

**THE MIZORAM GOODS AND SERVICES TAX
(AMENDMENT) BILL, 2024**

TAXATION DEPARTMENT

GOVERNMENT OF MIZORAM

THE MIZORAM GOODS AND SERVICES TAX (AMENDMENT) BILL, 2024

A BILL

to provide relaxation in the provisions of the Mizoram Goods and Services Tax Act, 2017 and for matters connected therewith or incidental thereto.

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

Short title and commencement.-

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

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

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

Amendment of section 2.-

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

(a) after clause (80), the following clauses shall be inserted, namely:-

“(80A) “online gaming” means offering of a game on the internet or an electronic network and includes online money gaming;

(80B) “ online money gaming” means online gaming in which players pay or deposit money or money’s worth, including virtual digital assets, in the expectation of winning money or money’s worth, including virtual digital assets, in any event including game, scheme, competition or any other activity or process, whether or not its outcome or performance is based on skill, chance or both and whether the same is permissible or otherwise under any other law for the time being in force;”

(b) after clause (102), the following clause shall be inserted, namely:-

“(102A) “specified actionable claim’ means the actionable claim involved in or by way of-

- (i) betting;
- (ii) casinos;
- (iii) gambling;
- (iv) horse racing;
- (v) lottery; or
- (vi) online money gaming;”

(c) in clause (105), the following proviso shall be inserted at the end, namely:-

“Provided that a person who organises or arranges, directly or indirectly,

supply of specified actionable claims, including a person who owns, operates or manages digital or electronic platform for such supply, shall be deemed to be a supplier of such actionable claims, whether such actionable claims are supplied by him or through him and whether consideration in money or money's worth, including virtual digital assets, supply of such actionable claims is paid or conveyed to him or through him or placed at his disposal in any manner, and all the provisions of this Act shall apply to such supplier liable to pay the tax in relation to the supply of such actionable claims;"

(d) after clause (117), the following clause shall be inserted, namely:-

"(117A) "virtual digital asset" shall have the same meaning as assigned to it in clause (47A) of section 2 of the Income-tax Act, 1961;"

Amendment
section 24.-

of **3.** In section 24 of the principal Act,-

(a) in clause (xi), the word "and" occurring at the end, shall be omitted;

(b) after clause (xi), the following clause shall be inserted, namely:-

"(xia) every person supplying online money gaming from a place outside India to a person in India; and".

Amendment
Schedule III.-

of **4.** In the principal Act, in Schedule III, in paragraph 6, for the words "lottery, betting and gambling" the words "specified actionable claims" shall be substituted.

Transitory
provision.-

5. The amendments made under this Act shall be without prejudice to provisions of any other law for the time being in force, providing for prohibiting, restricting or regulating betting, casino, gambling, horse racing, lottery or online gaming.

FINANCIAL MEMORANDUM

This amendment will not result in financial burden for the Government, but the changes made will facilitate better administration of tax system under GST which in turn will result in better compliance by the taxpayers and will in turn generate more revenue.

Hence, the proposal.

Minister,
Taxation Department
Mizoram

STATEMENT OF OBJECTS AND REASONS

The Goods and Services Tax Council (GST Council) in its 50th and 51st meetings considered representation from various associations on the issues regarding taxability of Casinos, Horse Racing and Online Gaming and recommended to make certain amendments in the Central Goods and Services Tax Act, 2017 (the Act) to provide clarity regarding taxability of Casinos, Horse Racing and Online Gaming.

2. The GST Council had intimated the States to introduce and pass the corresponding amendments in the State Goods and Services Tax Acts (the Act) on the lines of the amendments made in the Central Goods and Services Tax Act. The GST Council had requested that the amendments may be carried out at the earliest, so as to bring them into effect from 1.10.2023.

3. The proposed Mizoram Goods and Services Tax (Amendment) Bill, 2024 could not be laid in the last Assembly Session and was therefore submitted to the Council of Ministers by Circulation and was in favour of passing the Bill through Ordinance. The Ordinance received the assent of the Governor on 1.11.2023 which was published in the Mizoram Gazette Extraordinary vide VOL-LII, Issue No. 608 dated 9.11.2023.

4. It is now necessary to pass the Mizoram Goods and Services Tax (Amendment) Bill, 2024 in the upcoming session of the Legislative Assembly.

5. The proposed Mizoram Goods and Services Tax (Amendment) Bill, 2024 *inter alia*, provides to-

(i) define the expressions “online gaming”, “online money gaming”, “specified actionable claim” and “virtual digital asset”;

(ii) insert a proviso in the definition of “supplier” to provide clarity regarding “supplier” in case of supply of “specified and actionable claim”;

(iii) substitute “specified actionable claim” in paragraph 6 of Schedule III of the Act, for the present entries “lottery, betting and gambling”, so as to provide clarity regarding taxability of actionable claims involved in or by way of casinos, horse racing and online gaming; and

(iv) insert a new clause in section 24 of the Act, to provide for mandatory registration of the person for supplying online money gaming, from a place outside India to a person in India.

6. To maintain uniformity of implementation of Law among the states, sub-section 2 of section 1 of this Bill provides that amendment carried out in the Mizoram GST Act shall come into force from such date as may be notified by the Government in the official Gazette. 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.

7. The Bill seeks to achieve the above objectives.

Dated Aizawl the _____, 2024

Minister,
Taxation Department
Mizoram.