CHAPTER - 6.
TIME OF SUPPLY. (CGST ACT)

- Time of supply determines when the liability to pay tax would arise.

Section 31: TAX INVOICES

(1) Tax Invoice in case of supply of goods.
A registered person supplying taxable goods on/ before
(a) removal of goods for supply to recipient
(b) delivery of goods / or making available to recipient.
shall issue a tax invoice.

SP

(2) Tax Invoice in case of services.
A reg. person supplying taxable service shall before or after the provision of service but within 30 days from the date of provision of service. Issue a tax invoice.

(4) In case of continuous supply of goods.
Where successive statement of A/c's or successive payments are involved, invoice shall be issued:
before or at the time each such statement is recd or each payment is recd.

(5) In case of continuous supply of service
(a) Where due date of payment can be ascertained from contract, invoice shall be issued on/before due date
(b) before or at time of receipt of payment
(c) on/before completion of an event.

(6) Where supply of services ceases under a contract before the completion of supply, the invoice shall be issued at the time of cessation of services upto the extent of supply made before cessation.

(7) Goods sent on sale or return basis
(a) where such goods are removed before supply takes place, invoice shall be issued before or at the time of supply
OR
(b) 6 months from the date of removal whichever is earlier.

* Section 12 : TIME OF SUPPLY OF GOODS

SP

(1) Time of Supply = liability to pay tax

(2) TOS = earlier of four :

Invoice OR Payment

a) Date of issue of invoice by supplier or last date on which he is req^d to issue invoice u/s 31(1)
OR
b) Date on which the supplier receives the payment for supply.

Date of payment =
Date of credit in BOA
OR
Date of receipt in Bank
whichever is earlier

General rule : TOS = DOI or DOP, whichever is earlier.

Exception to S 12(2)(b)
Where any amount upto ₹1000 is recd in excess of invoice amt
TOS = Invoice date for that amount

(3) For RCM supplier, TOS = earlier of four:
receipt or payment or 31st day
a) Date of receipt of goods or
b) Date of payment: as per BOA (or) Bank: earlier.
c) 31st day after date of invoice by supplier.

Where TOS is not determinable from (a)(b)(c)
TOS = Date of entry in BOA of recipient.

(4) In case of supply of vouchers:
a) Date of issue of vouchers, if supply is identifiable (OR)
b) Date of redemption of voucher.

(5) Where TOS is not determinable u/s 12(2)/(3)/(4)
TOS shall be:
(a) where periodical return is filed, date of filing such return (OR)
(b) Date on which tax is paid.

(6) TOS = to the extent it relates to an addn in value of supply by way of interest, late fee or penalty for delayed payment of any consideration shall be the date on which the supplier receives the consideration

* Section 13: TIME OF SUPPLY OF SERVICES

(1) Liability to pay tax = TOS

(2) TOS = earliest of foll. dates =

Invoice or payment

(a) DOI u/s 31(2) or DOP whichever is earlier

Date of provision or payment

(b) Date of provision of service if invoice is not issued within 30 days (OR) Date of receipt of payment, earlier

(c) If not determinable from (a) & (b), date on which recipient shows receipt of services in his books.

Condⁿ of upto ₹1000 same as that of goods.

(3) In case of RCM, TOS = earlier of :

payment or 61st day from invoice

(a) Dt of payment as mentioned by recipient (OR) Dt of payment as debited by bank whichever is earlier

(OR)

(b) 61st day from date of invoice.

where TOS is not determinable u/s 13(3)(a)/(b) TOS = Dt of entry in BOA of recipient of supply.

In case of associated enterprise, TOS = Date of entry in BOA of recipient (OR) DOP whichever is earlier.

Lifestyle → X (Co). ₹2000 (+)GST 200 = 2200	Lifestyle Co. – OTC – ₹200, ITC – ₹200	Redemption of voucher: Emp. – ₹3000 (Purc) (+)GST 300 = 3300	Lifestyle: Sale value 3000, (−) Voucher (2000), 1000, (×) GST 10% 100 = 1100

(4) In case of supply of vouchers, TOS =
(a) Dt of supply if supply is identifiable.
(b) Dt of redⁿ in other cases.

(5) Where TOS is not determinable u/s 13(1)/(2)/(3)/(4)
TOS =
(a) Date of filing return
(b) Date of payment of tax.

(6) Same as TOS of goods.

* Section 14 : CHANGE IN RATE OF TAX
any 2 events – (if before – old rate) (if after – new rate)

SUPPLY	ISSUE OF INVOICE	RECEIPT OF PAYMENT	TOS
(as per normal provision – Inv/Pay – whichever is earlier – Same logic)			
Before	Before	After	DOI.
Before	After	Before	DOP. (Since no invoice)
Before	After	After	DOI/DOP – earlier.
After	After	Before	DOI.
After	Before	After	DOP.
After	Before	Before	DOI/DOP – earlier.

If DOP ⟹ If change in rate → & Payment is credited in bank A/c after 4 working days
DOP ~~TOS~~ = Dt of crediting of payment in Bank A/c.