

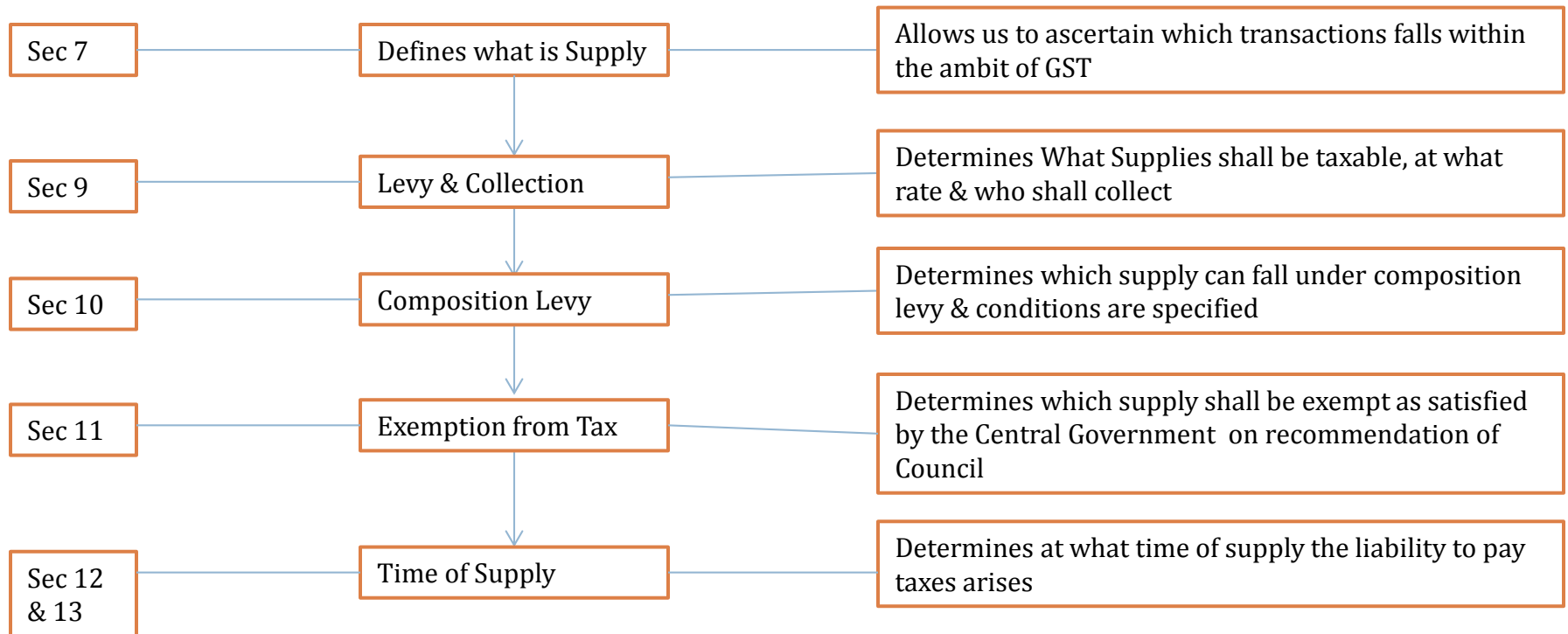


GST- TIME OF SUPPLY

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For WIRC MUMBAI

Time of Supply = Time to TAX



Time of Supply

- Time of Supply would mean the point at which:-
 - Supply is deemed to have been made
 - Taxable Event Occurs
 - Supplier is entitled to charge GST to the customer

- Time of Supply is relevant to determine
 - Applicable tax rate
 - Applicability of relevant provisions, rules & notifications
 - Due date of Tax Payment

Point of Taxation in Existing V/s GST

Tax	Point of taxation in the Existing Law	Point of Taxation in GST
Service Tax	Earliest of :- - Issue of Invoice/ Completion of Service - Receipt of Payment	Time of Supply to be determined U/s 12,13,14 of CGST Act
Excise Duty	- Manufacture of goods but payable on removal of goods	
VAT/Sales tax/CST	- Time of sale/time of Transfer of title or possession of goods	
CVD/SAD	- Date on which Bill of Entry- In case for goods cleared for home consumption - Date on which Bill of Entry for home consumption is presented-In case of goods cleared from warehouse - Date of Payment of duty- in any other case	

Time of Supply of Goods- Sec 12(2)

Time of Supply of Goods

Shall be Earliest of

Issue of Invoice

Date of receipt of
Payment with
respect to supply

Date of Issue of
Invoice

Last Date on which he
is liable to issue
Invoice U/s 31, in
respect of supply

Proviso- If supplier receives the amount > by Rs. 1000 , than the amount as indicated on Tax Invoice , Time of supply for such an excess receipt at the option of supplier shall be the date of issue of invoice in respect of such excess amount.

Exp. To Sec 12(2)

- “Supply” is deemed to have been made to the extent as covered by Invoice or receipt of payment

- “Date on which the supplier receives the payment”- shall be the earliest date of
 - Payment as entered in the books of account
 - Date of credit to books of accounts

- Example:-
 - Date of Invoice is 15th May,2017
 - Date of receipt of Payment is 10th July,2017
 - Date when supplier recorded receipt in books is 11th July,2017
 - What shall be Time of Supply? What if the advance is received on 1st May,2017

Continuous Supply of Goods

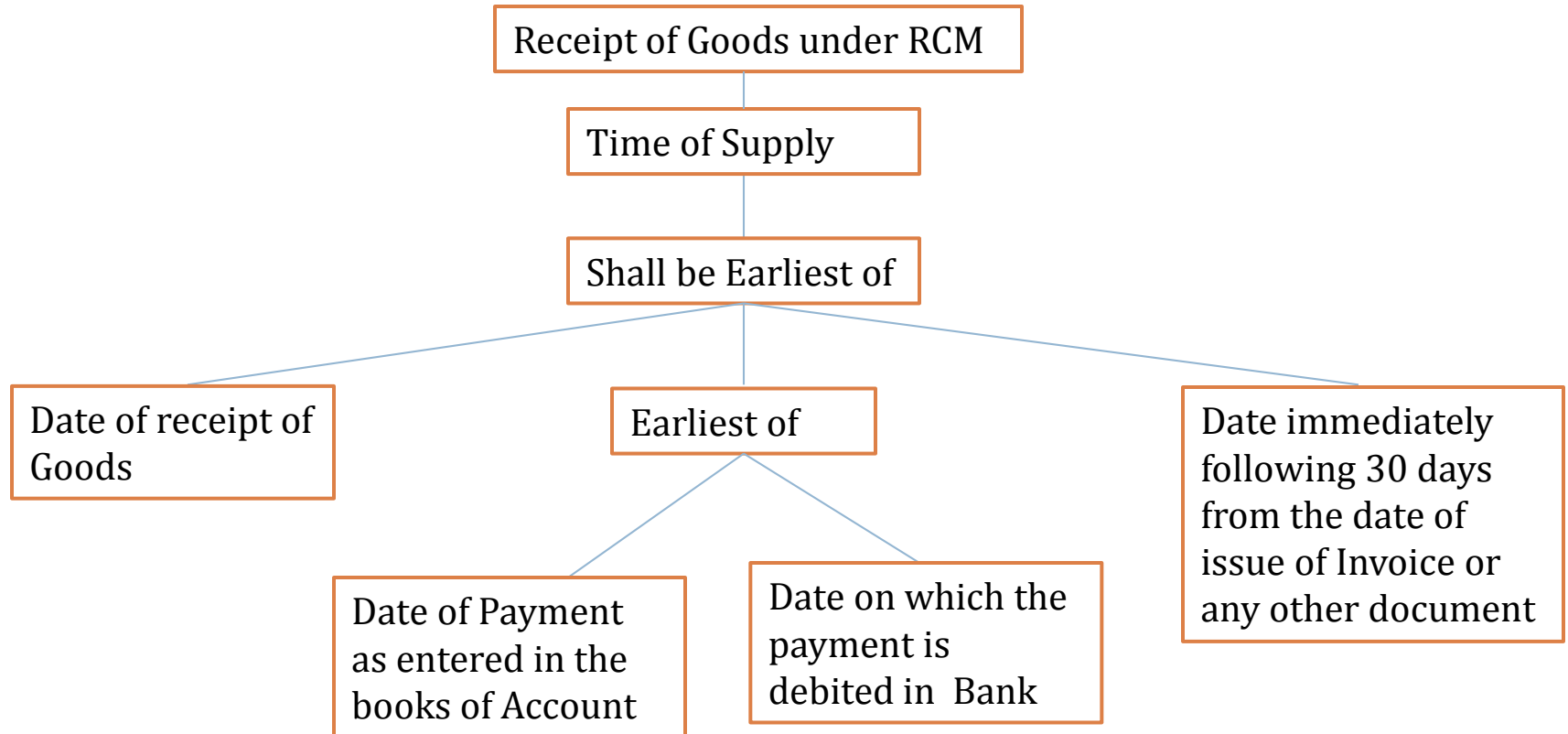
- Where the successive statement of accounts or successive payments are involved, Invoice shall be issued before or at the time of
 - Issue of each such statement
 - Date of receipt of successive payments

- Continuous Supply of goods means
 - Supply of goods provided or agreed to provided
 - On continuous or recurrent basis
 - Under a Contract
 - Whether or not by means of wire, cable, pipeline or other conduit
 - For which supplier invoices recipient on regular or periodic basis
 - Includes supply of such goods as Government may notify in this regard

Example for Continuous Supply

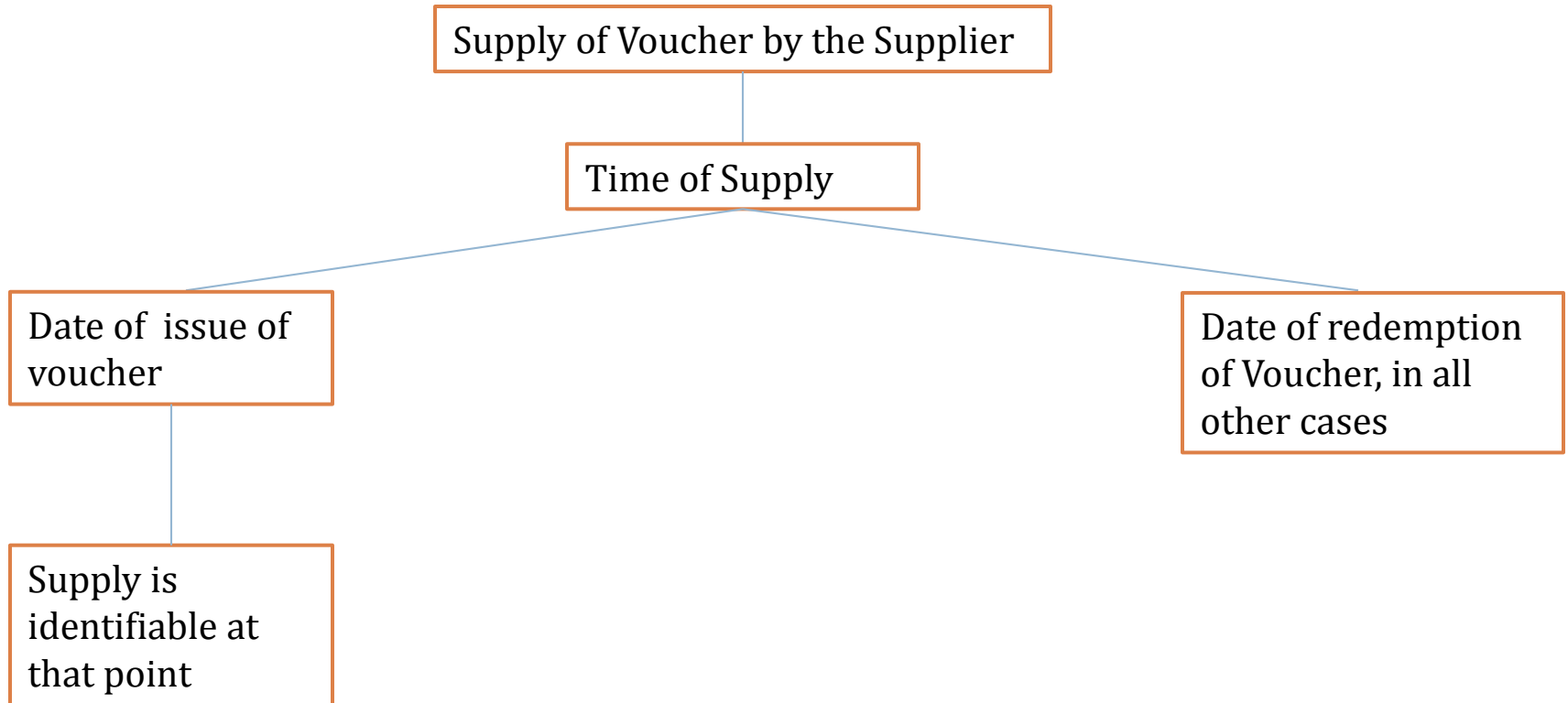
Issue of Invoice	Date of Issue of Statement	Receipt of Consideration	Time of Supply
30/09/17	30/09/17	05/11/17	30/09/17
30/09/17	30/09/17	01/08/17	01/08/17
15/10/17	30/09/17	01/11/17	30/09/17
01/11/17	N.A	29/10/17	29/10/17

TOS- Receipt of Supplies under RCM-1 2(3)

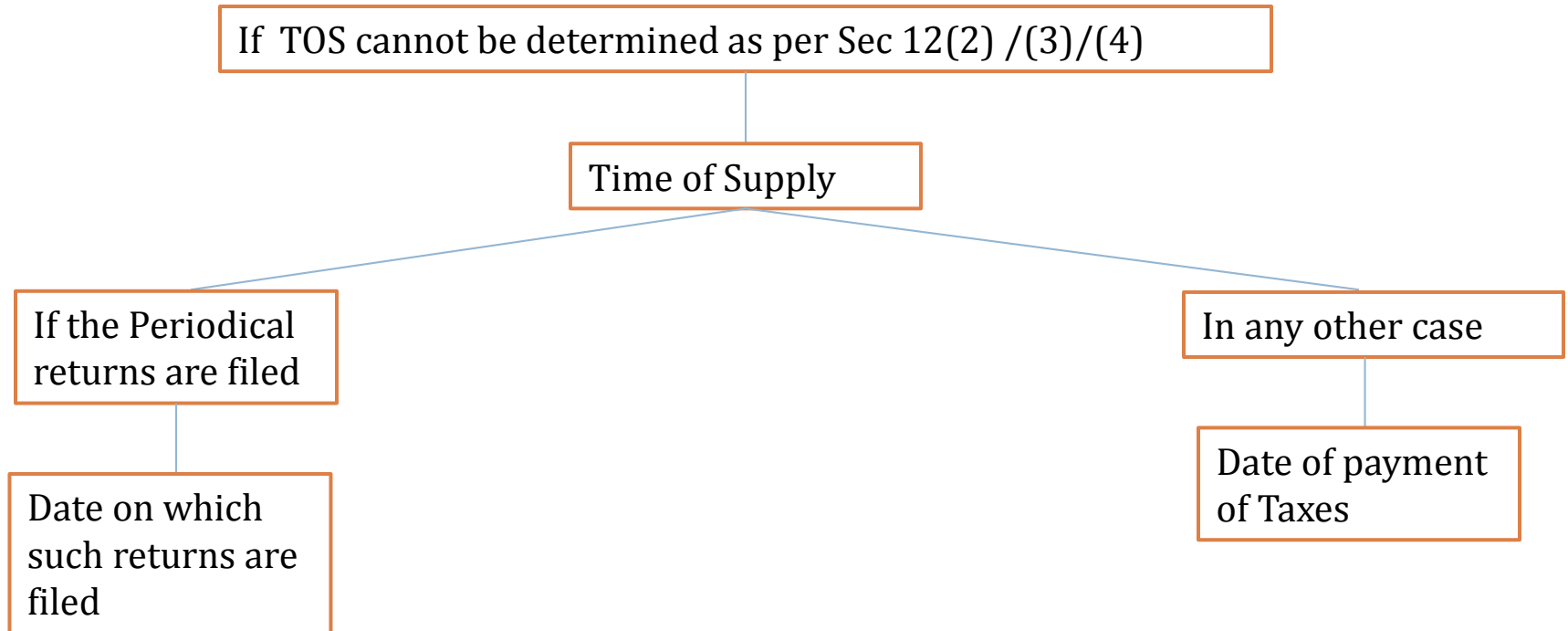


Proviso- If not possible to determine as above, time of supply shall be the date of entry in books of accounts of the recipient of supply

TOS-Supply of Vouchers-1 2(4)



Residuary Provision- 12(5) & (6)



Sec 12(6)- Time of Supply in case of Addition in Value by way of Interest , late fee or penalty for delayed payments- Shall be the date on which the supplier receives value addition

Time of Supply of Service- Sec 13(2)

Time of Supply of Services

Shall be Earliest of

Issue of Invoice
within the
period U/s 31(2)

Issue of Invoice
not within the
period U/s 31(2)

Date on which the
recipient shows
the receipt of
services in his BOA

Date of Issue of
Invoice

Date of receipt of
Payment

Date of Provision
of services

Date of receipt of
Payment

Proviso- If supplier receives the amount > by Rs. 1000 , than the amount as indicated on Tax Invoice , Time of supply for such an excess receipt at the option of supplier shall be the date of issue of invoice in respect of such excess amount.

Exp. To Sec 13(2)

- “Supply” is deemed to have been made to the extent as covered by Invoice or receipt of payment

- “Date on which the supplier receives the payment”- shall be the earliest date of
 - Payment as entered in the books of account
 - Date of credit to books of accounts

Continuous Supply

Continuous Supply

Services

Where Payment is ascertainable as per the contract

Invoice to be issued on or before the due date of the payment

Where Payment is not ascertainable as per the contract

Invoice to be issued before or at the time supplier received the payment

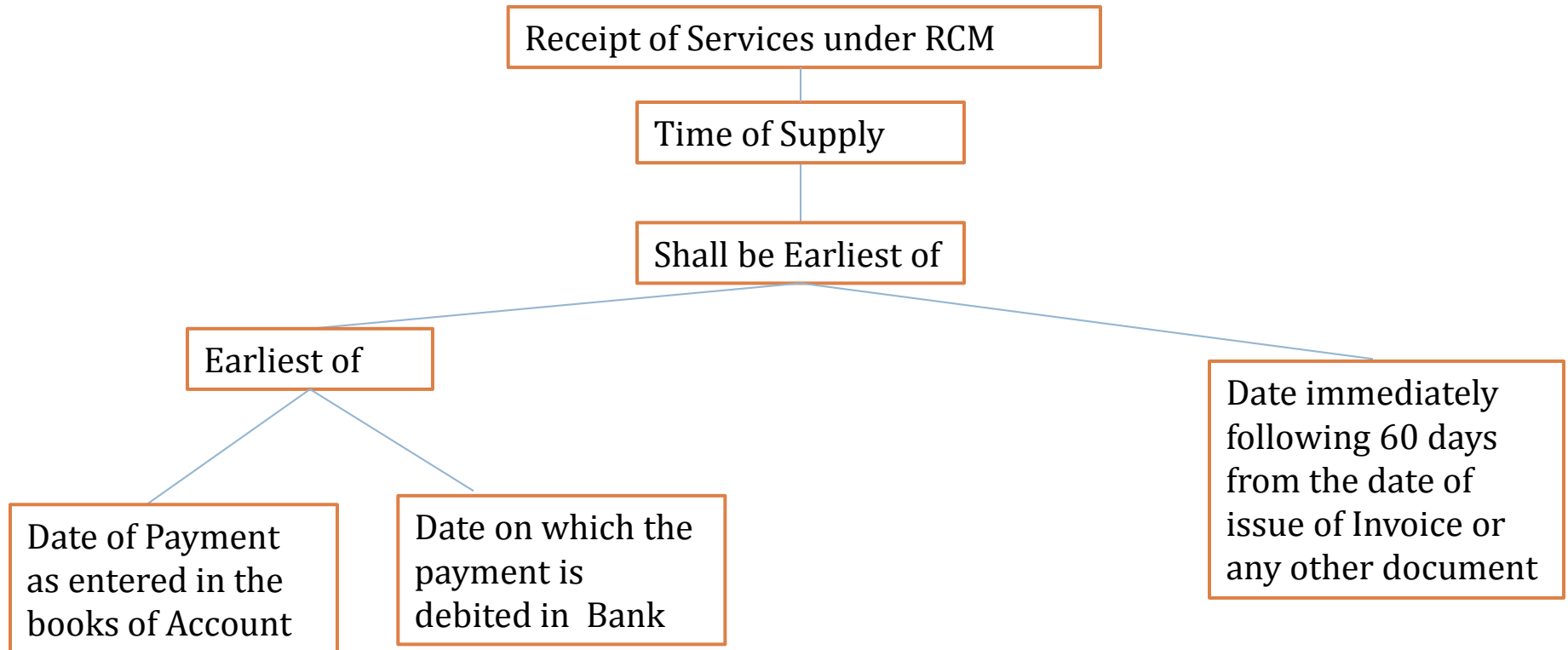
Where Contract is linked to completion of event

Invoice to be issued on or before the date of completion of event

if contract ceases before the completion of supply, invoice shall be issued at the time supply ceases

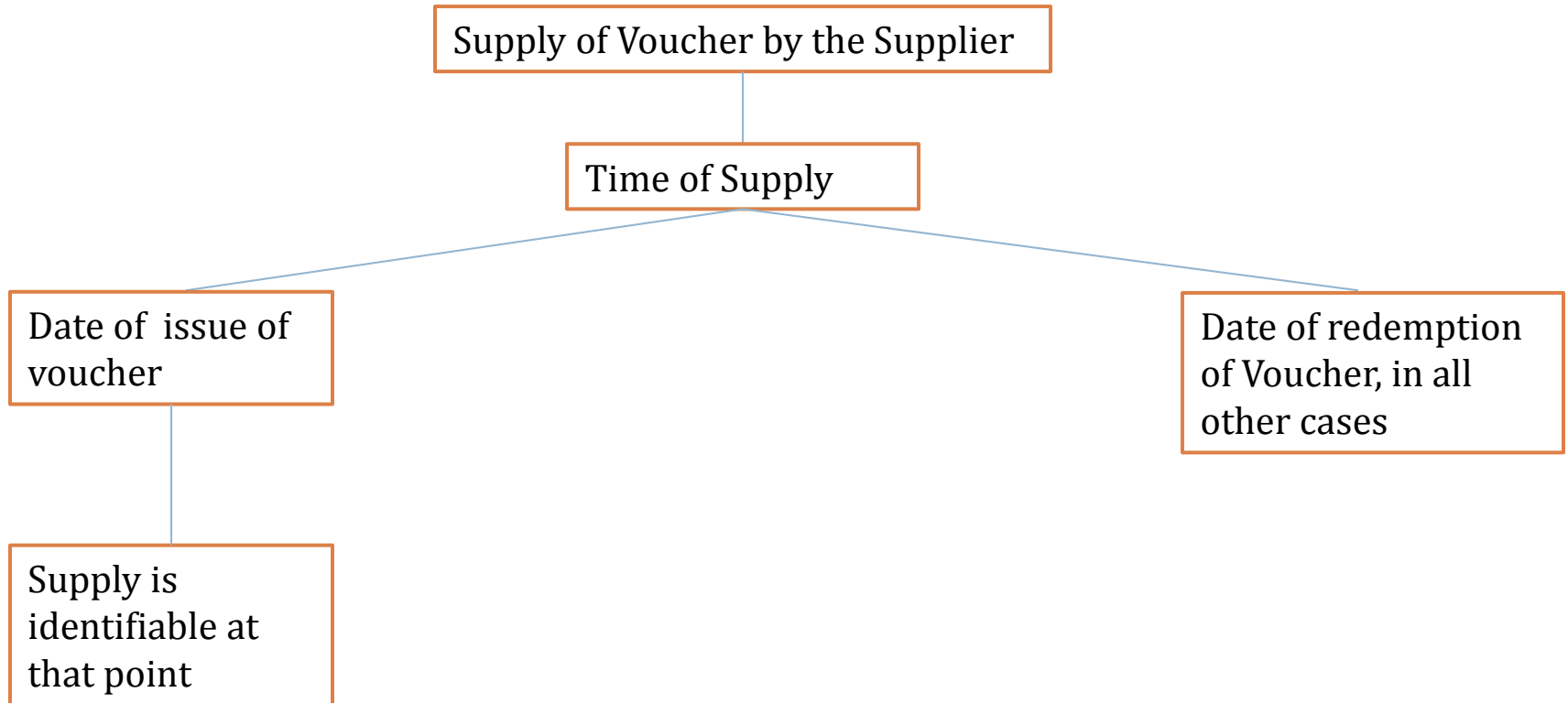


Receipt of Supplies under RCM-1 3(3)

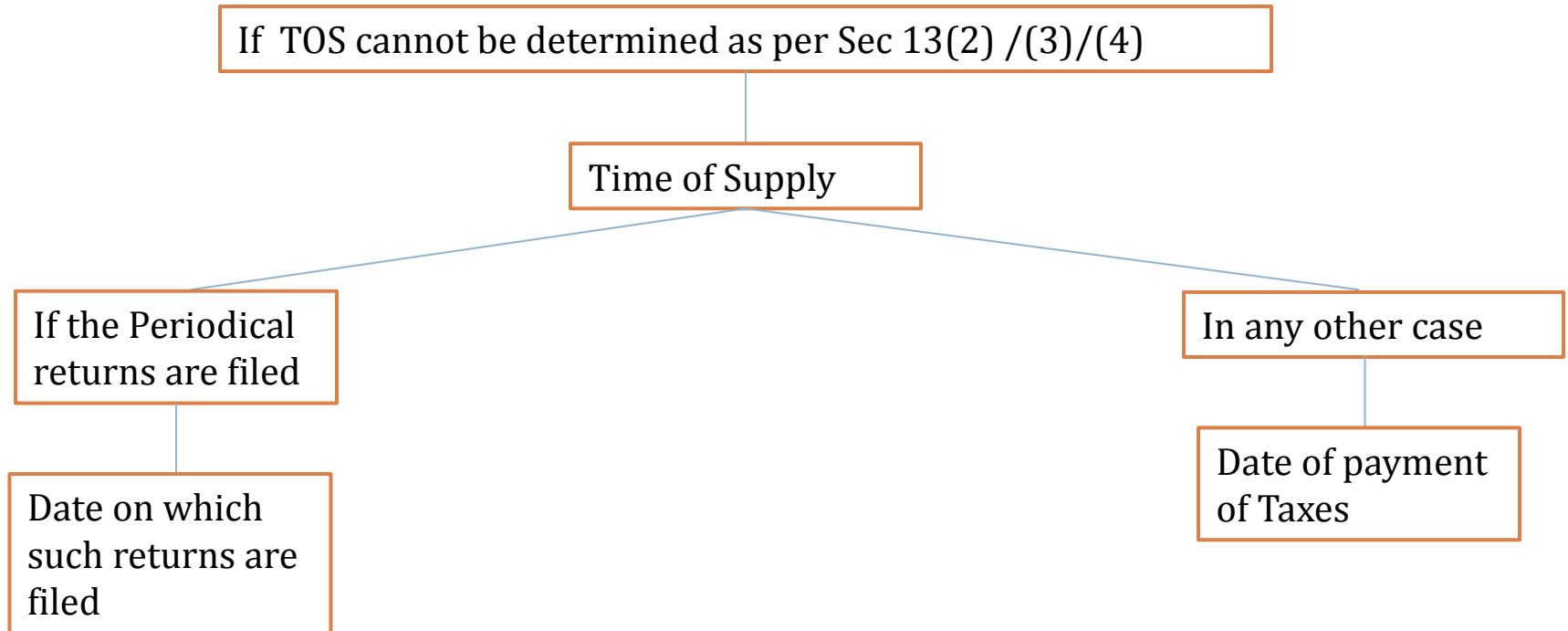


Proviso- If not possible to determine as above, time of supply shall be the date of entry in books of accounts of the recipient of supply
- If supply by associate Enterprise, where supplier is outside India, Time of Supply shall be earlier of date of entry in BOA of recipient or date of payment

TOS-Supply of Vouchers-1 3(4)



Residuary Provision- 13(5) & (6)



Sec 13(6)- Time of Supply in case of Addition in Value by way of Interest , late fee or penalty for delayed payments- Shall be the date on which the supplier receives value addition

Sec 14- Change in Rate of Tax

Sr. no.	Invoice Issued	Payment received	Time of Supply
Goods or services are supplied before change in rate			
1	After Change	After Change	Date of issue of Invoice or date of receipt of payment, whichever is earlier
2	Before Change	After Change	Date of Issue of Invoice
3	After Change	Before Change	Date of receipt of Payment
Goods or services are supplied After change in rate			
1	Before Change	Before Change	Date of issue of Invoice or date of receipt of payment, whichever is earlier
2	Before Change	After Change	Date of Receipt of Payment
3	After Change	Before Change	Date of Issue of Invoice

Proviso to Sec 14

- “Date of Receipt of Payment= Shall be date of Credit in the Bank Account” if such credit in the Bank Account is after 4 working days from the date of change in the rate of tax



Invoice

**Government of India/State
Department of**

**Form GST INV - 1
(See Rule -----)**

Application for Electronic Reference Number of an Invoice

1. GSTIN
2. Name
3. Address
4. Serial No. of Invoice
5. Date of Invoice

Details of Receiver (Billed to)

Name
Address
State
State Code
GSTIN/Unique ID

Details of Consignee (Shipped to)

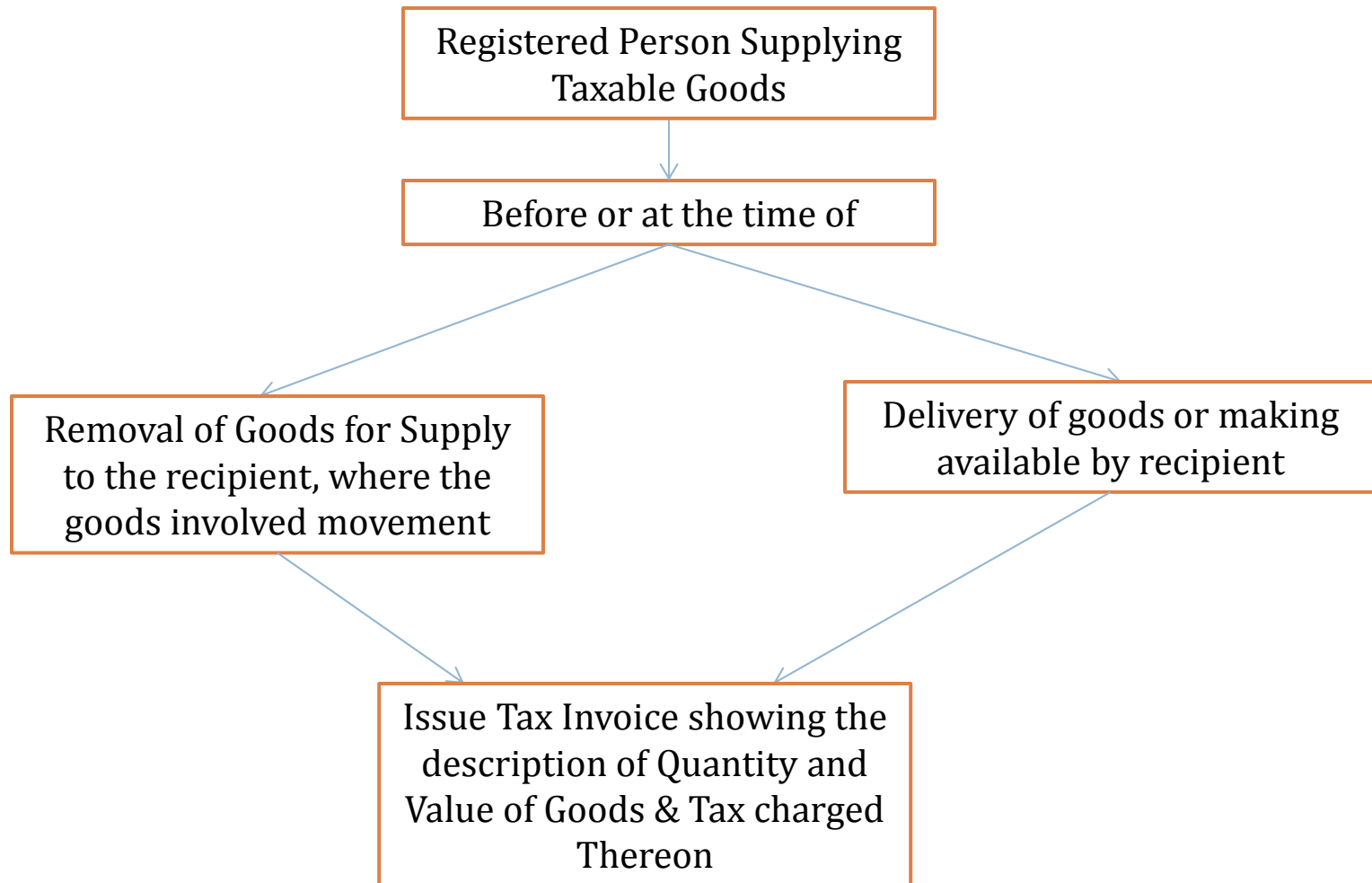
Name
Address
State
State Code
GSTIN/Unique ID

Sr. No	Description of Goods	HS N	Qty.	Unit	Rate (per item)	Total	Discount	Taxable value	CGST		SGST		IGST	
									Rate	Amt.	Rate	Amt.	Rate	Amt.
	Freight													
	Insurance													
	Packing and Forwarding Charges													
					Total									
Total Invoice Value (In figure)														
Total Invoice Value (In Words)														
Amount of Tax subject to Reverse Charges														

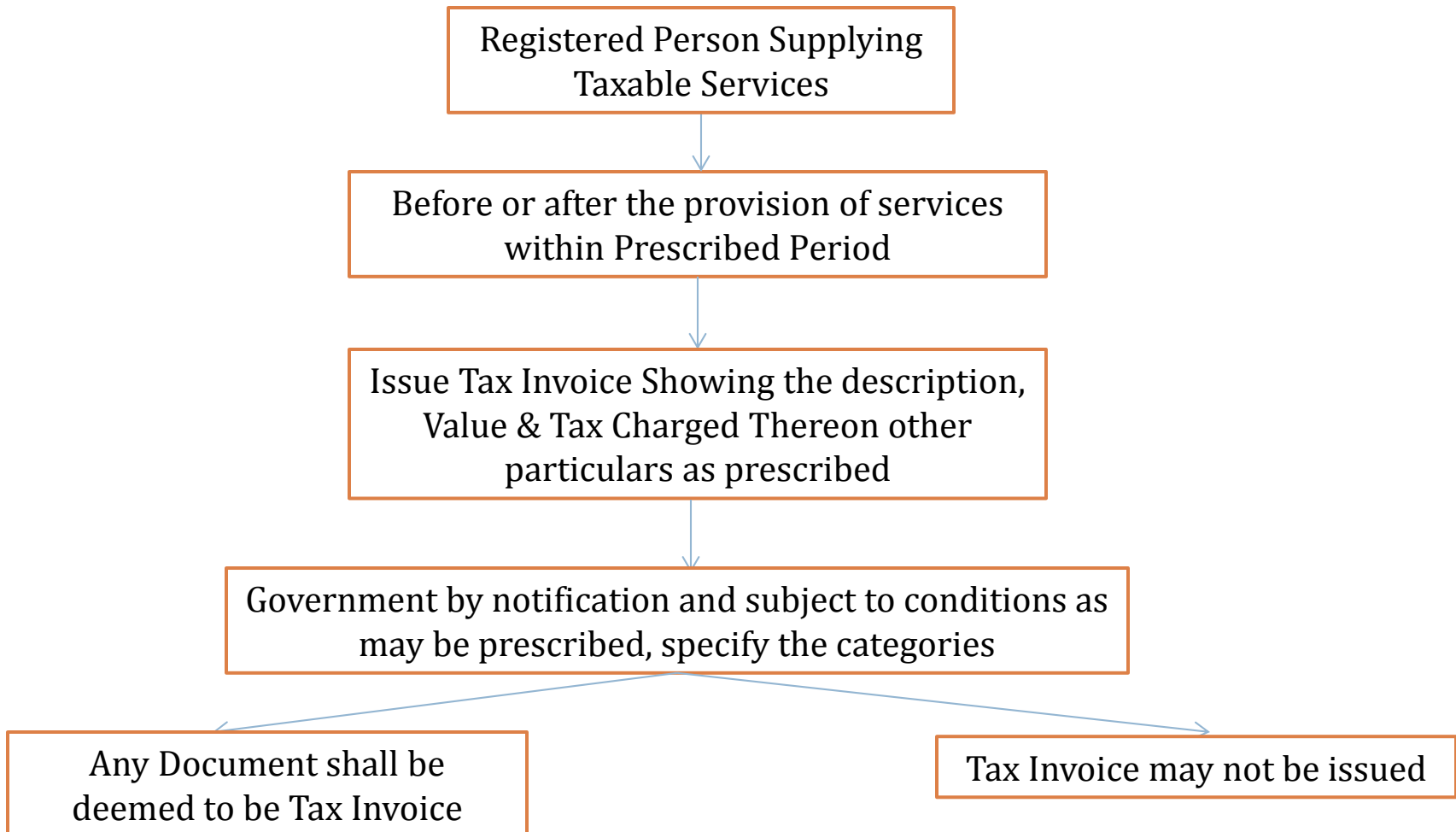
Rule 1 - Contents of Invoice

- Name, Address & GSTIN of Supplier
- Consecutive Serial No.
- Date
- Name, Address, GSTIN or UIN of the recipient
- If Recipient is Un-registered & Value of supply > 50K- Name, Address, Address of Delivery, State Name & Code
- HSN code of Goods or Accounting code of Services
- Description of Goods or services
- Quantity of goods and Units
- Total Value of Supply of goods or services
- Taxable Value- Taking the Discount & Abatement
- Rate of Tax (Central Tax, State Tax, Integrated Tax, Union Territory Tax or Cess)
- Amount of Tax Charged
- Place of Supply with name of state in case supply being Inter- State
- Address of Delivery if different from place of supply
- Tax Payable under RCM
- Signature of Supplier or Authorized Representative
- In case of Exports, Invoice shall carry an endorsement- "SUPPLY MEANT FOR EXPORTS ON PAYMENT OF IGST" or "SUPPLY MEANT FOR EXPORT UNDER BOND OR LETTER OF UNDERSTANDING WITHOUT PAYMENT OF IGST" containing name & Address of recipient, address of delivery, name of country of destination, number and date of application for removal

Tax Invoice for Goods



Tax Invoice for Services



Rule 2- Time limit of Issue

- Shall be issued within 30 days from the date of supply of services
 - If supplier of services- Insurer or Banking Co., Fin Inst., Incl NBFC- the period within which the Invoice to be issued is 45 Days
 - If supplier of services- Insurer or Banking Co., Fin Inst., Incl NBFC, Telecom Co. or any other class of supplier of services as may be notified- Taxable Supplies made between the Distinct Person as specified U/s 25 as referred to Entry 2 of Sch I- Invoice can be issued :-
 - Before or at the time such supplier records the same in his books of accounts
- OR**
- Before the expiry of quarter during which the supply was made

Rule 3 – Manner of Issue of Invoice

Invoice to be prepared in “ Triplicate”- for Supply of Goods

Original Copy for Recipient

Duplicate Copy for Transporter

Triplicate for Supplier

Rule 3 – Manner of Issue of Invoice

Invoice to be prepared in “ Duplicate”- for Supply of Services

Original Copy for
Recipient

Duplicate Copy for
Supplier

Rule 7-Tax Invoice in case of ISD

- Name, address and GSTIN of ISD
- Consecutive serial No
- Date of Issue
- Name, Address and GSTIN of the recipient to whom the credit is distributed
- Amount of Credit distributed
- Signature of Input Service Distributor or his authorized representative

ISD is an office of Banking Co. or Financial Inst., Including NBFC, a tax Invoice shall include any document whether or not serially numbered but containing the information

Sec 34(1)-Credit Note

Tax
Invoice
Already
Issue

Taxable
Value / Tax
Charged
>
Taxable
value / tax
payable

Issue a
Credit
Note

Before
earlier of
30th Sep of
next FY
or
annual
return filed
date

Sec 34(3)-Debit Note

Tax
Invoice
Already
Issue

Taxable
Value / Tax
Charged

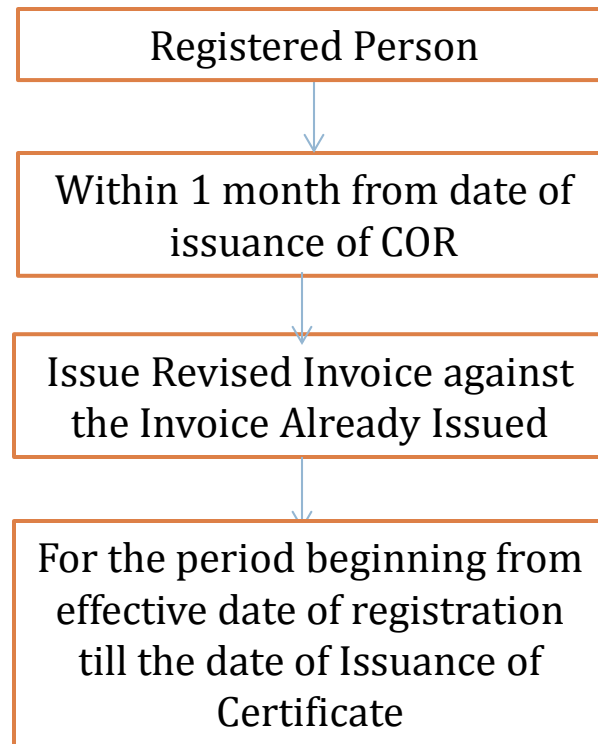
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Taxable
value / tax
payable

Issue a
Debit
Note

Before
earlier of
30th Sep of
next FY
or
annual
return filed
date

Sec 31(3) (a)-Scenarios other Than 30(1) & (2)



Consolidated Revised Tax Invoice can be issued when

- In case where the Recipient is un- registered
- In case of Inter – State Supplies, where the value of Supply < 2.50 Lacs, consolidated revised Tax Invoice may be issued separately in respect of all un registered recipients located in a state

Rule 6- Revised Tax Invoice and Cr. & Dr. Note

- The Word “REVISED INVOICE”- indicated prominently, if applicable
- Name, Address & GSTIN of Supplier
- Nature of Document
- Consecutive Serial No.
- Date of issue of document
- Name, Address, GSTIN or UIN of the recipient
- If Recipient is Un-registered - Name, Address, Address of Delivery, State Name & Code
- Serial number & Date of the corresponding tax invoice or as the case may be bill of supply
- Value of supply of goods or services, rate of tax, and amount of the tax credited or as the case may be, debited to the recipient
- Signature of the Supplier or his authorized representative

Sec 31(3)-Scenarios other Than 30(1) & (2)

- If Invoice Value < Rs. 250 – Registered Person may not issue Invoice
- If Registered Person, supply exempted supply of goods or services or both Or paying taxes U/10 – shall issue **Bill of Supply** in place of tax Invoice, if the value of Bill of Supply < Rs. 250- Registered Person may not issue such Bill of Supply
- Registered Person on receipt of advance payment- Issue **Receipt Voucher** evidencing the receipt of such payment
- If no supply is made against such Advance Payment and no tax invoice is issued- than such supplier shall issue **Refund Voucher** against such payment
- If Registered Person Liable to pay taxes under RCM, he shall issue invoice in respect of goods or services or both received by him from un-registered supplier
- Such registered Person shall issue payment voucher at the time of making payment to the un-registered supplier
- Goods Sent or taken on approval for sale or return are removed before the supply takes place- Invoice shall be issued before or at time of supply or Six months from the date of removal, whichever is earlier.

Rule 7- Tax Invoice is Special Cases

Supplier of Taxable Services

Goods Transport Agency

Issue Tax Invoice or any other document

Contents – In addition to Details as provided in Rule 1

- Gross Weight of Consignment
- Name of Consignor or Consignee
- Registration No of Goods Carriage
- Details of goods transported
- Details of Place of Origin & Destination
- GSTIN of person liable to pay tax to consignor/ consignee/ GTA

Rule 8- Transportation of Goods w/o Invoice

□ Purpose

- Supply of Liquid gas where the quantity at the time of removal from the place of business of the supplier is not known
- Transportation for goods on J/w
- Transportation for the reason other than by way of supply
- Such Other supplies as may be notified

□ Contents

- date and number of the delivery challan,
- name, address and GSTIN of the consigner,/ consignee if registered,
- HSN code and description of goods,
- quantity (provisional, where the exact quantity being supplied is not known),
- taxable value,
- tax rate and tax amount – central tax, State tax, integrated tax, Union territory tax or cess,
- place of supply, in case of inter-State movement,
- signature.

Rule 8- Transportation of Goods w/o Invoice

- No of Copies of Delivery Challan
 - Original for Consignee
 - Duplicate for Transporter
 - Triplicate for Consigner
- Goods are Transported on Delivery Challan in lieu of Invoice- it shall be declared in the Form [Way Bill]
- Goods Transported for purpose of supply, but the invoice could not be issued at the time of removal, the supplier shall issue tax Invoice after the delivery of goods
- Where goods are transported in a semi Knocked Down or completely knocked down then conditions to be fulfilled are:-
 - Issue complete invoice before the dispatch of 1st Consignment
 - Issue Delivery Challan for subsequent consignment, giving reference to Invoice
 - Each consignment shall be accompanied by- Delivery Challan & Duly certified copy of Invoice
 - Original copy of Invoice shall be sent along with Last Consignment

Thank You
for your interest.....

Hardik Dave

H Dave & Co.

