

NOTIFICATION No. 116/Leg./2024-LD. Dated 23rd September 2024.

The following Act of the Legislative Assembly, Puducherry, received the assent of the Lieutenant-Governor, Puducherry, on the 13th day of September, 2024 and is hereby published for general information.

Jhanaz Raffi @ Jhansi,

Under Secretary to Government (Law).

THE PUDUCHERRY GOODS AND SERVICES TAX (AMENDMENT) ACT, 2024

(Act No. 5 of 2024)

(13-09-2024)

An

Act

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

Be it enacted by the Puducherry Legislative Assembly in the Seventy-fifth Year of the Republic of India as follows :-

1. Short title and commencement.

(1) This Act may be called the Puducherry Goods and Services Tax (Amendment) Act, 2024.

(2) Save as otherwise provided in this Act.

(a) the provisions of this Act shall come into force on such date, with prospective or retrospective effect, as the Government of Puducherry may, by Notification in the Official Gazette, appoint.

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

2. Amendment of section 2.

In the Puducherry Goods and Services Tax Act, Act 2017 (hereinafter referred to as the principal Act), in section 2, for the existing clause (61), the following shall be substituted, namely:-

'(61) "Input Service Distributor" means an office of the supplier of goods or services or both which receives tax invoices towards the receipt of input services, including invoices in respect of services liable to tax under sub-section (3) or sub-section (4) of section 9, for or on behalf of distinct persons referred to in section 25 and liable to distribute the input tax credit in respect of such invoices in the manner provided in section 20;'

3. Amendment of section 20.

In the principal Act, in section 20, for the existing section, the following shall be substituted, namely:-

"20. Manner of distribution of credit by Input Service Distributor.

(1) Any office of the supplier of goods or services or both which receives tax invoices towards the receipt of input services, including invoices in respect of services liable to tax under sub-section (3) or sub-section (4) of section 9, for or on behalf of distinct persons referred to in section 25, shall be required to be registered as Input Service Distributor under clause (viii) of section 24 and shall distribute the input tax credit in respect of such invoices.

(2) The Input Service Distributor shall distribute the credit of central tax or integrated tax charged on invoices received by him, including the credit of central or integrated tax in respect of services subject to levy of tax under sub-section (3) or sub-section (4) of section 9 paid by a distinct person registered in the same State as the said Input Service Distributor, in such manner, within such time and subject to such restrictions and conditions as may be prescribed.

(3) The credit of central tax shall be distributed as central tax or integrated tax and integrated tax as integrated tax or central tax, by way of issue of a document containing the amount of input tax credit, in such manner as may be prescribed."

4. Insertion of new section 122A.

In the principal Act, after section 122, the following new section shall be inserted, namely:-

"122A. Penalty for failure to register certation machines used in goods as per special procedure.

(1) Notwithstanding anything contained in this Act, where any person, who is engaged in the manufacture of goods in respect of which any special manufacture of procedure relating to registration of machines has been notified under section 148, acts in contravention of the said special procedure, he shall, in addition to any penalty that is paid or is payable by him under Chapter XV or any other provisions of this Chapter, be liable to pay a penalty equal to an amount of one lakh rupees for every machine not so registered.

(2) In addition to the penalty under sub-section (1), every machine not so registered shall be liable for seizure and confiscation:

Provided that such machine shall not be confiscated where-

(a) the penalty so imposed is paid; and

(b) the registration of such machine is made in accordance with the special procedure within three days of the receipt of communication of the order of penalty."