



CHAPTER - 7

PLACE OF SUPPLY (IGST Act)

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Handwritten Charts
and Notes



Introduction :-

GST is primarily a destination based consumption tax. The POS of a particular transaction, coupled with the location of the supplier, will determine the nature of the tax to be paid by a tax payer. Based on its nature of transactions, the type of supply is determined whether to consider it as an "Intra State Supply" or an "Inter State Supply".

IGST Act has been drafted mainly to address the supplies falling under the purview of Inter State supplies of goods & services or both. Thus, it will be beneficial to maintain uninterrupted ITC chain on interstate transactions & it will also ease the compliance procedure due to maintenance of proper records.

Refer Question from our Questionnaire: CCP 07.01.01.00

Important Definitions:-

Sec 2(14):- "Location of the recipient of Services" means

a	where a supply is received at a place of business for which the registration has been obtained,	the location of such place of business
b	where a supply is received at a place other than the place of business for which registration has been obtained (a fixed establishment elsewhere),	the location of such fixed establishment "Fixed Establishment" 2(7) : means a place (other than the registered place of business) which is characterised by a sufficient degree of permanence and suitable structure in terms of human and technical resources to supply services or to receive and use services for its own needs.
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
d	in absence of such places,	the location of the usual place of residence of the recipient

“Sec 2(15):- Location of supplier of Services” means

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

Section 5 : Levy and Collection of IGST

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

Proviso Levy of IGST on imported goods

Inserted by
IGST Amendment
Act, 2017

Provided that the integrated tax on goods **other than the goods as may be notified by the Government on the recommendations of the Council** imported into India

- shall be levied and collected in accordance with the provisions of sec 3 of the Customs Tariff Act, 1975
- on the **value** as determined under the said Act
- **at the point** when duties of customs are levied on the said goods under section 12 of the Customs Act, 1962.

N/No. 03/2023 – IT Dt. 29/09/2023 w.e.f. 01/10/2023:-

It notifies supply of online money gaming as the goods on import of which the proviso to section 5(1) of said Act shall not apply, but on which integrated tax shall be levied and collected u/s 5(1) of the said Act.

Comment:- It implies that import of specified actionable claim of online money gaming will be taxed under IGST as import of goods without applicability of customs duty.

Sec 5 (2) Non taxable goods (Petroleum products)

Sec 5 (3)/(4) RCM

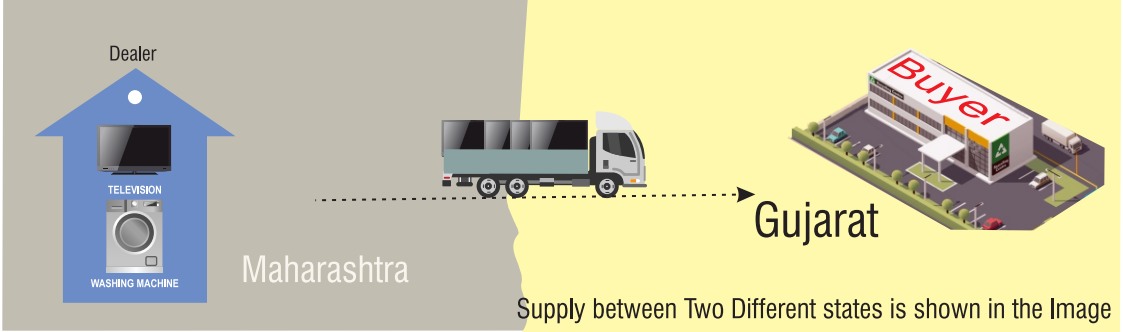

Sec 5 (5) ECO

**Already Discussed in
Previous Chapter**

Section 6 : Exemptions in IGST (discussed in chapter 5)

Inter-State & Intra State supply

Section 7 : Inter-State Supply

1	Inter-State SOG (within India)	<p>Subject to Sec 10, supply of goods, where the Location Of The Supplier (LOS) and the Place Of Supply (POS) are in</p> <p>(a) two different States</p> <p>(b) two different Union territories; or</p> <p>(c) a State and a Union territory,</p> <p>shall be treated as a supply of goods in the course of inter-State trade or commerce.</p> <div data-bbox="407 557 1523 945"> <p style="text-align: center;">INTER-STATE SUPPLY</p>  <p style="text-align: center;">Supply between Two Different states is shown in the Image</p> </div>
3	Inter-State SOS (within India)	<p>Subject to Sec12, supply of services, where the Location Of the Supplier (LOS) and the Place Of Supply (POS) are in</p> <p>(a) two different States</p> <p>(b) two different Union territories; or</p> <p>(c) a State and a Union territory,</p> <p>shall be treated as a supply of services in the course of inter-State trade or commerce.</p> <div data-bbox="397 1292 1523 1602">  </div>
5	Inter-State Supply - SOG or SOS outside India	<p>Supply of goods or services or both,</p> <p>(a) when the supplier is located in India and the POS is outside India</p> <p>(b) to or by a SEZ developer or a SEZ unit</p> <p>(c) in the taxable territory, not being an intra-State supply and not covered elsewhere in this section,</p> <p>shall be treated as a supply of goods or services or both in the course of inter-State trade or commerce.</p> <p>Note : Any supply that fall outside the scope of Intra state supply will not escape GST but would be an inter state supply, due to this residual provision.</p> <p>Examples :</p> <ol style="list-style-type: none"> 1) Taxable person located in Pune, (MH) supplying goods to SEZ unit located in Pune (MH) is treated as a supply in course of inter-state trade or commerce. 2) Lease of premises by SEZ developer in Pune to SEZ unit in that same zone in Pune will be a supply in the course of inter state trade or commerce

Refer Question from our Questionnaire: CCP 07.02.02.00

Section 8 : Intra-State Supply

1	Intra State SOG	<p>Subject to the Sec 10, supply of goods where the LOS & POS of goods are in</p> <ul style="list-style-type: none"> ➤ the same State or ➤ same Union territory <p style="text-align: center; color: #e91e63;">shall be treated as intra-State supply</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Proviso:- Provided that the following supply of goods shall not be treated as intra-State supply namely-</p> <ul style="list-style-type: none"> (i) supply of goods to or by a Special Economic Zone developer or a Special Economic Zone unit; (ii) goods imported into the territory of India till they cross the customs frontiers of India; or (iii) supplies made to a tourist referred to in section 15. </div>
2	Intra State SOS	<p>Subject to the Sec 12, supply of services where the LOS & POS of services are in</p> <ul style="list-style-type: none"> ➤ the same State or ➤ same Union territory <p style="text-align: center; color: #e91e63;">shall be treated as intra-State supply</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Proviso:- Provided that the intra-State supply of services shall not include supply of services to or by a Special Economic Zone developer or a Special Economic Zone unit.</p> </div>

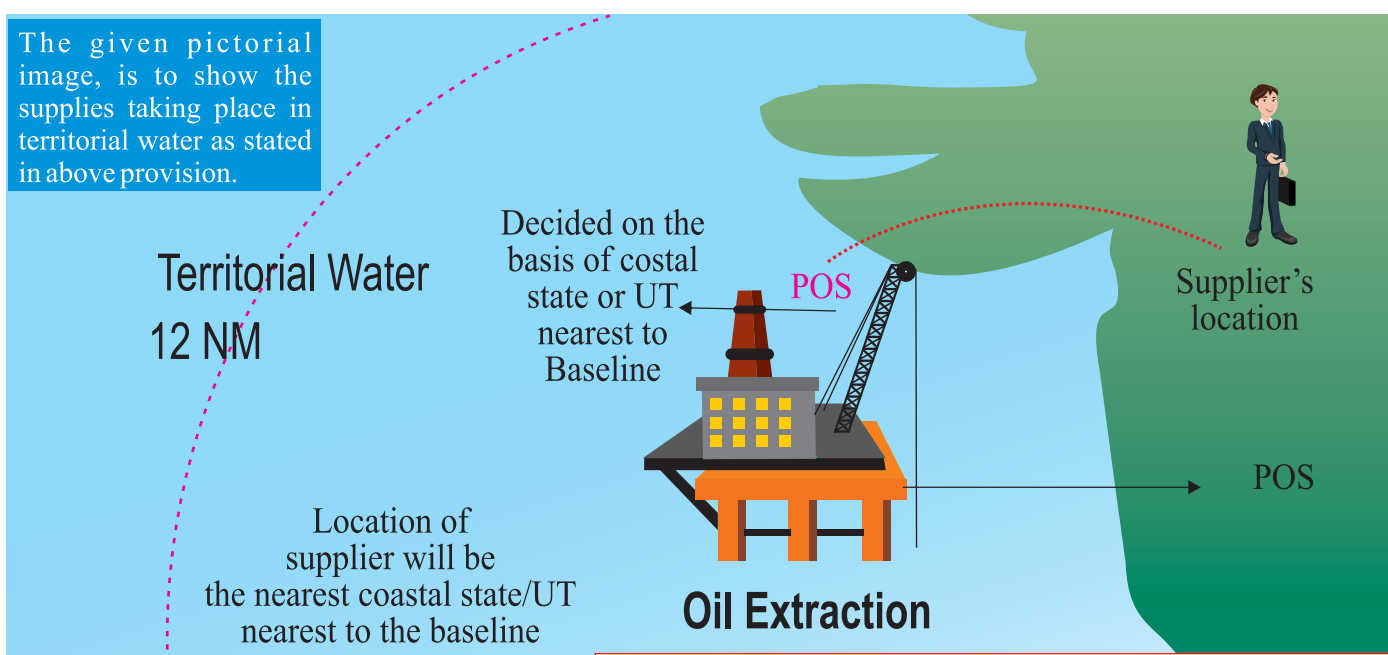
Explanation to Sec 8 Establishment treated as separate person (DDP)

Explanation 1	<p>For the purposes of this Act, where a person has-</p> <ul style="list-style-type: none"> (i) an establishment in India and any other establishment outside India (ii) an establishment in a State & UT and any other establishment outside that State or UT (iii) an establishment in a State & UT and any other establishment registered within that State or UT, <p style="text-align: center; color: #e91e63;">then such establishments shall be treated as establishments of distinct persons.</p>
Explanation 2	<p>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>

Section 9 : Supply in Territorial Water

Scenario	Situations	LOS & POS
a)	Supplier's location is in the territorial waters	LOS is the coastal State or UT nearest to the baseline
b)	Place of supply is in the territorial waters	POS is the coastal State or UT nearest to the baseline

The given pictorial image, is to show the supplies taking place in territorial water as stated in above provision.



Refer Question from our Questionnaire: CCP 07.03.03.00

Determination of Place of Supply

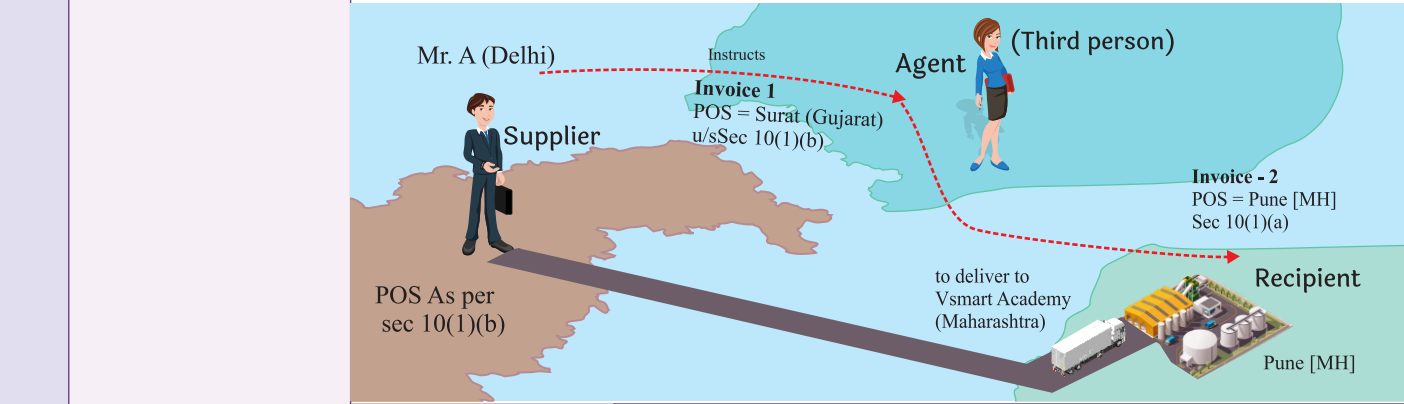
Sec 10 : PLACE OF SUPPLY OF GOODS OTHER THAN SUPPLY OF GOODS IMPORTED INTO, OR EXPORTED FROM INDIA.

Draw Chart

THE POS OF GOODS, OTHER THAN SUPPLY OF GOODS IMPORTED INTO, OR EXPORTED FROM INDIA, SHALL BE AS UNDER.

(a)	Goods Involving Movement	Place of Supply	POS = 'where the goods are located' when the movement terminate for delivery to recipient.
		Determining the Location of the Goods'	<ul style="list-style-type: none"> ➤ The 'location of the goods' is determined by tracking their journey from the supplier to the recipient. ➤ The movement can be carried out by the supplier, recipient, or another party like a transporter, as long as the destination is disclosed.
		Examples	<p>1) MA Pvt. Ltd. of Nasik, (MH) sells 10 refrigerators to MB Pvt. Ltd. of Pune (MH) for delivery at place of business of MB Pvt. Ltd. in Pune (MH). The POS is Pune in Maharashtra.</p> <p>2) MA Pvt. Ltd. of Nasik (MH) a sells 20 refrigerators to MC Pvt. Ltd. of Ahmedabad (GUJ) for delivery at place of business of MC Pvt. Ltd. in Ahmedabad. The POS is Ahmedabad.</p>


Refer Question from our Questionnaire: CCP 07.04.04.00



	Bill To Ship To	Place of Supply	<ul style="list-style-type: none"> ➤ Applicable in 'bill to ship to' transactions or sales of goods in transit on the instruction of a third person. ➤ POS = The principal place of business of the third person.
		Two Supplies Involved	<ul style="list-style-type: none"> ➤ This provision addresses the first supply from the supplier to the third person. ➤ The second supply (third person to recipient) is governed by Sec 10(1)(a), based on the goods' location at the end of the movement.
		Example	<p>X & Co., a supplier based in UP(Noida), asks Y & Co. from Gujarat (Ahmedabad) to deliver 50 washing machines to Z & Co. in Rajasthan (Jaipur).</p> <p>There are two supplies:</p> <ul style="list-style-type: none"> ➤ one between X & Co. and Z & Co. (covered u/s 10(1)(a)) where POS is Rajasthan (Jaipur) ➤ another between Y & Co. and X & Co. (covered u/s 10(1)(b)) where POS is UP(Noida)[principal place of business of X & Co.].

Refer Question from our Questionnaire: CCP 07.04.05.00 (IMP)

CH 7 Place of Supply

<p>(c) Supply not involving movement of goods</p> <p>Refer Question from our Questionnaire: CCP 07.04.06.00</p>	<p>Place of Supply</p>	<p>POS = Location of the goods at the time of the delivery to the recipient</p> 				
	<p>Examples</p>	<p>1) MA Pvt. Ltd. in New Delhi leased its machine worth ₹8,00,000 to MB Pvt. Ltd. in Noida (UP), for a monthly rent of ₹40,000. After 14 months, MB Pvt. Ltd. requested to buy the machine for ₹4,00,000, and MA Pvt. Ltd. agreed. Since there's no movement of goods and it's sold "as is where is," the POS for the machine's sale is Noida, Location of Machine.</p>				
<p>(ca) Supply made to URP</p> <p>Newly Inserted by IGST Amendment Act 2023</p>	<p>Overriding sec 10(1)(a)/(c), POS in case of OTC sales to URP is as follows:-</p> <table border="1"> <tr> <td data-bbox="483 844 868 1028">(i) If address of URP is recorded in invoice</td> <td data-bbox="868 844 1526 1028"> <p>POS is location as per address of URP recorded in invoice.</p> <p>Note:- Simply mentioning the State of URP instead of complete address would be sufficient.</p> </td> </tr> <tr> <td data-bbox="483 1028 868 1131">(ii) If address of URP is not recorded in invoice</td> <td data-bbox="868 1028 1526 1131"> <p>POS is the location of supplier</p> </td> </tr> </table>		(i) If address of URP is recorded in invoice	<p>POS is location as per address of URP recorded in invoice.</p> <p>Note:- Simply mentioning the State of URP instead of complete address would be sufficient.</p>	(ii) If address of URP is not recorded in invoice	<p>POS is the location of supplier</p>
(i) If address of URP is recorded in invoice	<p>POS is location as per address of URP recorded in invoice.</p> <p>Note:- Simply mentioning the State of URP instead of complete address would be sufficient.</p>					
(ii) If address of URP is not recorded in invoice	<p>POS is the location of supplier</p>					
<p>(d) Goods are assembled or installed at site</p> <p>Refer Question from our Questionnaire: CCP 07.04.07.00</p>	<p>Place of Supply</p>	<p>POS = Place of such installation or assembly</p> <p>Notes:-</p> <ol style="list-style-type: none"> 1) This situation involves a composite supply, consisting of goods and an ancillary installation/assembling service. 2) The principal supply in such cases is the supply of goods that are being installed. 				
<p>(e) Goods are supplied on board a conveyance, including</p> <ul style="list-style-type: none"> ➤ a vessel, ➤ an aircraft, ➤ a train or ➤ a motor vehicle 	<p>Place of Supply</p>	<p>POS = Location at which such goods are taken on board.</p> <p>Notes:-</p> <ol style="list-style-type: none"> 1) Goods supplied on board a conveyances include items like books and miscellaneous products sold by train hawkers or packaged food items sold on airplanes. 2) This provision applies even if the supply is made by a passenger on the conveyance and not necessarily by the carrier of the conveyance. 				



Eg. XYZ Corp. (New Delhi) acquires a machine from ABC Industries (New Delhi) for installation in its manufacturing facility in Noida (UP). The **POS** is Noida, the location where the machine is installed.

Refer Question from our Questionnaire: CCP 07.04.08.00



Example

Mr. X from New Delhi boards a train in New Delhi to Kota. He sells goods on the train during the journey in Jaipur. The **POS** for the goods is New Delhi, where he originally took them on board, not Jaipur where they were sold.

2) **Where the place of supply of goods cannot be determined, the place of supply shall be determined in such manner as may be prescribed. (till no Rules are prescribed by Govt.)**

Student Notes:-

Lined area for student notes.

SEC 12 : DETERMINATION OF POS FOR TRANSACTION WITHIN INDIA

1) PLACE OF SUPPLY OF SERVICES WHERE LOCATION OF SUPPLIER AND LOCATION OF RECIPIENT IS IN INDIA.

The provisions of this section shall apply to determine the **POS** of services where the **location of supplier** of services and the **location of the recipient** of services is in India.

2) PLACE OF SUPPLY GENERALLY (THE DEFAULT RULE)

Except the services specified in sub section (3) to sub section (14)

Description	Place Of Supply
Supply of services (a) Made to registered Person (B2B)	Location of such person
(b) Made to a person other than registered Person (B2C)	(i) the location of the recipient where the address on record exists (ii) the location of the supplier of services in other cases.
Notes- 1) The default presumption for POS in respect of registered recipients (B2B supply of services) is the location of such person. Since the recipient is registered, address of recipient is always there and the same can be taken as proxy for POS. 2) The default presumption for POS in respect of unregistered recipients (B2C supply of services) is also the location of recipient. However, in many cases, the address of recipient is not available; in such cases, location of the supplier of services is taken as proxy for POS.	
Examples	1) Mr. B, a CA from New Delhi, provides services to his client, XYZ Corp. of Noida(UP) which is registered under GST. Since XYZ Corp. is a registered entity, the POS is the location of the recipient, which is Noida. 2) Mr. X, a CA in Gurugram, Haryana, offers consultancy services to Mr. Y, a resident of New Delhi, unregistered under GST. If Mr. Y's address is on record, the POS is New Delhi; if not, it defaults to Mr. X's location i.e. Gurugram.

Refer Question from our Questionnaire: CCP 07.05.09.00

PLACE OF SUPPLY OF IMMOVABLE PROPERTY SERVICES

Description	Place Of Supply
Services supplied (a) directly in relation to an immovable property, including services provided by architects, interior decorators, surveyors, engineers and other related experts or estate agents, (b) any service provided by way of grant of rights to use immovable property or for carrying out or co-ordination of construction work; or (c) by way of lodging accommodation by a hotel, inn, guest house, home stay, club or campsite, by whatever name called, and including a house boat or any other vessel; or	Location at which ⇨ the immovable property or ⇨ boat or vessel, is located or intended to be located

<p>(d) by way of accommodation in any immovable property for</p> <ul style="list-style-type: none"> ➤ organising any marriage or reception or matters related thereto, ➤ official, social, cultural, religious or business function ➤ including services provided in relation to such function at such property; or 	<p>Note:- The provision applies to both constructed/developed and yet-to-be-constructed / developed property.</p>
<p>(e) any services ancillary to the services referred to in clauses (a), (b)(c) and (d)</p>	

If the location of the immovable property or boat or vessel is

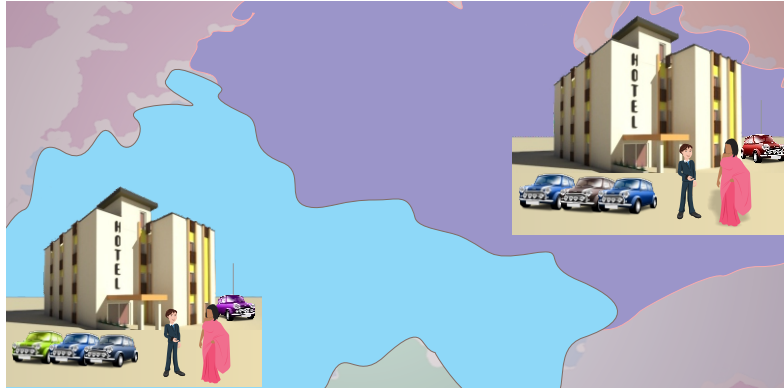
located or intended to be located outside India,	POS = Location of the recipient.
Located in more than one State or Union territory,	<p>supply of services shall be treated as made in each of the respective States or Union territories,</p> <ul style="list-style-type: none"> ➤ in proportion to the value for services separately collected or determined in terms of the contract or agreement entered into in this regard or ➤ in the absence of such contract or agreement, on such other basis as may be prescribed (as per Rule 4 - Discussed on next page).
Examples	<p>1) ABC Constructions (Mumbai) is erecting a factory for XYZ Ltd. (Kolkata) in New Delhi. The POS is New Delhi, where the property is situated.</p>
	<p>2) Verma and Verma, an architectural firm in Kolkata, is commissioned by ABC Developers of Mumbai to design a plan for a high-rise in Ahmedabad, Gujarat. The POS is Ahmedabad, where the property is to be constructed.</p>
	<p>3) Mr. Singh, a Chartered Accountant from New Delhi, stays at a hotel in Mumbai for business. The POS of the hotel service is Mumbai.</p>
	<p>4) Mr. A, a consulting engineer from Mumbai, Maharashtra, provides services related to an immovable property owned by Mr. B in Bangalore, situated in Australia. As the property is outside India. The POS of the services is the recipient's location, i.e., Bangalore.</p>

Rule 4:- The supply of services attributable to different States or UTs, u/s 12(3) of IGST Act:-

	In case of service	Basis of apportionment & Value of services
(I)	<p>Provided by way of lodging accommodation</p> <ul style="list-style-type: none"> ➤ by a hotel, inn, guest house, club or campsite, by whatever name called <p style="text-align: center; color: magenta;">(except cases where such property is a single property located in two or more contiguous States or Union territories or both)</p> <ul style="list-style-type: none"> ➤ services ancillary to such services 	<p>The supply of services shall be treated as made in each of the respective States or Union territories,</p> <p>in proportion to the number of nights stayed in such property;</p>

Illustration

Facts	A hotel chain X charges a consolidated sum of Rs.30,000/- for stay in its two establishments in Delhi and Agra, where the stay in Delhi is for 2 nights and the stay in Agra is for 1 night.
POS	The place of supply in this case is both in the Union territory of Delhi and in the State of Uttar Pradesh
VOS	The service shall be deemed to have been provided in Delhi and Uttar Pradesh in the ratio 2:1 respectively. The value of services provided will thus be apportioned as Rs.20,000/- in Delhi and Rs.10,000/- in Uttar Pradesh .



<p>(ii) In case of all other services in relation to immovable property ➤ including services by way of accommodation in any immovable property for organising any marriage or reception etc. ➤ in cases of supply of accommodation by a hotel, inn, guest house, club or campsite, by whatever name called where such property is a single property located in two or more contiguous States or UTs or both, and services ancillary to such services</p>	<p>The supply of services shall be treated as made in each of the respective States or Union territories, in proportion to the area of the immovable property lying in each State or Union territory</p>
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Illustration

Facts	There is a piece of land of area 20,000 square feet which is partly in State S1 say 12,000 square feet and partly in State S2, say 8000 square feet. Site preparation work has been entrusted to T. The ratio of land in the two states works out to 12:8 or 3:2 (simplified).
POS	The place of supply is in both States S1 and S2.
VOS	The service shall be deemed to have been provided in the ratio of 12:8 or 3:2 (simplified) in the States S1 and S2 respectively. The value of the service shall be accordingly apportioned between the States.



(iii)	<p>➤ By way of lodging accommodation by a house boat or any other vessel and</p> <p>➤ services ancillary to such services</p>	<p>The supply of services shall be treated as made in each of the respective States or Union territories,</p> <p>➤ in proportion to the time spent by the boat or vessel in each such State or Union territory,</p> <p>➤ which shall be determined on the basis of a declaration made to the effect by the service provider.</p>
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Illustration

Fact	A company C provides the service of 24 hours accommodation in a houseboat, which is situated both in Kerala and Karnataka in as much as the guests board the house boat in Kerala and stay there for 22 hours but it also moves into Karnataka for 2 hours (as declared by the service provider).
POS	The place of supply of this service is in the States of Kerala and Karnataka.
VOS	The service shall be deemed to have been provided in the ratio of 22:2 or 11:1 (simplified) in the states of Kerala and Karnataka, respectively. The value of the service shall be accordingly apportioned between the States



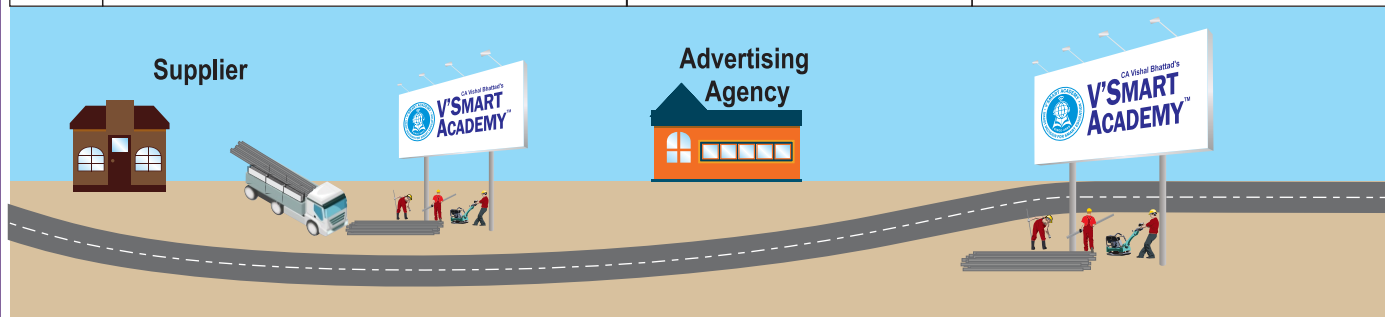
Refer Question from our Questionnaire: CCP 07.05.10.00 (IMP)

Important CBIC Clarifications

Place of supply in case of supply of services in respect of advertising sector (Circular No. 203/15/2023-GST Dt. 27/10/2023):-

Advertising companies procure space on hoardings/ bill boards erected and mounted on buildings/ land, in different States, from various suppliers (vendors) for providing advertisement services to its corporate clients. Variety of arrangements between advertising company & its vendors are as below:

Case	Situations	Place Of Supply	Remark
I	Advertising companies buy space or right to use space on hoardings or structures (immovable property) from vendors for displaying ads.	Sec 12(3)(a):- Location where the hoarding/structure (immovable property) is located	Hoarding/structure erected on land is an immovable structure/fixture as it has been embedded in earth.
II	<ul style="list-style-type: none"> ➤ Advertising companies engage vendors to arrange hoardings / billboards at specific locations. ➤ Vendors may own or take these structures on rent. ➤ Vendor is responsible for displaying the ad, retaining possession, while the advertising company doesn't occupy the space/structure. 	Determined in terms of Sec 12(2)	The vendor is providing advertisement services by displaying the advertisement on their structure, not involving the sale or supply of advertising space or sale of right to use the space (immovable property).



4) PLACE OF SUPPLY BASED ON PERFORMANCE

Description	Place Of Supply
Supply of <ul style="list-style-type: none"> ➤ restaurant and catering services, ➤ personal grooming, ➤ fitness, ➤ beauty treatment, ➤ health service including cosmetic and plastic surgery 	Location where the services are actually performed.

Examples

- 1) Mr. C, a businessman from Pune, eats at a restaurant in Mumbai during a business trip. The **POS** for the restaurant service is Mumbai, where the service is provided.
- 2) Mr. Roberts, a makeup artist from Kolkata, travels to Jaipur, Rajasthan to provide makeup services for Ms. Jain, an actress from Mumbai. The **POS** is Jaipur, where the service is rendered.

Refer Question from our Questionnaire:
CCP 07.05.11.00

5) PLACE OF SUPPLY OF TRAINING AND PERFORMANCE APPRAISAL SERVICES		
	Description	Place Of Supply
POS in relation to training and performance appraisal	(a) To registered Person (B2B)	Location of such person
	(b) Person other than registered person (B2C)	Location where the services are actually performed.
Examples	<p>1) ABC Consulting (Kolkata) provides GST training to the finance team of Moon Concrete Inc., headquartered in Guwahati, Assam, at its Kolkata branch. The agreement is with the registered Guwahati office. The POS is Guwahati, the location of the registered recipient.</p> <p>2) Mr. Kumar (unregistered, from Noida) enrolls with Prime Language Academy (New Delhi) for English speaking training at their New Delhi center. The POS is New Delhi, where the services are rendered.</p>	
Refer Question from our Questionnaire: CCP 07.05.12.00		
6) PLACE OF SUPPLY FOR ADMISSION TO EVENTS		
	Description	Place Of Supply
	Services provided by way of admission to a ⇨ cultural, artistic, sporting, scientific, educational, entertainment event or ⇨ amusement park or any other place and ⇨ services ancillary thereto	Place ⇨ where the event is actually held or ⇨ where the park or such other place is located.
Examples	<p>1) Mr. B, from Ghaziabad, purchases a ticket for a circus in Gurugram, Haryana, hosted by a circus troupe from New Delhi. The POS is Gurugram, where the event takes place.</p> <p>2) Mr. D from New Delhi purchases a ticket for an amusement park in Noida, Uttar Pradesh. The POS is Noida, where the park is situated.</p>	
Refer Question from our Questionnaire: CCP 07.05.13.00		
7) PLACE OF SUPPLY FOR ORGANISATION OF EVENTS		
Services provided by way of		
	Description	Place Of Supply
	(a) organisation of a cultural, artistic, sporting, scientific, educational or entertainment event	To registered Person (B2B) Location of such person
	including supply of services in relation to a conference, fair, exhibition, celebration or similar events or (b) services ancillary to organisation of any of the events or services referred to in clause (a) or assigning of sponsorship to such events	To Person other than registered person(B2C) Place where the event is actually held If the event is held outside India, POS = location of the recipient.

	Explanation	Where the event is held in more than one State or UT and a consolidated amount is charged for SOS relating to such event,	
		POS = Taken as being in each of the respective States or UTs	
Examples	1)	EventCorp, a New Delhi event management company, organizes an award ceremony for Diamond House of Ahmedabad (Registered under GST) in Mumbai. The place of supply is the recipient's location, Ahmedabad.	
	2)	EventCorp, from New Delhi, arranges an award event for Diamond House of Ahmedabad (Registered under GST) in Mauritius. The place of supply remains Ahmedabad due to the recipient's registration.	
	3)	Royal Matrimonials (Chennai) is engaged by Mr. Verma from Hyderabad to manage his wedding in New Delhi. As he is unregistered, the place of supply is the event's location, New Delhi.	
	4)	Royal Matrimonials (Chennai) plans Mr. Verma's wedding from Hyderabad in Seychelles. Since he is unregistered and the event is outside India, the place of supply is the recipient's location, Hyderabad.	
Rule 5	Prescribed for SOS attributable to different States or UT under Sec 12 (7) of the said Act		
		In case of service	Basis of apportionment
		where the services are supplied to a person other than a RP, in the absence of any contract or agreement	Value shall be determined by application of the generally accepted accounting principles (GAAP) .
Illustration	Facts	An event management company E has to organise some promotional events in States S1 and S2 for a recipient R. 3 events are to be organised in S1 and 2 in S2. They charge a consolidated amount of Rs.10,00,000 from R.	
	POS	The place of supply of this service is in both the States S1 and S2.	
	VOS	The proportion arrived at by the application of GAAP is 3:2. The service shall be deemed to have been provided in the ratio 3:2 in S1 and S2 respectively. The value of services provided will thus be apportioned as Rs. 6,00,000/- in S1 and Rs. 4,00,000/- in S2 .	
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> Refer Question from our Questionnaire: CCP 07.05.14.00 (IMP) </div>			
8)	PLACE OF SUPPLY FOR TRANSPORTATION OF GOODS		
		Description	Place Of Supply
	Supply of services ⇨ by way of transportation of goods, ⇨ including by mail or courier to	(a) To registered Person (B2B)	Location of such person
		(b) Person other than registered person (B2C)	Location at which such goods are handed over for their transportation.
	Provide	Provided that where the transportation of goods to a place outside India, the POS shall be the place of destination of such goods Omitted by F.A. 2023	

Refer Question from our Questionnaire: CCP 07.05.15.00	Examples	1) ABC Co. Ltd. (registered), based in New Delhi, utilizes BlueSky Courier for a parcel to Pune. The place of supply is New Delhi, where the company is registered.
		2) Mr. Iyer, relocating from Bareilly to Bhopal, employs Patel Movers (Lucknow) for moving items from Kanpur to Bhopal. As he's unregistered, the place of supply is Kanpur, the handover spot.
		3) LMN Pvt. Ltd. (registered), in Chennai sends a shipment to London via Atlas Shipping. The place of supply for Atlas Shipping's service to LMN Pvt. Ltd. is Chennai, where the company is registered.

9) PLACE OF SUPPLY FOR TRANSPORTATION OF PASSENGER

	Description	Place Of Supply
supply of passenger transportation service	(a) To registered Person (B2B)	Location of such person
	(b) Person other than registered person (B2C)	place where the passenger embarks on the conveyance for a continuous journey

Proviso 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 determined as per Sec 12(9)

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.

Analysis “Conveyance” as per sec 2(34) of CGST Act, includes vessel, aircraft & a vehicle

“Continuous Journey” as per sec 2(3) of IGST Act, means a journey for which a single or more than one ticket or invoice is issued at the same time, either by a single supplier of service or through an agent acting on behalf of more than one supplier of service, and which involves no stopover between any of the legs of the journey for which one or more separate tickets or invoices are issued

Explanation : The term “stopover” means a place where a passenger can disembark either to transfer to another conveyance or break his journey for a certain period in order to resume it at a later point of time

Refer Question from our Questionnaire: CCP 07.05.16.00

If a journey is not a continuous journey, then each journey shall be treated as a separate journey & liable to tax accordingly.

Example:- 1) Issue of right to passage for future use–point of boarding not known at the time of issue of right

(i) An airline may issue seasonal tickets, containing say 10 leafs which could be used for travel between any two locations in the country.

(ii) The card issued by New Delhi metro could be used by a person located in Noida, or New Delhi or Faridabad, without the New Delhi metro being able to distinguish the location or journeys at the time of receipt of payment.

2) Mr. Raj (registered in New Delhi) flies from Mumbai to Bangalore on Skyhigh Airlines, purchasing tickets from their New Delhi office. The place of supply is New Delhi, where he's registered.

3) Mr. Kartik, who is unregistered from Gurugram, books a round trip from New Delhi to Mumbai. With separate legs of the journey, the places of supply are New Delhi for the departure and Mumbai for the return.

10)	PLACE OF SUPPLY OF ON BOARD SERVICES		
	Description	Place Of Supply	
	Supply of services on board a conveyance, including a vessel, an aircraft, a train or a motor vehicle, Refer Question from our Questionnaire: CCP 07.05.17.00	Location of the first scheduled point of departure of that conveyance for the journey.	
	Example	Mr. A opts for a movie on his Delhi to Mumbai Airjet flight. The place of supply for the in-flight movie service is the initial departure point, Delhi.	
11)	PLACE OF SUPPLY OF TELECOMMUNICATION SERVICES		
	The POS of telecommunication services including data transfer, broadcasting, cable and direct to home television services to any person shall		
	Nature of Supply	Place Of Supply	Recipient
(a)	↻ Fixed telecommunication line ↻ Leased circuits ↻ Internet leased circuit ↻ Cable or dish antenna	Location where the telecommunication line, leased circuit or cable connection or dish antenna is installed for receipt of services	Any Person
(b)	Post-paid mobile connection for telecommunication and internet services	↻ Location of billing address of the recipient of services in the records of the supplier of services ↻ Location of the supplier of services if the address is not available	
(c)	Pre-paid mobile connection for telecommunication, internet services and DTH services (recharge coupon, vouchers, net pack etc.) (i) Services provided through a ↻ selling agent ↻ re-seller ↻ distributor of subscriber identity module card or recharge voucher (ii) Services provided by any person to final subscriber	↻ Address of the selling agent/ re-seller/ distributor as per record of the supplier at the time of supply ↻ Location of the supplier of services if the address is not available	
(d)	Other cases General If the address is not available	↻ The address of the recipient as per the records of the supplier of services ↻ Location of the supplier of services	
	Proviso Pre-paid services, the payment for which is made through internet banking/other electronic mode of payment	Location of the recipient of services in the records of the supplier of services Refer Question from our Questionnaire: CCP 07.05.18.00 (IMP)	
	Explanation	Where the leased circuit is installed in more than one State or UT and a consolidated amount is charged for supply of services relating to such circuit, POS = taken as being in each of the respective States or UTs ↻ in proportion to value for services separately collected or determined in terms of the contract or agreement entered into in this regard or ↻ in the absence of such contract or agreement, on such other basis as may be prescribed (as per Rule 6- Refer below).	

Examples	1) Mr. B in Kolkata has a landline installed by ComLink Ltd. The POS is Kolkata, where the line is installed.
	2) Mr. Z in Mumbai gets a DTH setup by MediaSat Ltd. The POS is Mumbai, where the DTH is installed.
	3) Mr. J takes a post-paid mobile plan in Mumbai from ComLink Ltd, billing to his Mumbai address. The POS is the billing address in Mumbai.
	4) Mr. L buys a pre-paid card in Mumbai from a dealer. The POS is the dealer's address in Mumbai.

Rule 6 Prescribed supply of services attributable to different States or UTs u/s 12(11) of the said act

In case of service	Basis of apportionment
In case where leased circuit is installed in more than one State or UT (as discussed above)	The supply of services shall be treated as made in each of the respective States or Union territories, In proportion to the number of points lying in the State or Union territory

Notes:- The number of points in a circuit shall be determined in the following manner:

- (i) In the case of a circuit between two points or places, the starting point or place of the circuit and the end point or place of the circuit will invariably constitute two points
- (ii) Any intermediate point or place in the circuit will also constitute a point provided that the benefit of the leased circuit is also available at that intermediate point



Illustration	Facts 1	A company T installs a leased circuit between the Delhi and Mumbai offices of a company C. The starting point of this circuit is in Delhi and the end point of the circuit is in Mumbai. Hence one point of this circuit is in Delhi and another in Maharashtra.
	POS	The place of supply of this service is in the Union territory of Delhi and the State of Maharashtra.
	VOS	The service shall be deemed to have been provided in the ratio of 1:1 in the Union territory of Delhi and the State of Maharashtra, respectively.
	Facts 2	A company T installs a leased circuit between the Chennai, Bengaluru and Mysuru offices of a company C. The starting point of this circuit is in Chennai and the end point of the circuit is in Mysuru. The circuit also connects Bengaluru. Hence one point of this circuit is in Tamil Nadu and two points in Karnataka.

POS	The place of supply of this service is in the States of Tamil Nadu and Karnataka.
VOS	The service shall be deemed to have been provided in the ratio of 1:2 in the States of Tamil Nadu and Karnataka, respectively.
Fact 3	A company T installs a leased circuit between the Kolkata, Patna and Guwahati offices of a company C. There are 3 points in this circuit in Kolkata, Patna and Guwahati. One point each of this circuit is, therefore, in West Bengal, Bihar and Assam.
POS	The place of supply of this service is in the States of West Bengal, Bihar and Assam.
VOS	The service shall be deemed to have been provided in the ratio of 1:1:1 in the States of West Bengal, Bihar and Assam, respectively.

12) PLACE OF SUPPLY OF BANKING AND FINANCIAL SERVICES

Description	Place Of Supply
Supply of banking and other financial services, including stock broking services to any person	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, POS = Location of the supplier of services.

Examples	<p>1) Mr. A (Chennai) buys shares from a broker in BSE (Mumbai). POS: Chennai (recipient's location in the supplier's records).</p> <p>2) Mr. B (New Delhi) withdraws money from Best Bank's ATM in Amritsar, exceeding free withdrawals. POS: New Delhi (recipient's location in the supplier's records).</p> <p>3) Mr. C from Varanasi, Uttar Pradesh, visits a New Delhi bank for a demand draft, with no account. POS: New Delhi (supplier's location, as recipient's location is unavailable).</p>
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Refer Question from our Questionnaire: CCP 07.05.19.00 (IMP)

13) PLACE OF SUPPLY OF INSURANCE SERVICES

Description	Place Of Supply
Supply of insurance services	(a) To registered Person (B2B) Location of such person
	(b) Person other than registered person (B2C) Location of the recipient of services on the records of the supplier of services.

Examples	<p>1) Mr. A, CEO of ABC Ltd., registered in Mumbai, purchases insurance for his company's inventory from a Chennai-based insurer. The POS is Mumbai, where the company is registered.</p> <p>2) Ms. B, from Kolkata, purchases a medical insurance policy in Patna for her parents from a local insurer. The POS is Patna, where the recipient is located on records of supplier.</p>
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Refer Question from our Questionnaire: CCP 07.05.20.00 (IMP)

14) SEC 12 (14) : PLACE OF SUPPLY OF ADVERTISEMENT SERVICE TO GOVERNMENT

Description	Place Of Supply
Advertisement service to the CG/SG/Statutory body/ LA meant for the States or UTs identified in contract or agreement	Each of such States or Union territories where the advertisement is broadcasted/ run /played

Refer Question from our Questionnaire: CCP 07.05.21.00

Refer Questionnaire for Question on Combined provisions: CCP 07.06.22.00 (IMP)

Summary

Rule 3:- Place of Supply of Advertisement service to Government (IGST Rules)		
Sr. No.	Type of advertisement	Factor which determines the proportionate value of service attributable to the dissemination in each State/Union territory
1	Advertisements in newspapers and publications	Amount payable for publishing an advertisement in all the editions of a newspaper or publication, which are published in each State/Union territory
2	Advertisements through printed material like pamphlets, leaflets, diaries, calendars, T-shirts, etc.	Amount payable for the distribution of a specific number of such material in each State/Union territory
3	Advertisements in hoardings (other than those on trains)	Amount payable for the hoardings located in each State/UT
4	Advertisements on trains	Length of the railway track in each State/UT, for that train
5	Advertisements on the back of utility bills of oil and gas companies, etc.	Amount payable for the advertisements on bills pertaining to consumers having billing addresses in each State/UT
6	Advertisements on railway tickets	Number of Railway Stations in each State/UT
7	Advertisements on radio stations	Amount payable to such radio station, which by virtue of its name is part of each State/UT
8	Advertisement on television channels	<p>Value of service in each state or UT = Amount payable for such service X Number of viewers of such channel in each State/ UT.</p> <p>Viewership shall be calculated in the following manner :-</p> <ul style="list-style-type: none"> i) State or UT wise figure for that channel published by Broadcast Audience Research Council ii) Figures published in last week of preceding quarter shall be used for succeeding quarter iii) If channel viewership figures relate to a region comprising of more than one state or UT then, viewership figures for region X ratio of populations of that State or UT as determined in the latest Census
9	Advertisements in cinema halls	Amount payable to a cinema hall or screens in a multiplex in each State/ Union territory.
10	Advertisements on internet	<p>Step 1: Service shall be deemed to have been provided all over India</p> <p>Step 2 : Value of service in each state/UT = Total amount for such services X Ratio of No. of internet subscribers in concerned States or Uts</p> <p>No. of internet subscribers shall be calculated in the following manner, namely:-</p> <ul style="list-style-type: none"> i) State/UT wise figure published by Telecom Regulatory Authorities of India

		<p>ii) Figures published for last quarter of preceding F.Y shall be used for succeeding F.Y. Year</p> <p>iii) If figure of No. of internet subscribers relates to a region comprising of more than one State or UT, then $\text{No. of internet subscribers in a State or UT} = \text{No. of subscribers in the region} \times \text{Ratio of populations of that State or UT as determined in the latest Census}$</p>
11	Advertisements through SMS	<p>Value of service in each state/UT = Total Amount payable for such services \times ratio of No. of telecom subscribers in concerned States or UTs.</p> <p>No. of telecom subscribers shall be calculated in the following manner namely:-</p> <p>i) State/UT-wise figures published by Telecom regulatory Authority of India on its website</p> <p>ii) Figure published for preceding quarter shall be used for succeeding quarter</p> <p>iii) If figures of No. of telecom subscribers relates to a telecom circle comprising of more than one state or UT, then, $\text{No. of telecom subscribers in a State or UT} = \text{No. of subscribers for telecom circle} \times \text{Ratio of Population of State/UTs, as determined in latest Census.}$</p>