

Time of Supply of Goods/Services

Relevant Sections

Section 2

- Section 2(32) - Continues Supply of Goods
- Section 2(33) - Continues Supply of Services
- Section 2(93) - Recipient
- Section 2(96) - Removal
- Section 2(98) - Reverse Charge
- Section 2(105) - Supplier

Section 12 - Time of Supply of Goods

Section 13 - Time of Supply of Services

Section 14 - Change in rate of Tax

Section 31 - Tax Invoice

Supplier – Section 2(105)

“supplier” in relation to any goods and/or services shall mean the person supplying the said goods and/or services and shall include an agent acting as such on behalf of such supplier in relation to the goods and/or services supplied;

Recipient – Section 2 (93)

(a) where a consideration is payable for the supply of goods and/or services, the person who is liable to pay that consideration,

(b) where no consideration is payable for the supply of goods, the person to whom the goods are delivered or made available, or to whom possession or use of the goods is given or made available, and

(c) where no consideration is payable for the supply of a service, the person to whom the service is rendered,

and any reference to a person to whom a supply is made shall be construed as a reference to the recipient of the supply and shall also include an agent acting as such on behalf of the recipient in relation to the goods and/or services supplied.

Reverse Charge – Section 2 (98)

“reverse charge” means the liability to pay tax by the recipient of supply of goods or services or both instead of the supplier of such goods or services or both under sub-section (3)/(4) of section 9 and sub sec (3)/(4) of section 5 of IGST Act.

Removal – Section 2(96)

“removal” in relation to goods, means-

- (a) Despatch of goods for delivery by the supplier thereof or by any other person acting on behalf of such supplier, or
- (b) Collection of the goods by the recipient thereof or by any other person acting on behalf of such recipient.

Continuous supply of Goods – Section 2 (32)

“continuous supply of goods” means a supply of goods which is provided, or agreed to be provided, continuously or on recurrent basis, under a contract, whether or not by means of a wire, cable, pipeline or other conduit, and for which the supplier invoices the recipient on a regular or periodic basis and includes supply of such goods as the government may, subject to such conditions, as it may be notified, specify.

Continuous supply of Service – Section 2 (33)

“continuous supply of Service” means a supply of services which is provided, or agreed to be provided, continuously or on recurrent basis, under a contract, for a period exceeding three months with periodic payment obligations and includes supply of such service as the Central or a State Government may, whether or not subject to any condition, by notification, specify;

-: Section 12 :-
Time of Supply of Goods

Section 12 – Time of Supply of Goods

Normal
(2)

- Earliest of the Following :
- Date of issue of Invoice by the *supplier*; or *Last date* on which he is required to issue the invoice with respect to supply; or
- Date of receipt of the payment with respect to supply
If excess receive up to Rs. 1,000/, Time of supply at the option of supplier.

Reverse
Charge
(3)

- Earliest of the following :
 - Date of Receipt of Goods
 - Date on which Payment is made
 - Date immediately following 30 days of invoice

Where not determinable as per above, TOS shall be date of entry in books of account of recipient

Tax Invoice – Section 31 (1)

Invoice Shall be issued before or at the time of

Removal of Goods for Supply to the recipient, where movement is involved; or

Delivery of goods or making available, in any other case

Making Available

- Means goods are placed at the disposal of recipient.
- Physically not capable of being moved – M/c embed to earth
- Supplied in assembled or installed form.
- Supply to his agent or his principal.

Tax Invoice – Section 31 (4)

In case of Continuous supply of goods

Where successive statement of accounts or payment are involved, Invoice shall be issued before or at the time of issuance of each such statement or at the time of receipt of each such payment.

Goods sent on approval – Section 31 (7)

In case of Goods sent on approval or sale or returned or similar terms.

Where goods are removed before it is known whether supply will take place.

Invoice shall be issued at the earliest of the following

6 months from the date of removal

Before or at the time when it becomes known that supply has taken place

Section 12 – Time of Supply of Goods

Vouchers (4)

- If Supply identifiable at that point – Date of Issue
- In other cases – Date of redemption

Other than above 3 (5)

- Where periodical return has to be filed – Date when such return is to be filed
- In any other case – Date on which CGST/SGST paid

-: Section 13 :-
Time of Supply of Service

Section 13 – Time of Supply of Service

Normal
(2)

Earliest of the Following :

Date of issue of Invoice by the *supplier if the invoice issue within the period prescribed under section (2) of section 31*; or date of receipt of the payment, whichever is earlier.

Date of provision of service, *if the invoice is not issue within the period prescribed under section (2) of section 31*; or date of receipt of the payment, whichever is earlier.

Date on which the recipient shows the receipt of service in his books of accounts, in case where the provision of sec (a) and (b) do not apply.

If excess receive up to Rs. 1,000/, Time of supply at the option of supplier.

Reverse
Charge
(3)

• Earliest of the following :

- Date on which Payment is made
- Date immediately following 60 days of invoice

Where not determinable as per above, TOS shall be date of entry in books of account of recipient

In case of 'associated enterprises', where the supplier of service is located outside India, TOS shall be date of entry in books of account of recipient or date of payment which ever is earlier

Tax Invoice – Section 31 (2)

Invoice Shall be issued before or after the provision of service

But within prescribed period in this behalf

CG/SG on recommendation by notification may specify category of services for which any other document issued shall be deemed to be a Tax Invoice

Tax Invoice – Section 31 (5)

In case of Continuous supply of services

where the due date of payment is ascertainable from the contract

the invoice shall be issued before or after the payment is liable to be made by the recipient but within a period prescribed in this behalf whether or not any payment has been received by the supplier of the service

where the due date of payment is not ascertainable from the contract

the invoice shall be issued before or after each such time when the supplier of service receives the payment but within a period prescribed in this behalf;

where the payment is linked to the completion of an event

the invoice shall be issued before or after the time of completion of that event but within a period prescribed in this behalf.

Tax Invoice – Section 31 (6)

In a case where the supply of services ceases under a contract before the completion of the supply



the invoice shall be issued at the time when the supply ceases and such invoice shall be issued to the extent of the supply effected before such cessation.

Section 13 – Time of Supply of Service

Vouchers (4)

- If Supply identifiable at that point – Date of Issue
- In other cases – Date of redemption

Other than above 3 (5)

- Where periodical return has to be filed – Date when such return is to be filed
- In any other case – Date on which CGST/SGST paid

-: Section 14 :-
Change in Rate of Tax

Section 14 – Change in Rate of Tax

Supplied	Issue of Invoice	Receipt of Payment	Time of Supply
Before	After	After	Date of Invoice or Receipt of Payment, which ever is earlier
Before	Before	After	Date of Issue of Invoices
Before	After	Before	Date of Receipt of Payment
After	Before	Before	Date of Invoice or Receipt of Payment, which ever is earlier
After	Before	After	Date of Receipt of Payment
After	After	Before	Date of Issue of Invoices

Date of Receipt of Payment

Normal
Course
Earliest of

Date of Entry in
BOAs

Date of Credit in
Bank

Change in
rate of
Tax

If date of Cr. In
Bank, is after 4
working days
from the date of
change in rate of
tax

The date of credit
in bank.

Transitional Provisions Sec-142

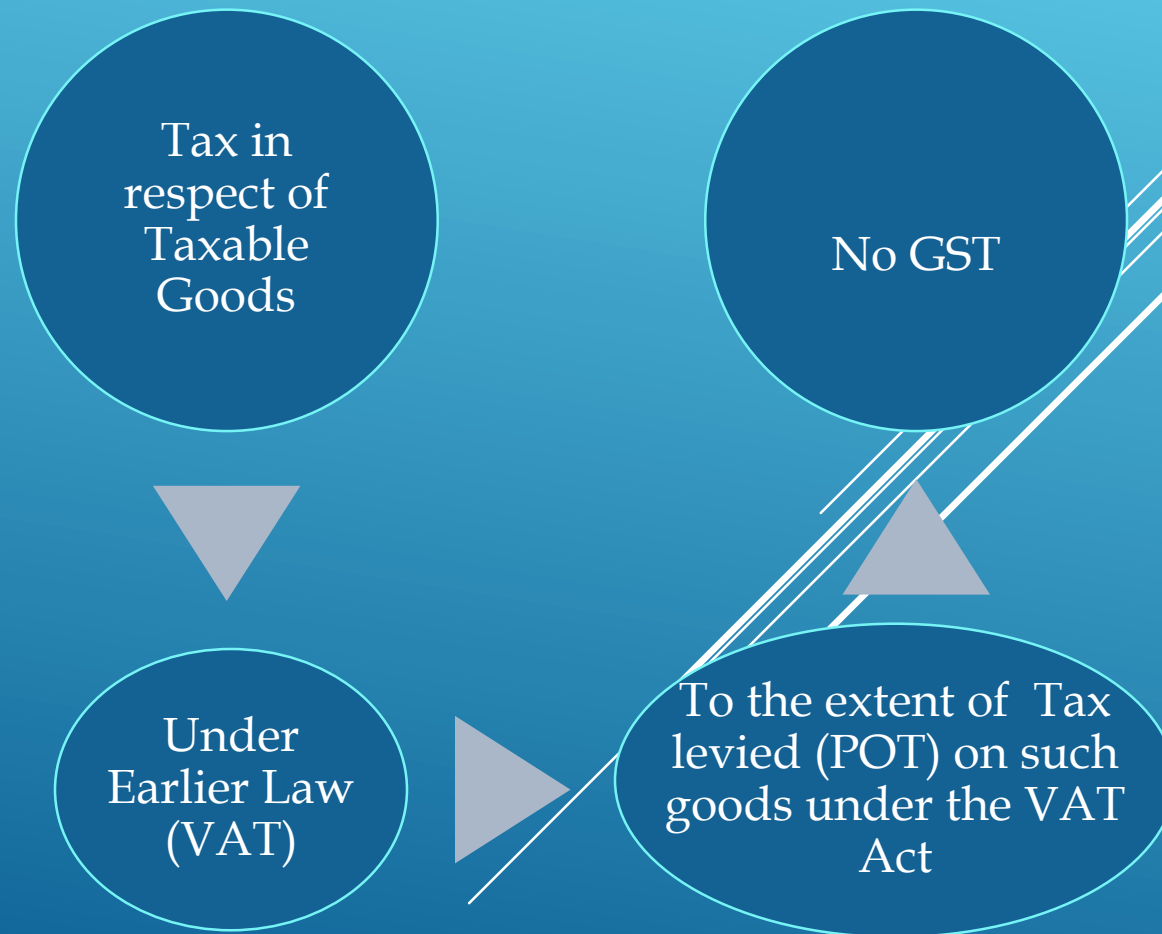
Section 142 (10) – supply of goods/service

Supply of Goods/ Services made on or after appointed day in pursuance of a contract enter into prior appointment day

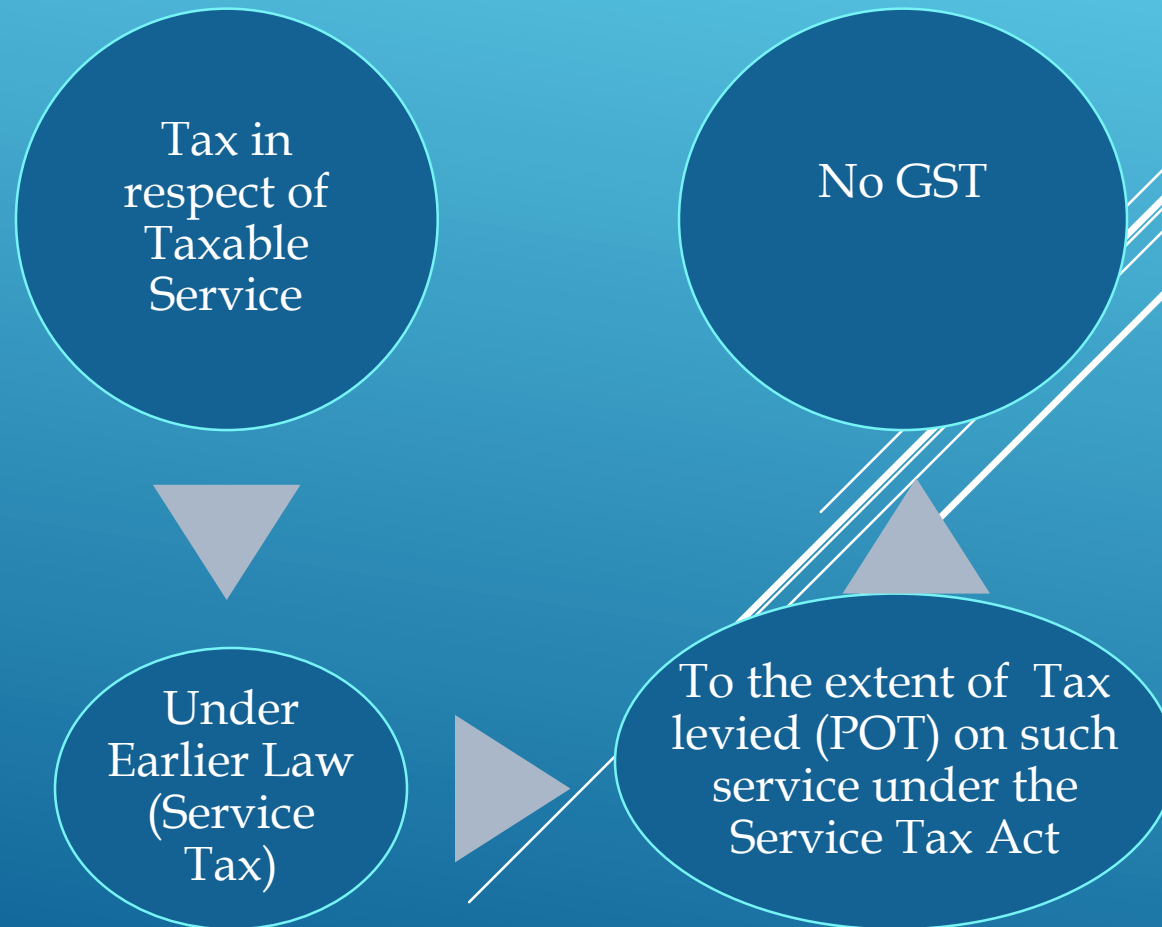


GST

Section 142(11)(a) – Taxability of supply of Goods

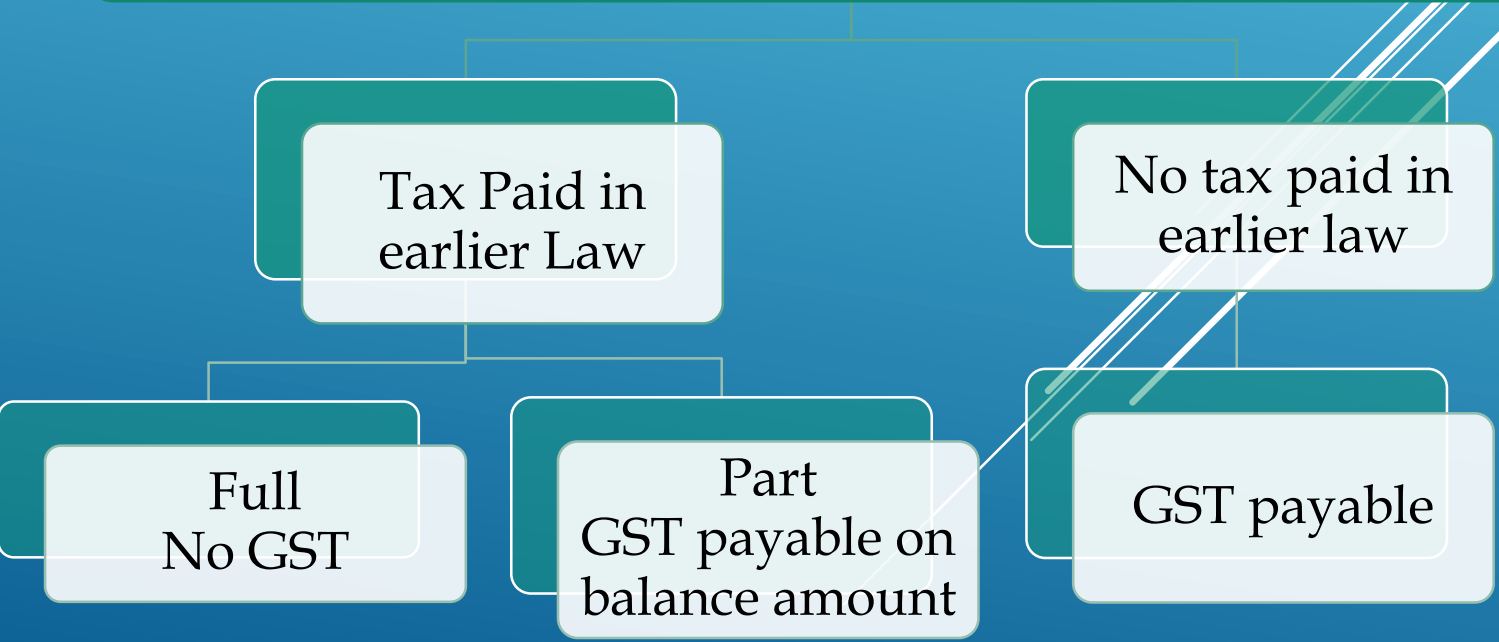


Section 142(11)(b) – Taxability of supply of services



Section 21 of IGST Act – Import of services or inter-State supply of goods and/or services made on or after the appointed day

Import of Services or inter state supply made after appointed date regardless of whether the transactions for such import of services had been initiated before the appointed day:



Thank You

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