Tax Invoice, Debit and Credit Notes *Amended upto 30.04.20 for Nov-2020*

[State GST laws also prescribe identical provisions]

- Few relevant definitions:
  - ⇒ Credit Note [S.2(37)]: Doc issued by RP u/s 34(1) | Debit Note [S.2(38)]: Doc issued by RP u/s 34(3)
  - ⇒ Continuous supply of goods [S.2(32)]
    - ↳ **supply of Gs** (incl. notified by Govt.) provided/agreed to be provided, **continuously/recurrent** basis
    - ↳ whether or not by means of a wire, cable, pipeline or other conduit
    - ↳ supplier **invoices** the recipient on a **regular/periodic** basis
  - ⇒ Continuous supply of services [S.2(33)]
    - ↳ **supply of Ss** (incl. notified by Govt.) provided/agreed to be provided, **continuously/recurrent** basis
    - ↳ under **contract** for period **> 3 months** with **periodic payment** obligation
  - ⇒ Document [S.2(41)]: written or printed and electronic record
- **Tax Invoice (S.31)**
  - ⇒ No format prescribed. Only certain prescribed fields as mandatory | Issued: Manually/Electronically
  - ⇒ TI issued by regd. supplier of *taxable* G/S/B
  - ⇒ **Time limit** for issuance of invoice: S.31 r/w Rule 47
    - ↳ depends on nature of supply (i.e. supply of G/S)

For Goods:

Supply involves movement of goods	**Supply does not involve movement of goods**	**Continuous supply of goods**	**Goods sent or taken on approval for sale or return**
before or at the time of removal of goods	*before or at the time* of delivery of goods/ making goods available to recipient	Earlier of: 1. *before or at the time* of issuance of periodical statement 2. receipt of periodical payment	Earlier of: 1. *before or at the time* of supply 2. 6 months from the date of removal

For Services:

General Case	**Insurance Co., Banking Co., FI/NBFC**	**Supply of taxable services between distinct person** – **by an Insurance Co., Banking Co., FI/NBFC, Telecom Operator, Notified supplier of services**	**Continuous supply of services**	**Cessation of supply of services before completion of supply**
before the **provision** of service *or* **within <u>30</u> days** from the **date of supply** of service	before the provision of service *or* within **<u>45</u>** days from the date of supply of service	**before recording** such supply in the books of account *or* **at the time of recording** such supply in the books of account *or* **before** the **expiry** of the **quarter** during which the supply was made	**on/before** the **due date** of **payment** *If due date not known:* **before/at** the time when the **supplier** of service **receives** the **payment** *When the payment is linked to completion of an event:* **on/ before** the date of **completion** of the milestone event	**at** the time when the **supply ceases** <u>*Note*</u>: to the extent of the supply made before such cessation

Only day's difference between the two

⇒ **Particulars of tax invoice [S.31(1) & (2) r/w Rule 46]** : Only applicable fields to be filled
- ↳ Name, address and GSTIN of supplier | Date of issue
- ↳ Consecutive serial number ≤ 16 characters -> one/multiple series -> alphabets/numerals/special characters* unique for a FY *[* hyphen or dash and slash, and any combination thereof]*
- ↳ Recipient regd. -> Name, address and GSTIN/UIN
- ↳ Recipient UR
  - – Supply value ≥ 50k -> Name, recipient address, delivery address with State name and code
  - – Supply value < 50k -> Same details if requested by UR-R
- ↳ HSN Code | G/S description | Gs: Qty, Unit, Unique Qty Code
- ↳ Value of supply G/S/B: Taxable value considering discount and Total Value
- ↳ Tax rate and amount of tax (C/S/I/UT/Cess) | RCM tax (if payable)
- ↳ For Inter-State Supply: PoS with State name | Address of delivery if it is different from PoS
- ↳ Signature or digital signature of supplier/authorized representative (N.A. for e-Invoice)
- ↳ QR code may be notified by the Govt.

⇒ **HSN Code requirements | Rule 46 |** Also applicable for BoS | NN 12/2017-CT

Annual turnover in preceding FY	**HSN digits**
≤ 1.5 crore	Nil
> 1.5 crore and ≤ 5 crore	2
> 5 crore	4

⇒ **Manner of issuing invoice [S.31(1) & (2) r/w Rule 48]**
- ↳ Taxable supply of **Gs**: Prepare in **Triplicate** (O: Recipient | D: Transporter | T: Supplier)
- ↳ Taxable supply of **Ss**: Prepare in **Duplicate** (O: Recipient | D: Supplier)
- ↳ **Serial No.** of invoices will be furnished in **GSTR-1**
- ↳ **e-Invoice [Rule 48(4)]**
  - – by notified RP -> in Form GST INV-01 -> after obtaining Invoice Ref. No. by uploading on portal* -> as per prescribed manner, conditions and restrictions
  - – every invoice issued by notified RP in other manner is not treated as invoice
  - – triplicate/duplicate copies concept not applicable here

  * Common GST Electronic Portal -> Invoice Registration Portals -> www.einvoice1.gst.gov.in (1-10 links)

⇒ **Revised Tax Invoice for taxable supply [S.31(3)(a) r/w Rule 53]**
- ↳ RP -> granted reg. -> w.e.f. a date earlier than RC date -> may issue RTI against I already issued before RC date
- ↳ **RTI Issue** -> within 1 month from RC date -> Indicating 'Revised Invoice'
- ↳ **Why needed** -> Person who becomes liable for reg. has to apply for reg. within 30 days of becoming liable -> Applied within time and reg. granted -> eff. reg. date is date on which he becomes liable -> Thus, time gap between granting of RC and Eff. date of reg. -> Hence RTI so that recipient can avail ITC
- ↳ **Consolidated RTI** in certain cases:
  - – for all taxable supplies made to an UR-R during such period
  - – in case of inter-State supply -> CRTI cannot be issued if value of a supply > 2.5 lakh
- ↳ **Particulars** of **RTI**
  - – Name, address and GSTIN of supplier | Date of issue
  - – Consecutive serial number ≤ 16 characters -> one/multiple series -> alphabets/numerals/special characters* unique for a FY *[* hyphen or dash and slash, and any combination thereof]*
  - – Recipient regd. -> Name, address and GSTIN/UIN
  - – Recipient UR -> Name, recipient address, delivery address with State name and code
  - – S.N. and date of corresponding tax invoice/BoS ***[This is new, rest is as TI]***
  - – Signature or digital signature of supplier/authorized representative

⇒ **TI N.R. if value < Rs. 200** | Instead consolidated can be issued | S.31(3)(b) r/w fourth proviso to Rule 46
- ↳ Value of supply G/S/B < 200 -> UR-R and he does not require TI -> To be issued if customer demands
- ↳ RP can issue CTI -> for such supplies -> at close of each day -> Also applicable for BoS
- ↳ *NA for* -> supply of services by way of admission to *exhibition of cinematography films in multiplex* **wef 01.09.19**

- **Bill of Supply [S.31(3)(c) r/w Rule 49]**

⇒ RP supplying exempted G/S/B *or* RP under composition levy/concessional rate -> shall issue BoS instead of TI

⇒ Following to be mentioned **on top of BoS**

person under composition scheme	*composition taxable person, not eligible to collect tax on supplies*
person under concessional rate	*taxable person paying tax in terms of Notification No. 2/2019 CT (R) dated 07.03.2019, not eligible to collect tax on supplies*

⇒ **Particulars** of BoS
 ↳ Persons issuing BoS does not collect tax -> recipient should not expect TI as it cannot be issued
 ↳ Consequently, BoS does not contain rate and amount of tax | Only value instead of taxable value
  – Name, address and GSTIN of supplier | Date of issue
  – Consecutive serial number ≤ 16 characters -> one/multiple series -> alphabets/numerals/special characters* unique for a FY *[* hyphen or dash and slash, and any combination thereof]*
  – Recipient regd. -> Name, address and GSTIN/UIN | HSN Code | G/S description
  – Value of supply G/S/B considering discount | Signature/DSC of supplier/authorized (N.A. for e-BoS)
  – QR code may be notified by the Govt.

- **Invoice-cum-bill of supply [Rule 46A]**
 ↳ RP supplying -> taxable + exempted G/S/B -> to URP -> single IcBoS may be issued for all

- **Receipt Voucher [S.31(3)(d) r/w Rule 50]**
 ↳ RP on receipt of advance payment -> for supply of G/S/B -> issued RV evidencing such receipt
 ↳ **Particulars** of RV
  – Name, address and GSTIN of supplier | Date of issue
  – Consecutive serial number ≤ 16 characters -> one/multiple series -> alphabets/numerals/special characters* unique for a FY *[* hyphen or dash and slash, and any combination thereof]*
  – Recipient regd. -> Name, address and GSTIN/UIN
  – G/S description | **Amount of advance taken**
  – Tax rate and amount of tax (C/S/I/UT/Cess) | RCM tax (if payable)
  – For Inter-State Supply: PoS with State name
  – Signature or digital signature of supplier/authorized representative
 ↳ **At receipt** of **advance**, if supplies **rate of tax** and/or **nature cannot be determined**, then
  – Tax rate @ 18% and treat it as inter-state supply

- **Refund Voucher [S.31(3)(e) r/w Rule 51]**
 ↳ After issuing receipt voucher -> no supply and no TI issued -> RP may issue RefV to person who made payment
 ↳ **Particulars** of RefV
  – Name, address and GSTIN of supplier | Date of issue
  – Consecutive serial number ≤ 16 characters -> one/multiple series -> alphabets/numerals/special characters* unique for a FY *[* hyphen or dash and slash, and any combination thereof]*
  – Recipient regd. -> Name, address and GSTIN/UIN
  – G/S description | **No. and date of receipt voucher** | **Amount of refund made**
  – Tax rate and amount of tax (C/S/I/UT/Cess) | RCM tax (if payable)
  – Signature or digital signature of supplier/authorized representative

- **Invoice and Payment Voucher [S.31(3)(f) & (g) r/w Second proviso to Rule 46 and 52]**
 ↳ Recipient liable for RCM tax -> supplies from Reg./UR supplier u/s 9(3)
 ↳ Builder/promoter liable for RCM tax u/s 9(4) [details in C3 notes]
 ↳ **RP** -> liable to **pay RCM** tax -> **issues invoice** -> when supply received from **supplier** who is **UR** on date of receipt
 ↳ **RP** -> liable to **pay RCM** tax -> shall issue -> **PV** -> at the **time** of making **payment to supplier**
 ↳ *Particulars* of PV:
  – Name, address and GSTIN of supplier | Date of issue
  – Consecutive serial number ≤ 16 characters -> one/multiple series -> alphabets/numerals/special characters* unique for a FY *[* hyphen or dash and slash, and any combination thereof]*
  – Recipient regd. -> Name, address and GSTIN/UIN | **Amount paid**
  – G/S description | Tax rate and amount of tax (C/S/I/UT/Cess) | For Inter-State Supply: PoS with State name
  – Signature or digital signature of supplier/authorized representative

- **Supplier permitted to issue any doc other than tax invoice [Proviso to S.31(2) r/w Rule 54]**
 ↳ Govt. -> on councils recom^{n} -> by notification -> subject to conditions -> specify category of SERVICES
 ↳ For such services -> other doc deemed as TI or TI may not be issued

Supplier of taxable service	***Document in lieu of the tax invoice***	
	Optional information	***Mandatory information***
Insurer/Banking Co./FI/NBFC	S.N. and address of recipient	✦ Other info. (other than optional) as per Rule 46 (TI particulars) ✦ Multiple services by bank/insurer to a customer -> consolidated TI/other doc -> signature/DSC not required

Supplier of taxable service	*Document in lieu of the tax invoice*	
	Optional information	***Mandatory information***
GTA (transportation of goods by road in a goods carriage)		✦ Gross weight of consignment ✦ Consignor and consignee name ✦ Reg. No. of vehicle | Gs detail ✦ Place of origin and destination ✦ GSTIN of person liable to pay tax ✦ Other info. as per Rule 46
Passenger transportation	S.N. and address of recipient	✦ Ticket in any form, whatever name ✦ Other info. (other than optional) as per Rule 46 (TI particulars) ✦ Signature/DSC not required
Admission to exhibition of cinematography films in multiplex *- w.e.f. 01.09.19* [single/other screens can follow]	Details of recipient	✦ Issue electronic ticket ✦ Other info. as per Rule 46

- **Delivery Challan (Rule 55)**
  - ↳ **at the time of removal of Gs** -> may be removed on DC and invoice after delivery
  - ↳ DC can be **issued for**:
    - – supply of liquid gas (Qty at the time of removal from suppliers PoB is not known)
    - – Transportation of goods for job work *or* other than supply and other notified supplies
  - ↳ **Particulars** of DC
    - – Date | Name, address & GSTIN of consignor (if regd.) | Consignee -> Name, address & GSTIN/UIN (if regd.)
    - – Consecutive serial number ≤ 16 characters -> one/multiple series | HSN | Gs description
    - – Qty (provisional, if actual not known) | Taxable Value | Tax rate and amount (when supply)
    - – PoS (for inter-state movement) and Signature
  - ↳ Prepare in **Triplicate** (in case of supply) -> O: Consignee | D: Transporter | T: Consignor
  - ↳ When Gs transported on DC -> declare in EWB
  - ↳ **TI after delivery of Gs**: Transport of Gs for supply -> but TI could not be issued at the time of removal of Gs
  - ↳ **Gs transported in** SKD/CKD condition or in **batches/lots**
    - – supplier to issue complete invoice before dispatch of first lot -> DC for subsequent lots with ref. to invoice
    - – DC copy with each consignment + certified copy of invoice -> original invoice copy with last lot
  - ↳ Gs moved *within state* or from *regd. state to other state** -> for *supply on approval* and *art work sent by artists* to galleries for exhibition
    - – * Such supplier cannot reg. as CTP (since actual supply and tax liability cannot be ascertained beforehand)
    - – Such Gs can be moved on DC with EWB (if applies) -> Invoice @ delivery -> Carry invoice book [CN 10/10/2017]
      - ✓ Same applies for art work supplied on approval by artists [CN 22/22/2017]

- **Credit and Debit Notes [S.34]**
  - ➢ **Issue of CN**: after issue of invoice
    - – value declared by supplier in I > actual value | high tax rate declared by supplier w.r.t. actual
    - – recipient has received less qty than declared in invoice | not satisfied with quality (partial/total return) | Others
  - ↳ Supplier issued CN to recipient -> tax liability of supplier reduces (as output tax is reversed)
    - – *reduction in liability not allowed if incidence of tax and interest for such supply passed on to other person*
  - ↳ 1 or more TI -> 1 or more CN in a FY (to recipient) i.e. 1 CN can be issued for >1 TI
  - ↳ CN N.A. for secondary discounts [S.15(3)] (as no tax liability reduction) -> Commercial CN can be issued [CN 92/11/2019]
  - ➢ **Issue of DN**:
    - – value declared by supplier in I < actual value | low tax rate declared by supplier w.r.t. actual
    - – recipient has received more qty than declared in invoice | Other reasons
  - ↳ Supplier issues DN to recipient | DN incl. supplementary invoice | Creates additional tax liability
  - ↳ 1 or more TI -> 1 or more DN in a FY (to recipient) i.e. 1 DN can be issued for >1 TI
  - ➢ **Declaration** of CN/DN **in returns**
    - – **CN**: in return of the month in which CN is issued but not after -> Earlier of: Following Sep from end of FY in which supply was made or date of furnishing of annual return [i.e. earlier of 30th Sep & 31st Dec of next FY]
    - – **DN**: in return of the month in which DN is issued

- **Particulars:**
  - Name, address and GSTIN of supplier | Date of issue | Nature of document
  - Consecutive serial number $\leq$ 16 characters -> one/multiple series -> alphabets/numerals/special characters* unique for a FY *[* hyphen or dash and slash, and any combination thereof]*
  - Serial No. and date of corresponding TI/BoS
  - Recipient regd. -> Name, address and GSTIN/UIN
  - Recipient UR -> Name, recipient address, delivery address with State name and code
  - Taxable value | Rate of tax and tax credited/debited to recipient | Signature/DSC of supplier/authorized

- **Prohibition of unauthorised collection of tax [S.32]**: URP shall not collect and RP shall collect as per Act
- **Amount of tax to be indicated in TI and other docs [S.33]**: Price + Tax = Supply