inter-State trade or commerce.                                                                          | Newly inserted provision for SEZ. Supply to or by SEZ would be treated as inter-state supply even though SEZ and the supplier/buyer of the SEZ both are in the same State and accordingly IGST will be payable. |
|                             |                                                                                         |                                                                                                                                                                            | <b>3(6)</b>   | <b>Supplies of goods and/or services in the course of inter-State trade or commerce</b> | Supply of goods and/ or services to or by a SEZ developer or an SEZ unit, shall be deemed to be a supply of goods and/or services in the course of inter-State trade or commerce.                                                                              | No Change                                                                                                                                                                                                       |
|                             |                                                                                         |                                                                                                                                                                            | <b>3(7)</b>   | <b>Supplies of goods and/or services in the course of inter-State trade or commerce</b> | Any supply of goods and/or services in the taxable territory, not being an intra-State supply and not covered elsewhere in this section, shall be deemed to be a supply of goods and/or services in the course of inter-State trade or commerce.               | No Change                                                                                                                                                                                                       |
| <b>3A</b>                   | <b>Supplies of goods and/or services in the course of intra-State trade or commerce</b> | (1) Subject to the provisions of section 5, intra-state supply of goods means any supply where the location of the supplier and the place of supply are in the same State. | <b>4</b>      | <b>Supplies of goods and/or services in the course of intra-State trade or commerce</b> | (1) Subject to the provisions of section 7, intra-State supply of goods means any supply of goods where the location of the supplier and the place of supply are in the                                                                                        | Deemed inter-state supplies are excluded from intra-state supply provision                                                                                                                                      |



| Old Model GST Law June 2016                      |                                                                 |                                                                                                                                                                                                                                                                                                                                              |               | New Model GST Law Nov 2016                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                   |
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| Sec(Sub-Sec)                                     | Clause                                                          | Provision                                                                                                                                                                                                                                                                                                                                    | Sec (Sub-sec) | Clause                                                          | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Impact Analysis                                                                                                                                                                                                                                                                   |
|                                                  |                                                                 | (2) Subject to the provisions of section 6, intra-state supply of services means any supply where the location of the supplier and the place of supply are in the same State                                                                                                                                                                 |               |                                                                 | <p>same State:<br/>PROVIDED that the intra-State supply of goods shall not include:<br/>(i) supply of goods to or by a SEZ developer or to or by an SEZ unit;<br/>(ii) supply of goods brought into India in the course of import till they cross the customs frontiers of India.</p> <p>(2) Subject to the provisions of section 9, intra-State supply of services means any supply of services where the location of the supplier and the place of supply are in the same State:<br/>PROVIDED that the intra-State supply of services shall not include supply of services to or by a SEZ developer or to or by an SEZ unit.</p> |                                                                                                                                                                                                                                                                                   |
| <b>CHAPTER– III : LEVY AND COLLECTION OF TAX</b> |                                                                 |                                                                                                                                                                                                                                                                                                                                              |               |                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                   |
| 4                                                | <b>Levy and collection of Integrated Goods and Services Tax</b> | (1) There shall be levied a tax called the Integrated Goods and Services Tax on all supplies of goods and/or services made in the course of inter-State trade or commerce at the rate specified in the Schedule to this Act and collected in such manner as may be prescribed.<br>(2) The Integrated Goods and Services Tax shall be paid by | 5             | <b>Levy and collection of Integrated Goods and Services Tax</b> | (1) There shall be levied a tax called the Integrated Goods and Services Tax on all supplies of goods and/or services made in the course of inter-State trade or commerce on the value determined under section 15 of CGST Act, 2016 and at such rates as may be notified by the Central Government in this behalf, but not exceeding twenty eight percent, on the recommendation of Council and collected in such manner as may be prescribed and shall be paid by every taxable                                                                                                                                                  | Charging section of IGST on all supplies of goods/services made in the course of inter-state transaction except import of goods. However, payment of IGST on Import transaction will be as per Section 3 of the Customs Act, 1972.<br>Cap of IGST rate of 28% has been specified. |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                             |        | <p>every taxable person in accordance with the provisions of this Act.</p> <p>(3) Notwithstanding anything contained in sub-section (2), the Central Government may, on recommendation of the Council, by notification, specify categories of supply of goods and/or services the tax on which is payable on reverse charge basis and the tax thereon shall be paid by the person receiving such goods and/or services and all the provisions of this Act shall apply to such person as if he is the person liable for paying the tax in relation to such goods and/or services.</p> <p>(4) Notwithstanding anything contained in sub-section (1) but subject to such conditions as may be notified in this behalf, no tax under this Act shall be payable by any taxable person in respect of such supplies of goods and/or services as are specified in Schedule . . . to the Act.</p> |               |                            | <p>person in accordance with the provisions of this Act.</p> <p>PROVIDED that the Integrated Goods and Services Tax on goods imported into India shall be levied and collected in accordance with the provisions of section 3 of the Customs Tariff Act, 1975 (51 of 1975) at the point when duties of customs are levied on the said goods under section 12 of the Customs Act, 1962 (52 of 1962), on a value as determined under the first mentioned Act.</p> <p>(2) The Central Government may, on recommendation of the Council, by notification, specify categories of supply of goods and/or services the tax on which is payable on reverse charge basis and the tax thereon shall be paid by the recipient of such goods and/or services 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 and/or services.</p> <p>(3) The Central Government may, on the recommendation of the Council, by notification, specify categories of services the tax on which shall be paid by the electronic commerce operator if</p> | <p>Electronic commerce operator would liable to pay tax.</p> <p>Categories of services will be identified by notification which are being provided through electronic operator.</p> <p>In case electronic operator does not have any physical presence in India, then person representing electronic operator in India would be liable to pay tax or electronic operator should appoint a representative for the purpose of payment of tax.</p> <p>As stated in above point, under version 1 IGST would have been payable as soon as goods enter territorial waters even if the same would have been sold on high seas thereafter and custom clearance is done by the buyer. Under version 2 said anomaly has been corrected to provide that IGST shall be payable only when the duties of customs are payable. Hence high sea sales will continue to enjoy exemption presently available under the CST Act, 1956. Export of service happens only if five conditions are fulfilled e.g. it is</p> |



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| Sec(Sub-Sec) | Clause | Provision | Sec (Sub-sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|              |        |           |               |        | <p>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 person liable for paying the tax in relation to the supply of such services:<br/>           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:<br/>           PROVIDED FURTHER that where an electronic commerce operator does not have a physical presence in the taxable territory and also he 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.<br/> <i>Explanation1:</i> For the purposes of this Act,-<br/>           (i) an establishment of a person in India and any of his other establishments</p> | <p>not sufficient that if supplier is located in India and place of supply is outside India can services said be to exported and hence zero rated. Further conditions like receipt in foreign currency &amp; recipient is located outside India needs to be satisfied for a transaction to be treated as export of service. Hence under version 1 if all the conditions are not satisfied it was not regarded as inter state supply. In such case, classification of such supply as inter state or intra state was an issue. Hence such transactions would have slipped the tax. Same has been corrected by delinking export of service with supply when supplier is located in India and place of supply is outside India. Latter supply shall be treated as inter state and shall be zero rated only if other conditions viz. recipient outside India and payment is received in foreign currency are fulfilled. Otherwise IGST shall be payable.<br/><br/>           OECD has stated in the VAT Guidelines that if by shifting the liability to pay tax on some other person results in efficient</p> |



| Old Model GST Law June 2016 |                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               | New Model GST Law Nov 2016               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                          |
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| Sec(Sub-Sec)                | Clause                                   | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Sec (Sub-sec) | Clause                                   | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Impact Analysis                                                                                                                                                                                                                                          |
|                             |                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                          | <p>outside India, or<br/>(ii) an establishment of a person in a State and any of his other establishments outside that State, shall be treated as establishments of distinct persons.<br/><i>Explanation 2:</i> 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.</p>                                                                                                                                                                                                                                                                                                 | <p>collection, it must be done. Version 2 provides that companies like Uber, Ola (exact categories will be stipulated) shall be treated as suppliers and not the actual cab owners and hence it shall be liability of said companies to pay the tax.</p> |
| 10                          | <b>Power to grant exemption from tax</b> | <p>(1) If the Central or a State Government is satisfied that it is necessary in the public interest so to do, it may, on the recommendation of the Council, by notification, exempt generally either absolutely or subject to such conditions as may be specified in the notification, goods and/or services of any specified description from the whole or any part of the tax leviable thereon.<br/><i>Explanation.-</i> Where an exemption under sub-section (1) in respect of any goods and/or</p> | 6             | <b>Power to grant exemption from tax</b> | <p>(1) Any exemption granted by the Central Government on the recommendation of the Council, under section 11 of the CGST Act in respect of intra- State supply of goods and/or services of any specified description, shall apply <i>mutatis mutandis</i> to inter-State supply of goods and/or services of the said description unless specifically provided otherwise.<br/>(2) If the Central Government is satisfied that it is necessary in the public interest so to do, it may, on the recommendation of the Council, by notification, exempt generally either absolutely or subject to such conditions as may be specified in the notification, inter-State supply of goods and/or</p> | <p>Version 2 hence provides that any exemption applicable to CGST shall also be applicable to IGST unless otherwise provided.</p>                                                                                                                        |

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| <b>Sec(Sub-Sec)</b> | <b>Clause</b> | <b>Provision</b>                                                                                                                                                                              | <b>Sec (Sub-sec)</b> | <b>Clause</b> | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Impact Analysis</b> |
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|                     |               | services from the whole of the tax leviable thereon has been granted absolutely, the taxable person providing such goods and/or services shall not pay the tax on such goods and/or services. |                      |               | services of any specified description from the whole or any part of the tax leviable thereon.<br><i>Explanation:</i> Where an exemption in respect of any goods and/or services from the whole of the tax leviable thereon has been granted absolutely, the taxable person providing such goods and/or services shall not pay the tax on such goods and/or services.<br>(3) Where the Central Government is satisfied that it is necessary in the public interest so to do, it may, on the recommendation of the Council, by special order in each case, exempt from payment of tax, under circumstances of an exceptional nature to be stated in such order, any goods and/or services on which tax is leviable.<br>(4) The Central 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 |                        |



| Old Model GST Law June 2016                                   |                                 |                                                                                                                                                                          |               | New Model GST Law Nov 2016                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                               |
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| Sec(Sub-Sec)                                                  | Clause                          | Provision                                                                                                                                                                | Sec (Sub-sec) | Clause                                                                                           | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Impact Analysis                                                                                               |
|                                                               |                                 |                                                                                                                                                                          |               |                                                                                                  | <p>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.</p> <p>(5) Every notification issued under sub-section (1) or sub-section (3) and every order issued under sub-section (2) shall (a) come into force on the date of its issue by the Central Government for publication in the Official Gazette or from any date subsequent to the date of its issue as may be specified therein; and</p> <p>(b) be made available on the official website of the department of the Central Government.</p> |                                                                                                               |
| <b>CHAPTER- IV : PLACE OF SUPPLY OF GOODS AND/OR SERVICES</b> |                                 |                                                                                                                                                                          |               |                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                               |
| 5                                                             | <b>Place of supply of goods</b> | (1) The provisions of this section shall apply to determine the place of supply of goods.<br>(2) Where the supply involves movement of goods, whether by the supplier or | 7             | <b>Place of supply of goods other than supply of goods imported into, or exported from India</b> | (1) The provisions of this section shall apply to determine the place of supply of goods other than supply of goods imported into, or exported from India.<br>(2) Where the supply involves movement of goods, whether by                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Power of determination of place of supply shifted to Central Government instead of Law made by the Parliament |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                 |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Impact Analysis |
|                             |        | <p>the recipient or by any other person, the place of supply of goods shall be the location of the goods at the time at which the movement of goods terminates for delivery to the recipient.</p> <p>(2A) 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.</p> <p>(3) 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</p> |               |                            | <p>the supplier or the recipient or by any other person, the place of supply of goods shall be the location of the goods at the time at which the movement of goods terminates for delivery to the recipient.</p> <p>(3) 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.</p> <p>(4) 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.</p> <p>(5) Where the goods are assembled or installed at site, the place of</p> |                 |



| Old Model GST Law June 2016 |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               | New Model GST Law Nov 2016                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                  |
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| Sec(Sub-Sec)                | Clause            | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Sec (Sub-sec) | Clause                                                                | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Impact Analysis                                                                                                                                                                                                                  |
|                             |                   | <p>the delivery to the recipient.</p> <p>(4) Where the goods are assembled or installed at site, the place of supply shall be the place of such installation or assembly.</p> <p>(5) Where the goods are supplied on board a conveyance, such as 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.</p> <p>(6) Where the place of supply of goods cannot be determined in terms of subsection (2), (3), (4) and (5), the same shall be determined by law made by the Parliament in accordance with the recommendation of the Council.</p> |               |                                                                       | <p>supply shall be the place of such installation or assembly.</p> <p>(6) Where the goods are supplied on board a conveyance, such as 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.</p> <p>(7) Where the place of supply of goods cannot be determined in terms of subsection (2), (3), (4), (5) or (6), the same shall be determined in a manner prescribed by the Central Government on the recommendation of the Council.</p> |                                                                                                                                                                                                                                  |
|                             | <b>New Clause</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>8</b>      | <b>Place of supply of goods imported into, or exported from India</b> | <p>(1) The place of supply of goods imported into India shall be the location of the importer.</p> <p>(2) The place of supply of goods exported from India shall be the location outside India.</p>                                                                                                                                                                                                                                                                                                                     | <p>Place of supply of goods in case of import will be the place of importer who files Bill of Entry.</p> <p>As per version 1, the port or airport could have been considered as a place of supply due to ambiguous language.</p> |



| Old Model GST Law June 2016 |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               | New Model GST Law Nov 2016                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| Sec(Sub-Sec)                | Clause                             | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Sec (Sub-sec) | Clause                                                                                                                                | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                             |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Version 2 has cured this anomaly to provide that it is the location of supplier and not the port which shall be the place of supply.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 6                           | <b>Place of supply of services</b> | <p>(1) The provisions of this section shall apply to determine the place of supply of services.</p> <p>(2) The place of supply of services, except the services specified in sub-sections (4),(5), (6), (7), (8), (9), (10), (11), (12), (13), (14) and (15), made to a registered person shall be the location of such person.</p> <p>(3) The place of supply of services, except the services specified in sub-sections (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14) and (15), 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.</p> <p>(4) The place of supply of services, -<br/>           (a) in relation to an immovable property, including services provided</p> | 9             | <b>Place of supply of services where the location of supplier of service and the location of the recipient of service is in India</b> | <p>(1) The provisions of this section shall apply to determine the place of supply of services where the location of supplier of service and the location of the recipient of service is in India.</p> <p>(2) The place of supply of services, except the services specified in subsections (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14) and (15), made to a registered person shall be the location of such person.</p> <p>(3) The place of supply of services, except the services specified in subsections (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14) and (15), made to any person other than a registered person shall be (a) the location of the recipient where the address on record exists, and (b) the location of the supplier of services in other cases.</p> <p>(4) The place of supply of services, -<br/>           (a) directly in relation to an immovable property, including services provided by architects, interior decorators, surveyors, engineers and other related experts or estate agents, any</p> | <p>Title of section changed from Place of supply of service so as to give meaning to the transactions within India.</p> <p>Service directly provided in relation to an immovable property has been covered under this clause.</p> <p>It is clarified that if the location of the immovable property or boat or vessel is located outside India, the place of supply shall be the location of the recipient.</p> <p>Adding the word "directly" construes an immediate link of a service with an immovable property. Only for such directly linked services, place of supply shall be the location of immovable property.</p> <p>Similar to provisions applicable to domestic transactions.</p> <p>Hence address of recipient does not matter. Such institutions will</p> |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                             |        | <p>by architects, interior decorators, surveyors, engineers and other related experts or 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, homestay, 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 organizing any marriage or reception or matters related therewith, 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 clause (a), (b) and (c), shall be the location at which the immovable property or</p> |               |                            | <p>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, homestay, 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 organizing any marriage or reception or matters related therewith, 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 clause (a), (b) and (c), shall be the location at which the immovable property or boat or vessel 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.</p> | <p>have to pay IGST even if the receiver is located outside India.</p> <p>Hence if the vessel or boat is to be located outside India but the recipient is located in India, place of supply shall be in India and hence will not be zero rated.</p> <p>Hence services of organizing an event outside India shall be the place of recipient and not the place where event is held.</p> <p>Version 2 brings more clarity in cases where pre-paid vouchers are sold through agents.</p> <p>If is clarified that, if the event is held outside India, the place of supply shall be the location of the recipient.</p> <p>Place of supply in case of pre-paid vouchers has been changed to location of pre-payment received/ such vouchers are sold, earlier it was the place of address of recipient as per record of service provider. However, in order to</p> |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                             |        | <p>boat or vessel is located or intended to be located.</p> <p>Explanation.- Where the immovable property or boat or vessel is located in more than one State, the supply of service shall be treated as made in each of the States 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 reasonable basis as may be prescribed in this behalf.</p> <p>(5) 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.</p> <p>(6) The place of supply of services in relation to training and performance appraisal to</p> |               |                            | <p><i>Explanation:</i> Where the immovable property or boat or vessel is located in more than one State, the supply of service shall be treated as made in each of the States 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 reasonable basis as may be prescribed in this behalf.</p> <p>(5) 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.</p> <p>(6) The place of supply of services in relation to training and performance appraisal to</p> <p>(a) a registered person, shall be the location of such person;</p> <p>(b) a person other than a registered person, shall be the location where the services are actually performed.</p> <p>(7) The place of supply of services</p> | <p>address the issue if intermediary who buys the recharge voucher and further sells to consumer this provision has been made in the law.</p> <p>If address of the recipient on records of the supplier of service is not available, the place of supply shall be location of the supplier of service</p> <p>In case where leased circuit is installed in more than one State, place of supply of such services shall be taken as in proportion to the value of services so provided in each State as ascertained from the terms of the contract or on such other reasonable basis as may be prescribed in this behalf.</p> <p>Provision is simplified</p> |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                 |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Impact Analysis |
|                             |        | <p>(a) a registered person, shall be the location of such person;</p> <p>(b) a person other than a registered person, shall be the location where the services are actually performed.</p> <p>(7) The place of supply of services provided by way of admission to a cultural, artistic, sporting, scientific, educational, or 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.</p> <p>(8) The place of supply of services provided by way of—</p> <p>(a) organization of a cultural, artistic, sporting, scientific, educational or entertainment event including supply of service in relation to a conference, fair, exhibition, celebration or similar events, or</p> <p>(b) services ancillary to organization of any of the</p> |               |                            | <p>provided by way of admission to a cultural, artistic, sporting, scientific, educational, or 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.</p> <p>(8) The place of supply of services provided by way of—</p> <p>(a) organization of a cultural, artistic, sporting, scientific, educational or entertainment event including supply of service in relation to a conference, fair, exhibition, celebration or similar events, or</p> <p>(b) services ancillary to organization of any of the above events or services, or assigning of sponsorship of any of the above events, to</p> <p>(i) a registered person, shall be the location of such person;</p> <p>(ii) a person other than a registered person, shall be the place where the event is actually held:</p> <p>PROVIDED that if the event is held outside India, the place of supply shall be the location of the recipient.</p> |                 |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                 |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Impact Analysis |
|                             |        | <p>above events or services, or assigning of sponsorship of any of the above events, to</p> <p>(i) a registered person, shall be the location of such person;</p> <p>(ii) a person other than a registered person, shall be the place where the event is actually held.</p> <p>Explanation.- Where the event is held in more than one State 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 the each of the States in proportion to the value of services so provided in each State as ascertained from the terms of the contract or agreement entered into in this regard or, in absence of such contract or agreement, on such other reasonable basis as may be prescribed in this behalf.</p> <p>(9) The place of supply of</p> |               |                            | <p><i>Explanation:</i> Where the event is held in more than one State 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 the each of the States in proportion to the value of services so provided in each State as ascertained from the terms of the contract or agreement entered into in this regard or, in absence of such contract or agreement, on such other reasonable basis as may be prescribed in this behalf.</p> <p>(9) The place of supply of services by way of transportation of goods, including by mail or courier to,</p> <p>(a) a registered person, shall be the location of such person;</p> <p>(b) a person other than a registered person, shall be the location at which such goods are handed over for their transportation.</p> <p>(10) The place of supply of passenger transportation service to</p> <p>(a) a registered person, shall be the location of such person;</p> <p>(b) a person other than a registered person, shall be the place where the</p> |                 |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Impact Analysis |
|                             |        | <p>services by way of transportation of goods, including by mail or courier to,</p> <p>(a) a registered person, shall be the location of such person;</p> <p>(b) a person other than a registered person, shall be the location at which such goods are handed over for their transportation.</p> <p>(10) The place of supply of passenger transportation service to</p> <p>(a) a registered person, shall be the location of such person;</p> <p>(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</p> |               |                            | <p>passenger embarks on the conveyance for a continuous journey:</p> <p>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 the manner specified in sub-sections (2) or (3), as the case may be.</p> <p><i>Explanation:</i> 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.</p> <p>(11) The place of supply of services on board a conveyance such as vessel, aircraft, train or motor vehicle, shall be the location of the first scheduled point of departure of that conveyance for the journey.</p> <p>(12) The place of supply of telecommunication services including data transfer, broadcasting, cable and direct to home television services to any person shall—</p> |                 |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                 |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Impact Analysis |
|                             |        | <p>determined in the manner specified in sub-sections (2) or (3), as the case may be.</p> <p>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.</p> <p>(11) The place of supply of services on board a conveyance such as vessel, aircraft, train or motor vehicle, shall be the location of the first scheduled point of departure of that conveyance for the journey.</p> <p>(12) The place of supply of telecommunication services including data transfer, broadcasting, cable and direct to home television services to any person shall—</p> <p>(a) in case of services by way of fixed telecommunication line, leased circuits, internet leased circuit, cable</p> |               |                            | <p>(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;</p> <p>(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 record of the supplier of services;</p> <p>(c) in cases where mobile connection for telecommunication, internet service and direct to home television services are provided on prepayment through a voucher or any other means,</p> <p>(i) through selling agent or a re-seller or a distributor of SIM card or re-charge voucher, shall be address of the selling agent or re-seller or distributor as per the record of the supplier at the time of supply; or</p> <p>(ii) by any person to the final subscriber shall be the location</p> |                 |



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| Sec(Sub-Sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Sec (Sub-sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Impact Analysis |
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|              |        | <p>or dish antenna, be the location where the telecommunication line, leased circuit or cable connection or dish antenna is installed for receipt of services;</p> <p>(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 record of the supplier of services;</p> <p>(c) in cases where mobile connection for telecommunication and internet service are provided on pre-payment through a voucher or any other means, be the location where such pre-payment is received or such vouchers are sold: Provided 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</p> |               |        | <p>where such pre-payment is received or such vouchers are sold;</p> <p>(d) in other cases not covered in (b) and (c) above, shall be the address of the recipient as per records of the supplier of the service:</p> <p>PROVIDED that where address of the recipient as per records of the supplier of service is not available, the place of supply shall be location of the supplier of service:</p> <p>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 record of the supplier of services shall be the place of supply of such service.</p> <p><i>Explanation:</i> Where the leased circuit is installed in more than one State 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 States in proportion to the value of services so provided in each State as ascertained from the</p> |                 |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Impact Analysis |
|                             |        | <p>record of the supplier of services shall be the place of supply of such service.</p> <p>(13) 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 service is not linked to the account of the recipient of services, the place of supply shall be location of the supplier of services.</p> <p>(14) The place of supply of insurance services shall:</p> <p>(a) to a registered person, be the location of such person;</p> <p>(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.</p> <p>(15) The place of supply of advertisement services to the Central Government, a State Government, a statutory body or a local authority meant for identifiable States,</p> |               |                            | <p>terms of the contract or agreement entered into in this regard or, in absence of such contract or agreement, on such other reasonable basis as may be prescribed in this behalf.</p> <p>(13) 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 the recipient of services is not on the records of the supplier, the place of supply shall be location of the supplier of services.</p> <p>(14) The place of supply of insurance services shall:</p> <p>(a) to a registered person, be the location of such person;</p> <p>(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.</p> <p>(15) The place of supply of advertisement services to the Central Government, a State Government, a statutory body or a local authority meant for</p> |                 |



| Old Model GST Law June 2016 |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                        |               | New Model GST Law Nov 2016                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Sec(Sub-Sec)                | Clause            | Provision                                                                                                                                                                                                                                                                                                                                                                                                                              | Sec (Sub-sec) | Clause                                                                                                                  | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                             |                   | shall be taken as located in each of such States and the value of such supplies specific to each State shall be in proportion to amount attributable to service provided by way of dissemination in the respective States 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 reasonable basis as may be prescribed in this behalf. |               |                                                                                                                         | identifiable States, shall be taken as located in each of such States and the value of such supplies specific to each State shall be in proportion to amount attributable to service provided by way of dissemination in the respective States 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 reasonable basis as may be prescribed in this behalf.                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                             | <b>New Clause</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>10</b>     | <b>Place of supply of services where the location of the supplier or the location of the recipient is outside India</b> | <p>(1) The provisions of this section shall apply to determine the place of supply of services where the location of the supplier of service or the location of the recipient of service is outside India.</p> <p>(2) The place of supply of services except the services specified in subsections (3), (4), (5), (6), (7), (8), (9), (10), (11), (12) and (13) shall be the location of the recipient of service:<br/>PROVIDED that in case the location of the recipient of service is not available in the ordinary course of business, the place of supply shall</p> | <p>Specific provision has been inserted so as to cover the situation where either supplier or recipient are outside India.</p> <p>As against general principles, separate set of principles to determine place of supply has been provided in cases where one of them i.e. location of supplier or location of recipient is outside India. As stated above a supply of service will be zero rated only when the recipient is outside India, place of supply is outside India and</p> |



| Old Model GST Law June 2016 |        |           |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| Sec(Sub-Sec)                | Clause | Provision | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                             |        |           |               |                            | <p>be the location of the supplier of service.</p> <p>(3) The place of supply of the following services shall be the location where the services are actually performed, namely:-</p> <p>(a) services supplied in respect of goods that are required to be made physically available by the recipient of service to the supplier of service, or to a person acting on behalf of the supplier of service in order to provide the service: 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 service:</p> <p>PROVIDED FURTHER that this clause shall not apply in the case of a service supplied in respect of goods that are temporarily imported into India for repairs and are exported after repairs without being put to any use in India, other than that which is required for such repairs;</p> <p>(b) services supplied to an individual, represented either as the recipient of service or a person acting on behalf of the recipient, which require the physical presence</p> | <p>consideration has been received in foreign currency. Hence Sec. 10 becomes very important because even if the recipient is outside India, if the place of supply is not outside India it will not be zero rated and IGST shall be payable</p> <p>Intermediary is defined under section 2(13) as “intermediary” means a broker, an agent or any other person, by whatever name called, who arranges or facilitates the supply of a service (hereinafter called the ‘main’ service) or the supply of goods, between two or more persons, but does not include a person who supplies the main service or supplies the goods on his account. As per version 1, intermediaries of goods representing foreign principal's were not liable to GST. However, under current Finance Act, 1994 they are liable from October 2014. As per version 2 they will also be liable for GST. It may be noted that taxing intermediaries is against the principles of OECD due to double taxation as the foreign principal is required to pay tax in his home country under reverse charge as a receiver of service.</p> |



| Old Model GST Law June 2016 |        |           |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| Sec(Sub-Sec)                | Clause | Provision | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                             |        |           |               |                            | <p>of the receiver or the person acting on behalf of the recipient, with the supplier for the supply of the service.</p> <p>(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 hotel 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 architects or interior decorators, shall be the place where the immovable property is located or intended to be located.</p> <p>(5) The place of supply of services supplied by way of admission to, or organization 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, shall be the place where the event is actually held.</p> <p>(6) Where any service referred to in</p> | <p>Generally place of supply will be the place of recipient of service, if it is not available then place of supplier of service except of specified services as given in subsequent sub-sections.</p> <p>This is similar to the default rule applicable to domestic transactions</p> <p>No GST on international freight on exports provided by shipping companies to persons located outside India.</p> <p>In following cases place of supply of service will be the place where service actually performed:</p> <p>In respect of goods required to be made physically available by recipient to supplier. In case service is provided from remote location then place of supply would be location of goods</p> <p>In case services supplied to an individual, where physical presence of recipient /person acting on behalf of recipient</p> |



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| Sec(Sub-Sec) | Clause | Provision | Sec (Sub-sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|              |        |           |               |        | <p>sub-sections (3), (4), or (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 where the greatest proportion of the service is provided.</p> <p>(7) Where the services referred to in sub-sections (3), (4), (5) or (6) are supplied in more than one State, the place of supply of such services shall be taken as being in each of the States in proportion to the value of services so provided in each State as ascertained from the terms of the contract or agreement entered into in this regard or, in absence of such contract or agreement, on such other reasonable basis as may be prescribed in this behalf.</p> <p>(8) The place of supply of following services shall be the location of the supplier of service:-<br/>           (a) services supplied by a banking company, or a financial institution, or a non-banking financial company, to account holders;<br/>           (b) intermediary services;<br/>           (c) services consisting of hiring of</p> | <p>Drafted on the principle of consumption. Hence even if goods are sent back outside India, GST shall be payable. Only goods received for repairs are excluded</p> <p>Drafted on the principle of consumption. Hence if an individual coming from outside India undertakes a haircut at a salon in India, GST shall be payable.</p> <p>Place of supply of service supplied directly in relation to an immovable property shall be the place where such property is located or intended to be located</p> <p>Event based services – place of supply will be the place where event actually held</p> <p>If services referred sub-section 3), (4), (5) or (6) are supplied are supplied at more than one location including in taxable territory place of supply would be the location where greatest proportion of service is supplied</p> |



| Old Model GST Law June 2016 |        |           |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| Sec(Sub-Sec)                | Clause | Provision | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                             |        |           |               |                            | <p>means of transport other than aircrafts and vessels except yachts, upto a period of one month.</p> <p>Explanation.- For the purpose of this section, the expression “goods” shall include ‘securities’ as defined in sub-section (90) of section 2 of the CGST Act, 2016.</p> <p>(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 the goods.</p> <p>(10) The place of supply in respect of a passenger transportation service shall be the place where the passenger embarks on the conveyance for a continuous journey.</p> <p>(11) 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.</p> <p>(12) (a) The place of supply of the “online information and database</p> | <p>If services referred sub-section 3), (4), (5) or (6) are supplied in more than one State, place of supply of such services shall be taken as in proportion to the value of services so provided in each State as ascertained from the terms of the contract or on such other reasonable basis as may be prescribed in this behalf.</p> <p>Place of supply for following cases will be a place of Supplier:</p> <ul style="list-style-type: none"> <li>a) Banking or financial institute</li> <li>b) Intermediary service</li> <li>c) Services relating to hiring of means of transport</li> </ul> <p>Place of supply of services of transportation of goods, other than by way of mail or courier, shall be the place of destination of the goods.</p> <p>The place of supply in respect of a passenger transportation service shall be the place where the passenger embarks on the conveyance for a continuous journey.</p> <p>GST shall be applicable on airfare</p> |



| Old Model GST Law June 2016 |        |           |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Sec(Sub-Sec)                | Clause | Provision | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                             |        |           |               |                            | <p>access or retrieval services” services shall be location of recipient of service.</p> <p>(b) 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 non-contradictory conditions are satisfied, namely:-</p> <p>(i) the location of address presented by the recipient of service via internet is in taxable territory;</p> <p>(ii) 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 service settles payment has been issued in the taxable territory;</p> <p>(iii) the billing address of recipient of service is in the taxable territory;</p> <p>(iv) the internet protocol address of the device used by the recipient of service is in the taxable territory;</p> <p>(v) the bank of recipient of service in which the account used for payment is maintained is in the taxable territory;</p> <p>(vi) the country code of the subscriber identity module (SIM) card used by the recipient of service is of taxable territory;</p> | <p>for transportation services provided to persons located outside India boarding from India</p> <p>First scheduled point of departure of that conveyance will be a place of supply for services provided on board a conveyance.</p> <p>Place of supply of online information and database access or retrieval services will be the place of recipient if</p> <p>a) Location of address given by the recipient is in taxable territory</p> <p>b) Credit/debit card or any other cards used for payment has been issue in taxable territory</p> <p>c) Billing address of recipient is in taxable territory</p> <p>d) IP address of device is in taxable territory</p> <p>e) Bank of recipient in which account is used for payment is in taxable territory</p> <p>f) Country code of SIM is in taxable territory</p> <p>g) Location of land line.</p> |

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| Sec(Sub-Sec) | Clause | Provision | Sec (Sub-sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|              |        |           |               |        | <p>(vii) the location of the fixed land line through which the service is received by the recipient is in taxable territory.</p> <p>(13) In order to prevent double taxation or non-taxation of the supply of a service, or for the uniform application of rules, the Central Government shall have the power to notify any description of service or circumstances in which the place of supply shall be the place of effective use and enjoyment of a service.</p> | <p>A separate provision has been added for online information and database access or retrieval services. Merely because the address of the recipient is outside India will not be enough to make such services zero rated. If any two conditions stated are satisfied, it shall not be treated as export of service. 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 essentially automated and involving minimal human intervention, and impossible to ensure in the absence of information technology and includes electronic services such as ( a) advertising on the internet; (b) providing cloud services; (c) provision of e-books, movie, music, software and other intangibles via telecommunication networks or internet; (d) providing data or information, retrievable or otherwise, to any person, in electronic form through a computer network; (e) online supplies of digital content (movies,</p> |



| Old Model GST Law June 2016     |                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               | New Model GST Law Nov 2016                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| Sec(Sub-Sec)                    | Clause                                                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Sec (Sub-sec) | Clause                                                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                 |                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | television shows, music, etc.); (f) digital data storage; and (g) online gaming;<br><br>One will have to wait for notification, if any.                                                                                                                                                                                                                                                                          |
| <b>CHAPTER-V PAYMENT OF TAX</b> |                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 7                               | <b>Payment of tax, interest, penalty and other amounts</b> | (1) Every deposit made towards tax, interest, penalty, fee or any other amount by a taxable person by internet banking or by using credit/debit cards or National Electronic Fund Transfer or Real Time Gross Settlement or by any other mode, subject to such conditions and restrictions as may be prescribed in this behalf, shall be credited to the electronic cash ledger of such person to be maintained in the manner as may be prescribed.<br>Explanation.- The date of credit to the account of the appropriate Government in the | 11            | <b>Payment of tax, interest, penalty and other amounts</b> | (1) Every deposit made towards tax, interest, penalty, fee or any other amount by a taxable person by internet banking or by using credit/debit cards or National Electronic Fund Transfer or Real Time Gross Settlement or by any other mode, subject to such conditions and restrictions as may be prescribed in this behalf, shall be credited to the electronic cash ledger of such person to be maintained in the manner as may be prescribed.<br><i>Explanation:</i> The date of credit to the account of the appropriate Government in the authorized bank shall be deemed to be the date of deposit in the electronic cash ledger.<br>(2) The input tax credit as self-assessed in the return of a taxable person shall be credited to his electronic credit | <b>Section 8A not there in Model GST law June 2016</b><br><br>Self-assessed tax paid shall consist of penalty, interest, tax and frees, it means taxpayer shall pay penalty <i>suo moto</i> in case any contravention is known to the taxpayer<br><br>Explanation inserted to clarify tax paid by the taxpayer is deemed to have been passed on the recipient and tax does not includes penalty, interest, fees. |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                 |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Impact Analysis |
|                             |        | <p>authorized bank shall be deemed to be the date of deposit.</p> <p>(2) The input tax credit as self-assessed in the return of a taxable person shall be credited to his electronic credit ledger to be maintained in the manner as may be prescribed.</p> <p>(3) The amount available in the electronic cash ledger may be used for making any payment towards tax, interest, penalty, fees or any other amount payable under the provisions of the Act or the rules made thereunder in such manner and subject to such conditions and within such time as may be prescribed.</p> <p>(4) The amount available in the electronic credit ledger may be used for making any payment towards tax payable under the provisions of the Act or the rules made thereunder in such manner and subject to such conditions and within such time as may</p> |               |                            | <p>ledger, in accordance with section 36 of the CGST Act, 2016 to be maintained in the manner as may be prescribed.</p> <p>(3) The amount available in the electronic cash ledger may be used for making any payment towards tax, interest, penalty, fees or any other amount payable under the provisions of the Act or the rules made thereunder in such manner and subject to such conditions and within such time as may be prescribed.</p> <p>(4) The amount available in the electronic credit ledger may be used for making any payment towards output tax payable under the provisions of the Act or the rules made thereunder in such manner and subject to such conditions and within such time as may be prescribed.</p> <p>(5)(a) The amount of input tax credit on account of IGST available in the electronic credit ledger shall first be utilized towards payment of IGST and the amount remaining, if any, may be utilized towards the payment of CGST and SGST, in that order.</p> |                 |

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| <b>Sec(Sub-Sec)</b> | <b>Clause</b> | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Sec (Sub-sec)</b> | <b>Clause</b> | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Impact Analysis</b> |
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|                     |               | <p>be prescribed.</p> <p>(5)(a) The amount of input tax credit on account of IGST available in the electronic credit ledger shall first be utilized towards payment of IGST and the amount remaining, if any, may be utilized towards the payment of CGST and SGST, in that order.</p> <p>(b) The amount of input tax credit on account of CGST available in the electronic credit ledger shall first be utilized towards payment of CGST and the amount remaining, if any, may be utilized towards the payment of IGST.</p> <p>(c) The amount of input tax credit on account of SGST available in the electronic credit ledger shall first be utilized towards payment of SGST and the amount remaining, if any, may be utilized towards the payment of IGST.</p> <p>(6) The balance in the cash or credit ledger after payment</p> |                      |               | <p>(b) The amount of input tax credit on account of CGST available in the electronic credit ledger shall first be utilized towards payment of CGST and the amount remaining, if any, may be utilized towards the payment of IGST.</p> <p>(c) The amount of input tax credit on account of SGST available in the electronic credit ledger shall first be utilized towards payment of SGST and the amount remaining, if any, may be utilized towards the payment of IGST.</p> <p>(6) The balance in the cash or credit ledger after payment of tax, interest, penalty, fee or any other amount payable under the Act or the rules made thereunder may be refunded in accordance with the provisions of section 48 of the CGST Act, 2016 and the amount collected as IGST shall stand reduced to that extent.</p> <p>(7) All liabilities of a taxable person under this Act shall be recorded and maintained in an electronic liability register as may be prescribed.</p> <p>(8) Every taxable person shall discharge his tax and other dues</p> |                        |

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| <b>Sec(Sub-Sec)</b> | <b>Clause</b> | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Sec (Sub-sec)</b> | <b>Clause</b> | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Impact Analysis</b> |
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|                     |               | <p>of tax, interest, penalty, fee or any other amount payable under the Act or the rules made thereunder may be refunded in accordance with the provisions of section 38 of the CGST Act and the amount collected as IGST shall stand reduced to that extent.</p> <p>(7) All liabilities of a taxable person under this Act shall be recorded and maintained in an electronic register as may be prescribed.</p> <p>(8) Every taxable person shall discharge his tax and other dues under this Act or the rules made thereunder in the following order:</p> <p>(a) self-assessed tax, and other dues related to returns of previous tax periods;</p> <p>(b) self-assessed tax, and other dues related to the return of the current tax period;</p> <p>(c) any other amount payable under the Act or the rules made thereunder including the demand determined under section 51 of the CGST</p> |                      |               | <p>under this Act or the rules made thereunder in the following order:</p> <p>(a) self-assessed tax, and other dues related to returns of previous tax periods;</p> <p>(b) self-assessed tax, and other dues related to the return of the current tax period;</p> <p>(c) any other amount payable under the Act or the rules made thereunder including the demand determined under section 66 and 67 of the CGST Act, 2016.</p> <p>(9) Every person who has paid the tax on goods and/or services under this Act shall, unless the contrary is proved by him, be deemed to have passed on the full incidence of such tax to the recipient of such goods and/or services.</p> <p><i>Explanation:</i> For the purposes of this section, the expression “tax dues” means the tax payable under this Act and does not include interest, fee and penalty.</p> |                        |



| Old Model GST Law June 2016 |        |                                                                                                                                                                                                                                               |               | New Model GST Law Nov 2016                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Sec(Sub-Sec)                | Clause | Provision                                                                                                                                                                                                                                     | Sec (Sub-sec) | Clause                                                                                                                                                                                       | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                             |        | Act.<br>(9) Every person who has paid the tax on goods and/or services under this Act shall, unless the contrary is proved by him, be deemed to have passed on the full incidence of such tax to the recipient of such goods and/or services. |               |                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                             |        | <b>New Clause</b>                                                                                                                                                                                                                             | <b>12</b>     | <b>Special provision for payment of tax by a supplier of online information and database access or retrieval services located outside India to specified person in the taxable territory</b> | <p>(1) On supply of online information and database access or retrieval services by any person located in a non-taxable territory and received by non-taxable online recipient the supplier of service located in a non-taxable territory shall be the person liable for paying IGST:</p> <p>PROVIDED that in case the supply of online information and database access or retrieval services by any person located in a non-taxable territory and received by nontaxable online recipient, an intermediary located in the non-taxable territory, who arranges or facilitates provision of such service, shall be deemed to be receiving such services from the service provider in non-taxable territory and supplying such services to the non-taxable online recipient except when such intermediary</p> | <p>Special provision for online information and database access or retrieval services has been inserted.</p> <p>Supplier of this service located outside India is required to pay the IGST.</p> <p>Provision created to tax supplies made to non-taxable recipients like Government, a local authority, a governmental authority, an individual or any person not registered under section 23 of the CGST Act, 2016 receiving online information and database access or retrieval services in relation to any purpose other than commerce, industry or any other business or profession, and located in taxable territory</p> <p>Beneficial provision</p> |

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| Sec(Sub-Sec) | Clause | Provision | Sec (Sub-sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Impact Analysis |
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|              |        |           |               |        | <p>satisfies all the following conditions, namely :-</p> <p>(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;</p> <p>(b) the intermediary involved in the supply does not authorise the charge to the customer or take part in its charge i.e. intermediary neither collects or processes payment in any manner nor is responsible for the payment between the non-assesse online recipient and the supplier of such services;</p> <p>(c) the intermediary involved in the supply does not authorise delivery;</p> <p>(d) the general terms and conditions of the supply are not set by the intermediary involved in the supply but by the service provider.</p> <p>(2) The supplier of online information and database access or retrieval services referred in sub-section (1) shall, for payment of IGST, take a single registration under a</p> |                 |



| Old Model GST Law June 2016           |                                                                                                  |                                                                                                                                                                                                                                                                                                                                                      |               | New Model GST Law Nov 2016                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                 |
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| Sec(Sub-Sec)                          | Clause                                                                                           | Provision                                                                                                                                                                                                                                                                                                                                            | Sec (Sub-sec) | Clause                                                                                                                                            | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Impact Analysis                                                                                                                                                 |
|                                       |                                                                                                  |                                                                                                                                                                                                                                                                                                                                                      |               |                                                                                                                                                   | <p>Simplified Registration Scheme as may be prescribed:<br/>           PROVIDED that any person located in taxable territory representing such supplier for any purpose in the taxable territory shall take a registration and pay IGST on behalf of the supplier:<br/>           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 IGST and such person shall be liable for paying IGST.</p> |                                                                                                                                                                 |
| <b>CHAPTER– VI : INPUT TAX CREDIT</b> |                                                                                                  |                                                                                                                                                                                                                                                                                                                                                      |               |                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                 |
| 8(1)                                  | <b>Claim of input tax credit, provisional acceptance, matching, reversal and reclaim thereof</b> | (1) Every registered taxable person shall, subject to such conditions and restrictions as may be prescribed in this behalf, be entitled to take credit of input tax, as self-assessed, in his return and such amount shall be credited, on a provisional basis, to his electronic credit ledger to be maintained in the manner as may be prescribed. | <b>13</b>     | <b>Claim of input tax credit, provisional acceptance, matching, reversal and reclaim of input tax credit or reduction in output tax liability</b> | <p>(1) Every registered taxable person shall, subject to such conditions and restrictions as may be prescribed in this behalf, be entitled to take credit of input tax, as self-assessed, in his return and such amount shall be credited, on a provisional basis, to his electronic credit ledger to be maintained in the manner as may be prescribed.<br/>           (2) The credit referred to in sub-section (1) shall be utilized only for</p>                                                                                                                         | The provision has been made so as to allow reduction in output tax liability on subsequent matching either reclaiming the credit or reduction of tax liability. |



| Old Model GST Law June 2016 |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               | New Model GST Law Nov 2016          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                 |
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| Sec(Sub-Sec)                | Clause                              | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Sec (Sub-sec) | Clause                              | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Impact Analysis |
|                             |                                     | (2) The provisions of section 29 of the CGST Act, 2016 relating to matching, reversal and reclaim of input tax credit shall apply <i>mutatis mutandis</i> to the matching, reversal and reclaim of input tax credit under this section.                                                                                                                                                                                                                                                                                                                                                                        |               |                                     | <p>payment of self-assessed output tax liability as per the return referred to in sub-section (1).</p> <p>(3) The provisions of section 37 and 38 of the CGST Act, 2016 relating to matching, reversal and reclaim of input tax credit or reduction in output tax liability shall apply <i>mutatis mutandis</i> to the matching, reversal and reclaim of input tax credit or reduction in output tax liability under this section.</p>                                                                                                                                                                                                                                                         |                 |
| 9                           | <b>Transfer of input tax credit</b> | <p>(1) On utilization of input tax credit availed under this Act for payment of tax dues under the CGST Act as per sub-section (5) of section 7, the amount collected as IGST shall stand reduced by an amount equal to the credit so utilized and the Central Government shall transfer an amount equal to the amount so reduced from the IGST account to the CGST account in the manner and time as may be prescribed.</p> <p>(2) On utilization of input tax credit availed under this Act for payment of tax dues under the SGST Act as per sub-section (5) of section 7, the amount collected as IGST</p> | 14            | <b>Transfer of input tax credit</b> | <p>(1) On utilization of input tax credit availed under this Act for payment of tax dues under the CGST Act as per sub-section (5) of section 11, the amount collected as IGST shall stand reduced by an amount equal to the credit so utilized and the Central Government shall transfer an amount equal to the amount so reduced from the IGST account to the CGST account in the manner and time as may be prescribed.</p> <p>(2) On utilization of input tax credit availed under this Act for payment of tax dues under the SGST Act as per sub-section (5) of section 11, the amount collected as IGST shall stand reduced by an amount equal to the credit so utilized and shall be</p> | No Change       |



| Old Model GST Law June 2016                                        |                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | New Model GST Law Nov 2016                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |
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| Sec(Sub-Sec)                                                       | Clause                                                                      | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Sec (Sub-sec) | Clause                                                                      | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Impact Analysis |
|                                                                    |                                                                             | shall stand reduced by an amount equal to the credit so utilized and the Central Government shall transfer an amount equal to the amount so reduced from the IGST account to the SGST account of the appropriate State Government in the manner and time as may be prescribed.                                                                                                                                                                                                                                                                                                    |               |                                                                             | apportioned to the appropriate State government and the Central Government shall transfer the amount so apportioned to account of the appropriate State Government in the manner and time as may be prescribed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |
| <b>CHAPTER- VII : APPORTIONMENT OF TAX AND SETTLEMENT OF FUNDS</b> |                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |
| <b>10</b>                                                          | <b>Apportionment of tax collected under the Act and settlement of funds</b> | (1) Out of the IGST paid to the Central Government in respect of inter-State supply of goods and/or services to an unregistered person or to a taxable person paying tax under section 8 of the CGST Act, the amount of tax calculated at the rate equivalent to the CGST on similar intra-state supply shall be apportioned to the Central Government.<br>(2) Out of the IGST paid to the Central Government in respect of inter-State supply of goods and/or services made in a year to a registered taxable person, where such taxable person is either not eligible for input | <b>15</b>     | <b>Apportionment of tax collected under the Act and settlement of funds</b> | (1) Out of the IGST paid to the Central Government in respect of inter-State supply of goods and/or services to an unregistered person or to a taxable person paying tax under section 9 of the CGST Act, 2016 the amount of tax calculated at the rate equivalent to the CGST on similar intra-state supply shall be apportioned to the Central Government.<br>(2) Out of the IGST paid to the Central Government in respect of inter-State supply of goods and/or services where such taxable person is not eligible for input tax credit, the amount of tax calculated at the rate equivalent to the CGST on similar intra- State supply shall be apportioned to the Central Government. |                 |

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| <b>Sec(Sub-Sec)</b> | <b>Clause</b> | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Sec (Sub-sec)</b> | <b>Clause</b> | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Impact Analysis</b> |
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|                     |               | <p>tax credit or where he does not avail of the said credit within the specified period and thus remains in the IGST account after expiry of the due date for filing of annual return for such year in which the supply was made, the amount of tax calculated at the rate equivalent to the CGST on similar intra-state supply shall be apportioned to the Central Government.</p> <p>(3) Out of the IGST paid to the Central Government in respect of import of goods and / or services by an unregistered person or by a taxable person paying tax under section 8 of the CGST Act, the amount of tax calculated at the rate equivalent to the CGST on similar intra-state supply shall be apportioned to the Central Government.</p> <p>(4) Out of the IGST paid to the Central Government in respect of import of goods and / or services made in a year by a registered taxable person, where the such taxable</p> |                      |               | <p>(3) Out of the IGST paid to the Central Government in respect of inter-State supply of goods and/or services made in a year to a registered taxable person, where he does not avail of the said credit within the specified period and thus remains in the IGST account after expiry of the due date for filing of annual return for such year in which the supply was made, the amount of tax calculated at the rate equivalent to the CGST on similar intra-State supply shall be apportioned to the Central Government.</p> <p>(4) Out of the IGST paid to the Central Government in respect of import of goods and / or services by an unregistered person or by a taxable person paying tax under section 9 of the CGST Act, 2016 the amount of tax calculated at the rate equivalent to the CGST on similar intra-State supply shall be apportioned to the Central Government.</p> <p>(5) Out of the IGST paid to the Central Government in respect of import of goods and / or services, where the such taxable person is not eligible for input tax credit, the amount of tax calculated</p> |                        |



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| Sec(Sub-Sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Sec (Sub-sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Impact Analysis |
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|              |        | <p>person is either not eligible for input tax credit or where he does not avail of the said credit within the specified period and thus remains in the IGST account after expiry of the due date for filing of annual return for such year in which the supply was received,</p> <p>the amount of tax calculated at the rate equivalent to the CGST on similar intra-state supply shall be apportioned to the Central Government.</p> <p>(5) The balance amount of tax remaining in the IGST account in respect of the supply for which an apportionment to the Central Government has been done under subsection (1), (2) or (3) shall be apportioned, in the manner and time as may be prescribed, to the State where such supply takes place as per section 9 5 or 6.</p> <p>(6) The provisions of subsections (1), (2), (3), (4) and (5) relating to apportionment</p> |               |        | <p>at the rate equivalent to the CGST on similar intra-State supply shall be apportioned to the Central Government.</p> <p>(6) Out of the IGST paid to the Central Government in respect of import of goods and / or services made in a year by a registered taxable person, where he does not avail of the said credit within the specified period and thus remains in the IGST account after expiry of the due date for filing of annual return for such year in which the supply was received, the amount of tax calculated at the rate equivalent to the CGST on similar intra-State supply shall be apportioned to the Central Government.</p> <p>(7) The balance amount of tax remaining in the IGST account in respect of the supply for which an apportionment to the Central Government has been done under subsection (1), (2), (3), (4), (5) or (6) shall be apportioned to the State where such supply takes place as per sections 7, 8, 9 or 10:</p> <p>PROVIDED that where the place of</p> |                 |



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| Sec(Sub-Sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Sec (Sub-sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Impact Analysis |
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|              |        | <p>of tax shall <i>mutatis mutandis</i> apply to the apportionment of interest and penalty realized in connection with the tax so apportioned.<br/>           (7) Where an amount has been apportioned to the Central Government or a State Government under sub-sections (1), (2), (3), (4), (5) and (6), the amount collected as IGST shall stand reduced by an amount equal to the amount so apportioned and the Central Government shall transfer to the CGST account an amount equal to an amount apportioned to the Central Government and shall transfer to the SGST account of the State an amount equal to an amount apportioned to that State, in the manner and time as may be prescribed.</p> |               |        | <p>such supply made by any taxable person cannot be determined separately, the said balance amount shall be apportioned to each of the States to which such taxable person has made supplies during the financial year in the proportion of the total supplies made to each of such States: PROVIDED FURTHER that where the taxable person making such supplies cannot be determined, the said balance amount shall be apportioned to all States as per the order made by the President under clause (2) of Article 270.<br/>           (8) The provisions of sub-sections (1), (2), (3), (4), (5), (6) and (7) relating to apportionment of tax shall <i>mutatis mutandis</i> apply to the apportionment of interest, penalty and compounding amount realized in connection with the tax so apportioned.<br/>           (9) Where an amount has been apportioned to the Central Government or a State Government under sub-sections (1), (2), (3), (4), (5), (6), (7) and (8) the amount collected as IGST shall stand</p> |                 |



| Old Model GST Law June 2016             |                      |                                                                                                                                                                                                                                                                   |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |
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| Sec(Sub-Sec)                            | Clause               | Provision                                                                                                                                                                                                                                                         | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Impact Analysis |
|                                         |                      |                                                                                                                                                                                                                                                                   |               |                            | <p>reduced by an amount equal to the amount so apportioned and the Central Government shall transfer to the CGST account an amount equal to an amount apportioned to the Central Government and shall transfer to the SGST account of the State an amount equal to an amount apportioned to that State, in the manner and time as may be prescribed.</p> <p>(10) Any IGST amount apportioned to a State, if subsequently found refundable to any person and refunded to such person, shall be reduced from the amount apportioned to such State under this section or otherwise, in the manner and time as may be prescribed.</p> |                 |
| <b>Chapter VIII : ZERO RATED SUPPLY</b> |                      |                                                                                                                                                                                                                                                                   |               |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |
| 2(42)                                   | <b>exempt supply</b> | (42) “ <b>exempt supply</b> ” means supply of any goods and/or services which are not taxable under this Act and includes such supply of goods and/or services which are specified in Schedule . . . of the Act or which may be exempt from tax under section 10; | <b>2(42)</b>  | <b>Deleted</b>             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Deleted Clauses |



| Old Model GST Law June 2016 |        |                   |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| Sec(Sub-Sec)                | Clause | Provision         | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                             |        | <b>New Clause</b> | <b>16</b>     | <b>Zero Rated Supply</b>   | <p>(1) "zero rated supply" means any of the following taxable supply of goods and/or services, namely -</p> <p>(a) export of goods and/or services; or</p> <p>(b) supply of goods and/or services to a SEZ developer or an SEZ unit.</p> <p>(2) Subject to provisions of sub-section (3) of section 17 of the CGST Act, 2016, credit of input tax may be availed for making zero-rated supplies, notwithstanding that such supply may be an exempt supply.</p> <p>(3) A registered taxable person exporting goods or services shall be eligible to claim refund under one of the following two options, namely -</p> <p>(a) a registered taxable person may export goods or services under bond, subject to such conditions, safeguards and procedure as may be prescribed in this regard, without payment of IGST and claim refund of unutilized input tax credit in accordance with provisions of section 48 of the CGST Act, 2016 read with rules made thereunder;</p> <p>(b) a registered taxable person may</p> | <p>Zero rated supply has been defined:</p> <p>a) Export of goods and services</p> <p>b) Supply of goods and services to SEZ</p> <p>Input tax credit is available for zero rated supply Goods or services can be exported under bond and refund of ITC can be claimed</p> <p>Anomaly related to exports as well as SEZ supplies have been corrected and two options akin to current law have been provided to claim refund.</p> <p>This is beneficial change as under present VAT laws, in many State's input tax credit is not available in case of export of exempted goods. As per version 2 credit shall be available. Only exception is a banking company or a financial institution which exercises option to avail ad-hoc 50% credit under section 16(3) of CGST Law</p> |



| Old Model GST Law June 2016        |                                                                |                                                                                                                                                                                                                                                                                         |               | New Model GST Law Nov 2016                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                             |
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| Sec(Sub-Sec)                       | Clause                                                         | Provision                                                                                                                                                                                                                                                                               | Sec (Sub-sec) | Clause                                                         | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Impact Analysis                                                                                             |
|                                    |                                                                |                                                                                                                                                                                                                                                                                         |               |                                                                | <p>export goods or services, subject to such conditions, safeguards and procedure as may be prescribed in this regard, on payment of IGST and claim refund of IGST paid on goods and services exported in accordance with provisions of section 48 of the CGST Act, 2016 read with rules made thereunder.</p> <p>(4) The SEZ developer or SEZ unit receiving zero rated supply specified in clause (a) of sub-section (1) shall be eligible, subject to the conditions, safeguards and procedure as may be prescribed in this regard, to claim refund of IGST paid by the registered taxable person on such supply.</p> |                                                                                                             |
| <b>CHAPTER– IX : MISCELLANEOUS</b> |                                                                |                                                                                                                                                                                                                                                                                         |               |                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                             |
| 27                                 | <b>Application of certain provisions of the CGST Act, 2016</b> | The provisions relating to registration, valuation, time of supply of goods, time of supply of services, change in rate of tax in respect of supply of services, exemption from payment of tax, input tax credit and utilization thereof, accounts and records, payment, return, audit, | 17            | <b>Application of certain provisions of the CGST Act, 2017</b> | The provisions relating to registration, valuation, time of supply of goods, time of supply of services, change in rate of tax in respect of supply of goods or services, input tax credit and utilization thereof, distribution of input tax credit by an Input Service Distributor, job work, accounts and records, payment, tax deduction at                                                                                                                                                                                                                                                                         | Provisions of CGST Act w.r.t. Distribution under ISD, Job work has correctly made applicable for IGST also. |



| Old Model GST Law June 2016 |                            |                                                                                                                                                                                                                                                                                                                                                                 |               | New Model GST Law Nov 2016 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                 |
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| Sec(Sub-Sec)                | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                       | Sec (Sub-sec) | Clause                     | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Impact Analysis |
|                             |                            | assessment, adjudication, demands, refunds, interest, recovery of tax, offences and penalties, inspection, search and seizure, prosecution and power to arrest, appeals, review, advance ruling and compounding shall apply, so far as may be, in relation to the levy of tax under this Act as they apply in relation to levy of tax under the CGST Act, 2016. |               |                            | source, return, tax collection at source, audit, assessment, adjudication, demands, refunds, interest, recovery of tax, offences and penalties, inspection, search and seizure, prosecution and power to arrest, appeals, review, advance ruling and compounding shall apply, so far as may be, in relation to the levy of tax under this Act as they apply in relation to levy of tax under the CGST Act, 2016:<br>Provided that in the case of tax deduction at source, the deductor shall deduct tax at the rate of two percent from the payment made or credited to the supplier:<br>Provided further that in the case of tax collection at source, the operator shall collect tax at the rate of two percent of the value of net supplies. |                 |
| 28                          | <b>Power to make rules</b> | (1) The Central Government may, on the recommendation of the Council, by notification, make rules for carrying out the purposes of this Act.<br>(2) In particular and without                                                                                                                                                                                   | <b>18</b>     | <b>Power to make rules</b> | (1) The Central Government may, on the recommendation of the Council, by notification, make rules for carrying out the purposes of this Act.<br>(2) In particular and without prejudice to the generality of the foregoing power, such rules may                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | No Change       |



| Old Model GST Law June 2016 |                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                    |               | New Model GST Law Nov 2016                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                       |
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| Sec(Sub-Sec)                | Clause                                                                               | Provision                                                                                                                                                                                                                                                                                                                                                                                          | Sec (Sub-sec) | Clause                                                                               | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Impact Analysis                                                                                                                       |
|                             |                                                                                      | prejudice to the generality of the foregoing power, such rules may<br>(i) provide for settlement of cases in accordance with Chapter VIIA of this Act;<br>(ii) provide for all or any of the matters which under any provision of this Act are required to be prescribed or to be provided for by rules.                                                                                           |               |                                                                                      | (a) provide for settlement of cases in accordance with Chapter XII of this Act;<br>(b) provide for all or any of the matters which under any provision of this Act are required to be prescribed or to be provided for by rules.                                                                                                                                                                                                                                                                                                                |                                                                                                                                       |
| 53                          | <b>Tax wrongfully collected and deposited with the Central or a State Government</b> | A taxable person who has paid IGST on a transaction considered by him to be an interstate supply, but which is subsequently held to be an intra-state supply, shall, upon payment of CGST and SGST in the appropriate State, be allowed to take the amount of IGST so paid as refund subject to the provisions of section 38 of the CGST Act, 2016 and such other conditions as may be prescribed. | <b>19</b>     | <b>Tax wrongfully collected and deposited with the Central or a State Government</b> | (1) A taxable person who has paid IGST on a supply considered by him to be an inter-state supply, but which is subsequently found to be an intra-State supply, shall, be granted refund of the amount of IGST so paid in such manner and subject to such conditions as may be prescribed.<br>(2) A taxable person who has paid CGST / SGST on a transaction considered by him to be an intra-State supply, but which is subsequently found to be an inter-State supply, shall not be required to pay any interest on the amount of IGST payable | Very good provision w.r.t. wrong payment of IGST instead of CSGT /SGST, no interest will be payable for short payment of CGST & SGST. |
| 54                          | <b>Recovery of tax</b>                                                               | (1) Where any amount payable by a person to the credit of the Central or a State Government under any of                                                                                                                                                                                                                                                                                           |               |                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Deleted                                                                                                                               |

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| <b>Sec(Sub-<br/>Sec)</b> | <b>Clause</b> | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Sec<br/>(Sub-<br/>sec)</b> | <b>Clause</b> | <b>Provision</b> | <b>Impact Analysis</b> |
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|                          |               | <p>the provisions of this Act or of the rules made thereunder is not paid, the proper officer shall proceed to recover the amount by one or more of the modes mentioned below: -</p> <p>(a) the proper officer may deduct or may require any other specified officer to deduct the amount so payable from any money owing to such person which may be under the control of the proper officer or such other specified officer.</p> <p>(b) the proper officer may recover or may require any other specified officer to recover the amount so payable by detaining and selling any goods belonging to such person which are under the control of the proper officer or such other specified officer.</p> <p>(c) (i) the proper officer may, by a notice in writing, require any other person from whom money is due or may</p> |                               |               |                  |                        |

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| Sec(Sub-Sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Sec (Sub-sec) | Clause | Provision | Impact Analysis |
|--------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------|-----------|-----------------|
|              |        | <p>become due to such person or who holds or may subsequently hold money for or on account of such person, to pay to the credit of the Central or a State Government either forthwith upon the money becoming due or being held, or at or within the time specified in the notice not being before the money becomes due or is held, so much of the money as is sufficient to pay the amount due from such person or the whole of the money when it is equal to or less than that amount;</p> <p>(ii) every person to whom the notice is issued under this section shall be bound to comply with such notice, and in particular, where any such notice is issued to a post office, banking company or an insurer, it shall not be necessary to produce any pass book, deposit receipt, policy or any other document for the purpose of any entry,</p> |               |        |           |                 |



| Old Model GST Law June 2016 |                                           |                                                                                                                                                                                                                                                                                                                                                             |               | New Model GST Law Nov 2016                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| Sec(Sub-Sec)                | Clause                                    | Provision                                                                                                                                                                                                                                                                                                                                                   | Sec (Sub-sec) | Clause                                                            | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Impact Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                             |                                           | endorsement or the like being made before payment is made, notwithstanding any rule, practice or requirement to the contrary;                                                                                                                                                                                                                               |               |                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                             |                                           | New Clause                                                                                                                                                                                                                                                                                                                                                  | 20            | <b>Refund of IGST paid on supply of goods to outbound tourist</b> | (1) The IGST paid on any supply of goods to outbound tourist shall be refunded, in the manner and subject to such conditions and safeguards as may be prescribed, if such goods are taken out of India.<br>(2) The refund under sub-section (1) shall be allowed only on such supply of goods that is procured from a registered taxable person who satisfies the conditions and complies with the requirement, including relating to issue of invoice in the prescribed manner. | Very welcome provision. Now any foreign tourist and procuring the goods and taking away those goods outside India then GST paid on the same will be refunded.<br><br>Tourist has been defined under section 2(27) as "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. India will be in the list of very few nations who provide refund of indirect taxes to tourists. |
| 29                          | <b>Interest on delayed payment of tax</b> | (1) Every person liable to pay tax in accordance with the provisions of this Act or rules made there under, who fails to pay the tax or any part thereof to the account of the Central Government within the period prescribed, shall, on his own, for the period for which the tax or any part thereof remains unpaid, pay interest at such rate as may be |               | <b>Deleted</b>                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Interest will also be liable for undue / excess reduction of output tax liability.<br><br>This is the most beneficial change that the industry had expected. Everyone was worried that if payment of wrong tax is made, one will have to pay the interest on correct tax due to delay in payment. Further when one claims refund under normal refund provisions, limitation of two years                                                                                     |



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| Sec(Sub-Sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Sec (Sub-sec) | Clause | Provision | Impact Analysis                                                                                                                                                                            |
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|              |        | <p>notified, on the recommendation of the Council, by the Central Government.</p> <p>(2) The interest under sub-section (1) shall be calculated from the first day such tax was due to be paid.</p> <p>(3) In case a taxable person makes an undue or excess claim of input tax credit under sub-section (10) of section 29 of the CGST Act, he shall be liable to pay interest on such undue or excess claim at the prescribed rate for the period computed in the manner prescribed.</p> |               |        |           | would have applied. In version 2 it is provided that no interest shall be payable on payment of correct tax subsequently. Also refund mechanism shall be separately provided in such cases |

**CHAPTER- X : TRANSITIONAL PROVISIONS**

|    |                                                                                                             |                                                                                                                                                                                                                                                                                                                   |    |                                                                                                             |                                                                                                                                                                                                                                                                                                                                                  |  |
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| 31 | <b>Import of services or inter-state supply of goods and/or services made on or after the appointed day</b> | Notwithstanding anything contained in section 12 and 13 of the CGST Act, import of services or inter-state supply of goods and/or services made 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 or inter-state | 21 | <b>Import of services or inter-State supply of goods and/or services made on or after the appointed day</b> | Notwithstanding anything contained in section 12 and 13 of the CGST Act, 2016 import of services or inter-State supply of goods and/or services made 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 or inter-state supply had been initiated |  |
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| Sec(Sub-Sec)                               | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Sec (Sub-sec) | Clause | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Impact Analysis |
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|                                            |        | <p>supply had been initiated before the appointed day:<br/>           Provided that if the tax on such import or inter-state supply had been paid in full under the earlier law, no tax shall be payable on such import or inter-state supply under this Act:<br/>           Provided further that if the tax on such import of services had been paid in part under the earlier law, balance amount of tax shall be payable on such import or inter-state supply under this Act.<br/>           Explanation.- For the purpose 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.</p> |               |        | <p>before the appointed day:<br/>           PROVIDED that if the tax on such import or inter-State supply had been paid in full under the earlier law, no tax shall be payable on such import or inter-state supply under this Act:<br/>           PROVIDED FURTHER that if the tax on such import of services had been paid in part under the earlier law, balance amount of tax shall be payable on such import or inter-state supply under this Act.<br/> <i>Explanation:</i> For the purpose 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.</p> |                 |
| <p><b>CHAPTER- XI : ADMINISTRATION</b></p> |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                 |

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| <b>Sec(Sub-Sec)</b> | <b>Clause</b>                                                                      | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Sec (Sub-sec)</b> | <b>Clause</b>                                                                      | <b>Provision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Impact Analysis</b> |
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| 32                  | <b>Classes of officers under the Integrated Goods &amp; Services Tax Act, 2016</b> | (1) There shall be the following classes of officers under the Integrated Goods and Services Tax Act, 2016 namely;<br>(a) Principal Chief Commissioners of IGST or Principal Directors General of IGST,<br>(b) Chief Commissioners of IGST or Directors General of IGST,<br>(c) Principal Commissioners of IGST or Principal Additional Directors General of IGST,<br>(d) Commissioners of IGST or Additional Directors General of IGST,<br>(e) First Appellate Authority<br>(f) Additional Commissioners of IGST or Additional Directors of IGST,<br>(g) Joint Commissioners of IGST or Joint Directors of IGST,<br>(h) Deputy Commissioners of IGST or Deputy Directors of IGST,<br>(i) Assistant Commissioners of IGST or Assistant Directors of IGST,<br>and (j) such other class of | 22                   | <b>Classes of officers under the Integrated Goods &amp; Services Tax Act, 2017</b> | (1) There shall be the following classes of officers under the Integrated Goods and Services Tax Act, 2016 namely;<br>(a) Principal Chief Commissioners of IGST or Principal Directors General of IGST,<br>(b) Chief Commissioners of IGST or Directors General of IGST,<br>(c) Principal Commissioners of IGST or Principal Additional Directors General of IGST,<br>(d) Commissioners of IGST or Additional Directors General of IGST,<br>(e) Additional Commissioners of IGST or Additional Directors of IGST,<br>(f) Joint Commissioners of IGST or Joint Directors of IGST,<br>(g) Deputy Commissioners of IGST or Deputy Directors of IGST,<br>(h) Assistant Commissioners of IGST or Assistant Directors of IGST, and<br>(i) such other class of officers as may be appointed for the purposes of this Act. | No Change              |



| Old Model GST Law June 2016 |                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | New Model GST Law Nov 2016                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |
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| Sec(Sub-Sec)                | Clause                                                                               | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Sec (Sub-sec) | Clause                                                                               | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Impact Analysis |
|                             |                                                                                      | officers as may be appointed for the purposes of this Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |
| 33                          | <b>Appointment of officers under the Integrated Goods and Services Tax Act, 2016</b> | (1) The Board may appoint such persons as it may think fit to be officers under the Integrated Goods and Services Tax Act, 2016.<br>(2) Without prejudice to the provisions of sub-section (1), the Board may authorize a Principal Chief Commissioner/Chief Commissioner of Central Goods and Services Tax or a Principal Commissioner/Commissioner of Central Goods and Services Tax or an Additional/Joint or Deputy/Assistant Commissioner of Central Goods and Service Tax to appoint officers of Integrated Goods and Services Tax below the rank of Assistant Commissioner of Integrated Goods and Services Tax Act, 2016. | <b>23</b>     | <b>Appointment of officers under the Integrated Goods and Services Tax Act, 2016</b> | (1) The Board may appoint such persons as it may think fit to be officers under the Integrated Goods and Services Tax Act, 2016.<br>(2) Without prejudice to the provisions of sub-section (1), the Board may authorize a Principal Chief Commissioner/Chief Commissioner of Central Goods and Services Tax or a Principal Commissioner/Commissioner of Central Goods and Services Tax or an Additional/Joint or Deputy/Assistant Commissioner of Central Goods and Service Tax to appoint officers of Integrated Goods and Services Tax below the rank of Assistant Commissioner of Integrated Goods and Services Tax Act, 2016. | No Change       |
|                             |                                                                                      | New Clause                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>24</b>     | <b>Appointment of Officers of SGST as proper officer in certain circumstances</b>    | The officers appointed under the SGST Acts shall, to such extent and subject to such conditions, as may be prescribed in the rules made in this behalf, be the proper officers for the purposes of sections                                                                                                                                                                                                                                                                                                                                                                                                                       | New Clause      |

**Old Model GST Law June 2016****New Model GST Law Nov 2016**

| <b>Sec(Sub-<br/>Sec)</b> | <b>Clause</b> | <b>Provision</b> | <b>Sec<br/>(Sub-<br/>sec)</b> | <b>Clause</b> | <b>Provision</b>     | <b>Impact Analysis</b> |
|--------------------------|---------------|------------------|-------------------------------|---------------|----------------------|------------------------|
|                          |               |                  |                               |               | (.....) of this Act. |                        |