THE ASSAM GOODS AND SERVICES TAX (AMENDMENT) BILL, 2026

A

BILL

to amend the Assam Goods and Services Tax Act, 2017.

Preamble

Whereas, it is expedient to amend the Assam Goods and Services Tax Act, 2017, hereinafter referred to as the principal Act, in the manner hereinafter appearing; — Assam Act No. XXVIII of 2017

It is hereby enacted in the Seventy-seventh Year of the Republic of India, as follows: -

Short title, extent and commencement

1. (1) This Act may be called the Assam Goods and Services Tax (Amendment) Act, 2026.

(2) It extends to the whole of Assam.

(3) Save as otherwise provided, the provisions of this Act shall come into force on such date as the 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 that provision.

Amendment of section 15

2. In the principal Act, in section 15, in sub-section (3), for clause (b), the following shall be substituted, namely:-

"(b) after the supply has been effected, if for such discount, a credit note has been issued by the supplier and input tax credit as is attributable to such discount has been reversed by the recipient of the supply, in accordance with the provisions of section 34.".

Amendment of section 34

3. In the principal Act, in section 34, in sub-section (1), in the fifth line, in between the words "deficient" and punctuation mark ",", the words, brackets, letter and figures "or where a discount referred to in clause (b) of sub-section (3) of section 15 is given" shall be inserted.

Amendment of section 54

4. In the principal Act, in section 54,-

(i) in sub-section (6), in the third line, in between the words "goods or services or both" and "made by registered persons", the words, brackets and figures "or of unutilised input tax credit allowed under clause (ii) of the first proviso to sub-section (3) of this section" shall be inserted;

(ii) in sub-section (14), in the second line, in between the words, brackets and figures "sub-section (6)", and "shall be paid" the words and punctuation mark ", other than cases where refund of tax is claimed on account of goods exported out of India with payment of tax," shall be inserted.

...TTED BY THE ...ISLAT...E DEPARTMENT ...N......3/06/2026.....

लक्ष्मण प्रसाद आचार्य
Lakshman Prasad Acharya

सत्यमेव जयते

राज्यपाल असम
GOVERNOR OF ASSAM

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July 02, 2026

Under the provision of Article 207 (1) of the Constitution of India, I, Shri Lakshman Prasad Acharya, Governor of Assam, recommend the introduction of **THE ASSAM GOODS & SERVICES TAX (AMENDMENT) BILL, 2026** in the Assam Legislative Assembly.

(Lakshman Prasad Acharya)
Governor of Assam

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July 02, 2026

Under the provision of Article 207 (3) of the Constitution of India, I, Shri Lakshman Prasad Acharya, Governor of Assam, recommend that **THE ASSAM GOODS & SERVICES TAX (AMENDMENT) BILL, 2026** be taken into consideration by the Assam Legislative Assembly.

(Lakshman Prasad Acharya)
Governor of Assam

STATEMENT OF OBJECTS AND REASONS

Various decisions have been taken by the Goods and Services Tax Council in its meeting requiring amendments in Goods and Service Tax Laws. Accordingly, the Central Goods and Services Tax, 2017 (12 of 2017) has been amended by the Parliament by the Finance Act, 2026 (4 of 2026). In order to implement the decisions taken by the Goods and Services Tax Council in aforesaid meetings and to maintain uniformity in applicability of the provisions of the Central Goods and Services Tax Act, 2017 and the Assam Goods and Services Tax Act, 2017 (Assam Act No. XXVIII of 2017), it is expedient to amend the Assam Goods and Services Tax Act, 2017 wherever applicable.

The proposed Assam Goods and Services Tax (Amendment) Bill, 2026, *inter alia*, provide for the following, namely: -

I. It is proposed to amend sub-section (3) of section 15 by substituting existing clause (b) by the following: -

"(*b*) after the supply has been effected, if for such discount, a credit note has been issued by the supplier and input tax credit as is attributable to such discount has been reversed by the recipient of the supply, in accordance with the provisions of section 34.". It is proposed to define what discount shall not be included in the value of supply.

II. To amend sub-section (1) of section 34 to bring a parity with the above proposed amendment.

III. To amend sub-section (6) of section 54, so as to allow provisional refund of unutilised input tax credit allowed under clause (ii) of the first proviso to sub-section (3) of this section.

To amend sub-section (14) of section 54, so as to allow refund of tax claimed on account of goods exported out of India with payment of tax which is less than one thousand rupees.

The Bill seeks to achieve the above objectives.

Dated Dispur, the June, 2026.

(Jayanta Malla Baruah)
Minister, Finance Department

(Rajib Bhattacharyya)
Secretary (i/c),
Assam Legislative Assembly Secretariat.

FINANCIAL MEMORANDUM

The proposed changes would not involve any additional expenditure as the same will be administered by the existing staff.

(Jayanta Malla Baruah)
Minister, Finance Department

MEMORANDUM OF DELEGATED LEGISLATION

The Government does not propose to delegate any legislation powers to any agency subordinate to it in the bill.

(Jayanta Malla Baruah)
Minister, Finance Department

Amendments of the Assam Goods and Services Tax Act, 2017
[Assam Goods and Services Tax Act (Amendment) Act, 2026]

Sl. No.	Section	Assam Goods and Services Tax Act, 2017 (Pre Amendment)	Assam Goods and Services Tax Act, 2017 (Post Amendment)	Reason
1	15(3)(b)	The value of the supply shall not include any discount which is given— …………………………………………… …………………………………………… (b) after the supply has been effected, if- (i)such discount is established in terms of an agreement entered into at or before the time of such supply and specifically linked to relevant invoices; and (ii)input tax credit as is attributable to the discount on the basis of document issued by the supplier has been reversed by the recipient of the supply.	(b) after the supply has been effected, if for such discount, a credit note has been issued by the supplier and input tax credit as is attributable to such discount has been reversed by the recipient of the supply, in accordance with the provisions of section 34.	Context: Section 15 of CGST Act: • **Section 15** deals with **"Value of Taxable Supply"** — basically, how the value on which GST is calculated is determined. • **Sub-section (3)** focuses on **cases where the consideration is not wholly in money** — for example, when discounts, subsidies, or other adjustments are involved. Before the amendment, the law clarified that **discounts given before or at the time of supply** reduce the transaction value. But there was confusion about **discounts given after the supply** (post-supply), like **post-invoice discounts**, and how to adjust the GST. The amendment clarifies: **Post-supply discounts** are recognized **only if**: 1. A **credit note** is issued by the supplier. 2.The recipient **reverses ITC** corresponding to the discount. Until these steps are done, the post-supply discount **cannot reduce the taxable value for GST purposes**. The reversal shall be made in accordance to provisions of

				Section 34 governs **issuance of credit/debit notes**
2	34(1)	(1) Where one or more tax invoices have been issued for supply of any goods or services or both and the taxable value or tax charged in that tax invoice is found to exceed the taxable value or tax payable in respect of such supply, or where the goods supplied are returned by the recipient, or where goods or services or both supplied are found to be deficient , the registered person, who has supplied such goods or services or both, may issue to the recipient one or more credit notes for supplies made in a financial year containing such particulars as may be prescribed.	(1) Where one or more tax invoices have been issued for supply of any goods or services or both and the taxable value or tax charged in that tax invoice is found to exceed the taxable value or tax payable in respect of such supply, or where the goods supplied are returned by the recipient, or where goods or services or both supplied are found to be deficient **or where a discount referred to in clause (b) of sub-section (3) of section 15 is given**, the registered person, who has supplied such goods or services or both, may issue to the recipient one or more credit notes for supplies made in a financial year containing such particulars as may be prescribed.	Sub-section (1) of section 34 earlier verbalized that on a supplier can issue a credit note just for returns, excess tax, or deficient supply. But post amendment, a supplier can issue a credit note not just for returns, excess tax, or deficient supply, but also **for any post-invoice discount**, **as long as the buyer reverses the input tax credit** for that discount. The credit note must be properly detailed and issued within the same financial year. The amendment in the section has been done to incorporate/ coordinate the amendment made in Section 15 of the Act.
3	54(6) and (14)	(6) Notwithstanding anything contained in sub-section (5), the proper officer may, in the case of any claim for refund on account of zero-rated supply of goods or services or both made by registered persons, other than such category of registered persons as may be notified by the Government on the	(6) Notwithstanding anything contained in sub-section (5), the proper officer may, in the case of any claim for refund on account of zero-rated supply of goods or services or both **or of unutilized input tax credit allowed under clause (ii) of the first proviso to sub-section (3)** made by registered persons, other than such category of	Earlier the provisions of refund as per sub-section (6) of Section 54 was that the proper officers would sanction refund after thorough verification of documents and data. Post amendment of section 54 (6) now directs that in the case of a claim for refund on account of zero-rated supplies or unutilized input tax credit (ITC), refund **90% of the claim provisionally**, subject to conditions and safeguards, and later

		recommendations of the Council, refund on a provisional basis, ninety per cent. of the total amount so claimed, in such manner and subject to such conditions, limitations and safeguards as may be prescribed and thereafter make an order under sub-section (5) for final settlement of the refund claim after due verification of documents furnished by the applicant. (14) Notwithstanding anything contained in this section, no refund under subsection (5) or sub-section (6) shall be paid to an applicant, if the amount is less than one thousand rupees.	registered persons as may be notified by the Government on the recommendations of the Council, refund on a provisional basis, ninety per cent. of the total amount so claimed, in such manner and subject to such conditions, limitations and safeguards as may be prescribed and thereafter make an order under sub-section (5) for final settlement of the refund claim after due verification of documents furnished by the applicant. (14) Notwithstanding anything contained in this section, no refund under subsection (5) or sub-section (6) **other than cases where refund of tax is claimed on account of goods exported out of India with payment of tax,** shall be paid to an applicant, if the amount is less than one thousand rupees.	verify documents to settle the refund finally. Earlier as per Section 54(14) there was lower limit cap of refund which meant, refund claimed for less than 1000 rupees would not be sanction, but post amendment it has removed the restriction for exporters. It now speaks no refund under sub-section (5) or (6) shall be paid if the amount is less than ₹1,000, except in cases where the refund is claimed for **export of goods with payment of tax**.