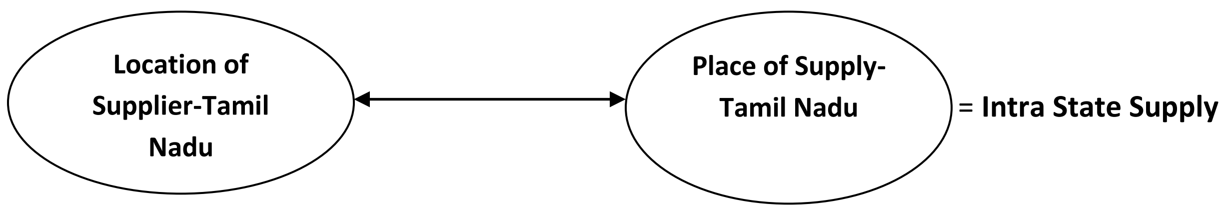
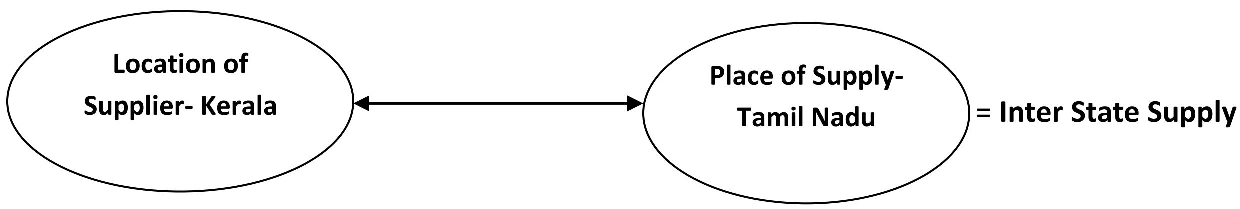
<u>IGST or CGST/SGST APPLICABILITY IN CASE OF SUPPLY OF SERVICES</u>



IN CASE OF INTRA STATE SUPPLY, *CGST AND SGST* IS APPLICABLE



IN CASE OF INTER STATE SUPPLY, *IGST* IS APPLICABLE

Equation--- Location of Supplier = Place of Supply, then Intra State Supply.

Equation--- Location of Supplier ≠ Place of Supply, then Inter State Supply.

<u>"Location of the supplier of services"</u> — As per sec 2(71) of CGST Act, 2017-

(a) where a supply is made from a place of business for which the registration has been obtained, the location of such place of business;

(b) where a supply is made from a place other than the place of business for which registration has been obtained (a fixed establishment elsewhere), then the location of such fixed establishment;

(c) where a supply is made from more than one establishment, whether the place of business or fixed establishment, the location of the establishment most directly concerned with the provisions of the supply; and

(d) in absence of such places, the location of the usual place of residence of the supplier;

"Place of Supply of services" — As per sec 12 of IGST Act, 2017-

1. **General Rule:** The place of supply of services(POSOS), except the services specified below in point no. 2 to 12—

    (a) made to a registered person — shall be the location of such person;

    (b) made to any person other than a registered person shall be,—

    (i) the location of the recipient where the address on record exists; and

    (ii) the location of the supplier of services in other cases.

2. **Services in relation to immovable property**: POSOS shall be the location of property.

3. **Restaurant, Catering & Personal Care Services** – POSOS shall be the location where the services are actually performed.

4. **Event related supply of Services-** POSOS shall be the location where the event has been held.

5. **Services in relation to Training and Performance Appraisal** – made to —

    (a) a registered person, POSOS shall be the location of such person;

    (b) a person other than a registered person, POSOS shall be the location where the services are actually performed.

6. **Service of transportation of goods, including by mail or courier**- made to —

    (a) a registered person, POSOS shall be the location of such person;

    (b) any other person, POSOS shall be the location at which such goods are handed over for their transportation.

7. **Passenger transportation service** made to —

    (a) a registered person, POSOS shall be the location of such person;

    (b) a person other than a registered person, POSOS shall be the place where the passenger embarks on the conveyance.

8. **Supply of services on board a conveyance, including a vessel, an aircraft, a train or a motor vehicle**— POSOS shall be the location of the first scheduled point of departure of that conveyance for the journey.

9. **Telecommunication services including data transfer, broadcasting, cable and direct to home television** —

- In case of fixed telecommunication line, leased circuits, internet leased circuit, cable or dish antenna- POSOS shall be the location where the telecommunication line, leased circuit or cable connection or dish antenna is installed for receipt of services.

- In case of Post-paid mobile connection and internet services- POSOS shall be the location of billing address of the recipient of services on the record of the supplier of services.

- In cases of Pre-paid mobile connection, internet service and direct to home television services- Where the recharges are done through vouchers or any other mode-
    - By a selling agent or a re-seller or a distributor of Telecom Operator - POSOS shall be the address of the selling agent or re seller or distributor as per the record of the supplier at the time of supply.
    - By any other person to the final subscriber- POSOS shall be the location where such prepayment is received or such vouchers are sold by such person.

- In other cases, POSOS shall be the address of the recipient as per the records of the supplier of services and where such address is not available, POSOS shall be location of the supplier of services.

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

10. **Banking and other financial services, including stock broking services** –POSOS shall be the location of the recipient of services on the records of the supplier of services.

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

11. **Insurance Services** – Supply made to

    - Registered person- POSOS shall be location of such person.

    - Any other person- POSOS shall be location of the recipient of the service on the record of the supplier of services.

12. **Advertisement services to the Central Government, a State Government, a statutory body or a local authority** – POSOS shall be taken as each of such States or Union territories in proportion to the value of services rendered in respective States or Union Territories.

———THANK YOU———